

OVERVIEW OF RESEARCH INSTITUTES
AUGUST 2008

PREPARED BY
THE INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

TABLE OF CONTENTS

I. STATEMENT OF PURPOSE	3
II. INTRODUCTION	3
III. EVOLUTION OF RESEARCH INSTITUTES	3
IV. FUNCTIONS OF RESEARCH INSTITUTES	4
V. FINANCIAL STRUCTURES OF RESEARCH INSTITUTES	5
VI. CONCLUSION	6
VII. ANNEX 1- The National Cancer Institute Act of 1937	7
VIII. ANNEX 2- The National Cancer Act of 1971	9
IX. ANNEX 3 – Romanian National Research & Development System	18
X. ANNEX 4 – Romanian Research & Development Policy	19
XI. ANNEX 5 – Romanian Government Decision no. 1449	20
XII. ANNEX 6 – Romanian Research, Development & Innovation Strategy 2007 – 2013	33

I. STATEMENT OF PURPOSE

The purpose of this memorandum is to identify through comparative state practice the evolution, functions, and financial structures of research institutes in contemporary states.

II. INTRODUCTION

States discover, implement and fund research institutes in a variety of ways based on the needs and the capacity of the state. Research institutes are widely used as a measure to ensure and promote scientific, health and technological innovation, but their structures, financing and independence vary greatly from country to country and institute to institute. Most states have adopted models that incorporate one or more of five key functions: (1) providing elected leaders, policy makers, and the public with expert advice based on sound scientific evidence; (2) promoting education/public awareness and understanding; (3) conducting and fostering research to keep the state current with modern developments and technology; (4) developing creative discoveries & innovative research strategies; and (5) discovering cures to worldwide epidemics. This memorandum reviews state practice related to the evolution, functions and financial structures of research institutes.

III. Evolution

The evolution of research institutes differs from organization to organization. Most are born from the authority of the government by means of legislation or some act by a governmental body, while few are independently formed.

In South Africa, the Council for Scientific and Industrial Research (CSIR) was founded via an Act of Parliament in 1945.¹ The National Authority for Scientific Research (NASR) was established by Romania in 2005 and is legally framed by a Government Ordinance (nr. 57/2002).² In Lebanon, the Industrial Research Institute (IRI) was mandated by the government under their bilateral agreements with Syria, Morocco, Jordan, Egypt and Iraq

¹ Constituted by an Act of Parliament in 1945 as a science council, the CSIR undertakes directed and multidisciplinary research, technological innovation as well as industrial and scientific development to improve the quality of life of the country's people. The CSIR's shareholder is the South African Parliament, held in proxy by the Minister of Science and Technology. The CSIR was founded on 5 October 1945 (Scientific Research Council Act, Act 33 of 1945) and was constituted as a science council by the Scientific Research Council Act (Act 46 of 1988, as amended by Act 71 of 1990). The organization is also listed as a public entity in terms of the Public Finance Management Act, Act 1 of 1999, as amended by Act 29 of 1999. *See the South Africa 2010 website available at www.sa2010.gov.za/southafrica/sa_research.php, last visited August 2008.*

² Established in 2005, the NASR is a state institution under the supervision of the Ministry of Education and Research. NASR develops, implements and coordinates the national strategic framework on research and technological development called National Research and Development System in Romania which is legally framed by Government Ordinance nr. 57/2002 on scientific research and technological development. NASR has the responsibility to develop, unify and implement policies in all fields of scientific research and technological development by coordinating public and private institutions activities in order to achieve national objectives in the field. *See The National Authority for Scientific Research website available at www.mct.ro/ancs_web, last visited August 2008.*

for Mutual Recognition Agreement.³ The Italian, the National Agency for new Technologies, Energy and Environment (ENEA) is a public research and development agency that is sponsored by the Italian government.⁴ In the U.S., the National Cancer Institute (NCI)⁵, the National Research Council (NRC)⁶ and the National Science Foundation (NSF)⁷ were each created by means of an act of the U.S. Congress. While a majority of research institutes around the world are created through governmental means, there are some institutes that are privately born and operated.⁸

IV. Functions

A majority of states and institutes have adopted models that incorporate one or more of the following five key functions: (1) providing elected leaders, policy makers, and the public with expert advice based on sound scientific evidence⁹; (2) promoting

³ Established in 1953, the Industrial Research Institute (IRI) is a Lebanese institution for studies, industrial research and scientific testing and analysis. IRI is a not-for-profit institution, declared of public utility by D/L n° 10059 dated 17 August 1955, linked to the Ministry of Industry by Law n° 642/1997, with administrative and financial autonomy. The Industrial Research Institute was mandated by the government under bilateral agreements with Syria, Morocco, Jordan, Egypt and Iraq for Mutual Recognition Agreement (MRA). See the *Industrial Research Institute's website* available at www.iri.org.lb, last visited August 2008.

⁴ Italian National Agency for New Technologies, Energy & Environment (ENEA) is a Government sponsored public research and development agency established in 1982. It conducts scientific research and technology development activities drawing on a wide range of expertise, advanced facilities and tools available at its own research centers. ENEA operates four branch offices and 13 Energy and Innovation Advice Centers throughout Italy, as well as an Office in Brussels that promotes and strengthens the image and participation of ENEA within the EU framework as well as providing information, consultancy services and logistic support for its own technical units. A nine member Scientific Council appointed by different governmental departments serves as the scientific leadership of ENEA. See *The Italian National Agency for New Technologies, Energy and Environment website* available at www.enea.it, last visited August 2008.

⁵ Authorized by U.S. Congress via the National Cancer Act of 1937, NCI is mandated to engage in certain fundamental activities: conducting & fostering cancer research; reviewing and approving grant-in-aid applications to support promising research project on the causes, prevention, diagnosis, and treatment of cancer; collecting, analyzing, and disseminating the results of cancer research conducted in the U.S. and other countries; and providing training and instruction in the diagnosis and treatment of cancer. Over the years NCI has evolved into the world's pre-eminent cancer research organization. See the *National Cancer Institute's website* available at www.cancer.gov/aboutnci/excellence-in-research, last visited August 2008.

⁶ The NRC is an independent, private, nonprofit institution that provides science, technology and health policy advice under a congressional charter signed by President Abraham Lincoln. Originally granted to the National Academy of Sciences in 1863, the NRC was established under this charter in 1916. The NRC is now one of the largest providers of free scientific and technical information in the world. See the *National research Council website* available at <http://sites.nationalacademies.org/nrc/index.htm>, last visited August 2008.

⁷The NSF is an independent federal agency created by Congress in 1950 (National Science Foundation Act of 1950) to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense.

⁸ The Fred Hutchinson Cancer Research Center was a vision of Dr. William Hutchinson along with the help of U.S. Department of Public Health founded the precursor to the Hutchinson center in 1956 – the Pacific Northwest Research Foundation -an organization that would provide funds and lab space that would allow physicians to pursue their research. In 1962 Hutchinson envisioned another dream of a center devoted specifically to cancer research and the Hutchinson Cancer Center was born. Hutchinson center was incorporated as an independent research institution in 1972. Today it is an institution of world renowned depth and variety and home to three Nobel laureate. See *The National Science Foundation website* available at www.nsf.gov/about, last visited August 2008.

⁹ IRI in Lebanon maintains close co-operation with official institutions, industrial organizations, and development boards on both the national and international levels. See the *Industrial Research Institute's website* available at www.iri.org.lb, last visited August 2008; One of the main roles of the Romanian NASR is to define strategic objectives regarding research, innovation and technological development. See *The National Authority for Scientific Research website* available at www.mct.ro/ancs_web, last visited August 2008; The ENEA in Italy's mandate includes the provision of high-tech services, studies, tests and evaluations to both public and private bodies and enterprises. See *The Italian National Agency for New Technologies, Energy and Environment website* available at www.enea.it, last visited August 2008; In the U.S., the NRC's

education/public awareness and understanding¹⁰; (3) conducting and fostering research to keep the state current with modern developments¹¹; (4) developing creative discoveries & innovative research strategies¹²; and (5) discovering cures to worldwide epidemics.¹³

V. Financial Structures

The financial structures of research institutes fluctuate. A majority of research institutes' receive some degree of funding from the government, while others are privately funded and still many incorporate a combination of public and private funding sources.

In South Africa, the Council for Scientific and Industrial Research receives an annual grant from Parliament which accounts for 40% of its total income and the remainder is generated from research contracts, royalties, licenses and dividends from IP management and commercial companies created by the CSIR.¹⁴ The National Authority for Scientific Research in Romania is funded directly through the Ministry of Education and Research but can also receive additional public and private funding. In Lebanon, the Industrial research Institute holds administrative and financial autonomy but is linked to the Ministry of Industry by Law (n 642/1997)¹⁵, while in Italy the National Agency for New Technologies, Energy and Environment receives both public and private financing.¹⁶ In the U.S. the

core function is to improve government decision making and public policy. See the National research Council website available at <http://sites.nationalacademies.org/nrc/index.htm>, last visited August 2008.

¹⁰ The CSIR in South Africa, the IRI in Lebanon, the Italian ENEA and the NRC in the U.S. all incorporate education, public awareness and understanding as a key function of their institutes. See the South Africa 2010 website available at www.sa2010.gov.za/southafrica/sa_research.php, last visited August 2008; see also the Industrial Research Institute's website available at www.iri.org.lb, last visited August 2008; see also The Italian National Agency for New Technologies, Energy and Environment website available at www.enea.it, last visited August 2008; see also the National research Council website available at <http://sites.nationalacademies.org/nrc/index.htm>, last visited August 2008.

¹¹ The South African CSIR, the Lebanese IRI, Romania's NASR, the ENEA in Italy, the NCI and NSF in the U.S. all focus on conducting and fostering research to keep the state current with modern developments. See the South Africa 2010 website available at www.sa2010.gov.za/southafrica/sa_research.php, last visited August 2008; see also the Industrial Research Institute's website available at www.iri.org.lb, last visited August 2008; see also The Italian National Agency for New Technologies, Energy and Environment website available at www.enea.it, last visited August 2008; see also The National Authority for Scientific Research website available at www.mct.ro/ancs_web, last visited August 2008; see also the National Cancer Institute's website available at www.cancer.gov/aboutnci/excellence-in-research, last visited August 2008; see also The National Science Foundation website available at www.nsf.gov/about, last visited August 2008.

¹² The IRI in Lebanon, Italy's ENEA, and the NCI and NSF in the U.S. each hold as a key function of their institute, developing creative discoveries and innovative research strategies. See the Industrial Research Institute's website available at www.iri.org.lb, last visited August 2008; see also The Italian National Agency for New Technologies, Energy and Environment website available at www.enea.it, last visited August 2008; see also the National Cancer Institute's website available at www.cancer.gov/aboutnci/excellence-in-research, last visited August 2008; see also The National Science Foundation website available at www.nsf.gov/about, last visited August 2008.

¹³ The main function of the NCI in the U.S. is to reduce the worldwide burden of cancer through innovative research and the development of ever better interventions to prevent and treat cancer. See the National Cancer Institute's website available at www.cancer.gov/aboutnci/excellence-in-research, last visited August 2008

¹⁴ The CSIR receives an annual grant from Parliament, through the Department of Science and Technology (DST), which accounts for close to 40% of its total income. The remainder is generated from research contracts with government departments at national, provincial and municipal levels, the private sector and research funding agencies in South Africa and abroad. Additional income is derived from royalties, licenses and dividends from IP management and commercial companies created by the CSIR. See the South Africa 2010 website available at www.sa2010.gov.za/southafrica/sa_research.php, last visited August 2008.

¹⁵ See The National Authority for Scientific Research website available at www.mct.ro/ancs_web, last visited August 2008.

¹⁶ See The Italian National Agency for New Technologies, Energy and Environment website available at www.enea.it, last visited August 2008.

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

National Cancer Institute accepts private donations while receiving its public funds directly from the President and Office of Management and Budget.¹⁷ Conversely, the National Research Council funds individual projects by federal U.S. agencies, foundations, and other governmental and private sources but does not receive any direct federal funding.¹⁸ The National Science Foundation receives an annual budget from the government of approximately \$6.06 billion.¹⁹

VI. Conclusion

State practice illustrates that the evolution, functions and financial structures of research institutes vary throughout the world. A number of issues are important to consider when designing the framework for the development of a research institute. These issues include (1) the kind of institute to be established; (2) the mandate, functions and purpose of the institute (3) the means by which it should and can be founded; and (4) the structure of how the institute will be funded.

To varying degrees, research institutes are widely used as a measure to ensure and promote scientific, health and technological innovation. It is clear that institutes, such as those outlined in this paper, are necessary to promote the growth, knowledge and capabilities of a modern state.

¹⁷ NCI is publicly funded but also accepts private donations. NCI prepares and submits an annual budget estimate (with review and with reasonable time for comment, but no change, from the Secretary, Director of the National Institute of Health, and National Cancer Advisory Board) directly to the President for review and transmittal to Congress. NCI receives all funds appropriated by Congress directly from the President & office of Management and Budget. *See the National Cancer Institute's website available at www.cancer.gov/aboutnci/excellence-in-research, last visited August 2008.*

¹⁸ The NRC does not receive direct federal appropriations. Individual projects are funded by federal agencies, foundations, and other governmental and private sources, and the institute's endowment. Work is made possible by 6,000 of the world's top scientists, engineers, and other professionals who volunteer their time without compensation to serve on committees and participate in activities. *See the National research Council website available at <http://sites.nationalacademies.org/nrc/index.htm>, last visited August 2008.*

¹⁹ The NSF has an annual budget of about \$6.06 billion. NSF funds 20 % of all federally supported basic research conducted by America's colleges and universities. *See The National Science Foundation website available at www.nsf.gov/about, last visited August 2008.*

VII. Annex 1 - The National Cancer Institute Act of 1937

The National Cancer Institute Act of 1937

Text of the Act of August 5, 1937, creating the National Cancer Institute and authorizing an appropriation therefore

[PUBLIC NO. 244 75TH CONGRESS]

[CHAPTER 565-1 ST SESSION]

[S. 2067]

AN ACT

To provide for, foster, and aid in coordinating research relating to cancer; to establish the National Cancer Institute; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of conducting researches, investigations, experiments, and studies relating to the cause, diagnosis, and treatment of cancer; assisting and fostering similar research activities by other agencies, public and private; and promoting the coordination of all such researches and activities and the useful application of their results, with a view to the development and prompt widespread use of the most effective methods of prevention, diagnosis, and treatment of cancer, there is hereby established in the Public Health Service a division which shall be known as the National Cancer Institute (hereinafter referred to as the "Institute").

SEC. 2. The Surgeon General of the Public Health Service (hereinafter referred to as the "Surgeon General") is authorized and directed for the purposes of this Act and subject to its provisions, through the Institute and in cooperation with the National Cancer Advisory Council hereinafter established:

- (a) To conduct, assist, and foster researches, investigations, experiments, and studies relating to the cause, prevention, and methods of diagnosis and treatment of cancer;
- (b) To promote the coordination of researches conducted by the Institute and similar researches conducted by other agencies, organizations, and individuals;
- (c) To procure, use, and lend radium as hereinafter provided;
- (d) To provide training and instruction in technical matters relating to the diagnosis and treatment of cancer;
- (e) To provide fellowships in the Institute from funds appropriated OT donated for such purpose;
- (f) To secure for the Institute consultation services and advice of cancer experts from the United States and abroad; and
- (g) To cooperate with State health agencies in the prevention, control, and eradication of cancer.

SEC. 3. There is hereby created the National Advisory Cancer Council (herein referred to as the "Council"), to consist of six members to be appointed by the Surgeon General with the approval of the Secretary of the Treasury, and of the Surgeon General, who shall be chairman of the Council. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of cancer in the United States. Each appointed

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

member shall hold office for a term of three years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, two at the end of the first year, two at the end of the second year, and two at the end of the third year after the date of the first meeting of the Council. No appointed member shall be eligible to serve continuously for more than three years but shall be eligible for reappointment if he has not served as a member of the Council at any time within twelve months immediately preceding his reappointment. Each appointed member shall receive compensation at the rate of \$25 per day during the time spent in attending meetings of the Council and for the time devoted to official business of the Council under this Act, and actual and necessary traveling and subsistence expenses while away from his place of residence upon official business under this Act.

SEC. 4. The Council is authorized:

- (a) To review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of cancer, and certify approval to the Surgeon General for prosecution under section 2 (a) hereof any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of cancer;
- (b) To collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, and methods of diagnosis and treatment of cancer, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through the appropriate publications for the benefit of health agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;
- (c) To review applications from any university, hospital, laboratory, or other institution, whether public or private, or from individuals, for grants-in-aid for research projects relating to cancer, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of cancer;
- (d) To recommend to the Secretary of the Treasury for acceptance conditional gifts pursuant to section 6; and
- (e) To make recommendations to the Surgeon General with respect to carrying out the provisions of this Act.

SEC. 5. In carrying out the provisions of section 2 the Surgeon General is authorized:

- (a) With the approval of the Secretary of the Treasury, to purchase radium, from time to time, without regard to section 3709 of the Revised Statutes; to make such radium available for use in carrying out the purposes of this Act; and, for such consideration and subject to such conditions as the Secretary of the Treasury shall prescribe, to lend such radium to institutions, now existing or hereafter established in the United States for the study of the cause, prevention, or methods of diagnosis or treatment of cancer, or for the treatment of cancer;
- (b) To provide the necessary facilities where training and instruction may be given in all technical matters relating to diagnosis and treatment of cancer to service, in accordance with applicable law, such commissioned officers as may be necessary to aid in carrying out the provisions of this Act.
- (b) This Act shall not be construed as superseding or limiting (1) the functions, under any other Act, of the Public Health Service, or any other agency of the United States relating to the study of the prevention, diagnosis, and treatment of cancer; or (2) the expenditure of money therefore.

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

- (c) The Surgeon General with the approval of the Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.
- (d) The Surgeon General shall include in his annual report for transmission to Congress a full report of the administration of this Act, including a detailed statement of receipts and disbursements.
- (e) This Act shall take effect thirty days after the date of its enactment.
- (f) This Act may be cited as the "National Cancer Institute Act."

Approved, August 5, 1937

VIII. Annex 2 – National Cancer Act of 1971

Introduction and Short Title

[PUBLIC LAW 92-218]
[92ND CONGRESS, S. 1828]
[DECEMBER 23, 1971]
An Act

To amend the Public Health Service Act so as to strengthen the National Cancer Institute of Health in order more effectively to carry out the national effort against cancer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as "The National Cancer Act of 1971".

Findings and Declaration of Purpose

SEC. 2.

(a) The Congress finds and declares:

- (1) that the incidence of cancer is increasing and cancer is the disease which is the major health concern of Americans today;
- (2) that new scientific leads, if comprehensively and energetically exploited, may significantly advance the time when more adequate preventive and therapeutic capabilities are available to cope with cancer;
- (3) that cancer is a leading cause of death in the United States;

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

(4) that the present state of our understanding of cancer is a consequence of broad advances across the full scope of the biomedical sciences;

(5) that a great opportunity is offered as a result of recent advances in the knowledge of this dread disease to conduct energetically a national program against cancer;

(6) that in order to provide for the most effective attack on cancer it is important to use all of the biomedical resources of the National Institutes of Health; and

(7) that the programs of the research institutes which comprise the National Institutes of Health have made it possible to bring into being the most productive scientific community centered upon health and disease that the world has ever known.

(b) It is the purpose of this Act to enlarge the authorities of the National Cancer Institute and the National Institutes of Health in order to advance the national effort against cancer.

National Cancer Program

SEC. 3.

(a) Part A of title IV of the Public Health Service Act is amended by adding after section 406 the following new sections:

SEC. 407.

(a) The Director of the National Cancer Institute shall coordinate all of the activities of the National Institutes of Health relating to cancer with the National Cancer Program.

(b) In carrying out the National Cancer program, the Director of the National Cancer Institute shall:

(1) With the advice of the National Cancer Advisory Board, plan and develop an expanded, intensified, and coordinated cancer research program encompassing the programs of the National Cancer Institute, related programs of the other research institutes, and other Federal and non-Federal programs.

(2) Expeditiously utilize existing research facilities and personnel of the National Institutes of Health for accelerated exploration of opportunities in areas of special promise.

(3) Encourage and coordinate cancer research by industrial concerns where such concerns evidence a particular capability for such research.

(4) Collect, analyze, and disseminate all data useful in the prevention, diagnosis, and treatment of cancer, including the establishment of an international cancer research data bank to collect, catalog, store, and disseminate insofar as feasible the results of cancer research undertaken in any country for the use of any person involved in cancer research in any country.

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

(5) Establish or support the large-scale production or distribution of specialized biological materials and other therapeutic substances for research and set standards of safety and care for persons using such materials.

(6) Support research in the cancer field outside the United States by highly qualified foreign nationals which research can be expected to inure to the benefit of the American people; support collaborative research involving American and foreign participants; and support the training of American scientists abroad and foreign scientists in the United States.

(7) Support appropriate manpower programs of training in fundamental sciences and clinical disciplines to provide an expanded and continuing manpower base from which to select investigators, physicians, and allied health professions personnel, for participation in clinical and basic research and treatment programs relating to cancer, including where appropriate the use of training stipends, fellowships, and career awards.

(8) Call special meetings of the National Cancer Advisory Board at such times and in such places as the Director deems necessary in order to consult with, obtain advice from, or to secure the approval of projects, programs, or other actions to be undertaken without delay in order to gain maximum benefit from a new scientific or technical finding.

(9) (A) Prepare and submit, directly to the President for review and transmittal to Congress, an annual budget estimate for the National Cancer Program, after reasonable opportunity for comment (but without change) by the Secretary, the Director of the National Institutes of Health, and the National Cancer Advisory Board; and (B) receive from the President and the Office of Management and Budget directly all funds appropriated by Congress for obligation and expenditure by the National Cancer Institute.

(c) There is established the President's Cancer Panel (hereinafter in this section referred to as the 'Panel') which shall be composed of three persons appointed by the President, who by virtue of their training, experience, and background are exceptionally qualified to appraise the National Cancer Program. At least two of the members of the Panel shall be distinguished scientists or physicians.

(2) (A) Members of the Panel shall be appointed for three-year terms, except that (i) in the case of two of the members first appointed, one shall be appointed for a term of one year and one shall be appointed for a term of two years, as designated by the President at the time of appointment, and (ii) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(B) The president shall designate one of the members to serve as Chairman for a term of one year.

(C) Members of the panel shall each be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day (including traveltime) during which they are engaged in the actual performance of duties vested in the Panel, and shall be allowed travel expenses (including a per diem allowance) under section 5703(b) of title 5, United States Code.

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

(3) The Panel shall meet at the call of the Chairman, but not less often than twelve times a year. A transcript shall be kept of the proceedings of each meeting of the Panel, and the Chairman shall make such transcript available to the public.

(4) The Panel shall monitor the development and execution of the National Cancer Program under this section, and shall report directly to the President. Any delays or blockages in rapid execution of the Program shall immediately be brought to the attention of the President. The Panel shall submit to the President periodic progress reports on the Program and annually an evaluation of the efficacy of the Program and suggestions for improvements, and shall submit such other reports as the President shall direct. At the request of the President, it shall submit for his consideration a list of names of persons for consideration for appointment as Director of the National Cancer Institute.

National Cancer Research and Demonstration Centers

SEC. 408.

(a) The Director of the National Cancer Institute is authorized to provide for the establishment of fifteen new centers for clinical research, training, and demonstration of advanced diagnostic and treatment methods relating to cancer. Such centers may be supported under subsection (b) or under any other applicable provision of law.

(b) The Director of the National Cancer Institute, under policies established by the Director of the National Institutes of Health and after consultation with the National Cancer Advisory Board, is authorized to enter into cooperative agreements with public or private nonprofit agencies or institutions to pay all or part of the cost of planning, establishing, or strengthening, and providing basic operating support for existing or new centers (including, but not limited to, centers established under subsection (a)) for clinical research, training, and demonstration of advanced diagnostic and treatment methods relating to cancer. Federal payments under this subsection in support of such cooperative agreements may be used for (1) construction (notwithstanding any limitation under section 405), (2) staffing and other basic operating costs, including such patient care costs as are required for research, (3) training (including training for allied health professions personnel), and (4) demonstration purposes; but support under this subsection (other than support for construction) shall not exceed \$5,000,000 per year per center. Support of a center under this section may be for a period of not to exceed three years and may be extended by the Director of the National Cancer Institute for additional periods of not more than three years each, after review of the operations of such center by an appropriate scientific review group established by the Director of the National Cancer Institute.

Cancer Control Programs

SEC. 409.

(a) The Director of the National Cancer Institute shall establish programs as necessary for cooperation with State and other health agencies in the diagnosis, prevention, and treatment of cancer.

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

(b) There are authorized to be appropriated to carry out this section \$20,000,000 for the fiscal year ending June 30, 1972, \$30,000,000 for the fiscal year ending June 30, 1973, and \$40,000,000 for the fiscal year ending June 30, 1974.

Authority of Director

SEC. 410.

The Director of the National Cancer Institute (after consultation with the National Cancer Advisory Board), in carrying out his functions in administering the National Cancer Program and without regard to any other provision of this Act, is authorized:

(1) if authorized by the National Cancer Advisory Board, to obtain (in accordance with section 309 of title 5, United States Code, but without regard to the limitation in such section on the number of days or the period of such service) the services of not more than fifty experts or consultants who have scientific or professional qualifications;

(2) to acquire, construct, improve, repair, operate, and maintain cancer centers, laboratories, research, and other necessary facilities and equipment, and related accommodations as may be necessary, and such other real or personal property (including patents) as the Director deems necessary; to acquire, without regard to the Act of March 3, 1877 (40 U.S.C. 340, by lease or otherwise through the Administrator of General Services, buildings or parts of buildings in the District of Columbia or communities located adjacent to the District of Columbia for the use of the National Cancer Institute for a period not to exceed ten years;

(3) to appoint one or more advisory committees composed of such private citizens and officials of Federal, State, and local governments as he deems desirable to advise him with respect to his functions;

(4) to utilize, with their consent, the services, equipment, personnel, information, and facilities of other Federal, State, or local public agencies, with or without reimbursement therefor;

(5) to accept voluntary and uncompensated services;

(6) to accept unconditional gifts, or donations of services, money, or property, real, personal, or mixed, tangible or intangible;

(7) to enter into such contracts, leases, cooperative agreements, or other transactions, without regard to sections 3648 and 3709 of the Revised Statutes of the United States (31 U.S.C. 529, 41 U.S.C. 5), as may be necessary in the conduct of his functions, with any public agency, or with any person, firm, association, corporation, or educational institution; and

(8) to take necessary action to insure that all channels for the dissemination and exchange of scientific knowledge and information are maintained between the National Cancer Institute and the other scientific, medical, and biomedical disciplines and organizations nationally and internationally.

Scientific Review; Reports

SEC. 410A.

(a) The Director of the National Cancer Institute shall, by regulation, provide for proper scientific review of all research grants and programs over which he has authority (1) by utilizing, to the maximum extent possible, appropriate peer review groups established within the National Institutes of Health and composed principally of non-Federal scientists and other experts in the scientific and disease fields, and (2) when appropriate, by establishing, with the approval of the National Cancer Advisory Board and the Director of the National Institutes of Health, other formal peer review groups as may be required.

(b) The Director of the National Cancer Institute shall, as soon as practicable after the end of each calendar year, prepare in consultation with the National Cancer Advisory Board and submit to the President for transmittal to the Congress a report on the activities, progress, and accomplishments under the National Cancer Program during the preceding calendar year and a plan for the Program during the next five years.

National Cancer Advisory Board

SEC. 410B.

(a) There is established in the National Cancer Institute a National Cancer Advisory Board (hereinafter in this section referred to as the 'Board') to be composed of twenty-three members as follows:

(1) The Secretary, the Director of the Office of Science and Technology, the Director of the National Institutes of Health, the chief medical officer of the Veterans' Administration (or his designee), and a medical officer designated by the Secretary of Defense shall be ex officio members of the Board.

(2) Eighteen members appointed by the President. Not more than twelve of the appointed members of the Board shall be scientists or physicians and not more than eight of the appointed members shall be representatives from the general public. The scientists and physicians appointed to the Board shall be appointed from persons who are among the leading scientific or medical authorities outstanding in the study, diagnosis, or treatment of cancer or in fields related thereto. Each appointed member of the Board shall be appointed from among persons who by virtue of their training, experience, and background are especially qualified to appraise the programs of the National Cancer Institute.

(b) (1) Appointed members shall be appointed for six-year terms, except that of the members of first appointed six shall be appointed for a term of two years, and six shall be appointed for a term of four years, as designated by the President at the time of appointment.

(2) Any member appointed to fill a vacancy occurring prior to expiration of the term for which his predecessor was appointed shall serve only for the remainder of such term. Appointed members shall be eligible for reappointment and may serve after the expiration of their terms until their successors have taken office.

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

(3) A vacancy in the Board shall not affect its activities, and twelve members thereof shall constitute a quorum.

(4) The Board shall supersede the existing National Advisory Cancer Council, and the appointed members of the Council serving on the effective date of this section shall serve as additional members of the Board for the duration of their terms then existing, or for such shorter time as the President may prescribe.

(c) The President shall designate one of the appointed members to serve as Chairman for a term of two years.

(d) The Board shall meet at the call of the Director of the National Cancer Institute or the Chairman, but not less often than four times a year and shall advise and assist the Director of the National Cancer Institute with respect to the National Cancer Program.

(e) The Director of the National Cancer Institute shall designate a member of the staff of the Institute to act as Executive Secretary of the Board.

(f) The Board may hold such hearings, take such testimony, and sit and act at such times and places as the Board deems advisable to investigate programs and activities of the National Cancer Program.

(g) The Board shall submit a report to the President for transmittal to the Congress not later than January 31 of each year on the progress of the National Cancer Program toward the accomplishment of its objectives.

(h) Members of the Board who are not officers or employees of the United States shall receive for each day they are engaged in the performance of the duties of the Board compensation at rates not to exceed the daily equivalent of the annual rate in effect for GS-18 of the General Schedule, including travel time; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703, title 5, United States Code, for person in the Government service employed intermittently.

(i) The Director of the National Cancer Institute shall make available to the Board such staff, information, and other assistance as it may require to carry out its activities.

Authorization of Appropriations

SEC. 410C.

For the purpose of carrying out this part (other than section 409), there are authorized to be appropriated \$400,000,000 for the fiscal year ending June 30, 1972; \$500,000,000 for the fiscal year ending June 30, 1973; and \$600,000,000 for the fiscal year ending June 30, 1974.

(b) (1) Section 402 of the Public Health Service Act is amended by adding at the end thereof the following:

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

(b) Under procedures approved by the Director of the National Institutes of Health, the Director of the National Cancer Institute may approve grants under this Act for cancer research or training

(1) in amounts not to exceed \$35,000 after appropriate review for scientific merit but without the review and recommendation by the National Cancer Advisory Board prescribed by section 403

(c), and

(2) in amounts exceeding \$35,000 after appropriate review for scientific merit and recommendation for approval by such Board as prescribed by section 403(c).

(2) Section 402 of such Act is further amended:

(A) by inserting "(a)" immediately after "Sec. 402."; and

(B) by redesignating paragraphs (a), (b), (c), (d), (e), (f), and (g) as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively.

(3) Section 403(c) of such Act is amended by striking out "In carrying out" and inserting in lieu thereof "Except as provided in section 402(b), in carrying out".

Report to Congress

SEC. 4.

(a) The President shall carry out a review of all administrative processes under which the National Cancer Program, established under part A of title IV of the Public Health Service Act, will operate, including the processes of advisory council and peer group reviews, in order to assure the most expeditious accomplishment of the objectives of the Program. Within one year of the date of enactment of this Act the President shall submit a report to Congress of the findings of such review and the actions taken to facilitate the conduct of the Program, together with recommendations for any needed legislative changes.

(b) The President shall request of the Congress without delay such additional appropriations (including increased authorizations) as are required to pursue immediately any development in the National Cancer Program requiring prompt and expeditious support and for which regularly appropriated funds are not available.

Presidential Appointments

SEC. 5.

Title IV of the Public Health Service Act is amended by adding after part F the following new part:

Part G: Administrative Provisions

Directors of Institutes

SEC. 454.

The Director of the National Institutes of Health and the Director of the National Cancer Institute shall be appointed by the President. Except as provided in section 407(b)(9), the Director of the National Cancer Institute shall report directly to the Director of the National Institutes of Health.

Conforming Amendments

SEC. 6.

(a)(1) Section 217 of the Public Health Service Act is amended:

(A) by striking out "National Advisory Cancer Council," each place it occurs in subsection

(a), and

(B) by striking out "cancer," in subsections (a) and (b) of such section.

(2) Sections 301(d), 301(i), 402, and 403(c) of such Act are each amended by striking out "National Advisory Cancer Council" and inserting in lieu thereof "National Cancer Advisory Board".

(3) Section 403(b) of such Act is amended by striking out "National Cancer Advisory Council" and inserting in lieu thereof "National Cancer Advisory Board".

(4) Section 404 of such Act is amended:

(A) by striking out "council" in the matter preceding paragraph (a) and inserting in lieu thereof "National Cancer Advisory Board", and

(B) by striking out "COUNCIL" in the section heading and inserting in lieu thereof "BOARD".

Effective Date

SEC. 7.

(a) This Act and the amendments made by this Act shall take effect sixty days after the date of enactment of this Act or on such prior date after the date of enactment of this Act as the President shall prescribe and publish in the Federal Register.

(b) The first sentence of section 454 of the Public Health Service Act (added by section 5 of this Act) shall apply only with respect to appointments made after the effective date of this Act (as prescribed by subsection (a)).

(c) Notwithstanding the provisions of subsection (a), members of the National Cancer Advisory Board (authorized under section 410B of the Public Health Service Act, as added by this Act) may be appointed, in the manner provided for in such section, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in such section 410B.

Approved
December
23, 1971.

IX. Annex 3 – Romanian National Research & Development System Overview

In compliance with the present legislation, the entities carrying out research-development activities are included in the national Research-Development System, which is made up of the assembly of public and private entities and institutions that have the R&D activity in their statutes.

Within this system, a distinct entity is the research-development system of **national interest**, which includes the following categories of public entities, accredited according to the Governmental Ordinance 57/2002:

- a) national research-development institutes;
- b) research institutes and centers of the Romanian Academy and of the thematic academies;
- c) accredited universities or their departments;
- d) research-development institutes or centers organized within national firms, national companies or *regie autonomes* of national interest.

Within the national research-development system, the following categories of entities and institutions are included:

A. Public entities:

- a) research-development institutes, centers or stations organized as public institutions;
- b) research-development institutes or centers organized within national firms, national companies and *regies autonomes* or the ones belonging to public central and local administration;
- c) international research-development centers created on the basis of international agreements;

d) other public institutions or their components that have the research-development activity in their statutes.

B. Private entities:

a) research-development entities organized as firms;

b) firms and their components that have the research-development activity in their statutes;

c) private accredited universities or their departments.

X. Annex 4 – Romanian Research & Development Policy

The NASR's responsibility is to provide a strategic and tactical planning, to define strategic and tactical objectives and to define, apply, monitor and assess all the necessary policies in order to reach the national objectives regarding scientific research and technological development.

NASR defines a normative-methodological, functional, operational and financial framework to apply policies; it also harmonises the national law with the EU's one and assumes the *acquis communautaire*. NASR ensures communication with the other public authorities in order to realize the coherence of the Governmental policies with the society and its citizens.

NASR stimulates the development of the international partnership, regional and local development and private sector.

NASR defines, finances, applies, supervises and evaluates programmes in order to reach its goals.

The Authority has:

- A political function: to present and unify political points of view regarding research, development and innovation;
- A strategic function: to plan strategically and ensure the basis and implementation of policies in the research, development and innovation field;
- An administrative function: to foresee, plan, allocate, supervise and evaluate the use of resources for the implementation of policies in the research, development and innovation field;
- A function of policy monitoring, evaluation and control in the research, development and innovation field.

The Authority has also functions of elaborating normative-methodological, functional, operational and financial framework for policies to be realized in the related field.

NASR represents the public authority that supervises and controls the settlements in its

activity field to be applied correctly. Also, the Authority's role is to periodically ground, elaborate and update policies and strategies in the research, development and innovation field.

XI. Annex 5 – Romanian Government Decision no. 1449/17th November, 2005 – Statute establishing the National Authority for Sciences

EMITTER: THE ROMANIAN GOVERNMENT

PUBLISHED IN: THE OFFICIAL GAZETTE OF ROMANIA No. 1101 of 7 December 2005

Text translated by COMPANIA DE INFORMATIcĂ NEAMŢ for the legislative software LEX EXPERT

It must be specified that the only text which shall produce legal effects is the text in the Romanian language.

ART. 1

(1) The National Authority for Scientific Research, hereinafter called the Authority, shall have legal personality and shall be the specialized body of the central public administration under the subordination of the Ministry of Education and Research, whereby the latter, as state authority for development and research, is carrying out its attributions in this field.

(2) The Authority is a public institution, financed from the state budget, or by the budget of the Ministry of Education and Research, with the head office in Bucharest, no. 21 - 25 Mendeleev Street, district 1.

ART. 2

The authority shall carry on its activity in compliance with the provisions of the Government Ordinance No. 57/2002 on the scientific research and technological development, approved with amendments and additions by the Law No. 324/2003, with subsequent amendments.

ART. 3

The Ministry of Education and Research shall exercise through the agency of the Authority the mission of ensuring the elaboration, application, monitoring and evaluation of the policies in the field of research and development and innovation, consistent with the strategy and the Governing Programme, for the purpose of ensuring on this basis the enlargement of the national and international technological and innovation patrimony, the durable economic development, the access on the internal, European market and on the global markets, the creation of the informational society based on knowledge, the satisfaction of the citizen's needs and a growth in the quality of his life.

ART. 4

The Ministry of Education and Research shall have, through the agency of the Authority, the role and responsibility:

- a) to ensure the strategic and tactical planning;
- b) to define the strategic and tactical objectives;
- c) to define, apply, monitor and evaluate the policies necessary in order to achieve the objectives;
- d) to define the normative and methodological, functional, operational and financial framework necessary to apply the policies, to follow up the harmonisation of the national legislation with the legislation of the European Union and to absorb the community acquis;
- e) to ensure communication with the other public authorities in order to achieve a coherent approach of the government policies;
- f) to ensure communication with the civil society structures and with the citizens;
- g) to define, finance, apply, monitor and evaluate programmes, for the purpose to achieve the objectives;
- h) to stimulate the regional and local development, as well as the one in the private sector;
- i) to stimulate the development of international partnership.

ART. 5

With a view to completing its role, the Ministry of Education and Research shall exercise, through the agency of the Authority, the following functions:

- a) political - the function to present and harmonise the political viewpoint regarding the research and development and innovation field;
- b) strategic - by which it strategically plans and ensures the elaboration and implementation of the policies in the field of research and development and innovation;
- c) administrative - by which it forecasts, plans, assigns, monitors and evaluates the use of resources for the implementation of the policies in the field;
- d) of monitoring, evaluation and control of carrying out the policies in the field of development and research and innovation;
- e) of elaboration of the normative and methodological framework, functional and operational and financial framework in which the policies in the field are carried out;
- f) of communication both with the other structures of the public administration and with the civil society and the citizen;

g) of international co-operation - which ensures the application of the international agreements in the field and promotion of new agreements.

ART. 6

(1) The Authority shall carry out the following main attributions:

a) substantiation, elaboration and periodical update of the policies and strategies in the field;

b) dissemination of information in the field of research and development and innovation; stimulating the public awareness with regard to the role of research and development and innovation in the process of durable economic development; stimulation and, as the case may be, ensuring editing, printing and spreading of publications or specific materials in its field of competence;

c) elaboration of policies with regard to the human resources development for and by research;

d) stimulating the technological transfer, capitalization of results, innovation, their absorption and diffusion among the economic operators and in the overall economy; defining, financing and implementation of projects, programs and activities, whereby there are created and used financial instruments and financing schemes for reducing the market risk of undertakings, mostly of the small and medium sized undertakings; support for patenting certain results as first form of capitalization; co-financing the themes that ensure partnerships between the research units and economic operators;

e) defining restructuring, privatization policies and policies of drawing foreign capital in this field;

f) following up the harmonization of the own policies with those in the field of industry, commerce, health, education, as well as in other fields;

g) drawing, use, monitoring and evaluation of the technical assistance and internal and international consultation for its specific field of competence;

h) defining specific indicators, ensuring the elaboration and implementation of schemes of analysis and of monitoring and evaluation of the technological research and innovation system; publishing reports, studies and others similar; making studies, analyses, monitoring, evaluations and other similar activities in the field of research and development and innovation, for the evaluation and control of management of programs and projects; the organization of seminars and round tables, promotional image activities and information dissemination, translations, as well as others similar; for these purposes it may contract consulting, expertise, technical assistance services and other similar;

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

- i) stimulation and monitoring the participation of Romania in international, European, Community and bilateral programs and projects in the field;
- j) elaboration and initiation of draft statutory instruments and regulations in the field; creation and development of the institutional framework in the field; endorsement of draft statutory instruments containing provisions that fall within its field of competence; monitoring the application, after approval, of the statutory instruments and of the regulations promoted;
- k) stimulating the regional and local development, as well as the social development, by programs and projects for the development of the scientific research and technological development and of stimulation of innovation; the stimulation, establishment and initiation of establishment and development of scientific and technological parks, business innovation and incubation centers, industry-linked centers and others similar, including non-profit-making organizations or non-patrimony-purpose organizations;
- l) management, financing, monitoring and implementation of programs/projects of research and development and of stimulation of innovation; assignment of the leadership of programs, according to the regulations in force;
- m) exercise of the attributions devolving on it, according to the law, as a specialized body of the central public administration, that has direct authority over the units under its subordination or coordination; monitoring and evaluation of units specific to its field;
- n) elaboration of the National Plan for research and development and innovation, hereinafter called the National Plan, per multi-annual periods, including the evaluation of the necessary resources; establishing and updating the objectives of the national strategy envisaged by the National Plan, in accordance with the priorities of the economic and social policies of the Government;
- o) stimulation of dialogue with the scientific community and with other structures of the civil society; to this end, it shall be consulted and stimulated the direct and active involvement of these structures, including by financial support, in defining and implementing the policies in the field of research and development and innovation;
- p) approval of the framework-regulation and of the structure of the Consultative College for research and development and innovation, hereinafter called Consultative College, as well as of its working staff; ensuring the secretariat of the Consultative College and, as the case may be, of its working staff;
- q) evaluation of programs included in the National plan and their annual itemization; the approval of the annual provisions of the National Plan and informing the Government on their achievement;

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

r) establishing the funds destined for financing the core-programs and the breakdown of these funds for each core-program;

s) elaboration of the own sector plan for research and development, as well as the endorsement of plans sector plan for research and development of the other public authorities;

t) forecast, planning and scheduling, as the case may be, of the research budget, included in the state budget, of the financial resources necessary to carry out the policies in its field of competence; use of these resources;

u) implementation of the national informative system for scientific research and technological development, elaboration and implementation of the policies of development of information technologies;

v) collaboration with national and international bodies and organizations in the field of research and development and innovation;

w) coordination of policies in the field of intellectual property and stimulation of development of an environment favorable to innovation;

x) co-ordination of activities of participation of Romania in fairs, exhibitions and other similar internal and international technical-scientific events.

(2) The authority shall carry out any other attributions set out by statutory instruments for its field of activity.

(3) The authority, in accordance with its object of activity, is the representative of the Ministry of Education and Research for all rights and obligations deriving from its legal relations with third parties.

ART. 7

(1) The Organization and functioning regulation of the Authority shall be approved by order of the minister of education and research.

(2) The organizational structure of the Authority shall be provided in Annex No. 1.

(3) In the organizational structure of the Authority, by decision of the president, services and offices, as well as temporary work teams may be organized.

ART. 8

(1) Within the Authority, at the level of general directorate, it shall be organized an Interim Body for the operational sector program for economic competitiveness growth, for

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

the scientific research, technological development and innovation objectives, hereinafter called the Research Interim Body.

(2) The Research Interim Body shall carry out the attributions delegated by the Management Authority for the operational sector program for economic competitiveness growth and/or by the payment authorities, by the agreement of the parties involved.

(3) The Research Interim Body shall function with a number of 60 positions in 2006, among which 35 positions in 2005.

(4) The number of positions used by the Research Interim Body shall be included in the maximum number of positions approved for the functioning of the Authority.

ART. 9

(1) The maximum number of positions for the functioning of the Authority shall be of 136, not counting the vice-president.

(2) In 2005 the Authority shall function with a maximum number of 111 positions, not counting the vice-president.

(3) The list of positions shall be approved by order of the minister of education and research, at the proposal of the president of the Authority.

ART. 10

(1) The Authority shall be headed by a president, which is the state secretary for the research activity within the Ministry of Education and Research, assisted by a vice-president, holding the position of under-secretary of state. The vice-president shall be appointed by decision of the Prime minister, at the proposal of the minister of education and research.

(2) The remuneration of the president and vice-president of the Authority shall be made according to the legal provisions applicable to the persons holding public dignity positions.

ART. 11

The president of the Authority shall have the following main attributions:

- a) to ensure the operative management of the Authority;
- b) to represent the Authority in the relations with third parties and to sign the documents reflecting its commitment to these, under the law;
- c) the employ or dismiss the unit staff, under the law;

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

d) to conclude individual employment contracts and order measures with regard to the amendment, execution, suspension and termination, in compliance with the legislation in force;

e) to exercise any attributions devolving on it according to the legal provisions and to the organization and functioning regulation.

(2) In the exercise of its attributions, the president shall issue orders and instructions, under the law.

(3) For the funds received from the state budget, the president shall be a secondary loan manager.

(4) The president may delegate the right of signature to the vice-president or general secretary.

ART. 12

The president of the Authority shall represent the institution in the relations with the other public authorities, with the natural and legal persons in the country and from abroad, as well as in court.

ART. 14

(1) The authority shall have a general secretary who is a high official, appointed and remunerated according to the legal provisions.

(2) The general secretary shall ensure stability for the functioning of the Authority, continuity of administrative management and carrying out the functional links among the structures of the Authorities.

(3) The general secretary shall carry out other attributions established by decision of the president of the Authority or provided in the Organization and functioning regulations.

ART. 15

In the exercise of its functions, the Authority shall be supported by the Consultative College, that shall be established and function according to the provisions of Article 44 of the Government Ordinance No. 57/2002, approved with amendments and additions by the Law No. 324/2003, with subsequent amendments.

ART. 16

(1) For the carrying out of the activity, the Authority shall take under its administration from the Ministry of Education and Research certain assets from its patrimony.

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

(2) The process of delivery-receipt of goods provided in paragraph (1) shall be carried out by a protocol concluded between the parties concerned, within 30 days as of the date of entry into force of the present decision.

(3) The authority shall be endowed for the specific activities with a car park, established according to the provisions of the Government Ordinance No. 80/2001 on establishing certain expenditure standards for the public administration authorities and public institutions, approved with amendments by the Law No. 247/2002, with subsequent amendments and addition, as well as a motor car destined to travels in the territory for monitoring and control.

ART. 17

(1) The institutions and units functioning under the subordination of the Authority shall be provided in Annex No. 2, and those functioning under its coordination shall be provided in Annex No. 3.

(2) The organizational structures, the list of positions and the organization and functioning regulations for the subordinated units shall be established by decision of the president, at the proposal of the general manager or, as the case may be, of the unit's manager.

(3) The appointment and dismissal of the general managers or, as the case may be, of the unit's managers provided in Annex No. 3 shall be carried out by order of the minister of education and research, at the proposal of the president of the Authority.

(4) The appointment and dismissal of the general managers or, as the case may be, of the unit's managers provided in Annex No. 3 shall be carried out by order of the president of the Authority.

(5) The appointment and dismissal from office of the members of the board of directors of certain units provided in Annex No. 3 shall be carried out by order of the minister of education and research, at the proposal of the president of the Authority.

ART. 18

The staff of the Authority shall be formed of the staff taken over or, as the case may, be transferred from the Ministry of Education and Research, as well as from newly employed staff, under the law.

ART. 19

The authority may conclude contracts or conventions with other bodies and economic operators in the country and from abroad, in view of national and international collaboration and cooperation in its field of activity, under the law.

ART. 20

Annexes No. 1 - 3 shall be an integral part of the present decision.

ART. 21

(1) On the date when the present decision enters into force the Government Decision No. 2.200/2004 on the organization and functioning of the National Authority for Scientific Research, published in the Official Gazette of Romania, Part I, No. 16 of 6 January 2005, with subsequent amendments, shall be repealed.

(2) On the date when the present decision enters into force number 5 of Annex No. 5 to the Government decision No. 223/2005 on the organization and functioning of the Ministry of Education and Research, published in the Official Gazette of Romania, Part I, No. 283 of 5 April 2005, with subsequent amendments, shall be repealed.

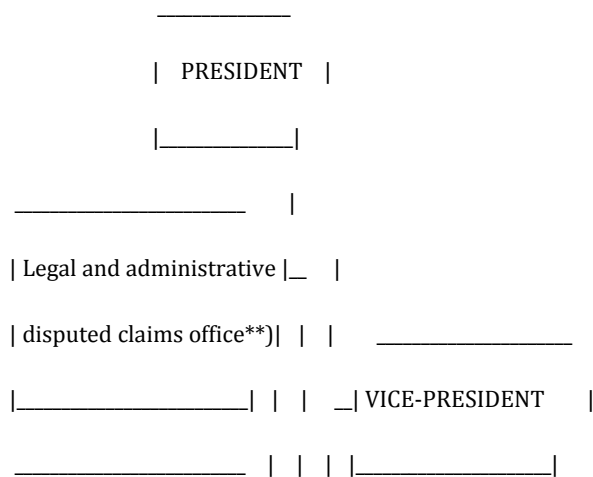
ANNEX 1

Maximum number of positions = 136,

not counting the vice-president

ORGANISATIONAL STRUCTURE

of the National Authority for Scientific Research



INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

| Internal public audit**) |_| |_|

|_____|| | | _____

_____ | | |_| GENERAL SECRETARY |

| Public relations and | | | |_____||

| media**) |_|_|

|_____|| | |

_____ | |

| Human resources**) |_| |

|_____|| | |

_____ | |

| Informatisation**) |_| |

|_____|| |

_____||_____||

____|____| ____|_ ____|____ ____|____

| General | |Research | |Directorate | |Economic |

| directorate | |Interim | |of | |directorate|

| of programmes | |Body*) | |technological | | |

| | | | |transfer and | | |

| | | | |infrastructure| | |

|_____|| _____| |_____|| _____|

_____|_____| _____|

_____|_____| ____|____| _____| _____|

|Directorate of | |Directorate | |Directorate | |Directorate of |

|research and | |of European | |of programmes,| |implementation,|

|development policies,| |integration | |evaluation, | |financial |

|contracting and | |and | |monitoring | |management |

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

monitoring of		international				and control	
national programmes		co-operation					
_____		_____		_____		_____	

*) The Research Interim Body shall be organised at the level of general directorate.

**) Organised at level of departments or work teams.

ANNEX 2

INSTITUTIONS AND UNITS

of scientific research, technological development and innovation functioning under the subordination of the National Authority for Scientific Research

No.	Name of unit/Locality	Financing source
1.	Institute of Nuclear Physics IFA Bucharest*)	Own incomes and subsidies granted from the state budget
2.	National Institute of Information and Documentation - INID Bucharest**)	Own incomes and subsidies granted from the state budget
3.	Romanian Space Agency - ASR Bucharest	Own incomes
4.	Institute of Chemistry Research "Raluca Ripan" - ICC RR Cluj-Napoca	Own incomes
5.	National Institute for Inventions - INI Iași	Own incomes

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

6. Institute of Comparative Medicine - IMC Own incomes
7. National Centre of Programmes Management - Own incomes
CNMP Bucharest
-

*) A number of maximum 10 positions for the administrative department shall be financed from the state budget.

***) A number of maximum 20 positions for the library shall be financed from the state budget.

ANNEX 3

NATIONAL INSTITUTES

for research and development functioning under the coordination of National Authority for Scientific Research

No.	Name of unit/Locality	Financing source
1.	National Institute for Research and Development for Optic Electronics - INOE 2000 Bucharest	Own incomes
2.	National Institute for Research and Development for Turbo Engines - COMOTI Bucharest	Own incomes
3.	National Institute for Research and Development for Geology, Geophysics, Geochemistry and Teledetection - IGR Bucharest	Own incomes
4.	National Institute for Research and Development for Textile and Leather - INCDTP Bucharest	Own incomes
5.	National Institute for Research and Development for Farming Machinery and Installations destined to	Own incomes

INSTITUTE FOR INTERNATIONAL LAW & HUMAN RIGHTS

- Farming and Food Industry - INMA Bucharest
6. National Institute for Research for Physics and Nuclear Engineering "Horia Hulubei" - IFIN HH
Own incomes
Bucharest
7. National Institute for Research and Development for Laser, Plasma and Radiation Physics - INFLPR
Own incomes
Bucharest
8. National Institute for Research and Development for Technical Physics - IFT Iași
Own incomes
9. National Institute for Research and Development for Materials Physics - INCDFM Bucharest
Own incomes
10. National Institute for Research and Development for Earth Physics - INCDFP Bucharest
Own incomes
11. National Institute for Chemical and Pharmaceutical Research and Development - ICCF Bucharest
Own incomes
12. National Institute for Research and Development for Electrochemistry and Condensed Matters - INCEMC
Own incomes
Timișoara
13. National Institute for Research and Development for Marine Geology and Geoecology - GEOECOMAR Bucharest
Own incomes
14. National Institute for Research and Development for Biological Sciences - INSB Bucharest
Own incomes
15. National Institute for Research and Development for Microtechnology - IMT Bucharest
Own incomes
16. National Institute for Research and Development for Cryogenic and Isotopic Technologies - ICSI
Own incomes

Râmnicu Vâlcea

17. National Institute for Research and Development for Own incomes

Isotopic and Molecular Technologies - INCDTIM

Cluj-Napoca

18. National Institute for Research and Development for Own incomes

Electrical Engineering - Advanced Research - ICPE -

CA Bucharest

XII. Annex 6 – Romanian Research, Development and Innovation Strategy 2007- 2013

With the National Research, Development and Innovation (RDI) Strategy 2007-2013 approved by the Romanian Government, Romania demonstrates its political decision to build a knowledge-based society, open to international values and competition. International cooperation and partnership in advanced research will be fostered, for the topics of general scientific and technological interest, emphasizing the fields where they can contribute by solving the national scientific and socio-economic problems, while providing the desired competitive level of the Romanian RDI system.

The National Research, Development and Innovation Plan for the period 2007-2013, hereinafter National Plan II (NP II), is the main instrument used by the National Agency for Scientific Research (ANCS) to implement the National RDI Strategy.

In order to conceive the NP II, there has been taken into consideration the role of the National Research-Development-Innovation System, namely to develop science and technology in order to increase the economic competitiveness, to improve the social quality and to enhance the knowledge with potential to be valorized and to sustain further expansion of the horizon of action.

NP II aims at achieving **the three strategic objectives** of the national RDI system, namely:

1. Creating knowledge, in the sense of achieving leading edge scientific and technological results, competitive on the global level, in order to increase the international visibility of the Romanian research and to subsequently transfer the results in the socio-economic practice.

2. Increasing the competitiveness of the Romanian economy by innovation, with impact at the level of companies and by transferring knowledge in the economic practice.

3. **Increasing the social quality**, namely finding technical and scientific methods which support the social development and improve its human dimension.

The **Programmes of the National Plan II**, are the followings :

1. HUMAN RESOURCES

Objective: Increase the number of researchers and their professional performances

Derived objectives:

- Increasing the number of PhD candidates and postdoctoral researchers;
- Increasing the attractiveness of the research career, especially for eminent academic graduates;
- Attracting performant Romanian researchers from abroad;
- Setting up excellence centers around scientific personalities known and recognized internationally;
- Increasing researchers' national and international mobility;
- Stimulating the setting up of excellence centers;
- Improving the management of RDI units.

Courses of action:

- Training and specialization of researchers by doctoral' and post-doctoral'training programmes.
- Financing projects for the integration of foreign researchers into the Romanian RDI system.
- Encouraging excellence for researchers and research schools having international scientific performances .
- Financing domestic and international mobilities for researchers.
- Training in the field of management of research and innovation.
- Awarding outstanding results in research

2. CAPACITIES

Objectives: Developing the research capacities and opening the RDI system to the international scientific environment and the national socio-economic environment.

Derived objectives:

- Increasing the degree of utilization of the research infrastructure.
- Development of the research infrastructure.
- Development of the information and scientific documentation infrastructure.
- Development of the potentials and RDI resources at the regional level.
- Encouraging the science-society dialogue.
- Participation of RDI entities to domestic and foreign scientific organisations.
- Participation of RDI entities to international research programmes.

3. IDEAS

Objectives: To obtain top scientific and technological results, aligned to the European level, as reflected by an increased international visibility and recognition of the Romanian research.

Derived objectives:

- Continuous improvement of performances visible at an international level in fields where Romania has research potential and where results comparable with those of the EU countries have been obtained.
- Development of areas where Romania is interested to carry on scientific research activities providing effective contributions to an increased quality of the knowledge, to the technical and technological development and to an improved quality of life.

Courses of action:

- Supporting fundamental, frontier and exploratory scientific research.

- Organization of “exploratory workshops” intended to identify knowledge niches not yet explored
- Launch of international cooperation calls on fundamental, frontier and exploratory research projects

4. PARTNERSHIPS IN PRIORITY S&T DOMAINS

Objectives: Increasing R&D competitiveness by stimulating partnerships in the main S&T domains, concretized in innovative technologies, products and services in order to solve complex problems and to create implementation mechanisms.

Derived objectives:

- Increasing the Information & Communications Technology capacity in the RDI sector for in view of supporting the knowledge-based society and economy.
- increasing technological competence and promoting the transfer of knowledge and technologies in the field of energetic, in condition of quality, safety and respecting the sustainable development principle.
- Creating clean products, processes and technologies and valorisation of waste.
- Scientific grounding and development of technologies in order to preserve, rebuild and consolidate biological and ecological diversity.
- Developing knowledge in the field of land management in a sustainable manner.
- Optimizing the methods of disease prevention, developing of medical therapies and making efficient the public health system.
- Promoting sustainable agriculture, increase of food and food products safety.
- Developing biotechnologies with an impact over the quality of life and the development of the economy.
- Developing new materials, products and processes with high added-value.
- Increasing of Romania’s competitiveness in the field of spatial research and technology
- Identifying and solving of the main social issues related to education, housing and employment in view of local, regional and national development.

- Increasing the competitiveness and creativity, the development of the organisational culture in the economy, public administration, education and research system, in the health and military systems.
- Valorization and development of the national cultural patrimony.
- Reduction of sociol-human inequalities and regional disparities.

5. INNOVATION

Objectives: Increase of the capacity for innovation, technological development and application in the manufacturing process of the research results in order to enhance the competitiveness of the national economy and to increase the quality of life.

Derived objectives:

- Increase of the innovation capacity of the enterprises and consolidation of their contribution to the creation of new products and markets based on the use of knowledge results.
- Establishment of partnerships between the economic operators and research entities.
- Development of technology transfer capacity within the universities.
- Fostering the RDI outcome absorption capacity of the SMEs.
- Implementation of strategic agendas prepared within technology platforms.
- Establishment and development of innovation infrastructures.
- Development of quality infrastructure and management.

6. SUSTAINING INSTITUTIONAL PERFORMANCE

Objectives: Sustaining institutional performance by ensuring the continuity and stability of the RDI entity activities, for the implementation of their own development strategies, elaborated in line with the National RDI Strategy.

Derived objectives:

- Sustaining the institutional development in order to obtain excellence

- Sustaining the international competitiveness of the Romanian RDI system

Landscape of the RDI system in Romania:

The Ministry of Education, Research and Youth - National Authority for Scientific Research (ANCS) is main responsible for the formulating, monitoring, implementation and assessment of R&D and Innovation policies. The landscape of RDI system is presented in Fig. 2.

Funding Bodies: (the connexion with the national RDI landscape is shown in Fig. 2, see ref. 1)

NURC/UEFISCSU - National University Research Council/ Executive Agency for Higher Education and Research Funding

CNMP – National Management Programs Centre

AMCSIT- Managerial Agency for Scientific Research Innovation and Technological Transfer

The Higher education sector includes 74 accredited universities, out of which 58 public universities and 18 private ones. According to the national education law, the teaching staff from universities has 25% of working time dedicated to the research activities.

The research activity from universities is financed through the research projects selected based on the national competition. Apart from this, taking into consideration the quality of their research activity, the universities can receive supplementary budget from the Ministry of Education, Research and Youth.