

CALL FOR EVIDENCE FOR AN INITIATIVE (without an impact assessment)

This document aims to inform the public and stakeholders about the Commission's work, so they can provide feedback and participate effectively in consultation activities. We ask these groups to provide views on the Commission's understanding of the problem and possible solutions, and to give us any relevant information they may have.

TITLE OF THE INITIATIVE	Enhancing research security in Europe
LEAD DG – RESPONSIBLE UNIT	Directorate-General for Research & Innovation, RTD.F.2
LIKELY TYPE OF INITIATIVE	Commission proposal for a Council Recommendation
INDICATIVE TIMING	Q1-2024
ADDITIONAL INFORMATION	European Commission, DG RTD (2022): Staff Working Document on Tackling R&I Foreign Interference: https://data.europa.eu/doi/10.2777/513746

This document is for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by this document, including its timing, are subject to change.

A. Political context, problem definition and subsidiarity check

Political context

In its Communication on the European economic security strategy ([JOIN\(2023\)20](#)), the Commission announced that it would propose measures to improve research security ensuring the use of the existing tools and identifying and addressing any remaining gaps, while preserving the openness of the innovation ecosystem.

Research security is linked to tackling possible risks related to the international nature of scientific research and technological development. In particular, risks related to undesirable transfer of knowledge, foreign interference, and ethical or integrity violations.

Building on its Global approach to R&I ([COM\(2021\)252](#)) and the Staff working document on Tackling R&I foreign Interference ([SWD\(2022\)12](#)), the Commission proposal for a Council Recommendation aims to take a country-agnostic approach, avoiding all forms of discrimination and stigmatisation.

Problem the initiative aims to tackle

Openness and international collaboration are at the heart of world-class research. Yet, with growing international tensions and the increasing geopolitical relevance of research and innovation, our researchers and academics are increasingly confronted with risks when cooperating internationally.

Sharing sensitive technology can jeopardise national security if channelled to military purposes (undesirable transfer of technology), academic education and research can be improperly influenced by or from other states in order to diffuse or influence specific narratives (foreign interference). Technologies can also be used to suppress or undermine fundamental values, both in the EU and elsewhere (ethical or integrity violations).

It is therefore vital that European research performing organisations, both public and private, are supported and empowered to address these risks, ensuring research and innovation are not misused in ways that affect our security or infringe our ethical norms. We need to boost research security by raising awareness and building resilience among researchers and academics across Europe.

Basis for EU action (legal basis and subsidiarity check)

Legal basis

The initiative falls under a policy area 'research and technological development' where the EU and its Members States share powers ('shared competence') in line with Article 4(3) of the Treaty on the Functioning of the

European Union (TFEU).

Based on Article 179 TFEU, the EU aims to strengthen its scientific and technological bases by achieving a European research area (ERA). It also aims to encourage companies, including small and medium-sized companies, research centres and universities in their research and technological development activities of high quality. Article 181 TFEU states that the EU and its Member States shall coordinate their research and technological development activities to ensure that national policies and Union policy are mutually consistent.

Article 292 TFEU provides the legal basis for the Council to adopt recommendations based on a proposal from the Commission.

Practical need for EU action

While national governments are best placed to reach out to their universities and other research performing organisations and support them in taking the necessary measures, EU-level cooperation and coordination is needed to ensure a proper functioning of the European Research Area (ERA) and to reduce disparities caused by differences in national research security measures.

Currently, the awareness of the risks is not evenly spread across the EU. An increasing number of Member States and R&I actors are developing and introducing dedicated safeguarding measures while others still seem largely unaware, creating vulnerabilities that could easily be exploited. At some point, these differences may even result in pressure to exclude partners from EU countries that have no or insufficient risk mitigation measures in place. A minimum level of consistency of approach across the EU is therefore essential.

The legal status of this initiative should ensure endorsement and ownership by the Member States while at the same time relying predominantly on self-governance by the R&I sector, in line with academic freedom and institutional autonomy.

B. What does the initiative aim to achieve and how

The overall aim of the initiative is to support Member States and research performing organisations, both public and private, to address research security risks, ensuring research and innovation activities are not misused in ways that affect the EU's security or infringe ethical norms.

To this end, the Commission proposal for a Council Recommendation on research security will set out guiding principles for responsible internationalisation, followed by key policy actions at national and sectoral level to boost research security. It will conclude with listing initiatives at EU level to support the efforts of the Member States and the sector.

Possible guiding principles for responsible internationalisation include:

- emphasis on self-governance by the sector in full respect of academic freedom and institutional autonomy;
- taking an all-of-government framework towards supporting and empowering the sector, notably by linking R&I and security expertise;
- supporting an all-of-sector approach, including basic and applied research as well as higher education;
- proportionality of safeguarding measures based on a risk-based approach;
- focus on national security risks as well as ethics and integrity considerations;
- taking a country-agnostic approach avoiding all forms of discrimination and stigmatisation.

Possible key policy actions at national and sectoral level include:

- adopt a comprehensive and coherent approach at national as well as R&I sector level on safeguards while aiming for increasing levels of consistency across Europe at all levels;
- invest in a better understanding of the sector-specific threat landscape and the sector's resilience;
- support research performing organisations in their efforts to develop due diligence and risk management procedures and assign responsibilities within the organisation;
- promote that national funding agencies incentivise beneficiaries to identify and address research security issues in their projects.

Possible EU-level support could include:

- facilitate peer learning and coordination among Member States and stakeholders and create communities of practice across Europe;
- support the development of practical guidance and due diligence tools for research performing organisations;
- monitor the Member States' uptake of the Recommendation's guiding principles and key policy actions.

With this 'call for evidence', the Commission is seeking feedback, ideas, and input from a broad range of respondents on all three parts of the Recommendation, e.g.: the guiding principles, the key policy actions and

the EU level initiatives.

Likely impacts

When adopted, the Commission proposal for a Council Recommendation on research security would offer, for the first time, a joint definition of the problem and a shared sense of urgency as well as a common understanding of what an effective policy response should look like. It would be a reference point and source of inspiration for Member State public authorities as well as universities and other research performing organisations, contributing to awareness raising and the development of effective approaches to boost research security.

It would support Member States and research performing organisations to develop and implement policies/measures that are both effective and proportionate. It would underscore the importance of international cooperation and openness following the principle 'open where possible, closed where necessary.' It would also show in a fairly operational way, which risk management measures could be introduced in a way that respects academic freedom and institutional autonomy and avoids discrimination and stigmatisation. Therefore, the Recommendation would have an important impact on raising awareness and building resilience across Europe.

Future monitoring

The Commission proposal for a Council Recommendation will set out how monitoring and follow up to the actions it announces will be ensured, making full use of the ERA governance structures.

C. Better regulation

Impact assessment

An impact assessment will not be conducted. The 'Enhancing research security in Europe' initiative will take the form of a Commission proposal for a Council Recommendation, which is a non-binding EU act. As such, its impact will largely depend on Member States' and sector organisations' engagement and readiness to act.

The initiative builds on a number of sources, including various expert meetings as well as the feedback to this 'call for evidence.' The need to assess the impact of future actions announced in the Recommendation will be considered in due course, in line with the Better Regulation guidelines.

Consultation strategy

The initiative builds on the Staff working document on Tackling R&I foreign interference ([SWD\(2022\)12](#)) which itself was developed with the close involvement of experts and stakeholders. Since its publication in January 2022, several expert meetings with Member State experts have taken place, including in the context of a mutual learning exercise. These expert discussions focused on getting a better understanding of the problem as well as on identifying building blocks for an effective policy response. In May 2023, a policy debate on 'Knowledge security and responsible internationalisation' took place in the Council, the insights of which will be integrated in the initiative as well.

To collect views and insights for the Commission proposal for a Council Recommendation from a wide spectrum of respondents, this 'call for evidence' is open for feedback on the [Have your say portal](#) for four weeks. All feedback or position papers providing answers to the questions raised in box 'B' above and any evidence to support the proposal are welcome, in any official EU language.

In addition, the Commission plans to conduct targeted consultations in the form of meetings and workshops, focusing on EU-level stakeholder organisations.