

Statement on the Commission's Proposal for a European Research Area Act (ERA Act) – Contribution to the Public Consultation

The German Council for Scientific Information Infrastructures (RfII) is an advisory body on science policy for the German Federal Government and the *Länder*, addressing issues related to the further development of (scientific) data infrastructures. In this context, RfII provides recommendations on the continued design and advancement of federated research data infrastructures in Germany (e.g., the National Research Data Infrastructure, NFDI) and at the European level (e.g., the European Open Science Cloud, EOSC).

Research data infrastructures are essential to enable today's data-intensive science. The RfII expects the potential ERA Act to provide incentives that foster greater convergence and synergy of these infrastructures at a European level, thereby facilitating a more coherent and mutually reinforcing process of development. Coordination between national data infrastructure institutions regarding their contributions to the EOSC and the Common European Data Spaces must be strengthened.

It needs to be recognised that research data infrastructures are primarily supported and operated by research institutions within the EU Member States, where institutional settings, scientific traditions, and funding structures are characterised by a high degree of diversity and autonomy. This diversity is a key source of creativity and innovative capacity. Thus, preserving the autonomy of national research systems must be a guiding principle of the planned ERA Act. Therefore, the RfII supports the ERA Act being designed as a directive, following the principle of subsidiarity and leaving national science policy actors with flexibility in its design and implementation. Furthermore, the Council recommends close involvement of key scientific organisations from the Member States throughout the entire drafting process of the legal act.

EOSC

EOSC is meant to be the European data space for science, research, and innovation. Once fully developed, it shall facilitate the unrestricted exchange of research data and scientific services across disciplinary and national boundaries. EOSC thus addresses dual roles, functioning (1) as a connecting interface and (2) as the infrastructural backbone underpinning a shared European Research Area. Regarding the establishment and further development of EOSC and its nodes RfII recommends the creation of sustainable and long-term structures. These should enable scientific actors, irrespective of their national affiliation, to act autonomously as both providers and users of services.

The successful development and expansion of EOSC depends on the provision of reliable and long-term funding. Member States that make no or only limited in-kind contributions to the EOSC should participate financially in the costs of the shared infrastructure. The European Commission and the Member States are therefore called upon to transition EOSC from the status of short-term project-based funding via various European funding instruments towards a sustainable, long-term and institutional funded federation.

Furthermore, RfII proposes the establishment of a harmonised framework that facilitates cross-border collaboration among research organisations, as well as with other infrastructure operators, in a legally secure and administratively efficient manner. This also includes EU-wide tax exemptions relevant to the exchange of intra-scientific services within the context of research and data infrastructures.

Investments in (Research) Data Infrastructures

RfII recognises that European Member States face different challenges in achieving the 3% target for research and development expenditure. Concurrently, the Council underscores the pivotal significance of augmenting investments in research and development. In this context, RfII also draws attention to the growing future funding requirements for the establishment and operation of both physical and digital infrastructures. Ongoing operational costs are difficult to plan for in the long term, particularly against the backdrop of fast and eventually disruptive developments in Artificial Intelligence (AI).

Furthermore, the objective of gradually reducing dependence on major non-European cloud and AI providers would require substantial additional investments in domestic data centres, high-performance computing (HPC) resources, and secure data spaces. From RfII's perspective, such investments contribute to the strengthening of European sovereignty in the area of data and technology security. In this sense, scientific data infrastructures – at least in key parts – can be considered to constitute critical infrastructure for European states. In a geopolitical environment characterised by intensifying competition among major powers for spheres of influence, the development of resilience by European states is of high strategic importance.

RfII welcomes the fact that the European Commission's proposal for the next Framework Programme for Research and Innovation (FP10) places research infrastructures within a new, fourth pillar, and that the importance of research infrastructures is also emphasised in recently published strategies (e.g. A European Strategy on Research and Technology Infrastructures; A European Strategy for Artificial Intelligence in Science). In this context, the establishment of fair financing mechanisms or appropriate compensation arrangements between EU Member States is imperative.

ERIC

The European Research Infrastructure Consortium (ERIC) represents a core pillar for the joint establishment and long-term operation of European research infrastructures. The RfII supports further harmonisation of the legal status of ERICs, with a view to improving their usability for researchers across national borders. In this context, the necessary funding mechanisms to ensure a fair distribution of operating costs should be examined. Furthermore, the establishment of additional ERICs, including close interaction with the EOSC, should be actively promoted.

German Council for Scientific Information Infrastructures (RfII)

The RfII was established by the Joint Science Conference (GWK) to advise the Federal and Länder Governments, as well as scientific institutions, on the development of scientific information infrastructures and related topics concerning the digital transformation in science and academia. Its 24 honorary members represent the infrastructure and data user side inside the scientific community, the infrastructure providers, public life, and the research ministries of the Federal and Länder Governments.

Imprint

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