



Enabling Science through European Electron Microscopy

## Report on possible legal structure

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## Revision history log

Version number	Date of release	Author	Summary of changes
V1	February 2023	Etienne Snoeck	Advanced draft of the deliverable
V1.1	23/03/2023	Peter A. van Aken	Minor amendments and approval
V1.2	23/03/2023	Aude Garsès	General review and minor amendments

## Need for a legal structure

In 2006, a consortium of 11 TEM labs was created with the first **ESTEEM I3** project. This first Integrated Infrastructure project of the FP6 was successful, not only because it fulfilled its objectives, but also because it created a network of TEM partners, who agreed in developing their TEM techniques together for the benefit of the whole academic and industrial world involved in materials sciences and related topics (electronic, chemistry, geology, ...) and offering access to their advanced techniques and instruments. This consortium aggregated even more TEM partners within the following projects: 15 partners in **ESTEEM2** (FP7) and 20 partners in the running **ESTEEM3** (H2020).

All partners agree on the necessity for the consortium to continue after the ESTEEM3 project terminates to carry-on their joint research activities and to offer access to their unique instruments. This TEM consortium has also to be maintained, because PhD students and post-docs are profiting from this tightly woven network, which is an added value for the future of TEM in Europe and the academic carrier of young TEM scientists. In addition, after 17 years of activities, the ESTEEM network becomes influential at the European level and is now well identified as stakeholder for the EC, when discussing about European needs on advanced analytical tools for the academic researches and industrial demands.

It clearly appears that our TEM community is well-established and identified by the EC, the member states and others by larger RIs. To carry-on being influential and active in the future of the European Research Area, our community needs to be even more coordinated and plan for a long time.

This must go through the creation of a legal structure, which will particularly be able to coordinate European projects.

## First step toward a legal structure

In 2017, few partners of the ESTEEM3 consortium (TOU, ORS, JUL, ANT, OXF) extended to the ERIC “INSTRUCT” consortium and have deposited a European Design Study (H2020-INFRADEV) project: “**DREAM**” for “*Design study of a REsearch infrastructure for Advanced Electron Microscopy*”, which has not been successful.

The DREAM consortium has, however, been identified as potential TEM network and was invited by the LEAPS (League of Analytical Photon Sources) to participate to a meeting organized in Brussel on February the 21<sup>st</sup> 2020 with other analytical Research Infrastructures consortia (LEAPS, EMFL, Laserlab, Radiate, LENS, INSPIRE). The target of that workshop was to set up a larger consortium, i.e. **ARIE**<sup>1</sup> for “*Analytical Research Infrastructures in Europe*”, gathering the invited consortia to deploy all possible analytical techniques, skills and know-how on a large scale, targeting the Horizon Europe Missions’ individual research needs. Therefore, with our ARIE partners we submitted several European projects. Among them the project HORIZON-INFRA-2021-SERV-01-04 **ReMade@ARI** for “*Recyclable Materials development at Analytical Research Infrastructures*” was successful. This project provides transnational access with a focus on materials for the circular economy.

Our initial DREAM consortium expanded and 9 founding partners<sup>2</sup>, most of whom are members of ESTEEM3, became the **e-DREAM**<sup>3</sup> association as a stepping stone towards creating a legal structure.

**e-DREAM** became an active member of ARIE, providing the spokesperson for the year 2021.

In 2022, the **e-DREAM** consortium with synchrotron RIs (ESRF, Alba, Diamond, Soleil) and other partners has submitted a European HORIZON-INFRA-2022-TECH-01-01 project “**IMPRESS**” for “*Interoperable electron Microscopy Platform for advanced RESearch and Services*” with has been funded by the CE and will start on February 2023<sup>4</sup>. **IMPRESS** has a focus on instrumentation development, including hardware and software standardization for electron microscopy,

Well identified by other ARIE RIs, and by the EC (including ESFRI), **e-DREAM** aims to bring together all TEM infrastructures of the Member States in European initiatives aimed at promoting the creation in the near future of a European RI in Electron Microscopy.

<sup>1</sup> <https://arie-eu.org/>

<sup>2</sup> [Forschungszentrum Jülich](#), CNRS ([CEMES-CNRS](#) and [LPS-CNRS](#)), [University of Oxford](#), [University of Antwerp](#), [Graz University of Technology](#), [Norwegian University of Science and Technology](#) (Trondheim), CNR ([Trieste](#)), [ICN2](#) (Barcelona)

<sup>3</sup> <https://e-dream-eu.org/>

<sup>4</sup> <https://e-impres.eu/>

## A legal structure aiming at gathering all European dedicated EM Infrastructures.

Beginning 2023, e-DREAM is in the final stages of establishing a legal AISBL entity, which is expected to be finalized before summer 2023.

The aim of the e-DREAM Association is declared in the status of the AISBL as reported below:

### **Article “i”: Purpose, Goals, Objectives and Activities of the Association**

e-DREAM’s objective, without profit aim, is to unite European electron microscopy facilities and to make them available for excellent research by users.

The purpose of the Association is in particular fulfilled by (but without being limited to):

- Promoting science in electron microscopy.
- Stimulating the development of a corporate identity between its members.
- Obtaining funding for scientific research and infrastructure development at EU and international level.
- Representing e-DREAM’s scientific community interests at national, European and global level.
- Constituting a forum, where strategic scientific and technical plans of the members are discussed and where possible common strategies are developed.

e-DREAM will, amongst others, conduct the following activities to attain the above-mentioned objectives:

#### **A. Coordination**

1. Representing electron microscopy facilities in Europe, most notably at the international level and in international bodies.
2. Explore new technical developments, without the Association, however, at any time becoming the legal and beneficial owner of any intellectual property developed by (a cooperation between) its members, under the support of the Association.
3. Stimulate synergy and cooperation in science and technology policies of each of its members.

#### **B. Networking**

1. Carry out fundraising activities.
2. Promote e-DREAM’s activities within the scientific community.
3. Promote e-DREAM’s activities outside the scientific community.
4. Stimulate an e-DREAM identity.
5. Attract new members.

The Association may further conduct its purposes through all other lawful means, which may be directly or indirectly necessary, useful or desirable for the furtherance or accomplishment of the Association’s goals and objectives.

The Association may conduct economic or other activities that are ancillary to and related to the Association’s goals and objectives described in these Statutes.

In our strategy, **e-DREAM** therefore aims to become the well identified EM legal structure the EC, ESFRI and the MS could discuss with for the future of EM in the European Research Area (ERA).

The long-term plan of **e-DREAM** may involve establishing an ERIC.

**e-DREAM** is already in discussions with policy makers in the European Commission about securing sustainable funding for its long-term operation, ideally directly from member states. **e-DREAM** is also actively lobbying the European Commission to reintroduce Integrated Infrastructure calls in the next 2025-2027 work-programme, similar to what they were in the H2020 framework program.

As **e-DREAM** is willing to be the main contact discussing with the EC and MS, it will open its doors to additional TEM partners as soon as the AISBL will be installed.

The conditions for a TEM national infrastructure to be partner of **e-DREAM** is listed in the proposed statutes for the AISBL with a small Annual Membership fee, to be decided by the e-DREAM council and used to cover the running cost of the association.

**Article “j”: Membership**

e-DREAM's is composed of “e-DREAM Members”.

e-DREAM membership is open to any legal entity, whether Belgian or non-Belgian that meets the following criteria:

- supports the goals and objectives of e-DREAM,
- is active in areas relevant to the goals and objectives of e-DREAM,
- promises to adhere to these Statutes in its last amended version and the decisions of the Council and the Board of Directors, including with respect to the benefits and responsibilities of e-DREAM Members, as well as the Internal Rules,
- has been approved by the Council in accordance with the rules stated below in Article “n”, and meets the conditions for one of the categories of membership described below in Article “k”.

**Article “k”: e-DREAM Members**

Membership as an Ordinary Member shall be open to those legal entities that meet the e-DREAM membership criteria defined in article “j”.