Input note

Topic:	Public consultation European Research Area (ERA) Act
Date:	22 January 2026
To:	European Commission
From:	CESAER

Introduction

CESAER, the strong and united voice of universities of science and technology in Europe, welcomes the enhanced implementation of the European Research Area (ERA) through Horizon Europe and the ERA policy agendas. We reaffirm our strong commitment to supporting the European Commission and member states in advancing the ERA for the benefit of European research, innovation, education, and society at large.

Recalling our long-standing commitments and efforts to reinforce the European Research Area (ERA) including through our joint partnership (2015) and recent contributions (2023, 2024 and 2025), CESAER welcomes the progress made on almost all actions of the ERA Policy Agenda 2022-2024, the adoption of the ERA Policy Agenda 2025-2027, as well as the European Commission's initiative for an ERA Act.

CESAER input to public consultation ERA Act

European Research Area - Public consultation

Introduction

This public consultation forms an integral part of the preparation of the European Research Area Act (the 'ERA Act').

The Commission Communication on a Competitiveness Compass for the EU, adopted on 29 January 2025, included the ERA Act as one of the flagship actions aimed at 'closing the innovation gap' with other global economic powers. The ultimate objective of the ERA Act is to strengthen the capacity and performance of the EU's research and innovation ('R&I') ecosystem and to help the EU become the world's most attractive destination for researchers. The ERA Act aims to tackle enduring issues that hinder the efficiency and performance of the European R&I ecosystem, such as fragmented regulatory frameworks, disparities in research and development ('R&D') investment, and barriers to knowledge sharing and cooperation. Building on Enrico Letta's and Mario Draghi's 2024 reports, the ERA Act will be an opportunity to ensure the 'fifth freedom', the free circulation of researchers, scientific knowledge and technology in the EU's single market. The ERA Act will do this by tackling obstacles to this fifth freedom, through the uniform application of rules and the enforcement of EU policies to create a level playing field for researchers and innovators across the Member States. The ERA Act is closely linked to other initiatives announced in the Commission's Political Guidelines, in particular the proposal for a European Innovation Act.

The purpose of this public consultation is to collect feedback on the key challenges that the ERA Act aims to address and on potential solutions to tackle them by means of EU-level legislation.

The issues addressed include:

- reaching public and private investment goals;
- aligning the policies and programmes of the EU and the Member States, and across the Member States;
- challenges related to upholding the fundamental values of the European Research Area;
- improving the framework conditions for research and researchers.

This consultation questionnaire is structured around the main areas and problems that fall within the scope of the future legislation. It will take a maximum of 25 minutes to complete the full questionnaire but you are also welcome to only respond to the sections that are relevant for you.

The results of this public consultation will be summarised in a report that will be published on the Have your say website. The results will also be analysed together with other data that is being collected through targeted stakeholder consultations and an impact assessment. At the end of the survey, you will have the possibility to upload a file with a more detailed contribution.

Please select the sections of the questionnaire to which you would like to contribute:*

X	1. Strengthen R&D investment and bring it up to the 3% GDP target to address the current lack of investment.

X	2. Greater alignment of R&I investments, policies and programmes between the EU and Member States, and between Member States.
X	3. Improve the general conditions for research and researchers in Europe.
X	3.1. Upholding the fundamental values of the European Research Area: freedom of scientific research; gender equality and equal opportunities.
X	3.2. Ensuring the free circulation of researchers and scientific knowledge: researchers' careers and mobility; free circulation of scientific knowledge; European research infrastructure consortia; knowledge valorisation.
X	3.3 Aligning guidance on artificial intelligence (AI) in research.
X	3.4 Improving consistency in approaches to international cooperation and research security across the EU.

1. Strengthen R&D investment and bring it up to the 3% GDP target to address the current lack of investment

The EU's R&D intensity, measured as the proportion of GDP spent on R&D, is still well below the target of 3% of GDP set by the European Council in Barcelona in 2002, despite the steady but slow progress made since then. In 2023, approximately EUR 381 billion was invested in R&D in the EU, which accounts for only 2.22% of the EU's GDP. The large disparities between Member States (ranging from 0.5% to 3.6% of GDP) are partly due to the lack of private investment in R&D compared with other major economies (China, Japan, South Korea, United States, etc.). The low level of R&D intensity negatively affects the EU's competitiveness and, therefore, its socio-economic progress and the resilience of our society, and accentuates the R&D investment gap with other countries.

Meeting the EU's 3% target would require an additional investment of EUR 134 billion per year across the EU. Therefore, to achieve the 3% target by 2030, the EU would need substantial additional funding from both private and public sources, a better alignment and complementarity between public and private investments, and better coordination of policies at both national and EU levels.

Current situation

To what extent do you agree with the following statements?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
The EU's innovation gap with other major economies is largely caused by underinvestment in R&D.	X					
We should reduce disparities in R&D intensity between Member States, which create innovation gaps inside the EU.	X					

Increasing R&D intensity should be a priority at EU level to boost socio-economic progress and competitiveness in the EU.	X					

Possible way forward

To what extent are the following suggestions appropriate for EU-level legislation to increase R&D intensity?

	Very appropriate	Somewhat appropriate	Neither appropriate nor inappropriate	Somewhat inappropriate	Very inappropriate	No opinion
Define national R&D intensity targets, where public investments are solid obligations.	X					
Ask Member States to write multiannual national plans or roadmaps for implementation and monitoring of progress towards R&D intensity targets.	X					
Ensure the better use of public R&D investments to further mobilise private R&D investments.			X			

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other key challenges regarding the need to increase R&D intensity or possible ways to address this challenge that you think should be considered?

2000 character(s) maximum

We call for integration of the 3% target into ERA Act. As stated in our competitiveness position paper (2024) and FP10 input note (2023), we call for (i) the swift enactment of the 3% GDP target for R&I, along with a 1.25% GDP public effort target, both to be achieved by 2030 by all EU MS. To achieve this, MS should commit to reforms progress monitored via the European Semester, with no additional administrative burden on universities. This 3% investment target should apply per country, as working with an EU-wide average will not help close the Widening gap. National R&I roadmaps offer clear added value, provided that core and bottom-up R&I investments remain fully protected from any directionality and respecting the subsidiarity principle for budgetary decision making. If provided this guarantee, a major benefit will be that they allow MS to identify complementarities and duplication between national policy and funding priorities. Therefore, roadmaps form starting points for discussions between MS and the EU on optional possibilities to co-invest in some research domains via transfers of national budgets to the FP, including for the FP10 partnerships. CESAER suggests that the structure of national roadmaps aligns with current and future Policy Agendas, allowing MS to indicate any planned progress in each area, if any. The European Semester process, as currently applied, can be used to monitor and support progress in specific policies or actions when needed. We recommend that the

ERA Act refrains from specifying detailed reform measures, in order to preserve flexibility for necessary adjustments over time. We also propose the ERA Forum subgroups set the direction for the details of reforms. In addition, we call for a 'research principle' to be introduced, by analogy with the innovation principle, requiring all new EU and national legislative initiatives, as well as reviews, are assessed for its potential impact on the research sector, avoiding negative impact.

2. Greater alignment of R&I investments, policies and programmes between the EU and Member States, and between Member States

In addition to the lack of R&D intensity, the EU falls short of what it could achieve in R&D because policies and investment priorities are not sufficiently coordinated between Member States and between the EU and the Member States. R&I in Europe is governed at multiple levels, with policies and investment pursued at the local, regional, national and EU levels, scattered across ministries in different Member States.

Investments in R&D are often dispersed and poorly aligned between Member States, while only about 10% of total R&D spending is managed through EU-wide programmes. By contrast, competitors like the United States benefit from a single national strategy, leading to a more coordinated allocation of resources and the strategic alignment of investment priorities. This disparity is especially problematic for sophisticated and complex technologies such as AI, quantum computing or biotech. This fragmentation of European R&D investments makes it difficult for the EU to address common challenges by focusing on a coherent set of strategic areas, and leads to missed opportunities for collaboration and network effects.

Current situation

To what extent do you agree with the following statements?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
The lack of mechanisms to coordinate and prioritise research and innovation policies at EU level reduce the effectiveness of R&D investments.	X					
The existing institutional structures and instruments are insufficient to align policies and R&D investments across Member States, and between Member States and the EU, and to set out strategic priorities.	X					
EU spending on R&D is not well-aligned with key EU-wide policy priorities, e.g. industrial policy.					X	

Existing mechanisms that support R&D initiatives co-funded by different actors (notably European Partnerships [1]) are not sufficient to address the current needs for coordination and alignment.					X	
The system of European Partnerships is too complex and fragmented in terms of its implementation modalities.		X				
There are too many European Partnerships to ensure critical mass and strategic orientation.		X				

[1] 'European Partnership' means an initiative, where the EU, together with private and public partners, commit to jointly supporting the development, implementation and evaluation of a programme of activities, and where the costs are shared between all partners.

Possible way forward

To what extent are the following suggestions appropriate for EU-level legislation to better align R&D investments, programmes and policies?

	Very appropriate	**Somewhat appropriate**	**Neither appropriate nor inappropriate**	**Somewhat inappropriate**	**Very inappropriate**	**No opinion**
Create a coordination instrument to allow the EU and the Member States to set out their strategic R&D priorities together.		X				
The competencies of the ERA governance bodies (i.e. the ERA Forum and the European Research and Innovation Committee - ERAC) could be expanded and applied to the definition of strategic priorities and to the alignment of R&D investments and policies.			X			
The European Partnerships should concentrate a critical mass of funding in key		X				

strategic areas, which are aligned with the EU's priorities.						
The system of European Partnerships should be constructed in such a way that it is flexible enough to adapt to evolving EU policy priorities, for instance by re-orienting existing European Partnerships, possibly ending existing Partnerships or creating new ones.		X				
The system of European Partnerships should become more transparent and easier to use by creating and running partnerships in a harmonised way.		X				
Key provisions for implementing European Partnerships should be included in the ERA Act.			X			
The respective roles of public and private actors should be taken into account in creating and running European Partnerships	X					

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other key challenges regarding policy and investments alignment or possible ways to address them that you think should be considered?

2000 character(s) maximum

(i) As stated in CESAER's competitiveness position paper (2024) and FP10 input note (2023), we call for creating an annual review mechanism of current performance vis-a-vis the 3% and the 1.25% targets at the ECOFIN and the European Council to be achieved by 2030. This could be integrated in the ERA Act.

(ii) While coherence between R&I and industrial policy is important, the aim of public R&I investment is to support industry, society and science of today and of the future. An overly strong alignment of R&I funding with current industrial would limit long-term competitiveness, prosperity and resilience.

(iii) The purpose of R&I policy and funding is to reinforce the long-term resilience, prosperity and competitiveness of the EU. Partnerships are valuable in this regard, although alignment and coordination between national and European levels can be further improved, to which National Roadmaps could be instrumental.

(iv) A significant part of the funding for collaborative research, including that of partnerships, needs to continue to support forward-looking activities that strengthen Europe's future science, prosperity and industrial base. In such areas, the strategic input of the research community on emerging topics is particularly important. To ensure this balance, appropriate frameworks and governance structures at both EU and member state level should safeguard the role of long-term, exploratory and researcher-driven perspectives within collaborative research.

(v) The creation of a coordination tool and national roadmaps should help MS to exchange best practices and priorities while avoiding duplication and preventing the addition of further bureaucracy.

(vi) The ERA Act should seek to reduce fragmentation while preserving sufficient flexibility and ensuring university autonomy; any potential indirect impact on institutions and universities should be taken into account.

3. Improve the general conditions for research and researchers in Europe

3.1 Upholding the fundamental values of the European Research Area

In 2021, the Council of the EU agreed on a set of fundamental values underlying the revamp of the ERA in the Pact for Research and Innovation in Europe. The ERA must ensure that its fundamental values are respected in full throughout the EU in a consistent and fair manner. These values are the unquestionable promotion of the freedom of scientific research, and of ethics and integrity when carrying out R&I, and the promotion of gender equality and equal opportunities.

3.1.1 Freedom of scientific research

There is currently no harmonised EU-level legal framework that ensures the consistent and enforceable protection of freedom of scientific research in the Member States. Researchers and research institutions across the EU face a combination of pressures that, in practice, can limit the full exercise of freedom of research.

The absence of a clear and enforceable EU framework has contributed to uneven levels of protection of freedom of scientific research in the Member States. This has led to significant disparities between Member States, making the EU a less attractive destination for global research talent, and undermining the objectives of the ERA.

Current situation

To what extent do you agree with the following statements?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
There is no clear and enforceable legal protection for the freedom of scientific research in my country.				X		
Higher education institutions and research-performing organisations lack enough autonomy from			X			

undue interference, whether political, economic, or otherwise. This undermines their ability to safeguard freedom of scientific research effectively.						
Social and cultural pressures, including public criticism, online harassment or media backlash, can discourage researchers from addressing certain topics or sharing their findings openly.		X				
Precarious employment and lack of stable career paths undermine the independence of researchers.		X				
Europe needs stronger and more uniform legal safeguards to protect and promote freedom of scientific research.	X					

Possible way forward

To what extent would the following suggested measures be appropriate to address the identified problems?

	Very appropriate	**Somewhat appropriate**	**Neither appropriate nor inappropriate**	**Somewhat inappropriate**	**Very inappropriate**	**No opinion**
Establish uniform, legally binding protection at the EU level for the freedom of scientific research.	X					
Require EU Member States to implement minimum standards protecting the freedom of scientific research, while allowing some flexibility at Member State level.	X					
Define clear core rights for individual researchers and rights and obligations for research institutions.		X				
Create mechanisms to enforce compliance			X			

with the freedom of scientific research, such as linking respect for this freedom to access to EU funding, including for research, or cutting EU funds when the freedom of scientific research is not respected.						
Ensure that legal measures to protect freedom of scientific research also strengthen the autonomy of research institutions and promote transparent governance in research institutions.	X					
Complement legal measures with awareness-raising, education, and programmes to promote a culture of scientific freedom and integrity.	X					

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other points you would like to make regarding the need to protect the freedom of scientific research and the potential way forward?

2000 character(s) maximum

(i) To ensure a common understanding and consistent approach to the ERA, the ERA Act should take the form of a Regulation instead of Directive; this would prevent divergences that could arise if MS were required to transpose the provisions into national law, keeping barriers for the fifth freedom in place.

(ii) We strongly support the establishment of a legal framework at the EU level that guarantees academic freedom and protects researchers' independence. We propose addressing the freedom of scientific research through a separate dedicated Directive, allowing national specificities to be taken into account while ensuring minimum standards at EU level. While this common approach to the protection of the freedom of scientific research shared across the EU would be helpful, integration of this principle in the ERA Act to protect and support it should be mindful of existing national and other international frameworks, and related implementation issues. As CESAER outlined in a 2025 input note on research security, we call on the EU institutions to establish a legal framework at the EU level that guarantees academic freedom and protects researchers' independence. We call to establish clear legal protections to ensure that researchers can pursue their work independently and without undue interference, reinforcing academic freedom, research security, and openness across Europe. To achieve this effectively, a separate Directive would be more suitable.

3.1.2 Gender equality and equal opportunities

Gender equality is a core value and key priority for the EU, and as such it is integral to European research and innovation. Since 2020, the EU gender equality policy in research and innovation aims to address intersections of gender with other social categorisations (e.g. ethnicity, disability, and sexual orientation), as well as to promote geographical and sectoral inclusiveness, especially by involving the private sector. Despite significant efforts and some positive developments, there are still disparities in this area. To address this, gender equality plans have been introduced as a condition to receiving EU research funding. The plans require public bodies and research and higher education organisations to outline concrete actions and commitments to promote gender equality. However, private sector organisations (where the gender gap is largest) are exempt from producing gender equality plans, and the effectiveness of the plans varies across the EU.

To improve the quality of research and develop effective solutions that benefit society as a whole, research and innovation must not only welcome all talents but also consider gender and equal opportunities for other social categories, such as ethnicity, disability and age, in their content. Gender, however, is incorporated in less than 2% of scientific publications (She Figures 2024). These and other related issues underscore the need for a stronger EU framework to promote gender equality and equal opportunities in research and innovation, building on existing initiatives and ensuring a consistent approach across the EU.

Current situation

To what extent do you agree that the following problems should be addressed to promote and achieve gender equality and equal opportunities more effectively in research and innovation?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
The inadequate and fragmented uptake of gender equality policies across the EU (e.g. gender equality plans).	X					
Inconsistent national and limited EU-level frameworks for the monitoring and evaluation of gender equality policies and actions.	X					
Insufficient consideration of gender and other social factors (e.g. ethnicity, disability, age) in research and innovation content.	X					
Lack of support for researchers with caregiving responsibilities.	X					
Lack of engagement of the private sector in addressing gaps in gender equality and inclusiveness.			X			

Possible way forward

To what extent are the following suggestions appropriate for EU-level legislation to promote gender equality and equal opportunities more effectively in research and innovation?

	Very appropriate	Somewhat appropriate	Neither appropriate nor inappropriate	Somewhat inappropriate	Very inappropriate	No opinion
Establish legally binding minimum rules for gender equality plans, specifying the organisations that are required to implement them, the essential components of the plans, and the processes for national-level monitoring and compliance.		X				
Set a minimum level of spending on gender equality policies and actions in research and innovation at EU, national, and organisational levels.		X				
Incorporate considerations of gender and other social factors (e.g. ethnicity, disability, age) into public research and innovation programmes, with regular reporting and evaluation.	X					
Develop legislation to make big private companies more involved in improving gender equality and inclusiveness.			X			
Include the cost of caring for dependents in public research funding programmes to help researchers with caregiving responsibilities to overcome barriers to participation and career progression.	X					

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other key challenges regarding gender equality and equal opportunities or possible ways to address them that you think should be considered?

2000 character(s) maximum

It would be helpful to introduce gender and inclusion as a topic in the ERA Act, to ensure that MS are required to address gender equality and inclusion as part of their national roadmaps. Please see our suggestion for an approach to the national Roadmaps in the first open text box of this survey. We recall that the introduction of gender equality plans in the FP for R&I is a positive development, and should be continued, but that there is room for improvement. While in the content of research projects gender-inclusive design is a mandatory criterion for excellence, it should be noted that Gender Equality Plans (GEPs) are sometimes perceived as a box-ticking exercise. More robust monitoring of gender equality across full project lifecycles could be implemented, while avoiding imposing undue administrative burden on organisations. Currently, the focus is predominantly on gender equality, overlooking a broader, more holistic approach to equality, diversity, inclusion, and belonging. Addressing this gap, while avoiding any potential administrative burden on institutions, would ensure a richer and more varied contribution to research and innovation. As highlighted in our 2025 inclusive entrepreneurship report, we recommend sustaining and strengthening inclusive gender equality policies under FP10, including intersectional GEPs and gender analysis in research and innovation.

3.2 Ensuring the free circulation of researchers and scientific knowledge

3.2.1 Researchers' careers and mobility

Attractive research careers in different sectors are a fundamental part of a fully-fledged European Research Area. Following the adoption of the Council Recommendation establishing a European framework to attract and retain research, innovation and entrepreneurial talents in Europe in December 2023, stronger legal measures can be considered to address specific issues which would help to strengthen research careers and improve the mobility of researchers across the ERA.

Current situation

To what extent do you agree that the following problems currently prevent research careers in the EU from being more attractive?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
Widespread use of fixed-term contracts, in particular because of project-based funding and/or national legislation.		X				
Insufficient social security benefits for early-career researchers, notably PhD candidates					X	

Lack of support for researchers to develop their careers.					X	
National and organisation-level obstacles preventing seamless mobility between Member States (e.g. administrative and language barriers) and between organisations.	X					
Obstacles to the mutual recognition by Member States of researchers' academic qualifications for work purposes.		X				
Obstacles to the recognition by Member States of academic qualifications gained in non-EU countries.		X				
Obstacles for researchers from non-EU countries in obtaining visas to work in EU Member States.	X					
Obstacles for researchers from non-EU countries who have a work-related visa issued by an EU Member State to move to other Member States.			X			
Insufficient mapping of national and organisational career structures for researchers against the R1-R4 career profiles (R1 First-Stage Researcher; R2 Recognised Researcher; R3 Established Researcher; R4 Leading Researcher), with a negative impact on intersectoral and interoperable careers.			X			
Insufficient use of the R1-R4 career profiles in vacancies.			X			
Administrative complexities related to business trips for researchers (e.g. the need to complete A1 forms [2]).		X				

[2] An A1 form is a portable document that, in line with Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009, serves as proof of the social security legislation applicable to a person (employee or self-employed) temporarily working in a different Member State.

Possible way forward

To what extent are the following suggestions appropriate for EU-level legislation to address the identified problems?

	Very appropriate	Somewhat appropriate	Neither appropriate nor inappropriate	Somewhat inappropriate	Very inappropriate	No opinion
Ensure that national laws do not impede or overly complicate the ability of public sector employers to offer open-ended, indefinite or permanent contracts to researchers.		X				
Ensure that researchers at all career stages, including PhD candidates, have the same level of social security benefits.	X					
Develop an EU-level contract template for the recruitment of researchers, which employers in the public and private sectors can use voluntarily. This template would ensure that minimum standards are met, making positions more attractive to researchers and facilitating mobility, including between Member States.			X			
Carry out measures to prevent practices that could lead to discriminatory behaviour against some researchers and make it more difficult to be mobile, such as the exclusive use of the local language of a Member State in job advertisements and employment contracts.	X					
Facilitate the automatic recognition (for work purposes) of the academic	X					

qualifications that a researcher gained in an EU Member State.						
Increase the understanding and transparency of the skills and academic qualifications of researchers.	X					
Facilitate the recognition (for work purposes) of the academic qualifications that a researcher gained in a non-EU country.	X					
Facilitate the visa application process for researchers from a non-EU country and reduce the obstacles to their mobility within the EU.	X					
Carry out a mapping exercise to align national and organisational career structures with the R1-R4 researcher profiles.			X			
Ensure that all job vacancies addressed to researchers use the R1-R4 profiles.		X				
Reduce the administrative burden associated with researchers' business trips.	X					

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other key challenges regarding enhanced research careers and mobility that you think should be considered, including national-level obstacles preventing seamless mobility across Member States?

2000 character(s) maximum

CESAER proposes that the ERA Act establishes the overarching framework to be used by MS in the development of their national roadmaps to (i) simplify legal and bureaucratic barriers: streamline visa and residency processes and reduce legal barriers at national and regional levels to facilitate the free movement of research professionals and talents in science & technology, as elaborated in our 2024 research career report titled 'Research careers: A critical choice for Europe'.

Furthermore, we propose to:
(ii) strengthen research ecosystems by improving the competitiveness of salaries, reducing visa barriers, and supporting new co-funding schemes to boost research career prospects.

This is vital to meet the 3% GDP target for R&D and ensure a balanced distribution of researchers across Europe', as elaborated in our 2024 research career report.

(iii) CESAER calls on the COM to define targets for improving the inflow of early-career researchers by 2030 and 2035, and encourages MS to implement measures in their national roadmaps to support these targets, thereby contributing to Europe's shift from brain drain from Europe, to brain gain to and brain circulation in Europe.

(iv) Since the R1 – R4 profiles are not always very clear for potential applicants, we suggest considering the introduction of elements of Open, Transparent, and Merit-based (OTM) Recruitment in contract templates more widely, e.g., the obligation to publish (certain) vacancies in English and publish them internationally. (v) Identify and remove barriers for visa facilitation, as elaborated in our 2024 MSCA position paper.

(vi) We see the ERA Act as the current main legislative vehicle towards establishing and enforcing Letta's 'fifth freedom' across Europe to facilitate the unimpeded circulation of scientific knowledge and its bearers such as researchers, learners and teachers.

3.2.2 Free circulation of scientific knowledge

Despite progress in promoting open access, which has been driven especially by the open science policies and actions of the EU and the Member States, the proportion of scientific publications and research data available through open access remains well below targets. Legal and technical obstacles, and other barriers such as research assessments based on the quantity of publications in prestigious journals, are impeding access to, and reuse of research output. The lack of standardisation and interoperability of research data within and across scientific disciplines and across borders is a major obstacle to achieving the free circulation of scientific knowledge.

Current situation

To what extent do you agree with the following statements, which describe possible obstacles to ensuring access to and sharing of scientific knowledge?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
Insufficient open access to publicly funded peer-reviewed publications.				X		
Certain publishing requirements (e.g. transfer of author rights or embargoes) may limit open access to publicly funded peer-reviewed publications.	X					
Insufficient open access to publicly funded research data, software and other research outputs.		X				
Barriers (technical, legal etc.) preventing efficient access to and the sharing and reuse of data and other	X					

research outputs across borders within the EU.						
Barriers (technical, legal, etc.) preventing efficient access to and the sharing and reuse of data and other research outputs between scientific thematic areas.		X				
Apart from legal constraints imposed by sector-specific or cross-cutting legislation on data management, there are additional barriers that impede researchers' access to publicly funded data that could be overcome with targeted legislation.			X			
Insufficient alignment between research institutions and between EU countries on the requirements for open access to publicly funded research.				X		
There is legal uncertainty over how researchers can share, access and reuse copyright-protected material or sensitive data for scientific purposes.		X				
Insufficient use of existing legal possibilities and market-based mechanisms to share, access and reuse copyright-protected material for scientific purposes.			X			
Rising costs for research institutions to access scientific information and publish in open access.	X					
Insufficient information about agreements between public institutions and publishers on the supply of scientific information and open access publishing services.		X				
Current research assessment practices are primarily based on the number of publications in prestigious journals and do not take into account the intrinsic quality and impact of the research and the		X				

diverse contributions of researchers.						

Possible way forward

To what extent are the following suggestions appropriate for EU-level legislation to achieve the free circulation of scientific knowledge?

	Very appropriate	**Somewhat appropriate**	**Neither appropriate nor inappropriate**	**Somewhat inappropriate**	**Very inappropriate**	**No opinion**
Research-funding organisations (RFOs) responsible for managing public research-funding and research- performing organisations (RPOs) that receive public funding should include in funding agreements requirements for immediate open access to and reuse of publicly funded scientific publications in public open access repositories as a condition to providing public funding for research.			X			
Public RFOs and RPOs receiving public funding shall foresee requirements for researchers and/or their organisations to retain the necessary intellectual property rights to provide immediate open access and reuse of their research outputs.		X				
Public RFOs and RPOs receiving public funding shall foresee, where relevant, requirements for data management plans and open access to research data and other research outputs under the principle '*as open as possible, as closed as necessary*'.	X					

Member States should ensure the findability, accessibility, interoperability and reusability (FAIR) of publicly funded research data and other research outputs, and their availability through secure and trusted digital environments.	X					
Member States should ensure that research data is standardised and interoperable within and between different scientific disciplines and across borders.		X				
Member States should ensure the further development of secure and trusted infrastructures for access to, sharing, reuse and preservation of scientific information and data.	X					
The applicable legal frameworks should be reviewed to improve legal certainty and facilitate open access, sharing and reuse of data for scientific purposes in a secure way that ensures privacy.	X					
Publicly funded researchers should have facilitated access (e.g. in terms of technical requirements, available platforms or administrative procedures) to data under the common European data spaces.	X					
Non-legislative measures should be implemented to improve the awareness and use of existing legal and market-based solutions that make it	X					

possible to share, access and reuse protected content for scientific purposes.						
Public RFOs and RPOs that receive public funding should create mechanisms to ensure that assessments of research, researchers and research organisations recognise the diverse outputs, practices and activities that help maximise the quality and impact of research.				X		

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other key challenges regarding the free circulation of scientific knowledge or possible ways to address them that you think should be considered?
2000 character(s) maximum

CESAER calls for integration of general principles of OS in the ERA Act so MS are encouraged to make progress in this domain, their plans to be outlined in their national roadmaps and monitored via the European Semester. OS obligations must be supported by dedicated funding. Please see our suggestion for an approach to the national Roadmaps in the first open text box.

We urge the COM to propose EU legislation, without adding additional hurdles for researchers, to give them the nonwaivable legal right to share publicly funded and peer-reviewed research findings without embargoes.

We recall our pleas to:
(i) support a harmonised framework for an equitable OS ecosystem with open infrastructures, reduce barriers to open access through a Secondary Publishing Right enshrined in EU law, as outlined in our 2023 position paper on scholarly publishing, backed by rights retention policies. A Secondary Publishing Right with zero embargo is a key legal condition for enabling immediate OA.

(ii) support the development of plans for the new resources needed at EU and national levels for safeguarding the integrity of the scientific record, (iii) support measures be taken to ensure the swift implementation of legislative and other actions, at both EU and national levels, to give effect to the principles of the UNESCO Recommendation on OS,

(iv) support the establishment of an integrated and coherent user- and outcome-oriented European ecosystem and framework for research and technology infrastructures, as elaborated in our research and technology infrastructures paper (2025), this could be done for instance by encouraging all RTIs that generate data and digital assets to adopt the FAIR principles, guided by the principle 'as open as possible, as closed as necessary', and by facilitating wide and equitable access,

(v) for the ERA Act, we recommend making it an obligation to work on the establishment and measuring progress of such a federated ecosystem as part of block 3 of the ERA Act.

3.2.3 European Research Infrastructure Consortia

A European Research Infrastructure Consortium (ERIC) is a legal entity set up under EU law to facilitate the establishment and operation of research infrastructures of European interest. The ERIC Regulation has made it possible to launch and integrate many research infrastructures at European level, which align national investments and research priorities, and pool resources and expertise.
Despite the widely recognised success of the ERIC instrument, which has resulted in the establishment of 32 ERICs so far, a number of issues in the current legislation have been raised both by EU Member States and by the scientific community (see, for example, the third report on the application of the ERIC Regulation).

To what extent do you agree that the following topics should be considered in view of a possible future amendment of the ERIC Regulation?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
The possibility for third countries other than associated countries and intergovernmental organisations to join an ERIC as of its establishment as founding members.				X		
The rules in the ERIC Regulation on the applicable law and jurisprudence may create problems either in the setting-up of new ERICs or the resolution of disputes within existing ones.			X			
Further harmonisation of the legal status of ERICs is needed to reduce discrepancies in the recognition by Member States of European Research Infrastructures under national law that hinder the ERICs' efficiency.	X					

Please provide the reasoning behind your responses and/or additional suggestions. Are there other key challenges regarding the ERIC regulation or possible ways to address them that you think should be considered?

2000 character(s) maximum

CESAER calls for integration of this RTI dossier in the ERA Act so MS can be encouraged to make progress in this domain, their plans to be outlined in their national roadmaps, monitored via the European Semester. Please see our suggestion for an approach to the national Roadmaps in the first open text box.

As outlined in CESAER's 2025 RTI paper, CESAER calls on the EU institutions to:

(i) promote centrally managed EU funding instruments—such as Horizon Europe/FP10 and Digital Europe/the European Competitiveness Fund—that are exempt from state aid rules and incentivise MS to channel national co-funding through these mechanisms to ensure legal certainty, especially for cross-border RTIs.

(ii) Support lifecycle funding models that cover the full continuum of RTI needs—from initial development and operation to upgrades and eventual decommissioning—taking inspiration from the ESFRI approach.

(iii) Align funding criteria and infrastructure development with the EU's climate goals, ensuring energy-efficient and sustainable design and operations of RTIs across their lifecycles, and

(iv) Ensure full public funding for non-economic activities (e.g. public research, education, talent development), while enabling appropriate cost-recovery or private contributions for economic activities, provided these mechanisms remain transparent, proportionate, and state aid-compliant.

3.2.4 Knowledge valorisation

Despite the growing policy emphasis and guidance on knowledge valorisation, including the Codes of Practice on the management of intellectual assets, citizen engagement, industry-academia co-creation and standardisation to implement the Guiding Principles for knowledge valorisation, structural problems persist that hinder the efficient transformation of research results into societal and economic value.
Knowledge valorisation can have multiple aspects. Issues related to the commercialisation of the outputs of publicly funded R&I were tackled in the public consultation on the European Innovation Act. Therefore, this consultation focuses on other knowledge valorisation aspects.

Current situation

To what extent do you agree that the following problems currently prevent R&I in the EU from achieving optimum levels of knowledge valorisation?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
There are limited financial and non-financial incentives for researchers, higher education and research-performing organisations to valorise knowledge.	X					
Academic reward systems are predominantly focused on publications and citations, with limited recognition for activities that create socio-economic impacts.		X				

Higher education and research-performing organisations, and their researchers lack the capacity to collaborate with the private sector, public authorities and citizens, and to engage in standardisation activities.					X	
Dedicated support services in universities (e.g. knowledge and technology transfer offices, public engagement units and innovation offices) to facilitate effective knowledge valorisation are under-resourced.		X				
Many researchers lack the training and skills necessary to engage successfully with non-academic collaborators (industry, citizens, public authorities) as part of knowledge transfer and valorisation.			X			
Researchers' employment conditions lack flexibility for two-way mobility between academia and industry (e.g. short-term secondments) and to engage with external stakeholders (e.g. consulting, collaboration with societal actors and public authorities).	X					

Possible way forward

To what extent are the following suggestions appropriate for EU-level legislative action to address the identified problems?

	Very appropriate	**Somewhat appropriate**	**Neither appropriate nor inappropriate**	**Somewhat inappropriate**	**Very inappropriate**	**No opinion**
Member States should set knowledge valorisation as a key priority in their research and innovation policies.		X				
If they haven't already done so, Member States should adopt	X					

policies aimed at incentivising researchers and universities to engage in knowledge valorisation activities.						
Successful commercialisation, standardisation and engagement with policy makers and the public should be recognised and rewarded in the assessment and progression of research careers.		X				
If a university decides not to commercialise an invention, the researcher/inventor should be granted full rights to exploit it.	X					
More schemes for mobility between sectors should be created, allowing researchers to work in industry or the public sector for a certain period, and ensuring their right to return to their previous position.	X					
A competence framework for knowledge valorisation professionals in public research organisations should be defined.		X				
Member states should develop strategies and measures to upscale knowledge valorisation for informing the design of public policies.	X					

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other key challenges regarding knowledge valorisation and possible ways to address them that you think should be considered?

2000 character(s) maximum

In line with our suggestion for an approach to the national Roadmaps in the first open text box, we suggest the ERA Act delivers the framework to:
(i) encourage MS to set knowledge valorisation as a key priority in their industrial policies while setting knowledge valorisation support as a key priority in their R&I policies. While

doing this, there should be equal attention paid to both economic and societal pathways, not only commercialisation.

(ii) Improve, within the FP for R&I and in national programmes, incentives for researchers to allow for valorisation later on, e.g. in the ECF, including for societal impact.

(iii) Support Knowledge Transfer Offices in a better way through capacity-building, upskilling (eg: in AI) and also financially.

(iv) Ensure that commercialisation, standardisation and engagement can be recognised and rewarded in the assessment and progression of research careers.

(v) Facilitate the development, as mentioned in our 2025 Innovation Act position paper, innovation-friendly IP use by (a) supporting legal environments that enable flexible and effective use, licensing, and co-ownership of publicly funded IP—without enforcing uniform ownership regimes, (b) encouraging facilitation and support mechanisms by universities to assist researchers in valorising their work, in line with our previous call on EIC IP provisions, (c) ensuring regulatory coherence from the design face onwards; the forthcoming Innovation Act should complement the ERA Act, EIC mandates, Startup & Scale-up Strategy and national regulations avoiding duplication and contradiction, with a strong focus on regulatory simplification providing enabling conditions and empowering researchers and innovators.

3.3 Aligning guidance on artificial intelligence (AI) in research.

Across the EU, research organisations and funding bodies have issued diverse and often conflicting guidelines on the use of AI in scientific research. As a result, research proposals involving AI are subject to varying requirements on ethics, transparency, intellectual property, data protection and data governance. This fragmented landscape creates uncertainty for researchers and complicates cross-border collaboration between researchers.

Current situation

To what extent do you agree that the following problems regarding the use of AI in research should be addressed?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
There is a lack of harmonised guidelines on the ethical and responsible use of AI in research across the EU.		X				
Researchers face legal uncertainty and administrative burdens when using AI due to differing national and institutional guidelines.			X			
The fragmented landscape of AI-related codes of conduct undermines cross-border and interdisciplinary scientific collaboration.			X			

The current frameworks do not provide sufficient clarity on how to manage risks such as dual-use, reproducibility, or transparency in the use of AI in research.	X					

Possible way forward

To what extent are the following suggestions appropriate to address the identified problem, and which solutions and should be pursued through EU-level legislation?

	Very appropriate	Somewhat appropriate	Neither appropriate nor inappropriate	Somewhat inappropriate	Very inappropriate	No opinion
Promote capacity-building to implement and monitor AI governance in research organisations.			X			
Encourage alignment between national and EU-level research programmes on AI-related standards.	X					
Embed in the ERA Act non-binding EU-wide principles and harmonised guidelines on the responsible and ethical use of AI in research.					X	

AI misuse whistleblowing mechanism

Currently, there is no EU-level mechanism to report concerns about the misuse of AI in scientific research. Researchers lack trusted and secure channels to raise the alarm when AI is used unethically or for (un)intended harmful purposes. This gap increases the risk that dangerous applications go undetected and undermines trust in the research system.

Current situation

To what extent do you agree that the following problems regarding the current lack of whistleblowing mechanisms for misuse of AI in research should be addressed?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
The absence of a dedicated mechanism to report			X			

misuse increases the risk that harmful or unethical applications of AI go undetected.						
Researchers currently lack secure, trusted channels to raise the alarm when AI-based research outputs are repurposed for unintended uses.				X		
There is a lack of awareness among researchers of where and how to report concerns related to the misuse of AI in research.	X					
Reporting channels, where they exist, are often not tailored to the specific risks and complexities of AI in research.		X				

Possible way forward

To what extent are the following suggestions appropriate to address problems with the potential misuse of AI, and should these solutions be pursued through EU-level legislation?

	Very appropriate	**Somewhat appropriate**	**Neither appropriate nor inappropriate**	**Somewhat inappropriate**	**Very inappropriate**	**No opinion**
Create an EU-level whistleblowing mechanism specifically to report the suspected misuse of AI in research.			X			
Link this whistleblowing mechanism to national authorities and research institutions to ensure that responses are well-coordinated.					X	
Create an independent EU body or contact point to manage cases of AI-related whistleblowing in research.			X			

Please provide the reasoning behind your responses and/or additional suggestions. Are there any other key challenges or problems regarding Artificial Intelligence guidance in research and possible ways to address them that you think should be considered?

2000 character(s) maximum

Irresponsible uses of AI in research generally fall within existing categories of research misconduct and ethics violations, including fraud, plagiarism, data protection breaches, and copyright infringement. It would therefore be more coherent to address AI-related concerns through established research misconduct reporting and whistleblowing mechanisms. The EU should help to support research integrity in general, and the academic community should continue to be in the lead on self-governance when it comes to AI misuse by members of the academic community, along the four core principles of research integrity.

In our May 2023 position on scholarly publishing, we already warned of the risks generative AI poses to scholarly publishing, where synthetic texts and images can mimic scientific content while spreading misinformation. Building on this, we note that AI-generated output also increases the risks of plagiarism or copyright infringement due to incorrect, missing or 'hallucinated' references. Safeguarding the scientific record will require coordinated EU-level action and significant new investment in tools, infrastructure, and policies that ensure trust, transparency and quality in research dissemination. The ERA Act could establish a framework for MS to address these.

The same goes for, as elaborated in our June 2025 AI position paper,

(i) safeguarding the mandatory copyright exception for text and data mining to ensure legal clarity and enable AI-related research and innovation across Europe;

(ii) empowering universities of S&T to lead the development of sector-specific frameworks and tools for the responsible use of AI in R&I and education,

(iii) adopting a distinct European model for AI that empowers researchers, innovators, and their institutions,

(iv) facilitating broad and equitable access to AI-related RTIs for researchers across disciplines, as well as for spin-offs from universities and related start-ups and SMEs.

3.4 Improving consistency in approaches to international cooperation and research security across the EU

Openness, international cooperation and academic freedom are at the core of world-class research and innovation. However, with growing international tensions and the increasing geopolitical significance of research and innovation, researchers are increasingly exposed to security risks. With the adoption of the Council Recommendation on enhancing research security in May 2024, the EU has clear political (i.e. non-binding) guidance on how to ensure that international cooperation in research and innovation is both open and secure. However, there are still substantial differences in how research is safeguarded between and within the Member States. There are calls to set minimum requirements at EU level to ensure a level playing field.

Current situation

To what extent do you agree that the following problems should be addressed?

	Strongly Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly Disagree	No opinion
The lack of a level playing field in the EU in safeguarding research and		X				

innovation against security risks.						
Diverging national approaches to research security, which potentially hinder cooperation between researchers in different Member States (e.g. overlapping and/or conflicting requirements).		X				
The lack of adequate safeguards for research security in some Member States exposes all of the EU to research security risks ('weakest link' scenario).		X				
Researchers in Member States with well-developed research security policies are at a disadvantage compared with researchers in Member States that do not have similar policies in place.			X			

Possible way forward

To what extent are the following suggestions appropriate for EU-level legislation to better safeguard against research and innovation security risks?

	Very appropriate	Somewhat appropriate	Neither appropriate nor inappropriate	Somewhat inappropriate	Very inappropriate	No opinion
Recognise research security as a concern for all Member States that requires appropriate measures at national and EU levels.	X					
Set minimum requirements for a consistent approach to research security at national and EU levels.	X					

Please provide the reasoning behind your responses and/or additional suggestions. Do you see any other issues that need to be addressed to support a more coherent and consistent approach to international research and innovation cooperation in a way that is both open and secure?

2000 character(s) maximum

As elaborated in CESAER's 2025 input note, Europe's strength depends on how its actors work together, making a level playing field across the continent essential—not by defaulting

to the strictest standards but by ensuring consistent application of rules and adequate support by national authorities so that universities and researchers face fair and comparable expectations wherever they operate. Academic freedom is a cornerstone of Europe's R&I ecosystem and the ERA, underpinning research integrity, OS, transparency, and trusted cooperation. These principles thrive only when RS is safeguarded. Fragmented rules, unclear definitions, and uneven support across Europe create confusion and inconsistent approaches. Universities should not be tasked with intelligence or counter-espionage responsibilities; but instead, be empowered to make informed decisions. ERA Act must therefore include an obligation for MS to provide RS-related resources and shared services.

We suggest using the ERA Act to install a framework calling on the MS to integrate in their national roadmaps to: (i) prevent 'autonomy traps', (ii) provide policy guidance and support to universities to advance RS structures, ensuring resources and regulatory clarity to implement proportionate measures without hindering international collaboration, (iii) ensure that RS includes the protection of researchers, and to develop EU-wide guidance and frameworks for MS, (iv) implement or coordinate RS measures at EU level to avoid 'waterbed' effects.

Furthermore, we call on the EU institutions to: (v) Define clear EU-wide standards, terminology, and consistent definitions for research-security related concepts, (vi) Establish a European Research Security Forum (vii) Provide harmonised guidance and enhanced legal clarity on export control and sanctions compliance, and clearly integrating dual-use technology safeguards into the FP (viii) Engage stakeholder organisations in structured dialogue.

Please contact our Advisor for Research Vincent Klein Ikkink for more information.