COM(2008) 467 final, *proposal for a Council Regulation on the Community legal framework for a European Research Infrastructure (ERI)*, is to facilitate the joint establishment of research infrastructures of European interest among several Member countries associated with the Community R&D Framework Programme. More specifically speaking, the Commission is proposing the creation of a framework Regulation that provides a common legal framework based on Article 171 of the EC Treaty.

The Commission consulted with key stakeholders and expert groups. In 2008, the Commission held a stakeholders meeting and also set up an advisory expert group. A vast majority of experts agreed on the usefulness of a new legal form at European level and on the broad orientation of the project of the Commission.

For the proposed action, an ERI will be a legal entity with a legal personality and the right to be recognised as such in all of the EU Member States. It will be based on membership namely, the Member States, third countries and intergovernmental organisation. Their primary role will be the establishment and operation of research infrastructures. The Commission proposes that the structure of an ERI be flexible. Members will be allowed to define, in the Statutes, member rights and obligations and other internal arrangements. Members' liability on ERI debt will, in principle, be limited to their respective contributions albeit that some flexibility will be included in the statutes to modify any such arrangements. The applicable law will be Community law, the law of the State of the statutory seat or that of the State of operation regarding certain safety and technical matters. The Statutes and their implementing rules must comply with such applicable law.

ERI's will be international bodies or organisations in the sense of the Directive on value-added tax, on excise duties and on public procurement and as such it will be exempted from VAT and excise duties and its procurement procedures will fall outside of the EU's public procurement Directives.

After analyzing the T-lab output, five clusters were selected for this issue because all clusters in the five cluster configuration reflected discussions taking place in the course of the consultation.

The first two clusters are broadly robust and carry across all three configurations. The first cluster discusses synergies between the public and private sectors in R&D. This is reflecting in the Top 10 document; words like "public," "R&D," and "private" correspond to the discussion of collaboration between private and public sector on R&D. The file named “IAVI\_IPM\_AGTBVF\_PDVI\_MMV\_DNDI” discussed this collaboration:

“The private sector brings unique and critical expertise to biomedical R&D, and to the development of innovative products and technologies…Public research settings provide basic science advances and feed candidates to the biotech sector for further applied R&D…Public policies aimed at increasing private sector involvement are therefore critical to secure their contribution to these R&D efforts. We support the ERA Green Paper’s proposal that flexible funding mechanisms, combining grant funding and tax incentives, be utilized to support business participation and collaboration with academic researchers.”

The second cluster focuses on the academic publishing industry and the access to academic articles. Many of the debates are on distribution of scientific research, specifically of publicly-funded research, which can be reflected in the Top 10 document such as “support”, “research” and “scientific”. Some of them discussed the importance of intellectual property rights, development of drugs, etc. In the file “SPARC”, they discussed their opinion on the publicize outcome of public-invested research:

“We are acutely aware of the failings of the current dissemination system, which place financial and permission barriers between publicly -funded research and interested scholars, researchers in industry, and the wider public…….We applaud action that has already been taken to achieve this aim and strongly support further activity to ensure all research data from publicly-funded research is publicly accessible.”

The third cluster in the three cluster configuration acted as a kind of residual cluster that captured what later turned out to be three separate discussions: (1) the commercialization of scientific research, (2) labor mobility for researchers in the EU and (3) creating physical and legal infrastructure that can help the EU's less-developed countries (such as those in the Balkans) and developing countries in general develop world-class research institutions and researchers.

For (1) the commercialization of scientific research, file named “Unico” talked about commercialization of research and its benefit:

“In an era of global competition in research, a European strategy can provide unique advantages in research commercialization and research consultancy for industry throughout the EU. These changes would beneñt universities throughout the ERA and the knowledge economy in general.”

For (2) creating physical and legal infrastructure that can help the EU's less-developed countries (such as those in the Balkans) and developing countries in general develop world-class research institutions and researchers. Document SPRWB talked about lacking of infrastructure:

“The researchers lack access to adequate scientific infrastructure, sometimes on a very basic level (e.g. due to the destruction through the war in Bosnia and Herzegovina). The support to infrastructure also in the field of research (addressed through IPA, the Instrument for Pre-Accession) is of great importance for the sector…It is important to assist the countries continuously in the development of innovation infrastructures such as technology and science parks, clusters, etc. and to provide good practice examples to link the private and public stakeholders.”

For (3) labor mobility for researchers in the EU. In Top 10 word document, relevant words such as “mobility”, “country” and “member” implicitly are about the labor mobility within EU. Discussions are about breaking down barriers to mobility within the EU or focusing on labor market mobility, coordination of projects across borders, and academic exchange. Document MCFA proposed as below:

“When mobility is emphasized as a key element of the ERA it should be addressed as an increased opportunity for a researcher career not as a forced choice. A single labor market should eventually be established with this in mind. We highly discourage the brandishing of mobility as the only way to pursue a scientific career with its frequently related relocation problems…This general principle should apply to all forms of mobility: national, trans-national, inter-sectorial and inter-institutional and be fundamental…”

According to the explanations above, we can broadly label five cluster as such:

1: Synergies between the public and private sectors in R&D

2: Academic publishing and access to academic research

3: Commercialization of scientific research

4: Creating physical and legal infrastructure that can help the EU's less-developed countries (such as those in the Balkans) and developing countries in general develop world-class research institutions and researchers

5: Labor market mobility for researchers and academics

Based on the coding criteria developed by the US team, cluster one would be coded as “1” or “7”, “1” as “economic” and “7” as “research & development” frame. The reason is that this cluster only contain four document and two of documents support one code frame respectively.

Cluster two would be labeled with the cluster code of “7”, a “research &development” frame. Most of the discussions are about distribution of scientific research.

Although cluster three, four and five discuss separate discussions, they acted as a kind of residual cluster. So, after reading the document, we code it “7”, a “research& development” frame.