

6. Action 6: Protect academic freedom

1.1. Purpose of the Action and expected outcomes

Freedom of scientific research and academic freedom is safeguarded by Article 13 of the Chapter of Fundamental Rights of the EU (2000/C 364/01).¹ Both are fundamental pillars of the EU's commitment to safeguarding knowledge and promoting intellectual autonomy. However, the autonomy of scientific research and academic institutions often faces threats in cases where foreign actors exert control over international academic and research collaborations.

Repression can extend beyond borders, endangering HEI's, research performing organisations, and individual scholars who may be compelled to engage in self-censorship. In response, this action seeks to protect freedom of scientific research and promote the development of tools to address foreign interference in research and innovation (R&I) and facilitate collaboration among Member States on this topic.

ERA Action 6 consists of two main elements²:

- Fostering the formulation of a comprehensive policy framework aimed at preserving and promoting academic freedom throughout Europe.
- Providing substantial backing to HEIs, RPOs and RTOs in their efforts to identify and address issues related to foreign interference in Research and Innovation (R&I) activities.

Statements have been published to define academic freedom.³ Annex I of the European Higher Education Area (EHEA) Rome 2020 ministerial Communique⁴ defines it as the 'freedom of academic staff and students to engage in research, teaching, learning, and communication in and with society without interference nor fear of reprisal'.

The Bonn Declaration on Freedom of Scientific Research published in 2020⁵ mentions that freedom of scientific research is a broad concept which is related to freedom of expression, freedom of association, freedom of movement, and the right to education, among other rights. It includes the freedom to independently formulate research inquiries, select and refine theoretical frameworks, collect empirical data, and apply rigorous academic research methodologies. It also encompasses the ability to challenge established conventions and present innovative concepts.

This action aligns with ERA Priority 1, which aims to deepen a truly functioning international market for knowledge, by ensuring the protection and monitoring of academic freedom. Action 6 also contributes to the objectives of the G7 Working Group on the Security and Integrity of the Global Research Ecosystem (SIGRE).⁶

This Action is expected to have four outcomes⁷:

- Facilitate the development of a policy approach to safeguard the freedom of scientific research in Europe, based on the Bonn Declaration on freedom of scientific research by publishing the first European monitoring report on the freedom of scientific research.
- Organise mutual learning exercise on tackling R&I foreign interference among interested MS.
- Set up of a one-stop shop European digital platform on academic freedom and foreign interference in R&I.

¹ https://www.europarl.europa.eu/charter/pdf/text_en.pdf

² https://era.gv.at/public/documents/4589/06_Academic_freedom_in_europe_explanatory_document_revised.pdf

³ <https://era.gv.at/era/era-policy-agenda/era-actions-templates>

⁴ https://eha.info/Upload/Rome_Ministerial_Communique_Annex_I.pdf

⁵ https://www.bmbf.de/bmbf/shareddocs/downloads/files/drpf-efr-bonner_erklaerung_en_with-signatures_maerz_2021.pdf?__blob=publicationFile&v=1

⁶ https://www.bmbf.de/SharedDocs/Downloads/de/2022/220812-g7-sigre-paper.pdf?__blob=publicationFile&v=3

⁷ https://era.gv.at/public/documents/4589/06_-_Academic_freedom_in_europe_explanatory_document_revised.pdf

- Develop Open-Source Intelligence Tool (OSINT) for research organizations and universities, offering easily accessible information on foreign institutions, individuals, technologies, affiliations, research projects and universities.

1.2. Implementation of the Action

On 18 January 2022, the European Commission released a **Staff Working Document on Tackling Research and Innovation Foreign Interference**.⁸ It provides a comprehensive strategy for tackling foreign interference in EU HEIs and RPOs across four categories: values, governance, partnerships, and cybersecurity:

- In terms of values, the strategy involves identifying countries and partner institutions where academic freedom is at risk, conducting vulnerability assessments, providing training to personnel, and supporting scholars and researchers working on sensitive topics.
- The governance aspect emphasises the need for a Code of Conduct for Foreign Interference, the establishment of a Foreign Interference Committee, and procedures for identifying and addressing internal conflicts of interest.
- Regarding partnerships, the strategy suggests developing risk management systems, performing due diligence on potential partners, negotiating robust partnership agreements, and monitoring their implementation.
- Cybersecurity measures focus on raising awareness of risks, training personnel in cyber hygiene, implementing detection and prevention measures, and establishing incident response and recovery procedures.

National policy example

Beyond the EU, **Norway** has demonstrated a commitment to academic freedom through policy initiatives. In the recently revised Long-term Plan for Research and Higher Education, specific objectives and priority areas were outlined, serving as a tool for coordinating the government's research policy. The government's white paper on the governance of public universities and university colleges presented in 2021 by the Norwegian Parliament, explicitly supports academic freedom and university self-governance, proposing changes to implement this policy.

The European Commission published its **European Strategy for Universities**⁹ on January 18, 2022, committing to ensuring academic freedom in higher education institutions at the heart of all higher education policies developed at the EU level, as well as the Bologna Process. It was accompanied by a proposal for a Council Recommendation on bridging gaps for effective European higher education cooperation, as well as a European Commission staff working document on what is required to foster and protect academic freedom, institutional autonomy, and fundamental values. On April 6, 2022, the EU ministers for higher education adopted Council conclusions and recommendations for strategic autonomy and emphasise freedom of scientific research across Europe.¹⁰

The Protection of Higher Education Institutions and Research Organisations against conventional and Non-conventional Threats project, launched in June 2021, is part of **the Horizon Europe Framework Programme**. The goals of this project are to enhance the awareness of HEIs and research organisations regarding both conventional and unconventional threats, to strengthen their capabilities to prevent and address non-conventional threats and to enhance their resilience. Additionally, it aligns with EU actions promoting academic freedom and seeks to advance the objectives of this ERA action¹¹.

⁸ <https://op.europa.eu/en/publication-detail/-/publication/3faf52e8-79a2-11ec-9136-01aa75ed71a1/language-en>

⁹ <https://education.ec.europa.eu/document/commission-communication-on-a-european-strategy-for-universities>

¹⁰ <https://data.consilium.europa.eu/doc/document/ST-7936-2022-INIT/xx/pdf>

¹¹ <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/topic-details/horizon-widera-2021-era-01-50;callCode=HORIZON-WIDERA-2021-ERA-01;freeTextSearchKeyword=;matchWholeText=true;typeCodes=1;statusCodes=31094501,31094502,31094503;programmePeriod=null;programCcm2Id=null;programDivisionCode=null;focusAreaCode=null;destinationGroup=null;missionGroup=null;geographicalZon>

Recognising the significance of academic freedom, EP President Roberta Metsola initiated the STOA initiative called the **EP Forum for Academic Freedom**, during a conference held on 28 November 2022.¹² A key outcome of this initiative is the creation of an annual **Academic Freedom Monitor**, which will assess the state of academic freedom within the EU. The newly established EP Forum for Academic Freedom aims at raising awareness about the magnitude of threats faced by academics and scientists within the EU.

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¹² <https://www.europarl.europa.eu/stoa/en/about/stoa-network>