

PUBLIC RESEARCH INSTITUTIONS IN SPAIN

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Science policy has become a priority for the European Union, particularly since the Lisbon European Council held in the year 2000 and the entry into force of the Treaty of Lisbon in 2009, which gave the EU institutions more power in this field. The economic and financial crisis was understood as an opportunity to foster science policy and to focus it on the major social challenges. This idea lay the groundwork for the Innovation Union adopted in 2010 and the European Research Area (2012), later included in the Europe 2020 strategy for smart, sustainable and inclusive growth.

In Spain, the national Government and several regional leaders have expressed their will to take part in this priority that conceives scientific and technological research as a way to promote employment and economic growth. Public research institutions have become the focus of attention given that a large proportion of the research activity is conducted by these publicly-led institutions, be it at regional or at national level.

These institutions have developed in a progressive manner in Spain with particular flourishing moments. In some cases, this development has taken place in the context of a reorganization of the existing centers. Additionally, their nature is subject to the public administration regulations and the laws on public or labor contracts. Due to the subsequent variety of institutions and regulations it is quite difficult to map their exact situation.

This lack of clarity concerns several aspects of these institutions: their legal status is not unified, the organization is not homogeneous, the sources of funding are diverse and the evaluation of their performance does not follow a defined criterion. Although science governance demands flexibility, it is also true that this cannot entail improvisation or decisions not carefully thought over.

This heterogeneous nature is not trivial: the factors described above determine to a great extent the success of research in our country. As regards organization, the decision-making role played by the Government representatives in the institution steering group determines the scientific decisions taken. The institution's scientific and technological potential is also conditional on the public contributions to the budget. Finally, the evaluation methods can diverge in a great manner: they can be limited to monitoring tasks or also include detection of areas of improvement, and they can include bonuses such as tax benefits or not.

The two most crucial factors affecting public research institutions today are their general structure and legal status.

Concerning the legal status of these institutions, the disparity in the number of centers between Catalonia and the rest of Spain is quite remarkable. Catalonia has almost 50 research institutions (called CERCA) while other regions like the Basque Country, Madrid or Andalusia have much lower figures. In order to rationalize the system (and as requested by the OECD) the Catalan Government launches regular calls for proposals under the SUMA program aiming for the merger of the CERCA institutions or of these and other collaborating institutions. However, these efforts have only achieved the merger of little more than ten institutions.

The decrease in the number of institutions is also a priority at national level, in particular since the 2011 Science Law aiming to reorganize the public research organizations (called OPs) that belong to the public administration. The Government is responsible for the merger or suppression of one or more of these institutions when a substantial share of their aims and objectives coincide. This reorganization, however, has only taken place a couple of times.

On balance, results are not acceptable, which on the other hand is quite common in these kinds of processes.

As regards the legal nature of these institutions and, more specifically, the legal nature of those institutions with own legal personality, institutions range from consortia to foundations and associations, as well as state-owned entities. A wide variety of factors have determined the decisions for one legal nature or another, such as the socio-legal tradition of each political level (consortia and foundations in Catalonia, associations in the Basque Country) or the general legislation on public administrations (agencies at national level). In any case, none of these options has shown the most appropriate formula allowing for an adequate balance between flexibility in terms of organization and budget and accountability.

The situation of public research institutions in Spain clearly proves this last factor. At national level it is easy to find consortia like the Centro Nacional de Supercomputación, foundations like the Fundación Centro de Estudios Monetarios y Financieros or autonomous agencies such as the Centro de Investigaciones Sociológicas. Despite this variety, the Consejo Superior de Investigaciones Científicas (CSIC) arguably stands out amongst the other centers. Created in 1939, this institution has come a long way. In 1986 a new period started with the adoption of the first Science Law of the democratic era. After 20 years of being an autonomous institution and by virtue of the 2006 Law on National Agencies the CSIC became the Agencia Estatal Consejo Superior de Investigaciones Científicas (that is, an autonomous agency). Now, ten years later, the adoption of Law 40/2016 and the suppression of these kinds of entities will turn the CSIC back into the public institution it was before.

To sum up, there is still a long way to go as regards the establishment of the legal nature of the Spanish public research institutions. This represents a hindrance to the research developed by these centers and, as a consequence, to the stance taken by the country concerning one of the main priorities of the European Union.