

Reaction ERA-act Call for Evidence – Universities of the Netherlands

9 September 2025

Introduction

Universities of the Netherlands (UNL) welcomes the introduction of the ERA Act. This initiative is a critical step toward strengthening the EU's research and innovation (R&I) ecosystem, addressing persistent fragmentation, and realizing the 'fifth freedom' for the free circulation of researchers, scientific knowledge, and technology. Our response draws on the collective expertise of Dutch universities and focuses on the problems outlined in the call for evidence – such as insufficient R&I investment, barriers to mobility and knowledge sharing, and threats to academic freedom – while offering views on feasible legislative solutions at the EU level. We emphasize the need for balanced, evidence-based measures that enhance competitiveness, attract talent, and uphold fundamental values without over-regulating or undermining national autonomy.

Positions on Key Themes

We support the Commission's identification of core challenges and potential policy blocks. Below, we outline our input, including specific recommendations for implementation.

1. The 3% R&I Investment Target

Increased investment in R&I is essential to maintain a dynamic and internationally competitive knowledge sector. Many underlying issues, such as job insecurity, limited mobility for researchers, and the rejection of many high-quality research proposals stem from budget cuts and resource shortages. We strongly endorse the 3% GDP target for R&I spending but express concern that the current emphasis on defence-related objectives may overshadow broader R&I goals, potentially making the target less meaningful.

To ensure feasibility, the ERA Act should include mechanisms to incentivize both public and private investments, by reducing regulatory barriers and connecting national plans to EU monitoring, while preserving space for bottom-up, curiosity-driven research on both European and national levels. The 3% should include investments in international collaborations, such as centres of excellence with cross-EU partnerships, and give sufficient attention to social sciences and humanities (SSH) to ensure balanced funding.

2. Academic Freedom & The 'Fifth Freedom'

Academic freedom is one of the most urgent and important aspects of the ERA Act. Academic freedom encompasses not only conducting research but also communicating results without restrictions or repercussions and moving freely across borders. Legislation must be effective, not merely symbolic, with strong safeguards and clarity regarding potential sanctions for national governments or institutions that violate it. Additionally, free (though not necessarily cost-free) access to research infrastructures for researchers should be stimulated, aligned with the *European Charter for Access to Research Infrastructures*.

3. Coordination Between Member States and the Commission on Priorities and Funding for R&I

Enhanced coordination is positive, provided it allows sufficient flexibility for thematic freedom and bottom-up initiatives at both EU and national levels. Stakeholders at national and member state levels must remain involved in shaping future ERA elements, even under EU-wide legislation, to enable ongoing dialogue. Platforms like the European Research Area and Innovation Committee (ERAC) and the ERA Forum play a vital role in this process. Incorporating ERA legislation into national laws is not inherently problematic, as long as it does not erode national routes for providing input. The Commission could facilitate overviews of research fields, helping to convene communities and reduce fragmentation in certain areas. However, overarching

research goals should primarily be steered by the research communities themselves, with the Commission acting in a supportive role.

4. Research Careers and Mobility

Programs like Marie Skłodowska-Curie Actions and the European Research Council (ERC) already bolster research careers and mobility, while Erasmus+ provides a strong foundation for student mobility. The ERA Act should build on these by adding value, such as through the European University Alliances. Mobility should be linked to the Union of Skills initiative, incorporating synergies with education, including lifelong learning, upskilling, and reskilling. To address precarious careers, the Act could promote better integration of research and academic careers (including research management) into policy, with provisions for cross-border pension schemes. Implementation details should be handled at national or local levels to respect subsidiarity.

To put academic freedom into practice at the EU level, it is crucial to allow for the free movement of researchers, scientific knowledge, and technology in the EU single market, also called the 'fifth freedom'. Scientists are increasingly facing a hostile international climate, underlining the EU's responsibility to act as a beacon for scientific excellence, in which researchers are free to communicate about their activities and collaborate using shared scientific infrastructure. This also implies that Europe's leading role in open science and open access measures must be maintained and strengthened.

5. Responsible Use of AI in Science

Beyond these themes, we highlight the responsible use of AI in science. While initiatives like the AI Act provide a regulatory foundation, the ERA Act should include guidelines and support for ethical AI application: preventing over-dependence on non-European systems and countering fraudulent use.

What should be included in the ERA Act

The ERA Act should anchor fundamental principles without excessive detail, ensuring research remains attractive to researchers themselves. Key inclusions include:

- **Balanced investments in fundamental research:** If the 3% target is legislated, member states must continue investing in basic research to maintain equilibrium between high-TRL (technology readiness level) applied science and fundamental research.
- **Safeguarding the fifth freedom:** This should be a core pillar, potentially through common standards for researcher mobility and knowledge circulation.
- **Coherence with education:** Strengthen links to diploma recognition and lifelong learning.
- **Research assessment & standards:** Incorporate assessment-frameworks, including the Coalition for Advancing Research Assessment (CoARA), while emphasizing shared standards around open science and open access.
- **Support for underrepresented groups and reducing disparities within the sciences:** Legal tools to counter precarious positions of minorities (e.g., targeted subsidies and positions) and mitigate inequalities between member states (e.g., knowledge exchange, personnel mobility, and centres of excellence). Facilitate recruitment of external talent to diversify and strengthen the system.
- **Integration of research careers:** Indicate better policy integration for research and academic careers, including cross-border pensions.
- **EU-Wide Intellectual Property (IP) frameworks:** Establish legal mechanisms for joint EU IP rights to accelerate innovation and knowledge valorisation, with careful safeguards for sensitive issues like knowledge security. This includes addressing scenarios where member states deviate from EU norms (e.g., on cooperation with third countries like China or Russia), potentially through access restrictions or enforcement measures.

What should not be included in the ERA Act

To avoid overreach and preserve research independence, the following should be excluded:

- **Deployment and marketization of EU-made products:** These activities belong in other EU funds, not R&I-specific legislation.
- **Ad hoc or non-broadly-applicable policies:** The Act should focus on systemic, EU-wide issues rather than narrow, temporary activities. The European Research Area is an ambitious project that should strengthen research activities across Europe, rather than act a vehicle to provide temporary fixes to isolated problems.
- **Measures undermining research independence:** National governments must not gain undue influence over research content or methods, as this contradicts ERA principles.
- **Imposition of conflicting norms:** Avoid provisions allowing other member states to impose rules on countries like the Netherlands that conflict with local values.
- **Rigid AI regulation:** AI developments vary by discipline; overly strict rules could stifle innovation and European competitiveness.
- **Replacement of existing instruments:** ERAC, the ERA Forum and the monitoring system remain relevant, and should be reinforced, not superseded, by the ERA Act.

Conclusion

The ERA Act has the potential to transform the EU's R&I landscape by addressing investment gaps, enhancing coordination, and protecting freedoms. We urge the Commission to prioritize stakeholder dialogue, evidence from scientific research, and subsidiarity in its development. UNL stands ready to contribute further through targeted consultations and welcomes ongoing engagement via ERAC and the ERA Forum.