



**Romanian Academy
Legal Research Institute
Center for European Legal Studies**



**George Emil Palade University of
Medicine, Pharmacy, Science, and
Technology of Targu Mures
Center for Data Protection**

To:

European Commission

Leading DG: RTD.A2

Contribution on European Research Area Act

Introduction

Our institutions welcome the European Commission's initiative to develop an Act on the European Research Area (ERA) and consider the strengthening of competitiveness and the elimination of fragmentation within the European research ecosystem to be essential.

The document submitted for consultation highlights structural obstacles, challenges related to researcher mobility, the failure to reach the 3% investment target in R&D, and the lack of uniform protection of academic freedom. Our institutes support this initiative aimed at legal harmonisation and the establishment of minimum standards at European level, in particular in order to achieve the following objectives:

- alignment of R&D investments and policies;
- facilitation of researcher mobility and strengthening of open science;
- protection of scientific freedom and research integrity.

1. The need to strengthen the legal basis for the effective guarantee of the fundamental rights of actors involved in research

We consider that the future ERA Act must be based on a solid legal architecture, explicitly grounded in the relevant fundamental rights, so that scientific freedom, mobility, professional integrity, diversity, and the protection of innovation are not merely programmatic statements, but rights effectively guaranteed through clear, applicable, and enforceable European rules.



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From this perspective, we emphasise the need for the explicit integration into the proposed legislative act of the following provisions of the Charter of Fundamental Rights of the European Union (CFREU), each having a direct and indispensable impact on the coherent and secure functioning of the ERA:

- **Article 13: Freedom of the arts and sciences**
This provision establishes academic freedom and research autonomy as autonomous fundamental rights. Any legislative action in the field of the ERA must ensure not only formal respect for scientific freedom, but also institutional guarantees for its effective exercise, including protection against unjustified interference (political, economic, or external to the EU).
- **Article 11: Freedom of expression and information**
Scientific research is based on the unrestricted circulation of ideas, results, and opinions. In order to ensure an open and competitive ecosystem, the ERA Act must include safeguards against censorship, external pressure, and excessive restrictions on the publication of research data and results.
- **Article 15: Freedom to choose an occupation and right to engage in work**
Researcher mobility and the exercise of the profession throughout the Union constitute an essential component of the ERA. European standards regarding the recognition of qualifications, employment conditions, and equal access to professional opportunities across Member States must be integrated.
- **Article 17(2): Protection of intellectual property**
Research activity generates innovations, inventions, and protected intellectual works. The Act must provide for a balance between open access (open science) and the protection of intellectual property rights, in order to stimulate innovation without undermining the legitimate rights of creators.
- **Article 21: Non-discrimination**
Participation in research activities must be based exclusively on professionally relevant criteria. Any form of discrimination - direct or indirect - hinders the achievement of ERA objectives and contravenes the fundamental values of the EU. Operational safeguards against discrimination based on nationality, sex, age, orientation, beliefs, or socio-economic status must be included.
- **Article 22: Cultural, religious, and linguistic diversity**
European research takes place in a highly diverse environment. Respect for and promotion of diversity enhance Europe's capacity to attract global talent. The ERA Act should include provisions ensuring the integrity of research processes within a diversity-sensitive framework, without standardisation that could negatively affect minorities or vulnerable participants.
- **Article 42: Right of access to documents**



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Transparency in research, funding, and evaluation processes is essential for public trust. We propose the inclusion of provisions guaranteeing access to documents, data, and relevant decisions in the ERA, while respecting data protection legislation and commercial confidentiality.

- **Article 45 – Freedom of movement and residence**

In order to achieve the “fifth freedom” - the free movement of researchers and knowledge - the Act must explicitly address administrative and legal barriers affecting mobility: visas, residence permits, recognition of qualifications, the status of researchers from third countries, and related matters. Freedom of movement is a structural foundation of the ERA and requires strengthened legal guarantees.

2. Observation on the impact of linguistic barriers on the functioning of the ERA and the need for a European framework of linguistic neutrality

In the current context, characterised by the global predominance of the English language in science and technology, we consider it essential that the future Act on the European Research Area (ERA) explicitly address the risks and consequences of excessive dependence on a single language across all dimensions of research: funding, implementation, dissemination, evaluation, audit, and exploitation.

Why exclusive dependence on English constitutes a risk for the ERA

a) **Limited access to funding and participation**

A significant part of the European scientific community, particularly early-career researchers or those from EU regions with uneven linguistic capacity, faces structural disadvantages when access to grants depends exclusively on documentation, reporting, and communication in English. This creates an imbalanced system that penalises scientific competence in favour of linguistic competence.

b) **Loss of cultural and conceptual diversity**

National languages are not merely vehicles of communication, but cultural configurations of knowledge. Their exclusion reduces epistemic pluralism, limits Europe’s capacity to generate original scientific perspectives, and diminishes the role of local research centres.

c) **Concentration of information and decision-making power**

Total reliance on English favours institutions, experts, and evaluators from anglophone areas or with superior linguistic resources, potentially affecting the impartiality of evaluations, the equitable distribution of funding, and equal access to infrastructure.



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Such concentration runs counter to the ERA's ambition to reduce fragmentation and create equal opportunities.

d) **Administrative and legal barriers in cross-border cooperation**

Exclusive reporting in English (in audits, ethics, compliance, GDPR, integrity committees) may lead to divergent interpretations, legal misunderstandings, and significant additional costs for specialised translations.

We propose the inclusion in the ERA Act of a framework of linguistic neutrality, based on the following concrete directions:

- **Introduction of the principle of “functional multilingualism” in all funding schemes**

Project proposals may be submitted in any official EU language, with a mandatory abstract in English.

Administrative documents (eligibility, budget, ethical justification) should be allowed in the national language, with centralised translation ensured by the Commission through its own systems (DG Translation).

- **Project evaluation by linguistically diversified expert panels**

Creation of multilingual panels with evaluators capable of assessing documentation in several European languages.

Use of legally validated AI-assisted translation tools to harmonise scores and feedback.

- **Ensuring equal linguistic access during reporting and audit stages**

Interim and final reports should be permitted in the national language, with official translations generated by the Commission.

Scientific and financial audits should include experts with relevant linguistic competences.

- **European financial support for translation and multilingual dissemination**

Encouraging European journals to accept submissions in EU official languages, with abstracts in English.

- **Strengthening European infrastructures for high-accuracy automatic translation**

Development of a research-dedicated module within the eTranslation platform, adapted to scientific terminology;

Integration of such tools into all European submission, evaluation, and reporting platforms.

Through such measures, the ERA will become not only a single market for research, but also a space in which every European language can contribute to scientific progress without structural disadvantage.



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3. Observation on the need to develop the ERA as a strategic alternative to dominant commercial systems for research indexing and evaluation (e.g. Web of Science)

We consider that the European Research Area (ERA) must assert strategic autonomy and reduce structural dependence on global commercial infrastructures for research indexing and evaluation, particularly Web of Science (WoS). Such platforms operate on private and often opaque criteria, producing persistent inequalities between journals, disciplines, and Member States. Exclusive reliance on such systems affects the visibility of European research in EU official languages, limits representation of social sciences and humanities, and leads to excessive concentration of decision-making power in non-European commercial entities.

For the ERA to become genuinely inclusive, competitive, and equitable, it is essential that the future ERA Act provide for the development of a robust European alternative for indexing and evaluating scientific outputs. Such an alternative should be based on principles such as transparency, open access, discipline-sensitive evaluation criteria, and inclusion of all EU official languages. This framework would enable fair recognition of European journals, reduce bureaucratic and financial pressures on research institutions, and strengthen epistemic pluralism.

In this regard, we propose the creation of a dedicated European infrastructure - such as a “European Research Index” - complementary to but autonomous from existing commercial systems. This infrastructure would integrate modern open science standards, support responsible research evaluation (responsible metrics), and contribute to the fair valorisation of scientific outputs across all fields, from exact sciences to social sciences and humanities. By promoting a European evaluation system (European Metrics Framework), the EU could reduce dependence on commercial indicators such as the impact factor and encourage qualitative and contextual assessment of academic performance.

Such an initiative would bring substantial strategic benefits: increased visibility of European research, protection of linguistic and disciplinary diversity, reduced costs for institutions, and strengthened academic and informational sovereignty of the European Union. The ERA requires its own infrastructure to faithfully reflect European scientific excellence and diversity, without reliance on editorial and commercial criteria set outside the EU.

4. The need to reassess the 3% of GDP target for R&D expenditure and adopt a realistic target of approximately 1.5%

We consider that the objective of achieving R&D investment levels of 3% of GDP, enshrined in European strategies since the Lisbon Agenda, must be reassessed in light of the



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current economic and budgetary realities of the Member States. While this target is aspirational and consistent with the EU's ambition to strengthen global competitiveness, the experience of the past two decades shows that most Member States have remained between 0.5% and 1.2%, with only a very limited number exceeding 2%. Under such conditions, maintaining a collective 3% target without contextual adaptation risks turning a strategic objective into a symbolic but unattainable benchmark.

In our view, an intermediate and realistic level of approximately 1.5% of GDP could function as a consolidation stage, allowing Member States to progress gradually towards sustainable and predictable research funding. Setting a realistic target is essential not only for policy coherence, but also for the credibility of European monitoring, coordination, and conditionality mechanisms. Such staging would also enable periodic evaluation of progress and adjustment of measures according to economic context and administrative capacity.

5. Creation of a uniform European framework for the status, classification, and employment of professors and researchers

At present, national legislations across EU Member States show major differences regarding employment conditions, professional status, promotion criteria, and associated obligations in academic and research professions. These discrepancies affect staff mobility, career comparability, and recognition of professional experience within the ERA. We consider such lack of uniformity to be a structural barrier incompatible with the objective of building a coherent and integrated European ecosystem for research and higher education.

To eliminate such obstacles, we propose that the future ERA Act include the initiation of a uniform European baseline regarding the status of university professors, researchers, and other academic professionals. This baseline should define, at European level, common minimum criteria for qualifications, professional responsibilities, ethical standards, teaching load, research-related rights, and access conditions to scientific infrastructure. Such harmonisation would not replace national legislation but would establish a common reference framework essential for recognition and mobility.

Clarification of normative differences between professors and researchers is also necessary, as in many Member States these roles are either overlapping or insufficiently differentiated. In a modern European system, the university professor should be recognised as a professional predominantly oriented towards teaching and training, while the researcher should follow a distinct career path focused on knowledge production, innovation, and scientific contribution. The absence of clear delineation has generated confusion regarding performance evaluation, promotion criteria, and institutional responsibilities.



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Within this effort, the ERA could establish a **European Academic & Research Career Framework**, including definitions, levels, access criteria, and standardised procedures. Such a framework would facilitate automatic recognition of professional status across Member States, improve intersectoral and international mobility, and reduce unequal treatment of professionals performing similar activities under different national regulations.

A uniform European baseline would also significantly contribute to the integration of early-career researchers by establishing predictable and transparent academic career pathways. This would include harmonised criteria for entry-level positions, evaluation periods, contractual rights, and protection mechanisms against professional precarity, which disproportionately affects certain fields and Member States.

In conclusion, the establishment of a common architecture for the employment and classification of professors and researchers represents an essential step in the modernisation and balancing of the European Research Area. Such an initiative would strengthen academic quality, increase the international competitiveness of European universities and institutes, and facilitate the emergence of a genuine single market for research and higher education employment.

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