



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MIGRATION  
AND HOME AFFAIRS



## **TERMS OF REFERENCE**

**between**

**the Directorate-General for Migration and Home Affairs of the European  
Commission**

**and**

**the European Union Agency for the Operational Management of Large-Scale IT  
Systems in the Area of Freedom, Security and Justice (eu-LISA)**

**regarding**

**the role of the European Union Agency for the Operational Management of Large-  
Scale IT Systems in the Area of Freedom, Security and Justice in the parts of the  
Framework Programme for Research and Innovation that include research themes  
related to innovative solutions for the operational management of the Large-Scale  
IT systems in the area of Freedom, Security and Justice**

The Directorate-General for Migration and Home Affairs of the European Commission, represented for the purposes of signing these Terms of Reference by Ms Monique PARIAT, Director General of Directorate-General for Migration and Home Affairs (hereinafter referred to as 'DG HOME') and

the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice<sup>1</sup>, represented by Mr Krum GARKOV, Executive Director (the 'Agency' or 'eu-LISA'; DG HOME and the Agency are hereinafter also collectively referred to as 'the Parties'), considering

- Regulation (EU) 2018/1726 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) (the 'eu-LISA Regulation'), and in particular Article 14(1) thereof<sup>2</sup>;

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<sup>1</sup> Established by Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99).

<sup>2</sup> The present terms of reference do not constitute a delegation of powers and are without prejudice to Article 14(2) of Regulation (EU) No 2018/1726.

- Regulation (EU) No 1291/2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)<sup>3</sup>;
- the Agency's key understanding and expertise as regards the standards, requirements and capability gaps of the European Justice and Home Affairs community, in particular with regard to the preparation, development and operational management of large-scale IT systems in the area of freedom, security and justice, and the development of the interoperability architecture;
- that the effective and efficient preparation, development and operational management of large-scale IT systems in the area of freedom, security and justice and the development of the interoperability architecture is based, among other aspects, on the timely identification, development and deployment of new technologies and non-technological solutions;
- that the Agency is tasked with monitoring developments in research relevant for the operational management of the large-scale IT systems referred to in Article 14 of the eu-LISA Regulation;
- that DG HOME manages the security research part of the main funding instrument for research and innovation in Europe – the European Union Framework Programmes for Research and Innovation;
- that any future role of DG HOME or the Agency in the European Innovation Hub for Internal Security is not prejudiced by these terms of reference,

have agreed on the following, in order to strengthen the involvement of the Agency in EU-funded security research and innovation in accordance with the eu-LISA Regulation, particularly in relation to research and innovation relevant to the development of large-scale IT systems in the area of freedom, security and justice.

## 1 PURPOSE

- (1) These terms of reference aim to strengthen the cooperation between DG HOME and the Agency in the area of research and innovation relevant to the development and the operational management of large-scale IT systems in the area of freedom, security and justice.
- (2) These terms of reference will render the implementation of relevant parts of the Framework Programmes for Research and Innovation more effective, particularly those related to large-scale IT systems in the area of freedom, security and justice, and provide foundations to facilitate the uptake of results of research, to be supported by other instruments.
- (3) Research and innovation should contribute to capability development, to help keeping borders and internal security processes, supported by the large-scale IT systems in the area of freedom, security and justice, at a state-of-the-art level. To

<sup>3</sup> Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104.

contribute to this, the Agency's own experts and the relevant community of practitioners under the coordination of the Agency can, in accordance with point (2) on Roles and Responsibilities below, provide advice on:

- (a) the identification of capability, capacity, effectiveness and efficiency gaps;
- (b) the identification of research activities that can address the gaps;
- (c) translating gaps into requirements for solutions to be researched;
- (d) direct research to be carried out into the development of solutions for the requirements;
- (e) the development of solutions by facilitating their operational testing and validation;
- (f) outcomes of research and assessing their continued operational relevance;
- (g) means of disseminating, exploiting and testing successful results, thus facilitating their market uptake and deployment;
- (h) provision of feedback of research results into the wider capability development process, thus leading to the achievement of targeted capabilities and the fulfilment of associated user requirements.

As monitoring the developments in research and innovation relevant to the operational management of large-scale IT systems in the area of freedom, security and justice is, in accordance with Article 14(1) of eu-LISA Regulation, one of the tasks of the Agency, eu-LISA will assign the necessary resources in order to fulfil that role.

## **2 ROLES AND RESPONSIBILITIES**

- (1) The Agency will provide advice with regard to the relevant parts of Union Framework Programmes for Research and Innovation, focusing in particular on research related to the operational management of large-scale IT systems in the area of freedom, security and justice. This will cover advice on the programming and results uptake. In accordance with Article 14(1) of eu-LISA Regulation, the Agency monitors developments in research relevant for the operational management of SIS II, VIS, Eurodac, the EES, ETIAS, Dublinet and other large-scale IT systems as referred to in Article 1(5) of the eu-LISA Regulation.
- (2) The Agency's activities under these terms of reference do not affect the responsibilities of the Research Executive Agency<sup>4</sup> in managing grant agreements,

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<sup>4</sup> Defined by Commission Decision (2008/46/EC) of 14 December 2007 setting up the 'Research Executive Agency' for the management of certain areas of the specific Community programmes People, Capacities and Cooperation in the field of research in application of Council Regulation (EC) No 58/2003.

in coordinating the evaluation and review workflows and, in general, administrative supervision.

- (3) The Commission remains responsible for the implementation of the European Union Framework Programmes for Research and Innovation.
- (4) When implementing their roles and responsibilities, the Parties may seek the scientific contribution of the Joint Research Centre – the European Commission's science and knowledge service.
- (5) The following specific roles and responsibilities are performed by the Parties:
  - (a) As part of advising on research programming, the Agency identifies and elaborates inputs to DG HOME research themes regarding research and innovation needs related to long-term innovative solutions for the evolution of operational management of the large-scale IT systems in the area of freedom, security and justice, *inter alia* on interoperability, biometrics, data quality, data security and communication security.

On this basis, DG HOME identifies key research themes, consults the Programme Committee, and elaborates the draft of the research work programmes.

Synergies with other EU programmes and policies as well as across the Multiannual Financial Framework (MFF) will be considered as appropriate.

- (b) Individual staff members from the Agency can register in the Commission's database of experts for the purpose of being selected, in their personal capacity as independent experts and based on their technical knowledge and expertise, to evaluate research proposals related to the operational management of large-scale IT systems in the area of freedom, security and justice. Acting in their personal capacity as independent experts for the purpose of the evaluation task they:
  - are subject to the applicable rules and conditions for experts, in particular the provisions on conflict of interest,
  - do not represent the Agency,
  - cannot be remunerated for the task, and
  - cannot be subject to any kind of preferential or differentiated treatment.
- (c) The Agency assists the Commission in promoting throughout Europe the opportunities to register as experts for the purposes of evaluation of research proposals.

DG HOME informs the Agency on final award decisions for projects, based on the conclusions of the evaluation process.

- (d) As part of overall assessment of continued relevance of EU-funded research projects related to the operational management of large scale IT-systems in

the area of freedom, security and justice, the Agency can invite research project representatives to present contributions at regular events organised by the Agency for its stakeholder community (e.g. eu-LISA Industry roundtable and eu-LISA Annual Conference).

The Agency can hold meetings with staff from DG HOME and the Research Executive Agency responsible for the research projects to discuss the continued relevance of border security research activities taking into account the capability planning process, and provide them advice.

The Agency will assess the relevance of EU-funded research projects in particular based on contributions that may be submitted by research projects representatives.

The Agency will gather and relay technical and operational feedback to staff from DG HOME and the Research Executive Agency responsible for the research projects, contribute to disseminate project results to the relevant communities, and facilitate the integration of innovation coming from research with the Agency's operational activities and events, advise staff from DG HOME and the Research Executive Agency responsible for the research projects on projects' tests/trials/workshops/conferences, facilitate the projects' tests/trials in the operational environment, identify overlaps or synergies with other initiatives to the extent possible, and liaise with staff from DG HOME and the Research Executive Agency responsible for the research projects.

Using the Agency's reporting tools or based on any other reporting agreement established with the Agency, DG HOME and the Research Executive Agency receive feedback on the relevance assessment made by the Agency.

As part of the review process of research projects related to the operational management of large scale IT-systems in the area of freedom, justice and security, *inter alia* to the other pertinent areas defined in (5)(a), the Agency may be invited as an observer to the relevant research projects' progress review process.

- (e) The Agency contributes to the uptake of the outcomes of the relevant research activities by supporting the dissemination of project results, as well as consider those - whenever possible - in the operational management of the large-scale IT systems in the area of freedom, justice and security, *inter alia* to other pertinent areas defined in (5)(a).

### **3 POINTS OF CONTACT**

The Parties' designated contact points to facilitate the efficient implementation of the present terms of reference are:

For DG HOME, the Unit in charge of innovation and industry for security.

For the Agency, the Unit in charge of Governance and Capabilities.

These terms of reference shall apply as of the signature by both Parties.

The terms of reference are signed in two originals in English.

**For the European Union Agency for the  
Operational Management of Large-Scale  
IT Systems in the Area of Freedom,  
Security and Justice (eu-LISA)**

Krum GARKOV  
Executive Director



Digitally signed by:  
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(EU-LISA)  
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36:27 UTC

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**For the Directorate-General for  
Migration and Home Affairs of the  
European Commission**

Monique PARIAT  
Director General



BRUSSELS, 12-03-2021  
[date, place of signature]