

## Working Group on Fundamental Values

Ninth Meeting

Brussels, Belgium

24-25 January 2024

Minutes of meeting

### List of participants

Country/Organization	Name	Last Name
Council of Europe	Sjur	Bergan
Croatia	Leonardo	Marušić
European Commission - DG EAC	Svein	Hullstein
ENQA	Anna	Gover
ESU	Iris	Kimizoglu
ETUCE	Rob	Copeland
EURYDICE	David	Crosier
Finland	Maija	Innola
Germany	Tim	Maschuw
Iceland	Una	Strand Viðarsdóttir
Norway (Co-Chair)	Tone	Flood Strøm
Romania (Co-Chair)	Mihai Cezar	Hâj
Sweden	Robin	Moberg
Switzerland	Aurélia	Robert-Tissot
NewFAV Project Guest - King's College London	Liviu	Matei
NewFAV Project Guest - Public Policy Management Institute (PPMI), Lithuania	Elizaveta	Potapova
NewFAV Project Guest - Center for Higher Education Policy Studies, Twente, Netherlands	Daniela	Craciun
Guest - UEFISCDI	Cristina	Fit
BFUG Secretariat	Jora	Vaso
BFUG Secretariat	Blerina	Caslli

EUA, France, Italy, Kazakhstan, Malta, North Macedonia, Poland, the Netherlands, Turkey, United Kingdom, United Kingdom (Scotland) did not attend the meeting; Holy See and Austria sent regrets.

#### 1. Welcome remarks

Cezar Hâj (Co-Chair, Romania) extended a warm welcome to all participants at the 9<sup>th</sup> meeting of the Working Group on Fundamental Values (FV WG), expressing gratitude to ESU for organizing and hosting the gathering in Brussels. He acknowledged concerns regarding the meeting's overlap with

the Board meeting in Rome for some WG members. Additionally, he informed the group that Tone Flood Strøm (Co-Chair, Norway), was slated to present at the Board on behalf of the group but faced travel delays, resulting in her inability to attend. He reassured the group that the comments and issues raised at the Board had been received and were not extensive, and assured that they would be addressed during the respective session.

## 2. Introduction and approval of the agenda

The Co-chairs opened the meeting by outlining its main objectives, which included discussing in particular the monitoring framework of the fundamental values intended for presentation at the BFUG in Brussels in March, and finalizing the statements on the fundamental values (FVs), which will become an annex to the Tirana Communiqué.

The minutes of the previous meeting held on November 7-8, 2023 were approved.

The agenda for the current meeting was presented and approved.

For more information, please see: [WG FV 9 ES GA Draft Agenda](#)

## 3. Updates NewFAV project

Co-Chair Romania explained that the Peer Learning Activity (PLA) held as part of the NewFAV project focused on the interrelations between values as well as challenges in monitoring these values due to their overlapping content. The decision was made to continue piloting the technical monitoring framework for the FVs in four countries: Belgium-French Community, Czech Republic, Finland, and Türkiye. A national operator will help collect data in each of the four pilot countries. It was noted that the forthcoming WG report aims to provide insights into the framework's practical application at the national level. The framework, once finalized, will be a general one that can be tailored for national contexts.

It was announced that, in May, two workshops are scheduled in the UK as part of the piloting activity. The Co-Chair acknowledged the project's June deadline set by the European Commission (EC) but explained that, by this date, the WG will only be able to provide some preliminary results. The EC highlighted the importance of the WG aligning with the upcoming EHEA call with updates and priorities set in the Tirana Communiqué. Involving Eurydice in the project was proposed as well as ensuring this collaboration is mentioned in the communiqué. The need for a continuation of the group's work in the upcoming working period was agreed upon among WG members.

## 4. Session 1: Update from the BFUG and BFUG Board

Co-Chair Romania shared the feedback regarding the FV WG's statements received from the BFUG, noting that the overall reaction was positive. The Co-Chair noted that an issue that emerged during the BFUG meeting was the current high number of working groups but that, despite this perception, there was a consensus that the FV WG should continue in the next work period.

Co-Chair Romania shared the feedback regarding the FV WG's work received from the BFUG Board meeting, namely questions about the FV technical monitoring framework as well as the continuation of the FV WG in the next working period. In the Board meeting, there were concerns about the complexity of the framework and the actors responsible for implementation were discussed. One

alternative brought forward was for the Monitoring WG to take up the task of continuing the FV monitoring in the next mandate.

Another point was that the BFUG Board participants had found the technical framework quite complex so it was decided that a short informative presentation explaining this framework would be provided for the BFUG meeting on February 2024. The final report for the BFUG was also requested to be submitted at this BFUG meeting. In order to reduce the length of the report, it was suggested at the Board to present the statements as separate documents, as an annex to the Communique. The WG's statements were also discussed. The European Commission recommended providing clear and exact definitions of each value in the introduction of statements. Shortened definitions of the FVs in the Communique for future readers was recommended. The importance of explicitly stating in the document that ministers adopt the statements was also noted. The session concluded with a plan to submit revised drafts and proposals to the BFUG.

#### 5. Session 2: Final statements and introductory text after BFUG feedback

Sjur Bergan (Council of Europe) reiterated that the feedback from the BFUG on the FV statements was minor, with one noteworthy modification from EUA, which suggested a stronger statement in the introduction and a change in the order of presenting the FVs. It was clarified that this did not suggest a hierarchy among the FVs, which remain of equal importance.

There was consensus that Institutional Autonomy and Public Responsibility for Higher Education should not be subject to external Quality Assurance (QA), unlike the other four values. There was a question as to why only Academic Integrity is included in the European Standards and Guidelines (ESGs). Participants noted that all statements indirectly address the quality of education, some explicitly referencing ESGs while others focus on overall quality. It was noted that a general reference to quality would face political resistance and it would help to be more specific regarding QA in the relevant FVs.

The discussion also focused on the inclusion of the Code of Ethics in the statements, with concerns raised about diverging from the initial BFUG decision that made the inclusion of the Code of Ethics preferred but not mandatory. Suggestions were made to reduce its prominence in the text by removing the capital letters or to add a more general and encompassing phrases like "similar policies." However, the latter was contested as it is not sufficiently clear for all cases.

The WG approved the statements as amended in the discussion, awaiting feedback from the BFUG after the draft will be presented in the upcoming BFUG meeting in Brussels in February 19-20, 2024. It was noted that the statements will only be final once they have been adopted by Ministers at the Ministerial Conference on May 30<sup>th</sup>, 2024. Additionally, members were reminded to provide feedback to the Drafting Committee regarding the incorporation of the WG's proposed text for the Communique, with a commitment to reflect any decisions made at the BFUG in the final version.

#### 6. Session 3: Fundamental academic values – ongoing projects at European level and potential synergies

- *Towards the Tirana Ministerial Conference - status of work in the BFUG Fundamental values Working Group*



Co-Chair Romania clarified that the FV WG will propose the statements and the contribution to the ministerial communique, to which these statements will be annexed, which will be adopted in Tirana by the ministers of Higher Education. It was reiterated that the FV WG had the mandate to develop the technical framework for monitoring FVs, which will also be referenced in the Communique. Further, it was explained that the monitoring process began with the help of Eurydice, and there are already some de jure indicators developed for primarily EHEA countries.

- *Status on ERA action 6: Deepening the ERA through protecting academic freedom in Europe*

The European Commission DG RTD representative informed about on-going initiatives to counter foreign interference and threats to fundamental values. Action 6 on Academic Freedom was emphasized, with two strands related to research outputs and freedom of scientific research. The discussion delved into monitoring exercises aimed at safeguarding Academic Freedom and Institutional Autonomy without imposing limitations. Plans were outlined for a one-stop-shop platform to consolidate relevant documents in a user-friendly manner by June of the following year. The EC's adoption of Economic Security included initiatives to enhance research security, in particular balancing research security efforts with institutional authority. Changes in the scope of dedicated action under Action 6 to protect freedom of scientific research were discussed. The importance of Academic Freedom and freedom of scientific research were underscored, and reference made to a recent resolution adopted in the European Parliament (see below).

- *European strategy for universities (DG EAC) - Status on-going work towards Guiding principles on protecting Fundamental academic values*

Svein Hullstein (European Commission - DG EAC) and Sjur Bergan focused on the various initiatives within the European Union and the European Higher Education Area (EHEA) and the need to align these various initiatives to avoid divergence. They emphasized that the understanding of the fundamental values, now rooted in the Paris and Rome communiqués, have evolved over time within the EHEA and stressed that values should primarily be the responsibility of higher education leaders but also of public authorities at national and European level. One important task of institutional leaders is to raise awareness of FVs. The need to protect members of the academic community who are attacked due to their work had been raised by several participants in the consultation meetings, who had underlined the need for action from relevant bodies at all levels: universities, national authorities, and the European Commission. It was noted that the consultations highlighted the importance of discussing contentious issues in public fora where individuals can speak freely without fear of reprisal. A first draft of these results is currently under discussion with the Commission Steering Group (DG EAC), and further consultations will be conducted with stakeholders and the EEA Strategic Framework Working Group on Higher Education, with the aim of proposing guiding principles by the end of 2024.

- *EP initiative: Status initiatives under "EP Forum for Academic Freedom"*

STOA EP representative discussed the Academic Freedom Monitor initiated last year, with the upcoming release of the 2023 report and ongoing data collection for 2024. He emphasized the inclusion of Academic Freedom in Horizon Europe, noting that Academic Freedom and Freedom of Research are frequently conflated without a solid definition, hindering actionable measures.



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Promotion efforts for Academic Freedom were highlighted. An EP resolution of 17 January 2024 addresses recommendations to the Commission on promotion of the freedom of scientific research in the EU.

- *Question and discussion on synergies and interaction*

The potential synergies between various initiatives were highlighted, such as UNESCO's work on the freedom of researchers. Plans were discussed for a consultation meeting in May in London to bring together representatives from varying initiatives. The prioritization of certain FVs over others in different initiatives was brought up, suggesting that student and staff participation should receive equal visibility as other FVs. It was clarified that the European Commission (EC) would follow the EHEA approach, striving for equality among FVs, but that other initiatives may have their own priorities. Concerns were expressed about the focus on research at the expense of student rights, particularly regarding student participation and intellectual property rights. It was confirmed that all EC initiatives include at least one student representative but that there is a certain lack of interest in participation from the students' side.

Progress on defining the FVs was acknowledged. Concerns were raised about potential threats, particularly regarding the commercialization of research and the creation of a borderless market, emphasizing the importance of addressing hidden issues alongside overt political threats. The complexity of commercialization was noted, especially within publicly funded entities, emphasizing the need to prevent harm to academic freedoms, which may be justified under innovation agendas. Further discussion on the specific role of higher education leaders was cited as important.

7. Session 4: Technical policy framework of indicators for fundamental values (after BFUG feedback)

Daniela Craciun (NewFAV Project) presented the revisions made to the framework based on BFUG feedback. Revisions were made to Academic Integrity, incorporating provisions for independent bodies to monitor implementation, separate provisions for digital technologies, and frameworks for international cooperation. Institution-level measures such as the Code of Ethics, training, and guidance were added. Revised dimensions for Student and Staff Participation included the addition of decision-making components. The operationalization of protection and promotion was updated, with each value now assessed through a set of dimensions in the context of their protection and promotion. More revisions involved eliminating unspecific categories, closely examining Eurydice data, validation of collected data by a dedicated person, and separating all survey questions for students and staff.

8. Session 5 / 6: A piloting methodology to assess the indicators for fundamental values at national levels. Discussions on choosing the four piloting countries

Liviu Matei (NewFAV Project) provided updates on the modified calendar of the project, proposing to pilot the framework in February-March 2024 and present a revised proposal by April 2024. He emphasized the need to prepare a condensed version of the technical framework for the next BFUG meeting and explained that the monitoring focuses on commitments explicitly stated in the Paris and Rome Communiqués, anticipating new commitments once the statements are adopted.

Regarding the outlook aspect, it was highlighted that upon adoption of the statements, they will represent new commitments about values being defined for the first time. As such, for these values,



it is unlikely that there will be extensive legislation immediately. Therefore, while there may not be significant findings under protection and promotion, there will likely be substantial insights under the Outlook category, which reflects the novelty of the commitments and their evolving nature. It was brought up that the outlook information may lead to future amendments to this part.

The selected pilot country-systems of the monitoring framework were shared. The Czech Republic, Finland, the Belgian-French community, and Turkey were selected based on various criteria such as size of system, data availability, type of HE system, geographical representativeness, among others. Data sources will include public authorities for protection and promotion aspects, national experts, a sample of stakeholders, and an open platform for survey questionnaires to capture outlook and de facto data. The timeline includes a two-week preparation period to train national operators, four weeks for data collection, with completion expected by April 2024.

Daniela Craciun (NewFAV Project) presented the operationalization of the monitoring framework for data collection. She introduced the methodology of the framework, which monitors de jure and de facto aspects. It was clarified that the framework monitors the commitments to protect and promote, not the actual values. On its implementation, the team noted that they extract commitments on values, extract dimensions from the definitions of values in the statements and develop questions for monitoring commitments as basis for indicators to assess compliance.

The presentation outlined the values of Academic Freedom and Institutional Autonomy, along with their operationalization. This included questions assessing the promotion, protection, and outlook of each value, as well as de facto considerations like positive developments, threats, and infringements. There was discussion on ways to define and measure threats. It was noted that there is a lack of a clear definition of threats and that an inductive approach may have to be used to better define them. It was highlighted that the fundamental values of Academic Integrity and Student and Staff Participation are being defined now.

In the discussion among WG members, many aspects of the framework were praised, such as the focus on the implementation of commitments and the formulation of questions to ascertain where responsibility lies. It was noted that the framework is comprehensive and reiterated that feasibility is important across various systems. In terms of presenting and explaining the framework to the BFUG, a four-page condensed version was recommended.

In the discussion, the importance of carefully considering the involvement of public authorities and other stakeholders in each country, as well as the accessibility of the platform and the feasibility of survey questions were noted. Concerns were raised about the volume of questions in the survey but it was argued that, considering the number of values and dimensions to be assessed, the number is relatively low, 70 questions, excluding the de facto part. It was proposed that national operators will be employed in each country to help PA's with answering questions. Reversing the order so that national operators answer all questions first was proposed, allowing PAs to simply check the answers, reducing their time commitment while still maintaining responsibility. It was suggested that de jure answers should be forwarded to PAs.

Questions were raised about who selects the national operators and about decision-making authority between operators and public authorities. It was argued that national operators have to be approved by PAs, but also that, PAs may be aware of the national operator's identity, but should not participate



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in their selection. A supervisory committee was proposed to arbitrate cases where there is disagreement between national operators and PAs. Potential profiles for national operators, such as professors or former ministers, were recommended.

Concerns were also raised about the timeframe for completing the questionnaire within four weeks. To this, it was suggested that the piloting results could be excluded from the current WG report and utilized in the next mandate. It was clarified that the piloting of the framework within the project differs from the proposal for future implementation but also underlined that the pilot should test the methods for full rollout, for which, selecting the right operators, or national experts, is crucial. It was clarified that the plan is to have a national operator in place in all countries even beyond the piloting phase. The feasibility of paying national operators after the pilot was brought up. It was noted that funding from the European Commission would determine whether countries receive payment for their participation.

The possibility of sharing Eurydice questionnaire answers with the NewFAV project team was discussed to prevent duplicate work. Pre-filling the questionnaire with Eurydice answers from public authorities was proposed to streamline the process. Lastly, there was a consensus on the importance of allowing reporting authorities to provide feedback and comment on completing the questionnaire by adding concluding questions to assess the feasibility of the process.

It was argued that PAs completing the questionnaire is not the main challenge, as it is manageable due to its evidence-based nature, but that the real challenge is reconciling de jure data with de facto sources, which will be the responsibility of the national operator. There was a concern about national authorities possibly censoring de facto data, to which it was clarified that PAs would be unable to as they would only see the results in the final data report.

It was noted that facto monitoring will have narrative responses and clarified that some elements in the de jure part would be simplified. The need to strike a balance between detail and practicality in responses was recommended. There were questions regarding the clarity of certain questionnaire items, particularly regarding respondents' understanding of which boxes to tick. There was also a concern raised about Quality Assurance (QA) potentially infringing upon Institutional Autonomy, prompting a discussion on the need to carefully align QA-related questions with the appropriate values. Regarding the open platform, ensuring consistent implementation across all countries was cited as crucial to avoid skewed results.

It was decided, at this stage, to focus on the piloting phase without going into further detail as the pilot results will reveal possible future challenges regarding the selection and feasibility of national operators. In addition, the piloting may reveal that some questions do not offer sufficient differentiation and will need an increase in the level of detail in the stage of full implementation.

## 9. Session 7: Fundamental Values Working Group Report

Regarding the FV WG report, Co-Chair Romania clarified that the order that values will be presented is based on the Paris Communique. Further, a section listing country participation in the WG meetings will be included for transparency reasons. It was suggested that the report should include additional recommendations for the upcoming working period, including outlining next steps, timelines, as well as adding details on the piloting phase of monitoring and propose a timeframe for



future actions of the FV WG to rationalize its continuation. Being overly prescriptive was cautioned against but it was recommended that the importance of continuing the WG's work be emphasized. A justification on keeping the current working structure for the FV WG or recommendation for alternative smaller structures were suggested to be added. It was recommended to justify why this WG should continue the tasks rather than it be inherited by the Monitoring WG. Because this is a new area for monitoring, it was advised against handing it over to the BICG. It was decided to circulate the final report among WG members via email with feedback due by February 1<sup>st</sup>, 2024.

Regarding the upcoming BFUG meeting, a condensed presentation of the monitoring framework was reiterated. Focusing the BFUG agenda discussions on the Communique and WG recommendations was suggested, while presenting a general overview of the monitoring framework. At the moment, emphasizing piloting rather than detailed framework explanations was recommended. Opening the floor for comments on the statements was advised against.

#### 10. Session 8: Conclusions, next meetings and AOB

The co-chairs agreed to reschedule the upcoming PLA and meeting of the FV WG, originally planned for March 20-22, 2024 in Oslo, Norway to an online format, as many objectives of the WG had been achieved in the present meeting. A Doodle was sent to members to set a date for the first week of April, 2024; the dates were later set to April 4 - 5. While there was support for the PLA topic on Public Responsibility on and for Higher Education, it was decided to wait for the outcomes of the BFUG meeting before making a final decision. The Co-Chairs expressed gratitude to all participants and the 9<sup>th</sup> meeting of the FV WG was concluded.



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