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EUROPEAN RESEARCH AREA
AND INNOVATION COMMITTEE
Strategic Forum for International
S&T Cooperation

Secretariat

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NOTE

From: SFIC Secretariat
To: Delegations
Subject: SFIC Opinion on the implementation of the Bonn Declaration on Freedom of Scientific Research in International Cooperation in Research and Innovation

Delegations will find in annex the SFIC Opinion on the implementation of the Bonn Declaration on Freedom of Scientific Research in International Cooperation in Research and Innovation, as adopted via written procedure on 13 July 2021.

International cooperation is a precondition for excellent Research and Innovation (R&I) and for solving the grand challenges of today and tomorrow. Moreover, international cooperation in R&I also has a strong science diplomacy component with the potential to strengthen bilateral and multilateral relations and to agree on joint values and principles. The freedom of scientific research is a universal value and prerequisite for our global problem-solving capacity. However, around the world, 80 percent of people live in countries that restrict academic and scientific freedom, as the Academic Freedom Index for the year 2020 published on 11 March 2021 confirmed.¹ A non-exhaustive list of breaches of the freedom of scientific research includes but is not limited to cases related to the content of a scholar's work or research being perceived as threatening by authorities or other groups, to the individual's status as an academic or researcher or their peaceful exercise of basic human rights, in particular, the right to freedom of expression or freedom of association.²

On 20 October 2020 at the Ministerial Conference on the European Research Area (ERA), the EU research ministers and the European Commissioner for Innovation, Research, Culture, Education and Youth adopted the Bonn Declaration on Freedom of Scientific Research, thereby reaffirming the protection of freedom of scientific research within the EU. All 27 EU Member States as well as the European Commissioner for Innovation, Research, Culture, Education and Youth have signed the Bonn Declaration. By endorsing the principles of the Bonn Declaration, several international partners – such as Israel, Iceland, Canada, Norway, Switzerland and Ukraine – have contributed to the international dimension of this document.

The Strategic Forum for International S&T Cooperation (SFIC) welcomes the Bonn Declaration as an important milestone and acknowledges the importance of the promotion and protection of academic freedom, integrity and institutional autonomy internationally as promoted in the EU's Global Approach to Research and Innovation. This opinion focuses on the international dimension of the Bonn Declaration on Freedom of Scientific Research. The recommendations address the European Commission, the EU Member States, the Associated Countries to Horizon Europe and Third Countries as cooperation partners.

¹ <https://www.fau.eu/2021/03/15/news/research/far-reaching-academic-freedom-enjoyed-by-just-one-fifth-of-the-global-population>.

² The interest group Scholars at Risk lists three potential risks for academic freedom: (1) risks related to the content of a scholar's work, research, or teaching being perceived as threatening by authorities or other groups, (2) risks related to the individual's status as an academic or researcher or (3) risks related to their peaceful exercise of basic human rights, in particular, the right to freedom of expression or freedom of association.

The recommendations focus primarily on the publicly funded research sector but their principles can also be applied to industrial and private sector-led research on a voluntary basis. They are based on the work of an Ad-hoc Task Force on how to promote freedom of scientific research in international cooperation in research and innovation as part of the 2021/22 work programme of SFIC.³

The overall objectives of these recommendations are:

- to support the freedom of scientific research in an increasingly polarised and volatile global context by the joint EU action for the benefit of our researchers, the integrity of the international research and innovation eco-system and the benefit of our societies,
- to propose ways for a coordinated approach of the EU Member States and the European Commission as well as Associated Countries to promoting freedom of scientific research as a cornerstone of the framework conditions in international cooperation in R&I based on common values and principles,
- to provide ideas that feed into the discussion in the ERA Forum for Transition considering the proposed European Pact on Research and Innovation, in particular those principles which will also be relevant for working with Associated and Third partner Countries,
- to facilitate a coherent EU approach enhancing the impact of the measures of the European Commission and EU Member States, giving the EU a much stronger normative and soft power as a whole than each Member State would have acting on its own behalf.

Recommendations

The Strategic Forum for International S&T Cooperation, having regard to the Bonn Declaration on Freedom of Scientific Research, unanimously adopted on 20 October 2020 by all 27 EU Member States and subsequently endorsed by a number of key partner countries, the European Commission Communication on a Global Approach to Research and Innovation of 18 May 2021 and the SFIC Opinion on a New European Research Area of 11 November 2020,

- having regard to Article 13 on the freedom of arts and sciences of the EU Charter on Fundamental Rights, the EU Global Strategy on the European Union's Foreign and Security Policy (EUGS) and the European Parliament's Recommendation on the Defence of Academic Freedom in the EU's External Action,

³ Participating members of the Ad-hoc Task Force on freedom of scientific research/Bonn Declaration are DE, EC, ES, FI, FR, NL and the SFIC Chair.

- having regard to Article 15(b) on academic freedom of the UN Social Pact, the UNESCO Global Convention on the Recognition of Qualifications concerning Higher Education of 25 November 1917, the UNESCO Recommendation on Science and Scientific Researchers of 13 November 1974 and the OECD Recommendation of the Council on International Co-operation in Science and Technology of 30 June 2021⁴,
- having regard to the Rome Ministerial Communiqué 2020, in particular Annex I on Academic Freedom,
- having regard to the Magna Charta Universitatum, reflecting the views of key academic stakeholders,
- having regard to Responsible Research and Innovation as reflected in the EU expert group report from 2013 and embraced in the implementation of Horizon 2020, against this background and the objectives described above states the following recommendations to the European Commission, EU Member States, Associated and Third Countries as well as research organisations, research funding organisations and universities:

European Commission

1. SFIC INVITES the European Commission to take into account proposals to be made, in the framework of the Bologna Process over the 2021-2024 period, for an evidence-based follow up about fundamental values across the European Higher Education Area (EHEA).
2. SFIC INVITES the European Commission to consider setting up a dedicated fellowship scheme open to the non-EU researchers whose freedom of scientific research is under threat in third countries, effectively making the EU a ‘safe haven’ for freedom of scientific research. The fellowship scheme could build on the proposal by the InSPIREurope consortium, make reference to the categorisation of threats developed by Scholars at Risk and complement national fellowship schemes⁶.

⁴ tbc

⁵ <https://ec.europa.eu/programmes/horizon2020/en/h2020-section/responsible-research-innovation>

⁶ Such as the French “PAUSE program - National program for the urgent aid and reception of scientists in exile”, the German “Philipp Schwartz Initiative” by Alexander von Humboldt Foundation and the “Students at risk – Hilde Domin Programme” by DAAD.

3. SFIC ENCOURAGES the European Commission to integrate a reference about respecting freedom of scientific research in the Association Agreements for Horizon Europe and to invite Third Countries associated to Horizon Europe to sign the Endorsement to the Bonn Declaration and to implement its principles. Moreover, SFIC ENCOURAGES the European Commission to invite all other international partner countries to respect the principles of freedom of scientific research and to sign the Endorsement to the Bonn Declaration.
4. SFIC INVITES the European Commission to include freedom of scientific research in its targeted bilateral roadmaps for R&I cooperation as well as regional and bilateral dialogues.

EU Member States, Associated Countries and European Commission

5. SFIC ENCOURAGES the European Commission, together with the EU Member States, to propose the position of an EU ombudsperson on freedom of scientific research, who would be available for reports of breaches of freedom of scientific research in international cooperation. The EU Ombudsperson should be part of the monitoring to be established by the European Commission and the EU Member States as a follow-up to the Bonn Declaration by 2022.
6. SFIC INVITES the European Commission, together with the EU Member States and Associated Countries, to propose a solidarity mechanism to jointly address breaches of freedom of scientific research directed at the EU researchers. Breaches of freedom of scientific research to be identified, for instance, by the EU ombudsperson or the monitoring could be a potential trigger of the new legal instrument to deter and counteract coercive practices by non-EU countries (“EU anti-coercion instrument”).
7. SFIC ENCOURAGES the European Commission, the EU Member States and Associated Countries to include freedom of scientific research as a visible common norm into their bilateral and multilateral agreements on Scientific and Technological Cooperation (STC) or promoting those values in the collaboration whenever possible.
8. SFIC RECOMMENDS the European Commission, EU Member States and Associated Countries to include freedom of scientific research into their international strategies and guidelines on international cooperation, in the set-up of their bi- and multilateral cooperation programmes and projects and as an integral part of science diplomacy activities.

9. SFIC ENCOURAGES the European Commission to initiate in close partnership with the EU Member States, as a follow up to the publication of the Global Approach to research and innovation, a multilateral dialogue with key international partner countries on the values and principles which should underpin cooperation on research and innovation, starting with respect for freedom of scientific research.

Third and Associated Countries

10. SFIC ENCOURAGES countries associated to Horizon Europe and INVITES Third Countries that have endorsed the Bonn Declaration to participate in the monitoring, to be established by the EU Member States and the European Commission as a follow-up to the Bonn Declaration by 2022.

Research organisations, research funding organisations and universities

11. SFIC INVITES research organisations, research funding organisations and universities to develop international strategies and guidelines on international cooperation that address the freedom of scientific research and possible consequences in case of breaches.
12. SFIC RECOMMENDS research organisations, research funding organisations and universities to explicitly refer to the Bonn Declaration and freedom of scientific research when setting up consortium agreements under Horizon Europe and other EU and Member State level research funding programmes, especially when involving partners from non-EU countries.
13. SFIC ENCOURAGES research organisations, research funding organisations and universities to not refrain from international collaborations with researchers in countries that do not always share the values and principles of the Bonn Declaration, but to establish mechanisms and procedures for risk assessment and management within the framework of their scientific self-administration while upholding the principles of freedom of scientific research.

14. SFIC INVITES research organisations, research funding organisations and universities to provide targeted training and information for their staff regarding freedom of scientific research itself and in connection with scientific responsibility. They should contribute to raising awareness about the potential risks (e.g. problem of dual use) and breaches of freedom of scientific research in the context of international R&I collaboration.

Concluding remarks

The European Research Area (ERA) is the treaty-based objective to create a single, borderless market for research, innovation and technology across the EU based on six priorities.⁷ As the ERA group responsible for priority area “international cooperation”, SFIC considers the establishment and development of the ERA in the past 20 years as a success, particularly in the realm of international cooperation. Freedom of scientific research not only plays a role in international cooperation, but also in other ERA priority areas. Therefore, SFIC invites the other ERA groups to discuss freedom of scientific research in the context of their ERA priority areas. Particularly the Standing Working Group on Open Science and Innovation (SWG OSI) advising on policies and initiatives related to open science and open innovation (priority 5) could consider connecting the freedom of scientific research and Open Science and initiate open discussions on possible trade offs.

SFIC welcomes the work done by the ERA Forum for Transition on reviewing the ERA governance and formulating new priorities in the Pact for R&I. This includes the definition of principles and values guiding the common endeavours of the EU Member States, Associated Countries, the European Commission as well as research institutions and stakeholders. SFIC issues the recommendations above to explicitly support the implementation of the Bonn Declaration and the monitoring to be developed in order to strengthen the freedom of scientific research and its protection in the realm of international cooperation. SFIC also stands ready to support the ERA Forum for Transition in its work in this context.

As further steps towards implementation and in order to facilitate continuous dialogue between all stakeholders involved, SFIC intends to follow-up this opinion by:

- Organising a workshop with the European Commission and Member State level stakeholders to discuss the implementation of the different recommendations put forward;

⁷ 1. more effective national research systems, 2a. optimal transnational cooperation and competition, 2b. research infrastructures, 3. open labour market for researchers, 4. gender equality and gender mainstreaming in research, 5. optimal circulation, access to and transfer of scientific knowledge, 6. international cooperation.

- Reviewing the steps taken on the European Commission and Member State level towards implementing the Bonn Declaration principles;
- Contributing to the development of a monitoring for the international aspects of the Bonn Declaration as appropriate.

In that context, SFIC will closely cooperate with the ERA Forum for Transition, avoiding potential duplication of work and ensuring a smooth implementation of the principles and the forthcoming Pact for R&I.
