

The Guild's input to the call for evidence on the European Research Area Act

Research is a crucial engine for societal progress, innovation, and growth¹. In Europe, particularly, research is also a beacon of openness, collaboration and freedom: a mirror and enabler of the foundational values of the European Union. However, as highlighted in the Heitor report², in an increasingly polarised and unstable world, the EU must strive to align its capabilities to its values. Past initiatives, such as the Pact for Research and Innovation (R&I), have been crucial in paving the way towards a more integrated and dynamic European Research Area.

Nevertheless, to reach the established goals in some areas, a stronger implementation and enforcement framework might be required. For Europe to unlock the full potential of research and boost its competitiveness, a robust legal framework is necessary. Therefore, The Guild of European Research-Intensive Universities welcomes the idea of a European Research Area (ERA) Act where it contributes to removing existing barriers and challenges, aiming to materialise the fifth freedom by harmonising research investment and policies, where relevant, removing barriers to mobility and guaranteeing access to data and resources.

Below, we highlight critical areas for the production and development of excellent research, including R&D expenditure, academic freedom, data access, research careers and infrastructure.

R&D expenditure

25 years ago, European leaders jointly drafted a strategy to fully transition into a knowledge economy, aiming to prepare Europe for the era of globalisation. The Lisbon Strategy, among others, established the need for Member States to destine a 3% of GDP spending to R&D. Two decades later, only 5 Member States have honoured that promise.

As presented in the [Draghi report](#), Europe's failure to meet these spending targets represents a significant barrier to competitiveness. In an increasingly unstable world, Europe's capacity to enhance productivity through innovation becomes crucial to deliver on resilience, preparedness and prosperity for its citizens.

The consequences of under-spending are accentuated by the existing fragmentation across Member States in terms of investment, as well as disparities between the European and domestic levels, failing to create a fully integrated single market for research. To avoid creating a two-speed Europe in the innovation race, The Guild supports the Commission's ambition to contribute to reaching the 3% spending target. However, The Guild reckons whether including binding requirements in a legal

¹ Draghi. The future of European competitiveness. (2024)

² Heitor. Align, Act, Accelerate. (2024)

instrument is the most effective way to achieve such a target and would regret it if such a clause could compromise the success of the whole ERA Act in the legislative process. Alternatively, The Guild would welcome other types of measures that can remind Member States of their commitment, for instance, by integrating considerations in the European semester.

Academic freedom

The Guild welcomes the European Commission's commitment to strengthening the legal protection of academic freedom, namely by codifying it in an EU legally binding ERA Act. Considering the alarming deterioration of academic freedom globally, including in the [European Union](#) and its direct neighbourhood, it is critical that this protection is comprehensive and effective, hence, the need for enforcement mechanisms.

Furthermore, we understand that the scope of the ERA Act will be significantly broad as to cover the many actors and processes integrated in 'research' - from researchers to institutions, to publishers, etc. Nevertheless, academic freedom as defined in the [Bonn Declaration on Freedom of Scientific Research](#) is exclusive to researchers, and not to all the actors that will be included in the ERA Act's scope.

Therefore, to address these challenges and ensure a targeted and effective approach, The Guild calls for a self-standing legislative instrument protecting academic freedom. A legislative instrument may, among others, integrate the creation of a European Ombudsperson for the defence and support of academic freedom, who can respond quickly, impartially and effectively. It must also aim at removing existing national regulations that limit the freedom for scientific research by imposing disproportionate bureaucratic requirements. Such a self-standing legislative instrument should, nonetheless, be closely connected to the ERA Act and its goals, for instance, by becoming part of a wider package of individual acts under the umbrella of the ERA Act.

Data access

The Guild agrees on the Commission's stance in the [ERA Policy Agenda 2025-2027](#), and equally identifies data access as a core barrier to knowledge development and dissemination. The Guild supports the relevant provisions on open access in existing legislation, such as the [Open Data Directive](#), [Digital Services Act](#) or the [Data Governance Act](#). Nevertheless, the fact that these provisions vary in scope and legal bindingness, and that they are scattered across different pieces of legislation, forces researchers to balance diverse legal requirements and to navigate an increasingly complex normative framework. Thus, the forthcoming ERA Act should take into account the findings of the European Commission study on improving access to and reuse of research results, publications and data for scientific purposes, to simplify and streamline the process for accessing data for research purposes. Researchers need a framework for data sharing with non-academic actors, aimed at raising awareness about the existence of data sources beyond the academic world and stimulating mutually beneficial exchanges between both the academic and non-academic sectors. Therefore, The Guild embraces the opportunity to work together with all relevant stakeholders, to propose a suitable and effective solution through the ERA Act that can eliminate existing barriers and consolidate the 5th freedom- along the four freedoms of movement for goods, services, capital and labour.

Open data, open-source tools, and transparent licensing models reduce duplication and unlock new forms of private-sector R&D. The ERA should mandate or incentivize knowledge sharing across sectors so that exosystems benefit from public research investment.

Research careers: mobility

In the State of the Union 2025, President Ursula von der Leyen re-asserted the European Commission's strong support to embed the fifth freedom of knowledge and innovation in the single market. It is not only crucial to accelerate the emergence of a knowledge economy in Europe. Improving the freedom of movement of research and researchers, scientific knowledge and technology is also crucial for Europe's competitiveness. A fully integrated Single Market for research is instrumental to strengthen scientific leadership, facilitating the attraction of top international talent and retention of excellent researchers in the continent in a broader global brain circulation. The Guild urges the European Commission to put forward an ambitious proposal to remove obstacles, including at the national level, to the cross-border mobility of researchers in Europe. Because some of these obstacles may stem from the very organisation of national research communities and because it is crucial to protect institutional autonomy, we strongly recommend that the European Commission co-design this proposal with the research stakeholder organisations.

Researchers currently face multiple challenges hampering their geographical mobility, even within the European Union, at different stages of their careers. These include visa and residence application procedures, recognition of academic and professional qualifications, and a lack of portability in pensions and social security systems. Therefore, The Guild calls for measures that contribute towards harmonised and streamlined procedures in these fields, aiming to facilitate and enhance researcher mobility, for instance, by mainstreaming the use of existing tools, such as RESAVER. Or scaling promising pilots, such as the European Social Security Pass.

Infrastructure

Robust infrastructure is the backbone of cutting-edge research, enabling scientists to access advanced tools, collaborate effectively, and generate high-quality results. The Guild aligns with the Commission's prioritisation of enabling access to infrastructure and looks forward to the contributions from the European Innovation Act. While these initiatives are promising in terms of enabling infrastructure-use for strategic companies, The Guild sees the need to better protect the interests of researchers and higher education and research institutions in relation to infrastructure. Therefore, it calls for an ERA Act that also integrates this sphere, addressing the issues of sustainability and maintenance of research infrastructures, as well as developing efficient mechanisms that can guarantee equal access to infrastructure for researchers.