



## Individual Fellowships – Eligibility of an experienced researcher

### Mobility rules

- **Standard European Fellowships (ST):** the researcher must not have resided or carried out his/her main activity (work, studies, etc.) in the country of the beneficiary for more than 12 months in the 3 years immediately before the call deadline
- **Career Restart Panel (CAR), Reintegration Panel (RI) and Society & Enterprise Panel (SE) :** the researcher must not have resided or carried out the main activity (work, studies, etc.) in the country of the beneficiary for more than 36 months in the 5 years immediately before the call deadline
- **Global Fellowships (GF) :** the researcher must not have resided or carried out the main activity (work, studies, etc.) in the country of the TC partner organisation where the initial outgoing phase takes place for more than 12 months in the 3 years immediately before the call deadline

**Guide for applicants 2017 – p.15:** The two determining elements are the actual physical place of residence and place of main activity.

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### Specific cases

#### 1. Overseas Countries and Territories (OCT)

An applicant wants to apply for a European Fellowship in French Polynesia. However, she is in France since December 2010. Does she respect the mobility rule as it is an OTC?

European Commission answer:

Concerning the participation of OCT to H2020, Annex A of the H2020 WP reads as follows:

*“Legal entities established in the following countries and territories will be eligible to receive funding through Horizon 2020:*

- *The Member States of the European Union, including their overseas departments;*
- *The Overseas Countries and Territories (OCT) linked to the Member States \*:*

*Anguilla, Aruba, Bermuda, Bonaire, British Virgin Islands, Cayman Islands, Curaçao, Falkland Islands, French Polynesia, Greenland, Montserrat, New Caledonia, Pitcairn Islands, Saba, Saint Barthélemy, Saint Helena, Saint Pierre and Miquelon, Sint Eustatius, Sint Maarten, Turks and Caicos Islands, Wallis and Futuna..*

*\* Entities from Overseas Countries and Territories (OCT) are eligible for funding under the same conditions as entities from the Member States to which the OCT in question is linked.”*

French Polynesia is an OCT belonging to France. With regards to the application of our mobility rule, it is considered as the same country. Hence a researcher having spent in France more than 12 months in the 3 years previous to the call deadline is not eligible for a fellowship in French Polynesia.



## 2. “Jus soli” (right of the soil)

### o [European Fellowship](#)

A French researcher, who has not resided or carried out his/her main activity in Italy for more than 12 months in the 3 years, would like to apply to an European Fellowship with the “*Ecole Française de Rome*” (French School in Rome) which is under the French Ministry of Higher Education and Research but based in Rome (Italy).

Can the French School of Rome host this researcher?

European Commission answer:

As you know, the eligibility clearance of the proposals is done only after the call deadline. For this reason, we try to refrain from clearing eligibility scenarios for any of the applicants (host Institutions or researchers) before the call deadline. Applicants (researchers & institutions) are solely responsible for checking the fulfilment of all eligibility criteria and provide the correct information in the submission forms.

Nevertheless, in the case presented the host institution is the “*Ecole Française de Rome*”, therefore in order to be eligible the fellow must not have resided/carried out main activity in Italy for more than 1 year in the last 3 years.

### o [Global Fellowship](#)

A researcher would like to apply for a Global Fellowship. She would like to go to India for the outgoing phase.

Nevertheless, she would like to know if it is possible to choose a French institute located in India (ex.: Centre for Human Sciences in Delhi, French Institute of Pondicherry) or if it is mandatory to choose an Indian organisation (ex.: an Indian university)?

European Commission answer:

For the outgoing phase of a Global Fellowship, it is essential that the partner organisation is based in a Third Country. In this specific case, I see that the specific PIC of “*Institut Français de Pondicherry*” (954510459, though with a current non-valid status) is listed as an organization based in India, which is indeed a Third Country.

So the criteria indicated in the Guide for Applicant for the partner host organisation is indeed the country of its location.

## 3. [European Fellowship - Research unit of a French organisation in another country](#)

The CNRS (public research French institution, which has its registered address in France) shall submit a project with an Italian researcher. However, the CNRS has laboratories (research units) in other countries, which have no legal personality distinct from the legal personality of the CNRS.

In the case that is presented to the NCP, the CNRS would be the beneficiary of a project implemented in a research unit in Egypt (TC). This research unit solely belongs to the CNRS



(no Egyptian organism is participating in the unit as that would be the case of a joint research unit established outside France).

In this case, it seems that the eligibility criterion for beneficiaries of European Fellowships is met. The CNRS is a legal entity established in a MS/AC which shall recruit and host the researcher in its premises. However, the fact that those premises shall be located in a third country could jeopardize the eligibility of the project? This laboratory is the most adequate for the project in terms of scientific opportunity.

European Commission answer:

In the presented case the CNRS would be the beneficiary of an EF-ST project implemented in a research unit in Egypt (TC). This research unit solely belongs to the CNRS (no Egyptian organism is participating in the unit as that would be the case of a joint research unit established outside France).

We would consider that the transnational mobility rule for EF-ST would not be respected. As the GfA indicates, the researcher must move or have moved (transnational mobility) from any country to the MS or AC where the beneficiary is located.

If the researcher is interested in undertaking mobility in a Third Country and in a partner organisation, the Global fellowship could be considered. (Global Fellowships are composed of an outgoing phase during which the researcher first undertakes mobility to a partner organisation in a Third Country for an uninterrupted period of between 12 and 24 months, followed by a mandatory 12-month return period to the single beneficiary located in a Member State or Associated Country).

**4. IF-2016: How strict is the mobility rule applied?**

European Commission answer:

Unclear cases are normally sent for discussion to our Eligibility Committee. In the past, REA used to apply the mobility rule in the very strict sense and considered that if a researcher was employed e.g. on a UK contract, the UK was the country where he was carrying out his main activity (even if he was not physically present in the UK).

However, due to the global spread of internet and proliferation of online tools, REA is encountering more and more cases of researchers living and carrying out their main activity in a certain country (A) but being employed / recruited by an institution in another country (B). REA has therefore started to apply a more flexible approach and consider that the country where they are living and/or carrying their main activity is the country where they are physically present (that is country A) and therefore they are eligible to apply for a fellowship in country B.

In any case, as mentioned before, all unclear cases are treated separately (one by one) and sent to the Eligibility Committee.

**5. Eligibility of cross-border workers**

A researcher lives in France but works in Switzerland. Is he eligible for a European Fellowship in France?

This researcher is neither eligible in France nor in Switzerland.



European Commission answer:

The two determining elements are the actual physical place of residence and place of main activity. We would like to confirm that the criteria are indeed both place of residence and place of main activity (work, studies).

#### 6. Previous contract of 12 months in the country of the host institution

A researcher, who would like to apply for a European fellowship in France, had a contract of 12 months but she came to France few days before the beginning of her contract and she left the country a couple of days after the end of her contract.

- Is she ineligible because she stayed few days more in France?
- Could these periods before and after the contract be considered as holidays?

European Commission answer:

As you know, the eligibility clearance of the proposals is done only after the call deadline. For this reason, we try to refrain from clearing eligibility scenarios for any of the applicants (host Institutions or researchers) before the call deadline. Applicants (researchers & institutions) are solely responsible for checking the fulfilment of all eligibility criteria and provide the correct information in the submission forms.

However, please consider that strictly applying the Eligibility Conditions (i.e. For Standard (ST) *the researcher must **not have resided or carried out his/her main activity** (work, studies, etc.) in the country of the host organisation for more than 12 months in the 3 years immediately prior to the deadline for submission of proposals. (cf. Guide for Applicants)* The researcher in your example would be considered ineligible because they resided in the country for more than 12 months.