



DECISION 24/2024
OF THE GOVERNING BOARD OF
THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY (EIT)
**ON THE CONCLUSION OF THE MEMORANDUM OF COOPERATION WITH EIT CLIMATE-
KIC, EIT DIGITAL AND EIT INNOENERGY**

THE GOVERNING BOARD OF THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY,

Having regard to Regulation (EU) 2021/819 of the European Parliament and of the Council of 20 May 2021 establishing the European Institute of Innovation and Technology¹, (hereinafter "EIT Regulation"), and in particular Articles 2 (15), 7 (4), 11 (7), 12, 13 (1) thereof, and point 1 g) of Section 2 of the Statutes of the EIT, as annexed to the EIT Regulation (hereafter "EIT Statutes");

Having regard to Decision (EU) of the European Parliament and of the Council of 20 May 2021 on the Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT) 2021-2027: Boosting the Innovation Talent and Capacity of Europe and repealing Decision No 1312/2013/EU², in particular Section 3.6.4. thereof;

Having regard to Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013³, in particular Article 10 (2) c) and point 4 of Annex III thereof;

Having regard to the In-depth study report of EIT Climate-KIC, EIT Digital and EIT InnoEnergy by independent external experts of 14 April 2023;

Having regard to the Final Reviews of the performance and activities of EIT Climate-KIC, of EIT Digital and of EIT InnoEnergy by Deloitte and White Research of November 2023⁴;

Having regard to Decision 29/2023 of the Governing Board of 13 July 2023 on memoranda of cooperation and on mandating the EIT Director⁵;

Having regard to Opinion 1/2024 of the Member State Representatives Group (MSRG) on the conclusion of a memorandum of cooperation with EIT Climate-KIC, EIT Digital and EIT InnoEnergy⁶;

Having regard to the agreement of the Commission, expressed by its representative in the Governing Board;

¹ OJ L 189, 28.5.2021, p. 61–90.

² OJ L 189, 28.5.2021, p. 91-118.

³ OL L 170, 12.5.2021, p. 1-68.

⁴ Ares(2023)8215644 (EIT Climate-KIC); Ares(2023)8215561 (EIT Digital); Ares(2023)8215105 (EIT InnoEnergy)

⁵ Ares(2023)4919314

⁶ Ares(2024)2238589

WHEREAS:

- (1) In line with the EIT Regulation, after the expiry of the partnership agreement, subject to the positive outcome of the final review, the EIT and the KIC may conclude a memorandum of cooperation with the aim of maintaining active cooperation. 'Memorandum of cooperation' means an agreement between the EIT and a KIC, aiming to keep the KIC as an active member of the EIT Community after the expiry of the partnership agreement, and which includes the conditions for access to EIT competitive calls for some specific activities and transnational activities with a high Union added value;
- (2) The memorandum of cooperation shall address the elements referred to in Article 12 of the EIT Regulation, including the rights and obligations linked to the continuation of the knowledge triangle activities as well as the maintenance of KIC's ecosystem and network; the conditions for the use of the EIT brand and participation in EIT Awards and other initiatives organised by the EIT; the conditions for participation in EIT competitive calls for some specific activities, including cross-KIC activities and shared services; and the conditions for additional support from the EIT for transnational coordination activities among the co-location centres with a high Union added value.
- (3) In line with the EIT Strategic Innovation Agenda, an in-depth independent study was conducted by the EIT, including an assessment of the KICs' efforts to achieve financial sustainability, the revenues generated and KIC's financial outlook as well as the activities, the continuation of which might be at risk due to a lack of resources. The outcome of the in-depth study served as a basis for the memorandum of cooperation, in particular as regards the focus of the EIT funding after the end of the Partnership Agreement;
- (4) The Governing Board decided in July 2023 on the duration, structure and content of the memoranda of cooperation and authorised the EIT Director to initiate negotiations with the KICs concerned. The EIT Director was asked to regularly inform the Governing Board of the progress made, organise the consultation of the Member State Representatives Group and submit the negotiated memoranda of cooperation to the Governing Board for final approval;
- (5) A final review was conducted by the EIT in line with Article 11(7) of the EIT Regulation and concluded in November 2023 with a positive outcome for EIT Climate-KIC, EIT Digital and EIT InnoEnergy;
- (6) The Member State Representatives Group adopted a positive opinion on the conclusion of a memorandum of cooperation with EIT Climate-KIC, EIT Digital and EIT InnoEnergy. The MSRG formulated its observations and recommendations, among others stressing the importance of KIC financial sustainability and the need to focus on activities at risk, underlining the importance of a competitive allocation mechanism, emphasising the need of maintaining the pan-European KIC ecosystem with a considerable number of KIC partners and the CLCs, stressing the importance of synergies with the EIC, highlighting the role of Horizon Europe Associated Countries, and proposing the development of long-term options to maintain KICs as part of the EIT Community and the EU research and innovation ecosystem in a financially sustainable way. The MSRG asked the EIT to provide timely information to the MSRG on the envisaged EIT-funded activities of the KICs, and to regularly inform the MSRG on the implementation of the memoranda of cooperation.

- (7) The Governing Board has duly examined the final draft memorandum of cooperation prepared by the EIT in cooperation with the Commission, as a result of the negotiations with the KICs based on the initial Decision of the Governing Board on the duration, structure and content of the memoranda of cooperation;
- (8) The Governing Board considers the negotiated memorandum of cooperation as a solid basis for the continued cooperation with the first-wave KICs, aligned with the aims of the EIT and the KICs, and keeping the KIC as an active member of the EIT Community with due regard to the change in the status of the KICs after the expiry of the Partnership Agreements;
- (9) The Governing Board agrees that the KIC Strategic Agendas of the respective KICs shall be annexed to the memorandum of cooperation as foreseen therein. The Governing Board notes the ongoing review of the Strategic Agenda of EIT Climate-KIC. Furthermore, the Governing Board acknowledges that the KIC Strategic Agendas may be revised in line with the relevant EIT guidance, subject to the assessment, and agreement of the EIT.
- (10) The text of the Memorandum of Cooperation is clear on which activities can be funded.
- (11) The EIT will launch a pilot call with a ceiling of 20 MEUR covering activities for 1 year and at the meeting in November 2024, the Governing Board will decide on the actual funding allocation based on the quality, EU added value and concrete deliverables proposed by the three KICs. The Governing Board will decide on possible future calls under the current financial framework.
- (12) The Governing Board shall be kept duly informed of the strategic aspects of the cooperation between the EIT and the KIC under the memoranda of cooperation, of the implementation of the EIT funded activities and of the KIC Strategic Agenda.
- (13) The EIT and KICs shall carry out a review of the implementation of the memoranda of cooperation before the end of the Horizon Europe Framework Programme.
- (14) Pursuant to point 5 of Section 3 of the EIT Statutes, the agreement of the European Commission, expressed by its Representative in the Governing Board, is necessary for the adoption by the EIT Governing Board of the present decision authorising the EIT Director to conclude the memorandum of cooperation with EIT Climate-KIC, EIT Digital and EIT InnoEnergy.

HAS DECIDED AS FOLLOWS

Article 1

Conclusion of the memoranda of cooperation by the EIT Director

- (1) Having examined the negotiated memorandum of cooperation, the Governing Board hereby approves the final text of the draft memorandum of cooperation enclosed in Annex to this decision.

- (2) The EIT Director is hereby authorised to conclude on this basis the memorandum of cooperation with EIT Climate-KIC, EIT Digital and EIT InnoEnergy, for a period of three years (2025-2027), starting on 1 January 2025 until 31 December 2027.

Article 2
Entry into force

This decision shall enter into force on the day of its signature.

Done in Budapest on 28 June 2024⁷

Nektarios Tavernarakis

Chairperson of the EIT Governing Board
[E-signed in ARES]

⁷ Adopted in a written procedure on 28 June 2024

