

Attachment 1: NERO mission statement
(last update 20110819)

NERO mission statement

Background

As a general starting point for NERO's work, the founding Participants have identified a need for an individual forum and representative organisation for RTOs' interests in ESA matters. RTOs are involved in all kinds of ESA projects, but their interests are not directly represented in the ESA decision making processes. Existing service providers' representation (e.g. through EUROSPACE) does not focus on the particular needs of RTOs in relation to industry.

Differences between RTOs as represented by NERO and industrial stakeholders are for example, but not limited to:

- RTOs commonly do not do production under use of their or other partners' results
- RTOs commonly do not make profits with their services, and therefore can e.g. not build up reserves for potential claims for damages (such as, but not limited to, contractual penalties)
- RTOs are oftentimes by (internal or external) limitations in what degree of liability they can accept
- RTOs under certain circumstances are subject to particular rights of their employees ("professor's privilege")
- RTOs under certain circumstances are more bound by procurement regulations when purchasing goods or services
- RTOs commonly are interested in keeping results of their projects free of others' (customer, project partners, third parties) rights, to use them in further research activities
- RTOs may under certain circumstances be more interested in publishing
- RTOs which are non-for-profit organisations may underlie different kinds of limitations and legal obligations due to the laws surrounding their charitable status
- RTOs may be subject to particular legislative obligations with regard to accounting, which might cause difficulties with regard to ESA pricing regulations (full cost vs. fixed price)

Objectives

To strengthen visibility and implementation of RTO particularities and needs in the ESA in ESA legal and administrative context, NERO objectives are

- to enable exchange of information and experience between its Participants in ESA legal and administrative matters;
- to monitor and discuss on where are common positions and particular RTO interests of its Participants regarding ESA legal and administrative matters;
- to elaborate and to voice consolidated positions of RTOs on general and specific legal and administrative ESA policies, programs and issues affecting them;
- to strengthen its Participants representation in the ESA policy making process by providing a unified RTO contact and reference body for consultation and dialogue with ESA executive, the national space agencies, EUROSPACE and other ESA stakeholder organizations;
- to cooperate and join forces with other stakeholders where common positions exist in ESA legal and administrative matters

NERO NETWORK REGULATIONS

version 20130118

Activities

- For quick information and to minimise reaction times for activities, all Participants are invited and requested to disseminate via the network's contact tools any new developments of common interest which they become aware of.
- NERO will provide moderated ad hoc discussions and coordination of statements on new ESA policy issues falling under the network's focus. Each Participant is invited to open and moderate discussions on issues of common interest
- NERO shall implement and maintain permanent working groups on a case by case basis for matters of common interest with on-going developments and need for discussion and representation
- NERO organises general Participants' meetings for information and discussion on a regular basis, with or without invitation of representatives of ESA, national agencies or other ESA stakeholders
- NERO elaborates, consolidates and voices recommendations towards ESA based on the identification of issues affecting the RTO sector as a whole. The network maintains a permanent review of ESA policy.

Working Groups:

- The Network shall maintain working groups in Legal and in Administrative matters, for example for:
 - monitoring application practice and amendments of the GCC, the procurement regulations and other relevant policy documents
 - ESA financing schemes,
 - taxation matters

Participation

NERO Participation is open to RTOs (including research organizations and Universities) in the ESA Member states and other European Economic Area countries eligible for ESA Programs. Accession as a Participant is subject to approval by the existing Participants.

The affairs of the network are governed by the general Participants' meeting (General Assembly).

As for the time being the network is intended to be administered without generating substantial costs, Participation shall be free of charge unless the General Assembly should decide otherwise.