Ref. Ares(2025)6409088 - 06/08/2025

European Commission

CALL FOR EVIDENCE
FOR AN IMPACT ASSESSMENT

This document aims to inform the public and stakeholders on the Commission's future legislative work so they can provide feedback on the Commission's understanding of the problem and possible solutions, and give us any relevant information that they may have, including on possible impacts of the different options.

TITLE OF THE INITIATIVE	European Research Area (ERA) Act
LEAD DG (RESPONSIBLE UNIT)	RTD.A2
LIKELY TYPE OF INITIATIVE	Legislative initiative
INDICATIVE TIMETABLE	Q3-2026
ADDITIONAL INFORMATION	Home | European Research Area Platform (europa.eu)

A. Political context, problem definition and subsidiarity check

Political context

Creating a European Research Area (ERA) as a single market for researchers, scientific knowledge and technology across the European Union (EU) is a key EU objective, as set out in Article 179 of the Treaty on the Functioning of the European Union (TFEU). Science, technology and innovation are crucial for reducing the EU's vulnerabilities, strengthening its leadership and strategic autonomy in key technological domains, and unlocking its potential.

In her mission letter, Commissioner Zaharieva for Startups, Research and Innovation was tasked with tabling an ERA Act addressing the remaining challenges for the full implementation of the ERA. The Act is also a response to two external reports by E. Letta and M. Draghi, both highlighting the need for a more integrated and competitive EU R&I ecosystem. The initiative should also support a 'fifth freedom', namely the free movement of researchers, scientific knowledge, and technology in the EU single market. The Act is closely linked to other initiatives announced in the Commission's Political Guidelines, in particular, the proposal for a European Innovation Act, the European strategy on research and technology infrastructures, and the Union of Skills.

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 proposal will build on existing initiatives such as the Pact for Research & Innovation, the ERA policy agenda for 2022-2024, the ERA policy agenda for 2025-2027, the European Parliament resolution of January 2024 which called on the Commission to put forward a legislative proposal on promoting the freedom of scientific research in the EU, the 'Choose Europe for Science' initiative, and relevant legislation, including related directives.

In general, while non-legislative measures have been beneficial, and voluntary commitments have led to progress in certain fields, they have not been enough to drive substantial and lasting change across all areas of the ERA. As outlined in the *ERA Communication of 22 October 2024*, the ERA still needs to overcome structural barriers that prevent it from fully achieving its goals.

Problem the initiative aims to tackle

Over the last two decades, the EU has failed to meet the target set by EU leaders to spend 3% of GDP on R&D. Meeting this investment target is essential if the EU is to increase its scientific, technological and innovation capacity which would, in turn, support its competitiveness.

Persistent fragmentation of R&I systems and disparities in R&D investment levels have resulted in an insufficient coordination of policies and investments between Member States and the EU. The focus should be on coordinating research to align EU strategic priorities with national funding priorities.

Remaining barriers to the free circulation of researchers, scientific knowledge and technology also contribute to the

fragmentation of the ERA. They include differences in employability, working conditions, and mobility of researchers across the ERA; such as the uneven recognition of academic qualifications and career paths, and lengthy procedures for residence permits and long-stay visa applications.

Insufficient cooperation between higher education institutions, research bodies and businesses also poses a challenge. It prevents the EU from pooling resources and talent in strategic sectors, which in turn erodes economic competitiveness. Moreover, academic and research careers are still precarious and insufficiently attractive, notably for early career researchers.

Barriers also remain to the free and open access to publicly funded R&I results and to knowledge and data for research across the EU, as well as to the recognition, funding and optimisation of European research infrastructures.

Just as importantly, protecting freedom in scientific research is essential for the ERA because it ensures that researchers can work independently, share knowledge freely, and collaborate across borders without undue interference. Safeguarding scientific freedom is essential to foster trust, creativity, and excellence in research, allowing researchers to explore new ideas freely and to engage in cross-border collaboration. Without strong safeguards, researchers may face constraints that discourage mobility, inhibit innovation and weaken Europe's ability to attract and retain talent.

As stated in the Pact for Research and Innovation in Europe, the ERA must ensure that its fundamental values are fully upheld throughout the EU in a more coherent and fair manner. These values are the unquestionable promotion of the freedom of scientific research, of ethics and integrity in the conduct of R&I, and of gender equality and equal opportunities, making Europe a safe haven for researchers.

Basis for EU action (legal basis and subsidiarity check)

Legal basis

The objective of creating a European Research Area, in which researchers, scientific knowledge and technology circulate freely, is set out in Article 179 TFEU. Article 182(5) TFEU allows the use of the ordinary legislative procedure to lay down the necessary measures to implement the European Research Area. Other legal bases may be added depending on the exact measures to be proposed.

Practical need for EU action

Research is a policy area of shared competence between Member States and the EU.

The ERA Act will respect subsidiarity by focusing on challenges that go beyond national boundaries - issues that individual Member States or bilateral partnerships cannot effectively address in the absence of EU action. Creating a fully functioning ERA must go hand in hand with internal reforms of national research systems in order to respect the subsidiarity principle.

B. Objectives and policy options

The Commission's proposal for an ERA Act seeks to:

- transform European R&I by upholding the EU's fundamental values, fostering integration, and stepping up the EU's competitiveness on the global stage, as well as its capacity to attract investment and top talent;
- strengthen the capacity and performance of the EU's R&I ecosystem, drive innovation, and close the persisting innovation gap with other major economies, ensuring the EU remains a global scientific leader;
- make the EU the world's most attractive destination for researchers and innovators, notably by ensuring good working and employment conditions.

Beyond that, the ERA Act aims to tackle persistent issues that undermine the efficiency and overall performance of the EU R&I ecosystem, such as (i) fragmented regulatory frameworks, including for quality assurance and recognition mechanisms, (ii) uneven R&D investment, (iii) barriers to knowledge sharing, and (iv) barriers to interdisciplinary, intersectoral and international cooperation. The Act will be an opportunity to realise the 'fifth freedom' by setting common standards and ensuring the consistent application of the rules, for example through effective enforcement, to create a level playing field for researchers and innovators across the EU.

The policy measures that could be included in the proposal for an ERA Act fall under three main blocks:

1) National commitments to reach the 3% R&D target: by developing new legal mechanisms to support and incentivise public and private-sector R&D spending, alongside national plans to achieve the 3% of GDP investment target.

2) Better alignment of investments and policies: Reinforced alignment of investments, policies and

programmes around strategic priority areas between the EU and Member States and across Member States, by ensuring political coordination to promote joined-up EU and national-level investment in R&D and synergies with related policies, such as industrial policy.

3) Improvements in framework conditions for research(ers) and research organisations in Europe, including:

   a) the free circulation of researchers and scientific knowledge through:
      - improved research careers and geographical and intersectoral mobility;
      - open science measures, such as e.g. for open access to and reuse of publicly funded R&I results or for access to data for research and innovation purposes;
      - improved legal framework for research infrastructures;
      - better opportunities for knowledge valorisation.
   b) the upholding of ERA fundamental values, including safeguarding scientific freedom, strengthening ethics and the integrity of R&I, and promoting gender equality and equal opportunities.
   c) improvements in coherence and consistency between EU and national approaches to R&I cooperation with third countries, as well as a minimum level of research security across the EU.

The ERA Act will be a legislative initiative. The form the instrument takes will be determined at a later stage. It will underpin the EU's strategic objective to be a leading global destination for researchers and a safe haven for scholars at risk.

C. Likely impacts

The initiative is expected to benefit everyone involved in the European research and innovation ecosystem (both the two million researchers in the EU, and all researchers around the world looking for good working and employment conditions and a safe place to do their research). By increasing overall investment and improving the coordination of spending, the Act will expand access to resources. Researchers will be able to benefit from easier access and reuse of available knowledge, more harmonised research labour markets, and simpler, more consistent framework conditions. This will make it easier for researchers to work in other countries and sectors, enabling them to have more diverse and successful careers.

In addition, upholding the EU's fundamental values will strengthen the system's fairness, resilience and efficiency. In the medium term, the European Research Area will be better equipped to generate excellent scientific knowledge and translate it into market innovation, addressing societal, environmental and economic challenges. These improvements will attract more talent and investments, boosting the EU's economic competitiveness and resilience, ultimately benefiting all segments of society. Reinforcing the interconnectedness of the EU R&I ecosystem will drive sustainable industrial innovation, market uptake and the adoption of new technologies, and attract talent to the EU.

D. Better regulation instruments

Impact assessment

An impact assessment will be carried out to support the preparation of the ERA Act. It will build on existing evidence as well as on additional evidence and feedback collected through various studies and consultation activities, including this call for evidence, the 12-week public consultation, and additional targeted consultations. The impact assessment process should be finalised by Q4-2025.

Consultation strategy

To prepare the ERA Act, the Commission will take into account the recommendations put forward in the 2024 reports by Draghi, Heitor and Letta, as well as the findings of a number of current and upcoming studies (e.g. the study on the freedom of scientific research). Since the 'revamp' of the ERA in 2021, its implementation has been underpinned by a strategy of continuous open consultation with Member States, Associated Countries and EU-level stakeholders, notably through the European Research Area and Innovation Committee (ERAC) and the ERA Forum.

To help prepare the ERA Act, the Commission will carry out a broad consultation of stakeholders. Consultation activities include:

- a targeted consultation with the ERA Forum on 4 April 2025;
- a strategic debate at the ERAC's plenary meeting on 12 June 2025: topic 'ERA: from ambition to action – Setting ERA Act priorities and refining frameworks for enhanced R&I coordination and alignment';
- this call for evidence, which will be published for six weeks on the 'Have Your Say' portal;
- a public consultation on specific questions, which will follow this call for evidence, and be published for 12 weeks on the 'Have your Say' portal;
- the findings from recent and ongoing consultations, such as the public consultations on the EU's next multiannual financial framework;

- other ad hoc targeted consultations that may be carried out as part of the impact assessment process, in particular meetings of the ERA Forum and its sub-groups, and the ERAC.

In line with the European Commission's better regulation policy to develop initiatives informed by the best available knowledge, scientific researchers, as well as academic organisations, learned societies, and scientific associations with expertise in areas relevant to the ERA Act (notably economics, sociology and philosophy of science and innovation, and science and innovation policy studies) are specifically invited to submit relevant published and pre-print scientific research, analyses, and data.

Why we are consulting?

The aim of the call for evidence is to collect general evidence on the problems facing the development and full achievement of the European Research Area, along with stakeholders' views on feasible solutions that could be supported by legislation at EU level.

Target audience

This 'call for evidence' targets all stakeholders from national and regional administrations and research and innovation communities, including higher education, vocational education, and training institutions, research performing organisations, research and scientific communities, private-sector businesses including SMEs, technology centres, research and technology infrastructures, scientific advice and technology assessment structures and organisations, scientific publishers, and the general public.