



To:
European Commission
Directorate-General for Research and Innovation
DG RTD, Unit E4, Industry 5.0 and AI in Science

Contribution on the European Strategy for AI in Science – Paving the Way for a European AI Research Council

The Legal Research Institute of the Romanian Academy (Institutul de Cercetări Juridice al Academiei Române, hereinafter ICJ) welcomes the European Commission's initiative to develop a European Strategy for Artificial Intelligence (AI) in science - an essential step in building a Union that seeks not only to innovate, but also to govern profound technological transformations in an ethical and responsible manner. As AI becomes an increasingly prominent component of scientific research - with a transversal impact across all disciplines - it is imperative that the development of these technologies be grounded in a coherent, predictable normative and ethical framework, fully aligned with the Union's fundamental values.

The role of legal research is not to halt or slow down innovation, but to calibrate it in relation to the rule of law and the protection of fundamental rights and freedoms. Therefore, we believe that a European Strategy for AI in research should be conceived as an integrated framework that combines efficiency, sustainability, and technological robustness with the principles of legality, proportionality, transparency, accountability, fairness, and non-discrimination. In this context, the proposed Strategy must systematically anticipate and address the legal, institutional, and governance-related challenges generated by AI within a European scientific space already marked by transnational dynamics, disparities in research infrastructure, and tensions between innovation imperatives and the protection of fundamental rights.

From this perspective, ICJ formulates the following observations and recommendations, structured in five sections.

1. Normative Foundation and Legislative Coherence

The proposed Strategy must be aligned with the broader logic of continuity and coherence within the existing EU legislative framework - in particular, with Regulation (EU) 2024/1689 on Artificial Intelligence (AI Act), Regulation (EU) 2016/679 on data protection (GDPR), and the Charter of Fundamental Rights of the European Union. Given the



transnational nature of scientific research and the complexity of the data involved, it is essential that the Strategy be articulated in accordance with principles already established in both primary and secondary EU law, as well as in the jurisprudence of the Court of Justice of the European Union. In this regard, particular emphasis must be placed on ensuring compliance with the principles of legality, proportionality, transparency, accountability, fairness, **and** non-discrimination.

2. Legal and Ethical Implications

The implementation of AI in scientific research entails a redefinition of the relationships among involved actors (institutions, researchers, academic staff, beneficiaries, etc.), as well as a reconsideration of legal liability in connection with the outcomes produced by automated or semi-autonomous systems. In this context, the Strategy should include dedicated sections addressing emerging legal risks, including:

- a) the classification of AI's role in relation to intellectual property regimes;
- b) the necessity of ensuring algorithmic decision traceability;
- c) the establishment of liability for potential errors, omissions, or damages resulting from flawed data processing; and
- d) the effective protection of the rights of individuals whose data are used in AI-supported research activities.

The Strategy should provide a clearly defined section on legal liability in the context of AI use in research, setting out with precision the scope of responsibility, the liable entities, and the mechanisms of accountability. A fundamental question requiring institutional clarification is: Who is liable, and for what, in cases of harm, error, or improper use of AI in scientific processes? Equally essential is the identification of competent authorities tasked with overseeing the legal and ethical implications of AI in research. This requires clarification of the division of competences between national institutions (e.g., data protection authorities, research and innovation agencies) and European bodies (e.g., the European Commission, the European Data Protection Board – EDPB, the European Union Agency for Cybersecurity - ENISA, or potentially a new structure dedicated to AI in research). A clear allocation of responsibilities, combined with effective interinstitutional cooperation mechanisms, is key to ensuring the legitimate and efficient application of the regulatory framework governing the use of AI in the scientific domain.

3. The Need for Robust Governance

A central element of the Strategy must be the establishment of a solid, coherent, and uniformly applicable governance framework across both the European Union and its Member States. Ensuring uniformity in the application of governance mechanisms is essential not only to prevent normative fragmentation, but also to guarantee a common standard for the protection



of fundamental rights, institutional accountability, and the integrity of scientific research. To this end, a participatory governance model should be developed, structured along two complementary dimensions:

- a) a horizontal axis, which entails cooperation between EU institutions and the relevant national authorities; and
- b) a vertical axis, which ensures coordination between local, national, and European levels of governance.

Within this governance architecture, it is crucial to ensure balanced representation of all relevant categories of actors: not only experts in AI and emerging technologies, but also specialists in law, ethics, public policy, social sciences, and digital governance from across the Member States. In this context, the Legal Research Institute of the Romanian Academy expresses its readiness to contribute actively, both through the expertise of its own researchers and also in cooperation with other relevant institutions in Romania.

The initiative to establish a European AI Research Council (RAISE) is welcomed. However, its effectiveness will depend fundamentally on its institutional structure, the clarity of its mandate, and its ability to coordinate with other relevant European bodies such as the European Data Protection Board (EDPB), the European Union Agency for Cybersecurity (ENISA), the European Research Council (ERC), as well as national authorities responsible for research, digitalization, ethics, and data protection.

RAISE must not remain a mere consultative forum, but should evolve into a true center of interdisciplinary expertise, capable of issuing recommendations, standards, and guidance with direct applicability in AI-supported research activities. In doing so, it would contribute meaningfully to the development of a European culture of scientific responsibility, transparency, and excellence.

4. Considerations on Fundamental Rights

Scientific research conducted with the support of artificial intelligence must not, either directly or indirectly, lead to the weakening of guarantees relating to fundamental rights and freedoms. In this regard, the Strategy should explicitly reference Article 52 of the Charter of Fundamental Rights of the European Union, which regulates the conditions under which the exercise of rights may be limited. Any use of AI in research must be proportionate, justified, necessary, and must respect the essence of the right being restricted.

Moreover, the Strategy should require the mandatory conduct of rigorous impact assessments on fundamental rights - such as Fundamental Rights Impact Assessments (FRIA), Data Protection Impact Assessments (DPIA), or Legitimate Interest Assessments (LIA), depending on the nature of the project - for all scientific initiatives involving AI. It is also necessary to explicitly define high-risk research areas, based on the criteria set forth in the AI Act, in order to prevent the uncontrolled or non-transparent use of algorithmic systems in sensitive domains.



Finally, effective human oversight over decisions generated by AI must be ensured as a substantive safeguard for fundamental rights and freedoms, especially in contexts where automated processes are used in stages such as selection, classification, or validation of research outcomes. The “human-in-command” principle must be enshrined as a normative standard in AI-driven research projects across the European scientific landscape.

5. Recommendations

In order to enhance the operational value of the Strategy and ensure its alignment with the principles of the rule of law, proportionality, and inclusion, the Institute for Legal Research of the Romanian Academy puts forward the following thematically grouped recommendations:

a) Normative Orientation and Sectoral Differentiation:

- the development of sector-specific European ethical guidelines, tailored to the particularities of each scientific domain (e.g. law, medicine, social sciences, security), in cooperation with experts from the relevant fields;
- the establishment of a clear procedure for the hierarchy and application of legal instruments issued by EU institutions and bodies;

b) Institutional Networks and Transparency:

- the promotion of inter- and transdisciplinary collaboration networks between research institutes, universities, public authorities, and research centers;
- the involvement of civil society, professional organizations, and the academic community in the monitoring and evaluation of the Strategy’s implementation, in line with the principles of transparency and participatory governance;

c) Access to Education and Public Dissemination:

- the development of an open digital platform (e.g. Massive Open Online Course / MOOC) offering both professional training in AI applied to research and access to informative materials and guidance issued by European authorities and institutions;
- the promotion of a public culture of AI through educational and awareness policies adapted to specific population groups (e.g. students, seniors), aimed at fostering understanding of both the benefits and risks associated with these technologies;

d) Cohesion and Equity among Member States:

- the inclusion in the Strategy of measurable minimum objectives at the national level, in order to reduce existing disparities in research infrastructure across Member States.

Conclusion



**Romanian Academy
Legal Research Institute**

The Institute for Legal Research of the Romanian Academy considers that the proposed Strategy has the potential to become a key reference point for the establishment of a solid European framework in which AI is not merely an accelerator of scientific research, but also a tool for reinforcing democratic values, balancing innovation with the protection of rights, and aligning technological progress with legal accountability.

We hereby express our willingness to contribute actively to all stages of the Strategy - from its formulation to implementation and monitoring - by providing the legal expertise of the Institute's entire research team, in line with our firm commitment to the rule of law, the integrity of the scientific process, and the advancement of responsible research within the European space.

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