Ref. Ares(2024)1341484 - 21/02/2024

EUROPEAN COMMISSION

Maroš Šefčovič
Executive Vice-President

Brussels, 21/02/2024

Dear President,

The Commission would like to thank the European Parliament for its resolution of 17 January 2024 with recommendations to the Commission on promotion of the freedom of scientific research in the EU.

In accordance with the political commitment made by President von der Leyen in her Political Guidelines as regards resolutions adopted by the European Parliament under Article 225 Treaty on the Functioning of the European Union (TFEU), the Commission is pleased to inform the Parliament that it intends to follow-up on the resolution in full respect of proportionality, subsidiarity and better law making principles as explained below.

The Commission welcomes the Parliament's recommendations for legislative actions on promotion of the freedom of scientific research in the EU and agrees with the need to further promote and protect the freedom of scientific research as a fundamental element for achieving the European Research Area (ERA), in alignment with initiatives to promote and protect fundamental academic values under the European Higher Education Area (EHEA), the European Education Area (EEA) and the European strategy for universities, while also taking into account the principles of proportionality and subsidiarity. Promoting freedom of scientific research is essential for creating a fair, vibrant, and competitive research ecosystem, without which the pursuit of excellent research, a dynamic collaboration among researchers, training of researchers, and attracting the best scientific minds to the EU is not possible. For those reasons, the protection and upholding of freedom of scientific research is already a clear aim of the European Research Area.

The Regulation on the Horizon Europe Programme, in line with Article 13 of the EU Charter of Fundamental Rights, states that the programme is committed to promoting respect for academic freedom in all countries benefiting from its funds. This stance is reinforced by the Bonn Declaration on Freedom of Scientific Research (2020) and the Pact for Research and Innovation in Europe (2021), where freedom of scientific research is identified as one of the upholding values.

Ms Roberta Metsola
President of the European Parliament

The Commission has been further working on promoting and protecting the freedom of scientific research within the ERA, notably under ERA Policy Agenda Action 6. Initiatives include the toolkit against foreign interference in Research & Innovation, Mutual Learning Exercises, and the creation of a digital platform centralising relevant resources.

The European Strategy for Universities emphasises the role of universities in protecting European democratic values and as a concrete action, the Commission will propose in 2024 guiding principles on protecting fundamental academic values, based on the Bologna process (European Higher Education Area), in synergy with the action developed under ERA.

Through the Marie Skłodowska-Curie Actions (MSCA), the Commission has, since 2019, supported actions and organisations protecting academic freedom and helping researchers at risk through three support grants so far (including MSCA4Ukraine), with a fourth one coming this year. Furthermore, the MSCA will manage the European Parliament-supported Preparatory Action for a European fellowship scheme for researchers at risk.

Finally, the Commission adopted on 24 January a Proposal for a Council Recommendation on Enhancing Research Security. This proposal, in the follow-up to the Economic Security Strategy of 20 July 2023, aims to provide recommendations to Member States on how to support and empower Europe's researchers when cooperating internationally while protecting academic freedom and institutional autonomy.

As to the Parliament's request to the Commission to submit, on the basis of Article 182(5), in conjunction with Article 179(1) TFEU, a proposal for an act on the freedom of scientific research, to guarantee, protect and promote this freedom at the level of scientific researchers, research organisations and governmental bodies, the Commission intends to follow-up on this request, in accordance with the principles of proportionality, subsidiarity and better law-making principles.

To this effect, the Commission will launch a dedicated study to support the drafting of a legislative proposal that will provide a solid de jure and de facto assessment of the protection and promotion of the freedom of scientific research in the EU. The study will also take into account the Parliament's work accomplished in this area, such as the Parliament's study on the state of play of academic freedom in the EU Member States and the Academic Freedom Monitor of the European Parliament. This study will allow to define the precise scope and nature of the initiative in line with the competencies of the Union as set out in Article 4(3) TFEU.

The Commission looks forward to continuing engaging with the Parliament on this matter.

Yours sincerely,

Maroš Šefčovič