

The forthcoming European Research Area Act (the 'ERA Act') from the perspective of the Association of Swedish Higher Education Institutions

The Association of Swedish Higher Education Institutions (the Swedish rector's conference, SUHF) was founded in 1995 as an organisation for institutional cooperation on a voluntary basis. 38 universities and university colleges in Sweden are members.

We welcome the initiative of the European Commission to move towards realising the fifth freedom on the internal market; nevertheless, we remain cautious about when it would be appropriate to move from soft-policy measures to hard legislation. In our answer to the questionnaire for the public consultation, we elaborate on all of the listed sections.

For the following three sections, we would like to elaborate further:

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

SUHF underlines that strong and sustained investment in Research and Development (R&D) is a prerequisite for Europe's competitiveness, resilience, and societal progress. Despite a long-standing commitment, the Union has yet to fully meet its agreed R&D investment ambitions, and the current level of investment remains insufficient to address major challenges such as the green and digital transitions, health, security, and economic growth.

SUHF would like to see a bolder and progressive proposal moving forward for 4% by 2040, whilst calling on the Member States to set goals on how to reach the targets. EU funding should not replace national funding on R&I. EU funding should be complementary and not replace national funding. It is therefore important that all member states will at last reach the 3% investment target, which has been in place since 2010. We must also begin the conversation about whether there should be a higher target than the current 3% in the longer term. Member states must do better, more and faster.

Here, we underline that the Union-level target of investing at least 3% of Union GDP in R&D shall include 1.25% public support, complemented by national targets for total R&D expenditure, contributing to the Union investment objective. One option is to set national targets year on year, using current funding levels as a baseline. This could be guaranteed by a national R&D investment plan. The ERA Act can anchor all of this. It is important that the ERA Act is designed to work in a complementary manner — reinforcing and supporting national efforts, not seeking to replace them.

3.1. Freedom of scientific research

Academic freedom is essential for democracy, societal progress, and sustainable development. Universities must retain autonomy and self-determination. In a time of increasing geopolitical tension, political polarisation, and societal transformation, these principles cannot be taken for granted and must be actively protected and promoted. Universities and researchers need a stable and enabling environment in which independent inquiry, critical thinking, and knowledge creation can flourish without undue interference.

We support the initiative to further protect the academic freedom and the self-determination of higher education institutions through the initiative to further legally protect the freedom of scientific research. However, legal frameworks must address national governance realities; otherwise, the Act risks being symbolic rather than having a real impact. Therefore, legally binding EU protection for freedom of scientific research and institutional autonomy has to be built on minimum standards with substance, i.e. flexibility only in adapting to national systems, not lowering protection levels.

A successful ERA-Act builds on the core rights for researchers and institutions, where the freedom is linked to responsibility. It sets out an enforcement mechanism: tying EU funding to compliance and where sanctions for violations that freeze funds. It promotes transparent governance alongside legal safeguards. And it is complemented by awareness and education. Fostering a culture of scientific freedom and integrity, enabling experience-sharing and monitoring.

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

Global research cooperation is a cornerstone of scientific excellence, innovation, and Europe's competitiveness. At the same time, a changing geopolitical landscape has brought increased attention to research security and the need for more coherent approaches across the EU. Addressing these concerns requires carefully balanced policies that safeguard openness and academic freedom while managing risks proportionately and effectively.

Actions in the field of Research security must be as open as possible (as restricted as necessary) for global research collaboration. Hence, risk-based guidelines rather than a directive/regulation would be a preferred option, building on the Council Recommendation on enhancing research security (14 May 2024). The guidelines should be clear, actionable, and proportionate, not burdensome regulations.

Additionally, EU action should not go further than a minimum baseline, creating a level playing field for equal opportunities for researchers based in the Member States to collaborate with parties outside of the European Union. Coherent EU and national approaches to international collaboration and research security, underpinned by transparent and participatory processes, can be beneficial.

Research Security – we are more used to refer to responsible internationalisation from the Swedish perspective – meaning you take values such as ethics, good research practice, openness, academic freedom and inclusiveness into account, and that collaboration is approached and executed in a responsible way. The researchers are at the centre of this approach, also contributing to awareness raising, ownership and accountability. Research security becomes broader in scope, including external aspects such as political, economic and geopolitical contexts. Adhering to “research security” would mean a conceptual shift to universities at the core of risk assessment and risk aversion. International collaboration

must be guided by responsible practices, developed and implemented with the active involvement of researchers and institutions, applying the principle “As open as possible, as restricted as necessary”. This fosters a deeper understanding of the issues, as well as a stronger sense of ownership and accountability.

From a European and Member State level, it is important to take a holistic approach to research security within both universities and the innovative business community. While HEIs are now rapidly developing their research security systems, there are fewer ideas about how to protect knowledge security in the highly risk-exposed innovative small companies. The constructive way forward appears to be to support the security work underway at HEIs in Europe. We need to balance the justified increased caution in entering certain international collaborations against the need to be at the forefront of research. There should also be a stated strategy to identify and support collaborations with a broad set of high-quality research partners to avoid the emergence of new dependencies on individual partnerships.

Global openness—when coupled with responsible governance—remains a cornerstone of the ERA, and safeguarding it requires clarity, trust, and shared responsibility, not administrative overreach.

In conclusion

Whereas the objective of the fifth freedom is to realise an internal market for knowledge where there is a circulation of researchers, knowledge and technology, we see a greater need for adequate implementation of the first four freedoms already enshrined in the Treaties, as they will enable the realisation of the fifth.

For the suggested areas of the ERA-Act, we do not see a need to move all of today's soft-policy measures in the ERA-Policy Agenda actions to hard legislation. Sometimes, the issue can be better addressed with continued work through ERA-actions. Legislative reforms could, however, be beneficial to further strengthen the investments in Research and Development from the Member States, closing the innovation gap, and fostering excellence and protecting the freedom of scientific research.

On behalf of The Association of Swedish Higher Education Institutions, SUHF

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