

ERIC Forum 2

Pilot Examples of Engagement with International Partners

Work Package 7 - Deliverable 7.2

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Description of deliverable	The deliverable outlines the reports from four workshops, led by experts on different modalities of engagement with third countries, based on the outcomes of deliverable 7.1 on such practices.

Executive summary

As ERIC Forum 2 Deliverable 7.1 (*Best Practices and Recommendations for Procedures of Engagement with Third Countries*) demonstrated, there are a wide variety of mechanisms used by ERICs to engage with third countries. The diversity can be explained by the variation in conditions for international collaboration per ERIC.

Following the survey and interviews of ERICs reported in Deliverable 7.1, the next step was to disseminate and review the most common and impactful activities that ERICs use to engage with third countries and international partners. Four workshops were organised, each providing an opportunity for research infrastructure teams to come together and discuss the merits and challenges associated with various modalities, and to come up with a series of recommendations for each, where and when they should be used, and how to progress from one mechanism to another.

The four workshops, and their hosting ERICs, are as follows:

1. Memorandum of Understanding (Instruct)
2. Memorandum of Agreement, or Associate Membership (JIVE)
3. Observership (BBMRI)
4. Full Membership (CLARIN)

The series was well attended, with attendees from the ERIC Forum 2 consortium, infrastructures that became ERICs after the consortium was organised, plus some non-ERIC research infrastructures. Each workshop began with a presentation from the hosting ERIC, outlining the general concept of the selected modality, before giving specific detail of how their ERIC utilises said mechanism, and providing suggestions and details of how other research infrastructures could make use of the activity. Following these presentations, discussion sessions allowed attendees to ask for more information about the chosen modality, or to point out their own experiences, and provide a different perspective on how to enhance the collective international collaboration of ERICs.

This report details the specific format of these workshops, and the key messages provided by the hosting presenter, and the main questions and topics of discussion between the hosts and attendees. It provides an overview of the key questions that ERICs have when formulating internationalisation strategies and plans, and gives an idea of what direction or assistance and policy support ERICs need in order to maximise their international partnerships.

Document log

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Background

Following Deliverable 7.1 (Best Practices and Recommendations for Procedures of Engagement with Third Countries), the ERIC Forum 2 Work Package 7 team identified several key mechanisms that ERICs use to engage with international partners. Most common amongst these were memoranda of understanding (MoU), fee-paying agreements with international facilities or institutions, shared grants or projects, and participation in international advisory boards. Projects such as eRImote, which developed a Green Paper¹ outlining the importance of remote access for collaboration with researchers in third countries, provided an opportunity for international partners to outline what is important to them when collaborating with European teams. Similarly, bi-regional projects such as EU-LAC ResInfra Plus, and the associated EU-CELAC Working Group, provide funding and support for initiatives between Europe and Latin America, for research infrastructures to make use of. However, in addition to these more commonly used modalities, high impact but rarely used mechanisms were identified; namely, observership and full membership of international countries to an ERIC.

In order to explore in more detail how each modality could be used by European research infrastructures, and to create an open forum on how best to apply each technique, WP7 established a series of workshops. These were presented by appropriate members of the ERIC Forum 2, who had specific experience in a particular activity. The selected workshop topics and their presenters were:

1. MoU (Instruct)
2. Memorandum of Agreement (MoA), or Associate Membership (JIVE)
3. Observership (BBMRI)
4. Full Membership (CLARIN)

The rationale for choosing these modalities for the workshops was based on their commonality, or their potential for impact on other ERICs and whether or not they could select and implement similar examples.

MoUs are already used by 16 (of the surveyed 23) ERICs, however several said that they did not see their full value, or were not getting the most out of them. The workshop was aimed at these ERICs or those who have not previously utilised them. Instruct, as an ERIC with 11 international MoU, was seen as best placed to present and chair this workshop.

MoA are paid agreements between ERICs and institutions – they are similar to MoU in that they operate at the institutional level but are legally binding and involve a financial transaction. This was a mechanism that only became apparent throughout the research for the 7.1 Report, and was deemed of interest for many ERICs and research infrastructures. JIVE, as an ERIC with several MoAs with international partners, presented this workshop. Workshops were also organised on Observership and Full Membership, presented by BBMRI and CLARIN respectively, as they are the only ERICs with international examples of these engagement mechanisms.

¹ eRImote Green Paper - <https://open-research-europe.ec.europa.eu/articles/4-152/v1>

Methodology and Format

The workshops were communicated both to the ERIC Forum community (through ERIC Forum 2 channels and direct email communication), as well as the wider research infrastructure community, largely using the RI-VIS Slack Channel², which contains more than 800 research infrastructure staff. As a result, the workshops were not kept purely for the ERIC community. Many prospective ERICs were invited to join the workshops, who could then get an idea of the internationalisation options available to them, and could collaborate with existing ERICs on what the most effective mechanisms are.

The format of the workshops was kept consistent in order to provide a more detailed overview of each modality for attendees. The workshops were scheduled to last one hour, opening with a presentation of the modality by the chair, detailing how it works in general application, followed by the specifics of how their ERIC utilises the mechanism. Following the presentation, attendees were invited to ask questions about the mechanism itself, or how the ERIC makes use of it. Attendees were also encouraged to outline their own experiences, to build up more possibilities for research infrastructures to make use of certain activities.

The workshops were seen as an opportunity for research infrastructure teams to come together to discuss the best international collaboration activities. Therefore, the meetings were not recorded, as it was seen as a potential blocker to open discussion. Notes were taken of any discussion points, either during the presentation itself or afterwards. These were then incorporated into the presentation slides, which were distributed to all attendees following the meeting.

Each workshop was well attended, with more than 100 total registrations across all four workshops. The breakdown of registrations is shown below:

1. MOU Workshop – 20 attendees from 13 ERICs and one non-ERIC RI
2. MOA Workshop – 20 attendees from 13 ERICs, one non-ERIC RI, and four research-conducting institutions
3. Observership Workshop – 28 attendees from 20 ERICs and three non-ERIC RIs
4. Full Membership Workshop – 21 attendees from 11 ERICs and three non-ERIC RIs

All workshops were communicated via the ERIC Forum 2 website and distributed to the project mailing list. They were also disseminated in the RI-VIS Slack Channel, which contains more than 800 research infrastructure staff members. This meant that the workshops attendees were not always limited to current ERICs, providing a different dimension for some discussion topics, as well as informing new and prospective ERICs of the potential pitfalls of international collaboration so that they can be well-prepared.

² RI-VIS Toolkit - <https://toolkit.ri-vis.eu/home>

Outcomes

Memoranda of Understanding – Instruct-ERIC

The first workshop was led by John Dolan, Communication and Project Manager at Instruct-ERIC. Instruct was chosen to chair the workshop on MoU as they have extensive experience as an ERIC in both the establishment of such agreements, and the implementation of activities associated with them. In addition, Instruct were able to make use of existing resources such as the MoU Template (Figure 1) prepared during the Horizon 2020 project RI-VIS, directing users towards available documentation and tools to save time and repeated effort.

MOU Template

MOU Template available on RI-VIS website
ri-vis.eu/network/rivis/resources

Outlines:

- Parties involved
- Aim(s) of the collaboration
- The commitment for all parties to work towards the aim
- Acknowledgment that funds will not be transferred
- Review process
- Duration
- Language
- Signature



The screenshot shows a template for a Memorandum of Understanding. It includes fields for Party 1 Name, Party 2 Name, and a checkbox for 'Does this MoU involve collaboration?'. It also contains sections for Purpose, MOU focuses between Party 1 and Party 2, and the Aim of this Memorandum of Understanding. The document is dated 2020 and includes the RI-VIS logo.



ERIC Forum 2 Project has received funding from the European Union's Horizon Europe under grant agreement n° 101124559



Figure 1. MoU Template available on the RI-VIS website, presented in the MoU Workshop.

The aim of the presentation was to outline the way an MoU works, how it can be implemented, the advantages and disadvantages, and the way in which Instruct itself uses them to advance the engagement with organisations outside of Europe. The way in which an MoU works, plus its advantages and limitations advanced in understanding from the results submitted in the Deliverable 7.1 Report. Many ERICs outlined that they used MoU, but several found that there were as many drawbacks as benefits. These were acknowledged in the presentation, before demonstrating how Instruct has used MoU to develop more concrete activities (Figure 2). As these uses are more specific to Instruct and its operations, it was the topic of several questions in the discussion part of the workshop, as other RIs sought to understand how to transfer such actions to their domain or model.



MOU Activities

- International Calls
- Staff Exchanges
 - [3-12 month visits from Latin American to European centres](#)
- Landscape Analysis Report
 - Published October 2022
- Collaboration in existing projects
 - EU-LAC [Resinfra](#)
 - RI-VIS
- Writing new grants
 - RI-Hubs
 - EULACRIs
- Partnership Events



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Figure 2. Examples of how Instruct utilises MoU with international partners.

Questions that were discussed in the open part of Workshop 1 are show below (**bold**), with the general consensus of the answers and suggested actions provided by the chair and group (*italicised*):

What are the processes of maintaining MOU?

- *Internal SWOT analysis*
- *Regular communication with main contact at corresponding institution*

How to plan and manage the duration of MOU?

- *SWOT analysis before MOU to decide activities, and how long is required to achieve the planned activities*

How to keep track of MOU and other agreements made by nodes/centres?

- *Keep in touch with nodes about their third country contacts and activities*
- *Some members are more likely to generate international contacts e.g. Latin America and Spain/Portugal*

Some ERICs provide access to all partners, no need for an MOU

- *Different ERICs have different access models – can provide specific benefits to MOU partners*
- *e.g. Instruct offer access to all, but funded access to MOU partners through dedicated calls*

The first workshop had 20 attendees, 17 of which were based at ERIC organisations. The remainder were part of European research infrastructures not with ERIC status.

Memoranda of Agreement/Associate Membership – JIVE

The second workshop was led by Aga Slowikowska, Director at JIVE. JIVE was chosen to lead this workshop as they currently hold several of these fee-paying agreements with international institutions. This is not a mechanism that came up during the research of the Deliverable 7.1 Report, and is very uncommon amongst ERICs. Therefore, the aim was to have JIVE present the concept of the MoA and give details of how their current agreements work.

Specifically, they outlined what separates the MoA from an MoU – largely that MoA does involve the exchange of funds, and includes concrete activities for both parties, unlike an MoU (Figure 3). Similarly, the presentation demonstrated that the MoA could be seen as a proxy for full membership, as it can avoid difficulties at ministerial level (agreement over the European Court of Justice, for example), but can provide effective membership for an institution in a third country.

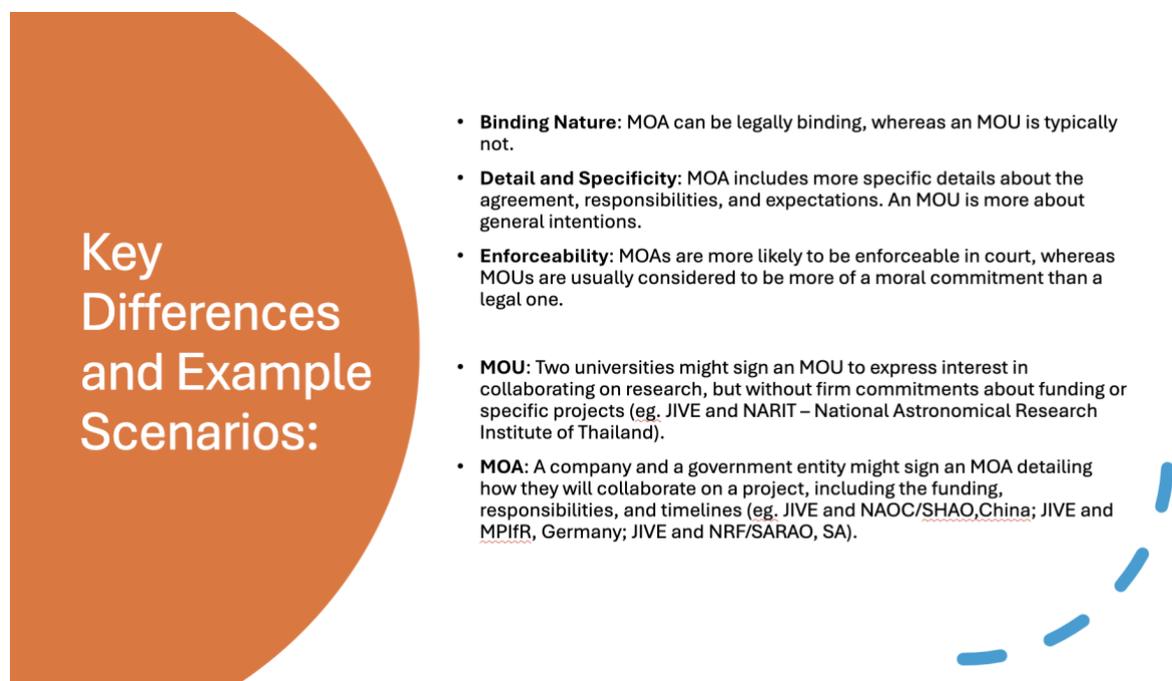


Figure 3. The differences between MoU and MoA.

As shown in Figure 4, JIVE has some MoA with international partners that cease should the country itself become a full member of JIVE. As several partners in the discussion session pointed out, it works as an intermediate level between an MoU, which is preliminary and non-binding, and full membership, which can take time and collaboration at ministerial level.

MoA between National Research Foundation (NRF acting through its national facility SARAO) and JIVE

- **Membership and duration**
 - Upon signing, the **NRF becomes a participating research institute of JIVE ERIC, with rights according to the agreement and JIVE statutes.**
 - The agreement lasts for five years or until South Africa becomes a full JIVE ERIC member, whichever comes first.
 - The agreement can be extended by mutual written agreement.
 - Either party may terminate the agreement with 6 months' written notice, with payments adjusted on a pro rata basis.
- **Payments**
 - NRF, through SARAO, will reimburse JIVE annually for scientific services provided, supporting the global astronomical community and VLBI observatories.
 - **Payments are due within 28 days of receiving an invoice from JIVE with an agreed SARAO's annual contribution for 2020-2024, and this will be included in Appendix 2 of the JIVE statutes.**
- **Dispute resolutions**
 - **Disputes** shall be resolved in terms of existing dispute resolution mechanisms as may have been agreed to in the JIVE statutes;
- **Governing law and arbitration**
 - This Agreement shall be governed by and construed in accordance with the laws of The Netherlands, as agreed.
- **Force majeure**
 - **No party is liable for delays or failures to meet obligations due to causes beyond their control (force majeure).**
 - Obligations are suspended during the force majeure, starting from written notice, and the affected party must try to mitigate its effects. Once the force majeure ends, the agreement resumes as normal.

Figure 4. The details of JIVE's MoA with SARAO in South Africa.

Questions that were discussed in the open part of Workshop 2 are show below (**bold**), with the general consensus of the answers and suggested actions provided by the chair and group (*italicised*):

How should ERICs calculate how much these facilities pay?

- *JIVE is single-sited and owns nothing, use the RI that belongs to platforms worldwide. The membership fee was agreed on different bases – the council has now just agreed that new members pay a minimum fee if they do not have a telescope (e.g. France). Fees are calculated under many factors by the JIVE council.*

How are disputes and arbitration organised and settled?

- *Dutch law is implemented in that situation by JIVE, but as it has not happened there is no experience. Agreed between parties to utilise a specific arbitration, and use a specific countries' law, if they do not want to sign with the ECJ. This will depend on the host country of a given ERIC. Different ERICs will need to have different mechanisms for how to settle these agreements*

Have had questions about whether the fee from an MOA would be taxed?

- *Even though not a membership ERIC fee, ERICs (at least in the Netherlands) do not pay corporate tax.*
- *Problems before dealing with ministry level, but by functioning with a facility, they can gain effective membership.*
- *CLARIN ERIC had a facility paying a fee from the US. This was not taxed, but again CLARIN are based in the Netherlands*

Procedures to join as a collaborating institute:

- *ELI has a letter of intent*
- *Then MOU*
- *Then collaboration agreement to get contracts*
- *Then get a strategic partnership/MOA*

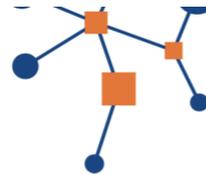
The second workshop had 23 attendees, 17 of which were based at ERIC organisations. Of the remaining organisations, the majority were research-conducting institutions. It is likely that they this particular workshop was more relevant to them, as they could potentially sign agreements with ERICs or other distributed RIs.

Observership – BBMRI-ERIC

The third workshop was led by Jana Pavlic-Zupanc, Head of Public Affairs at BBMRI. BBMRI was chosen to lead the workshop on Observership with third countries as they are the only ERIC to date to have such an example, Qatar. The presentation explained the general requirements for ERICs (European Research Infrastructure Consortia) to allow Third Countries as observers, and it detailed the specific rules and policies regarding observership that are outlined in BBMRI's statutes and policies (figure 5). They detailed, for example, that observers needed to make an application, and needed to sign up to respecting the principles of the Declaration of Taipei, and Declaration of Helsinki. This is in addition to standard observer rules, that they will not have voting rights in the Council/General Assembly.

BBMRI-ERIC POLICY

Observer Status in Associated and Third Countries



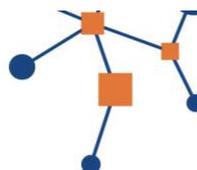
1. The country is required to provide an application letter to BBMRI-ERIC.
2. In the case of absence of the EC GDPR adequacy decision: the country signs the Statement respecting the principles of the **Declaration of Taipei** and the **Declaration of Helsinki**.
 - This is no obligation of the EC but a condition in the BBMRI policy.
3. Assembly of Members vote on the application. The observer status is granted for a period of maximum 3 years.
 - Voting in line with BBMRI Statutes: a majority of at least 75% of members representing at least 75% of annual mandatory contributions is needed.
 - The period of 3 years can be extended by decision of the AoM.

Figure 5. Specific BBMRI policies and practices for observers.

The presentation also demonstrated how the initial contact and establishment of connection was made between BBMRI and the biobanking community in Qatar. Shared experiences at meetings and in major projects led to extended and significant contacts in Qatar, leading to constructive discussions with both the research community and the ministry which resulted in Qatar becoming an official observer of BBMRI. Qatar is actively involved in several aspects of BBMRI, including as a national node, and in the Assembly of Members (more shown in figure 6).

QATAR: OBSERVERSHIP IN BBMRI-ERIC

Shared Experiences



- Successful co-organised event 2019: *International Biobanking Conference, Doha, Qatar*
 - Organised by ESBB, in partnership with Qatar Biobank (QBB), and supported by BBMRI-ERIC, and ISBER.
 - The three-day event: the role of biobanking and medical research in advancing healthcare and improving clinical outcomes
 - Bringing together over 1000 attendees and global experts.
 - Biobankers and other scientists from 15 countries.
- Active participation in BBMRI services:
 - National Node included in BBMRI Directory
 - Regular attendants in BBMRI Academy
 - Participating in Working Groups and Task Forces
 - Engaged in AoM, MC and FC
- Active participation in Work Programme 2025-2027 (to be approved by AoM):
 - In the areas of Advancing the Global Biobanking Community; Stakeholder Engagement & Awareness; and Education, Training & Capacity Building.

Figure 6. Shared experiences and activities between BBMRI and Qatar, both before and since the addition of Qatar as an observer.

The presentation was followed by a discussion, which addressed key topics, including access to services, the distinction between members and observers, and provided deeper insights into the partnership with the biobanking community in Qatar.

The third workshop had 24 attendees, 20 of which were based at ERIC organisations. One of these was at an ERIC which was not part of the ERIC Forum 2 consortium. The remainder were part of European research infrastructures not with ERIC status.

Full Membership – CLARIN

The fourth workshop was led by Franciska de Jong, Senior Advisor at CLARIN. CLARIN was chosen to lead the workshop on Full Membership with third countries as they are the only ERIC to date to have such an example, South Africa. The presentation outlined: Rationale for working with international partners in the context of ESFRI, the rules of the ERIC Regulation and the inherent obstacles blocking countries from joining ERICs as full members, problems with internationalisation as a criterion to measure success, the history and legalities of South Africa joining CLARIN as a member, and the general legal considerations for ERICs.

Problems with internationalisation as success criterion

Larger countries such as **Australia, Canada** and the **USA** are **unlikely to join** a European ERIC, so the focus on internationalisation is inevitably limited to smaller countries outside of Europe or individual institutes.

Taking membership of non-European countries and organisations of an ERIC as the sole sign of internationalisation is therefore **hard to justify**:

- **Financial limitations** to smaller countries may make them hesitant to pay the fees due for ERIC membership.
- **Bilateral agreements** can bring the required legal and financial clarity without the need for non-EU parties to enter a model based on less flexible legal regulations.
- **The rise of RIs and OS**: joining an ERIC as a country may not bring the most desired benefits if more can be gained from local/regional collaboration and alignment.

Figure 7. Main blockages for third countries to join ERICs as full members, outlining why it is questionable if the success for ERICs in setting up international collaboration can be measured by figures for full membership of countries outside of Europe.

The presentation illustrated how the specific conditions of CLARIN's access model, but also how preparations by the South African language node (SADiLaR), allowed the joining of South Africa as a member smoothly. South Africa had been proactively seeking engagement with international infrastructural initiatives on language resources and was included in the national RI roadmap adopted by South Africa in 2016, which led to them joining CLARIN as an observer in 2018, before joining as a member in 2024. During their time as an observer, South Africa aligned the SADiLaR nodes with the requirements of the international interoperability framework, adopted by CLARIN. This meant that when the time came to join as a member, the facilities were fully aligned and prepared. As a member country, South Africa pays a higher fee than as an observer, in line with their GDP, but they now benefit from a higher level of support from the central CLARIN hub, such as a wider travel budget and more options for financial support, e.g. for local workshops.

South Africa as CLARIN member 3/3

Given the model of service federation for (mostly) open data that is adopted in CLARIN and SA, for SA **signing the ECJ was not a problem.**

In **2024**, South Africa applied for **full membership**. Changes:

- **longer horizon** for the collaboration and the access models
- **voting rights** in the GA, deeper involvement in other committees
- **wider budget** for trips from the SA community to CLARIN events
- **increase of the fee** to be paid: 3 units instead of 1

Figure 8. The specific amendments that CLARIN made to their membership agreement with South Africa compared to members in Europe.

Another key point made by CLARIN is that it is possible to update and amend policies to cater for the needs of third countries. Specifically, their statutes indicate that the general assembly can deviate from usual principles for membership fee, when concerning third countries. This affords greater flexibility, and opens the opportunity for all countries to potentially join as a member without the membership fee being a blockage.

Legal Considerations and Implications for Statutes

For smaller countries from less favoured regions outside of Europe, the membership fee may be a hurdle. In CLARIN the membership fee for European countries is GDP-based. The CLARIN statutes give room for the GA to deviate from this model for countries from other continents.

Annex 2 - ANNUAL FEE

Principles

For the first two five-year periods, the principles as described below were used to calculate the annual cash contributions by the members, observers and individual institutions in non-member countries that joined CLARIN ERIC in Year 1 of CLARIN (i.e. 2012). From 2023 onwards till 2027, the same principles are applicable. **For countries outside Europe the General Assembly may deviate from the principles.** By the end of 2027 the General Assembly shall decide about the calculation method for subsequent periods.

Figure 9. CLARIN statutes outlining that the general assembly can deviate from the standard membership fee model for third countries.

Questions that were discussed in the open part of Workshop 4 are shown below (**bold**), with the general consensus of the answers and suggested actions provided by the chair and group (*italicised*):

Is it possible to provide a reference for the national legislation in SA implementing the ERIC? Do you know how it came to be? Was CLARIN involved?

Not directly involved, except providing the outline for what policies needed to be aligned with.

For the point that SA could be a seed for a pan-African RI like CLARIN is for Europe, is this underway at all?

It would be speculation at this stage – conversations have been had but nothing concrete has been discussed so far.

Has the ERIC Regulation for international partners been discussed more widely by central bodies?

It has been brought up to ERIC Forum and to ESFRI. ESFRI and the Commission understand that the ERIC regulation is not that attractive to outside members due to the need for Europeans needing to be the majority partner.

Is there a dedicated measure of success – what criteria is used? As membership is too specific and unattainable to be seen as success at this stage

As these workshops have shown, there are many methods to international collaboration, although they do serve a general progression from MOU, to MOA, to observership, to membership. ERICs are in various stages of this progression, but more specific KPIs need to be directed by the EC to measure true success.

The fourth workshop had 27 attendees, 23 of which were based at ERIC organisations. The remainder were part of European research infrastructures not with ERIC status.

Conclusions

The workshops provided an opportunity for ERICs and research infrastructure staff to discuss the best mechanisms for engagement for third countries, and to assess which mechanism best suited their own infrastructure.

A key and consistent theme throughout the workshops was the concept of progressive international activities. The ease and simplicity of establishing an MoU makes it an attractive prospect for ERICs and their international partners. This can then progress to MoA, if a fee can be agreed between both parties for the institution to receive effective membership at their level. In such an event, perhaps if several institutions in a country have agreements with an ERIC, it can become possible that the country could explore observership (this is the route that BBMRI took with Qatar). From there, the country can spend the time aligning themselves with the requirements of the ERIC, or identify a mechanism by which they can become a full member (this is the route that CLARIN took with South Africa). This progression of international collaboration activities is clear, and shows a path by which ERICs can establish more advanced international partnerships, and can also look to indicate their success in international collaboration.

One of the most requested elements in the discussions was for templates or examples of documentation or agreements which could be utilised by all or most ERICs. The template MoU and MoA for example, as well as an example statement that ERICs had provided to potential observers or members with which they could apply. Similarly, the discussion with CLARIN regarding full membership, several attendees asked for a reference legislation that the country's ministry had used in order to sign the ERIC. Unfortunately, this is much more of a case-by-case basis compared to MoU, so could not be applied in a more general setting. Similarly, many partners expressed that the support of policy makers was crucial for the progression of international collaboration. Specific reference was made to ESFRI for example in Europe, and also to national ministries, for example by JIVE outlining that they had minimal blockage to establishing institutional agreements due to positive legislation in The Netherlands. But there are additional multi-regional policy bodies, such as the EU-CELAC Working Group, which can provide more targeted support for research infrastructures looking to collaborate in specific international regions.

The next step will be to ensure the ERIC Forum toolkit is updated to reflect these resources (in collaboration with the communications team), ensuring access for ERICs to these resources for the duration of the project and after.

Similarly, these will be communicated to the wider research infrastructure community via tools such as the RI-VIS Slack Channel. Prospective ERICs will then be able to formulate strategies before they achieve ERIC status of how they can conduct international collaboration.