

# Rules of the European Higher Education Area (EHEA) and of the Bologna Follow Up Group (BFUG)

*DRAFT for the BFUG Meeting Madrid - 16-17 November 2023*

**Note: Throughout the text, footnotes provide explanations. They will be deleted once the text is finalised.**

The present document comprises the rules by which the European Higher Education Area (EHEA) will be governed. It includes two major sections:

- **Part 1** sets out the Rules of the European Higher Education Area (RoEHEA), which provide the overall framework. Any change of these rules shall be subject to the decision of Ministers.
- **Part 2** sets out the Rules of the Bologna Follow-Up Group (RoBFUG) and its sub-structures. It can be subject to changes, decided by BFUG, as far as these are in full compliance with the RoEHEA (part 1). Otherwise, such changes require endorsement by Ministers, and, if needed, a change in the RoEHEA. In case of a conflict between the two sets of rules, the RoEHEA overrule RoBFUG.<sup>1</sup>

The RoEHEA shall come into force when adopted by Ministers. The RoBFUG shall come into force when adopted by the BFUG following the 2024 Ministerial Conference.

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<sup>1</sup>This is presented as a single document following the discussion at the Stockholm BFUG. It should, however, be considered whether having two separate documents would not be a better option.

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## PART I RULES OF THE EUROPEAN HIGHER EDUCATION AREA

WE, the Ministers responsible for higher education of the members states of the European Higher Education Area, meeting in Tirana on [DATES];

*Considering* that over its 25 years of existence, the European Higher Education Area/Bologna Process has provided a successful and unique model for coordinated policy reform, taken forward through cooperation between public authorities, higher education institutions, students and staff, respecting the roles and prerogatives of each;

*Reaffirming* our continued commitment to the European Higher Education Area through cooperation on and coordination of higher education reform and policy development across Europe with the participation of public authorities, higher education institutions, students, and staff through their presentative organisations; as well as cooperation with international institutions and governmental and non-governmental organisations with competence in higher education;

*Reaffirming*<sup>2</sup> that the aim of the European Higher Education Area is to enhance the quality of higher education as well as academic mobility and cooperation;

*Reaffirming* that the aim of the European Higher Education Area to strengthen the role of higher education in and its contribution to our societies, in developing and maintaining a culture of democracy and human rights, in order to make them more inclusive, sustainable and resilient; and to build peaceful relations marked by mutual confidence across Europe, and with global partners;

*Reaffirming* that<sup>3</sup> through its policies and practice, the European Higher Education Area shall further and consolidate the fundamental values of higher education: academic freedom, academic integrity, institutional autonomy, participation of students and staff in higher education governance, and public responsibility for and of higher education;

*Considering* that at its present stage of development, the European Higher Education Area requires an enhanced framework to fulfil its ambitious mission and achieve the changes that our higher education sectors but also our societies require;

ADOPT these Rules of the European Higher Education Area

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<sup>2</sup>This is the former Art. I. – Following BFUG Stockholm, references to democracy, human rights etc. have been added – The exact wording should be further discussed and enhanced, to the best fit of the purpose of the document.

<sup>3</sup>Former Art. II

## **I GUIDING PRINCIPLES**

### **I.1 A process built on European cooperation**

The European Higher Education Area shall be build<sup>4</sup> on policies developed jointly by its members and consultative members, adopted by the competent public authorities of its members and implemented within each education system, in collaboration with and consultation of the European higher education community of institutions, students and staff.

### **I.2 Policies and instruments**

Ministers identify the policy areas and measures through the declarations and communiqués they adopt at their regular conferences or in any other setting they may find appropriate for decision making. They decide to establish frameworks, standards, guidelines, and other mechanisms to further and ensure implementation through coordination, cooperation and mutual support at European level.

### **I.3 The Bologna Follow-Up Group**

The Bologna Follow Up Group develops and adopts the work program of the European Higher Education Area in accordance with the priorities set by Ministers.

### **I.4 Co- and Vice-chairs**

The European Higher Education Area and its structures shall be chaired by two Co-Chairs appointed for a period of six months, normally from 1 January to 30 June. One Co-Chair shall represent a European Union and the other a non-European Union member State of the European Higher Education Area.

The order of the European Union Co-Chairs shall normally follow the order of European Union Presidencies of the Council, that of the non-European Union Co-Chairs the names of the countries in English alphabetical order. The order may nevertheless be modified according to the provisions of Article IV.7 of RoEHEA.

The Vice-Chair of the European Higher Education Area shall represent the member organising the forthcoming Ministerial conference and shall hold office for the period between two Ministerial conferences.

### **I.5 Ethics**

The European Higher Education Area shall be developed, maintained and governed in accordance with its fundamental values and in observation of high ethical standards. The BFUG may develop a specific Code of Ethics for its own work.

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<sup>4</sup>“shall build on” is the correct formal and legal term. If the BFUG wants it less formal, it can use “builds on” – and similarly throughout.

## **I.6 Implementation of agreed policies**

All members shall do their utmost, within their respective education systems and contexts, to further implementation of policies and decisions adopted by Ministers.

## **II MEMBERSHIP**

### **II.1 Members**

States party to the European Cultural Convention shall be eligible for membership of the European Higher Education Area provided that they at the same time declare their willingness to pursue and implement the objectives and commitments of the Bologna Process in their own systems of higher education<sup>5</sup>. The European Commission shall equally be a member of the European Higher Education Area<sup>6</sup>.

### **II.2 Consultative members**

European representative organisations with a legitimate interest in and commitment to higher education, and intergovernmental organisations representative of public authorities with competence in higher education policy at European level shall be eligible for consultative membership of the European Higher Education Area.

### **II.3 European Quality Assurance Register for Higher Education**

The European Quality Assurance Register for Higher Education (EQAR) was established by the European Higher Education Area with a mandate related to specific EHEA policies. It shall participate in the BFUG and its structures, without voting rights.

### **II.4 Membership**

Appendix A.1 to these Rules of the European Higher Education Area lists the members and consultative members of the European Higher Education Area<sup>7</sup>. Any decision made in accordance with the provisions of Articles II.1, II.2 and II.3 shall be deemed to modify this Appendix.

### **II.5 EHEA partners**

The Bologna Follow-Up Group may grant organisations that do not fulfil the criteria for consultative membership an association with the European Higher Education Area. Any such decision shall be

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<sup>5</sup> Cf Berlin Communiqué.

<sup>6</sup> This is probably a necessary specification. The Berlin Communiqué actually refers to a “a Follow-up Group, which shall be composed of the representatives of all members of the Bologna Process and the European Commission.”

<sup>7</sup> Members and consultative members are in a different Annex than partners, as the RoEHEA, are adopted by Ministers, whereas decisions on partners belong to the BFUG.

communicated to Ministers and shall be considered to modify Appendix A.2 to these Rules of the European Higher Education Area, which lists the currently associated EHEA partners.

### **III ACCESSION, WITHDRAWAL AND EXCLUSION**

#### **III.1 Accession**

Ministers shall have the exclusive competence to accept new members and consultative members of the European Higher Education Area. Such decisions shall normally be made at a regular Ministerial conference. In exceptional cases, it may be made through any other procedure Ministers identify as appropriate. Applications are to be submitted to and supported by the Bologna Follow-up Group and will be examined in accordance with the provisions of the Rules of the Bologna Follow-Up Group. (see RoBFUG VII)

#### **III.2 Withdrawal**

Any member or consultative member may withdraw from the European Higher Education Area upon notification in writing, duly signed by its appropriate authority, to the Co-Chairs with a copy to the Secretariat of the European Higher Education Area. If the notification is given before 1 September, any financial consequences shall take effect at the end of the financial year, if given on or after 1 September, at the end of the next financial year.<sup>8</sup>

#### **III.3 Suspension and exclusion**

Ministers may decide to suspend or exclude a member or consultative member should it pursue policies or actions that significantly contradict the commitments of the European Higher Education Area, constitute a significant violation of its values or confirm an intention to do so. (See also RoEHEA Article V.2)

### **IV GOVERNING BODIES**

#### **IV.1 Governing bodies of the European Higher Education Area**

The European Higher Education Area shall have the following governance bodies:

- The Ministerial Conference
- The Bologna Follow-Up Group, which comprises its Board, the two Co-Chairs and the Vice Chair

#### **IV.2 The Ministerial Conference**

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<sup>8</sup> This provision may be pertinent only if we establish a permanent Secretariat or otherwise decide to have an EHEA budget.



### **i. Role and composition**

The Ministerial Conference shall be the highest decision-making authority of the European Higher Education Area. It shall be made up of Ministers responsible for higher education or their substitutes of the States members of the European Higher Education Area and of representatives of the highest possible rank with competence in higher education policy of the European Commission and the consultative members. Delegations representing countries/education systems shall also include a leader of a higher education institution and a student representative.

### **ii. Process and schedule**

The Ministerial Conference shall meet in regular session, at least every three years, and these shall as far as possible be held in presence. Extraordinary meetings of Ministers shall be held by decision of the Co-Chairs or when requested in writing by at least one third of the Ministers and duly authorised representatives of the European Commission and the consultative members.

### **iii. Competences and tasks**

The Ministerial Conference shall set its own agenda and make decisions as Ministers consider appropriate. It shall have exclusive competence in matters concerning:

- Determining the major goals and priorities guiding the development of the European Higher Education Area.
- The adoption of declarations and communiqués.
- The adoption of standards, guidelines, and other instruments, which have been formally agreed and are therefore considered as binding on the European Higher Education Area and its members.
- The admission or exclusion of members and consultative members of the European Higher Education Area.
- The decision on host and venue of Ministerial Conferences and Bologna Policy Fora.
- Any modification of the present Rules of the European Higher Education Area.

## **IV.3 The Bologna Follow-Up Group**

The Bologna Follow-Up Group shall oversee and direct the development of the European Higher Education Area between Ministerial conferences, ensure the implementation of commitments adopted by Ministers, develop its work programme on this basis and prepare issues for discussion and decision by Ministers. It shall be made up of duly authorised representatives, with competence in higher education policy matters, of the members and consultative members of the European Higher Education Area. The Bologna Follow-Up Group, its Board, its Co-Chairs and Vice-Chair, other working structures and the Secretariat shall conduct their work in accordance with Rules of Procedure adopted by the Bologna Follow-Up Group.

#### IV.4 Working language

The working language of the European Higher Education Area shall be English. The host of the Ministerial conference may, at its discretion, enable the use of other languages.

### V DECISION MAKING

#### V.1 Consensus

At all levels, decisions concerning the European Higher Education Area shall, as far as possible, be made by consensus. If, in spite of the best efforts of the Co-Chairs, no consensus can be achieved, decisions shall be taken by vote.

#### V.2 Voting

Votes shall be limited to the members of the European Higher Education Area. Each member shall have two votes and shall indicate to the Co-Chairs who casts the votes on its behalf. Where a delegation is made up of more than one constituent, one of these may vote on behalf of the other constituent provided the latter expressly authorises it to do so by indicating this to the Co-Chairs.

In physical meetings, votes shall be conducted by secret ballot if so requested by one or more delegations. In votes conducted by electronic means, arrangements shall enable the votes to be cast anonymously, with due controls ensuring that only those entitled to cast a vote are able to do so.

#### V.3 Voting regime

Votes shall be decided by a majority of the valid votes cast. On matters concerning the following, decisions shall nevertheless require two thirds of the valid votes cast:

- Adoption of the priorities of the European Higher Education Area<sup>9</sup>.
- Adoption of communiqués, standards, guidelines, and binding policy instruments or goals.
- The admission and exclusion of members or consultative members.
- Any financial commitments on behalf of the European Higher Education Area.<sup>10</sup>
- Modifications of the present Rules of the European Higher Education Area.

The quorum for all votes shall be more than two thirds of the members entitled to voting<sup>11</sup>. In case no quorum is reached, voting takes place at the following ordinary session or, if the matter needs to be

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<sup>9</sup> The Task Force considered and discussed the point made by several parties in the BFUG that no voting on content should take place. However, it invites the BFUG to consider this point, and seek for a way to enable voting on all issues on the which Ministers or the BFUG would want to vote on and with the clear understand that voting anyhow would remain the exception. There are two reasons: 1. the concern is that a very small group, or even one individual member could block any major development or decision-making – this is well-known from several other policy contexts 2. It is not easy to draw a clear and incontestable line between “content”, which cannot be voted on, and “non-content” – open for votes.

<sup>10</sup> Pertinent only if there is a decision to have an EHEA budget, most likely in the case of a permanent Secretariat.

<sup>11</sup> Consideration of voting procedures and of the necessary quorum should consider the aspect of legitimacy, but also the

decided sooner, at an extraordinary session, held in physical presence, or online, to be called with a notice of a minimum of two weeks. The vote shall then be held and a decision considered to be valid even in absence of a quorum.

## **VI GLOBAL POLICY FORUM**

### **VI.1 Organisations**

A Global Policy Forum shall normally be organised in conjunction with Ministerial Conferences.

Countries and organisations, that are or will be invited to participate, should be involved and consulted in the preparation of the Global Policy Forum as well as on the draft statement to be submitted to it for adoption. Invitations should be agreed by the Bologna Follow-Up Group.

### **VI.2 Activities between the Global Policy Fora**

The Bologna Follow-Up Group shall seek to establish dialogues on policies and actions of common concern with partners in other regions during the work period between Global Policy Fora.

## **VII SECRETARIAT<sup>12</sup>**

The Secretariat should meet the following general requirements:

### **VII.1 Independence and Accountability**

The Secretariat should be independent of the country or organisation within which it is located. It should operate under the authority of the BFUG and be fully accountable to the BFUG.

The Head of Secretariat reports to the BFUG. The BFUG (or a group appointed by the BFUG) should approve the appointment and, if needed, request the dismissal of the Head of the Secretariat.

If the Secretariat is provided by or hosted within an organisation or country that participates in the BFUG, specific provisions need to be in place to prevent conflicts of interest between the Secretariat function and the organisation's/country's role in the BFUG; what exact provisions are necessary will have to be decided in the concrete case.

### **VII.2 Sustainability**

The chosen arrangements, especially the funding model, must be sustainable and there needs to be a clear perspective on how they can function for the foreseen period of operation, even if there may be no formal guarantees for certain funding sources to be available beyond a certain time.

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risk a vote blocked or delayed by minority.

<sup>12</sup> These are generic principles and requirements are valid for any Secretariat. However, once the decision on the future model of the Secretariat has been taken, this section may require some revision. NB that there is an article on the Secretariat in the ROP-BFUG, on the aspects that concern the BFUG.

### **VII.3 Staff requirements, profiles and competences**

The Secretariat shall have sufficient staff capacity, in numbers (approximately 8 full-time equivalent, comprising the head of the Secretariat, 4-5 policy officers, 1 communications officer, 1 administration officer, and staff for organising the Ministerial Conference and the Global Policy Forum) as well as in profile.

The chosen model must make it possible for the Secretariat to freely stipulate its required staff profiles and its own competence requirements (e.g. knowledge and understanding of European higher education policy, management and administrative competence, a high level of English, etc.); this must not be prevented by obligatory or standard post descriptions or competence requirements of the hosting organisation/country.

The model and arrangement for the Secretariat must make it possible to recruit, contract and dismiss staff with the right profile, including international staff. . In principle, it must be possible to hire staff from at least any EHEA country, notwithstanding the fact that specific visa/work permit requirements can differ depending on country of origin.

The regulations of the organisation which provides the Secretariat and the employment rules of the country where it is based should allow the employment of staff on open-ended contracts.

### **VII.4 Secondment and relation to the country hosting the Ministerial conference**

In addition to its own staff, the Secretariat should be able to accept a limited number of secondments from EHEA countries or consultative members. Secondments should follow a set of clear rules approved by the BFUG, ensuring a reasonable geographic balance as well as securing the independence of the Secretariat from seconding organisations.

The Secretariat will need to cooperate closely with the authorities of the host countries for the organisation of the ministerial conferences.

### **VII.5 Legal framework and location**

The Secretariat shall be in a legal framework and in a location that allows for the various requirements to be fulfilled. In particular, rule of law must be ensured so that the Secretariat can operate without influence of the authorities of the country in which it is located.

As the Secretariat is likely to receive external funding (from the EC, other EHEA members), the country of location should not have regulations in place that would prevent that.

Furthermore, the location should be reasonably accessible from across the EHEA.

### **VII.6 Cost of the Secretariat**

The cost of the Secretariat shall be borne by EHEA members according to the decision of the Ministers.

### **VII.7 Non-profit principle**

If the Secretariat is provided by or hosted within an existing organisation, this organisation must not gain a profit or surplus out of the Secretariat's operation. Any surpluses remaining from the income allocated to

the Secretariat exceeding the costs of it must remain reserved for the Secretariat and cannot be allocated to other functions/parts of the organisation.

## **VIII FINANCES<sup>13</sup>**

### **VIII.1 Responsibility**

The members of the European Higher Education Area shall be responsible for its finances. The Bologna Follow-Up Group shall adopt an operational budget, at a time that allows for sufficient preparation of the implementation of the budget<sup>14</sup>.

### **VIII.2 Annual budget and contribution of members**

The annual budget of the European Higher Education Area shall at a minimum cover the costs of the Secretariat. It may further cover any common expenses agreed on by the Bologna Follow-Up Group. The budget contributions shall be apportioned among the members of the European Higher Education Area according to a repartition to be agreed among these.

### **VIII.3 Other sources of income**

The annual budget of the European Higher Education Area may be supplemented by voluntary contributions and project funding, subject to the approval of the Bologna Follow-Up Group.

### **VIII.4 Payment schedule**

On the establishment of the Secretariat under the provisions of Article VIII.1, each member of the European Higher Education Area shall make a one-off payment, as agreed among members. This contribution shall be kept in reserve to ensure the continued operation of the Secretariat in case one or more members do not fulfil their financial obligations under Articles VIII.1 and VIII.2.

### **VIII.5 Cost of participation**

Members and consultative members shall be responsible for covering the cost of their own participation in the European Higher Education Area.

## **IX FINAL PROVISIONS**

### **IX.1 Adoption and modification of Rules of the European Higher Education Area**

The present Rules of the European Higher Education Area were adopted at the 2024 Ministerial conference of the European Higher Education Area. They may subsequently be modified by Ministers.

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<sup>13</sup> This section might be relevant only if it is decided to establish a permanent Secretariat.

<sup>14</sup> As the BFUG is driving the implementation of the Bologna Process, it should also have the authority to decide on budgetary and finance issues, provided that an “EHEA budget” would be created, with or without a Permanent Secretariat.

## **IX.2 Safeguarding and dissemination of the Rules to members and consultative members**

The Rules of the EHEA shall be kept by [to be determined]<sup>15</sup>, which shall provide the competent authorities of all members and consultative members with a duly certified copy.<sup>16</sup>

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<sup>15</sup> This may depend on the nature of the Secretariat. It could be the authorities of the country where the Secretariat is hosted, or the organisation which hosts it. An alternative would be to appoint a custodian with sufficiently good routines to ensure its safekeeping and also to make it available when needed

<sup>16</sup> Subject to the decision to establish a permanent secretariat, and its legal form and location.

## **PART II RULES OF THE BOLOGNA FOLLOW-UP GROUP**

The present Rules of the BFUG (RoBFUG) have been adopted by the BFUG at its meeting on DATE/ in VENUE

They build on and complement the Rules of the European Higher Education Area (RoEHEA) adopted by Ministers. Should a provision of the RoBFUG be considered to contradict a provision of the RoEHEA, the latter shall take precedence.

### **I BOLOGNA FOLLOW-UP GROUP**

#### **I.1 Role and responsibilities**

The Bologna Follow-Up Group oversees and directs the development and implementation of the European Higher Education Area between the Ministerial Conferences. It shall meet at least once under each Co-Chairmanship. Regular meetings shall as far as possible be held in presence. Extraordinary meetings of the Bologna Follow-Up Group shall be held by decision of the Co-Chairs or when requested in writing by at least one third of the BFUG (members and consultative members) and shall consider only the issues for which the extraordinary meeting was called.

#### **I.2 Competences**

The Bologna Follow-Up Group shall decide on all matters not reserved for the decision of Ministers, including<sup>17</sup>:

- The development, adoption and implementation of its work programme based on the priorities decided by Ministers,
- The set-up of working groups required to implement the work programme or otherwise support its work.
- Arrangements for preparing the draft communiqué for the Ministerial Conference and the draft statement to be submitted to the Global Policy Forum.
- Invitations to any participants other than members and consultative members of the European Higher Education Area to the Ministerial Conference and the Global Policy Forum, as well as the status of any such participants at the conference. (see RoEHEA VI)
- The sequence of Co-Chairs of the Bologna Follow-Up Group, including any modifications
- The representation of the Bologna Follow-Up Group towards third parties.
- The format of the meetings of the Bologna Follow-Up Group and Board, including the venues of meetings.

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<sup>17</sup> Rather than adding points, given the first sentence, this list could be shortened as these are just examples

- Examination of and support to requests to join the EHEA, and preparation of a recommendation for the decision of Ministers.<sup>18</sup>
- The association of organisations with the European Higher Education Area other than through membership or consultative membership, and the criteria and rules for such association.
- Regulations and guidelines for its own work and that of its subordinate bodies, including the Secretariat, in so far as these do not contradict the Rules of the European Higher Education Area as adopted by Ministers.
- Oversight and steering of the work of the Secretariat, and the right to select, and dismiss the Head of Secretariat<sup>19</sup>.
- All issues concerning the finances of the EHEA, and the budget of the Secretariat.
- Any matter delegated to it by the Ministers.

### **I.3 Preparation of the Ministerial Conference and the Global Policy Forum**

The Bologna Follow-Up Group shall oversee, in cooperation with the authorities of the host country, the organisation of the Ministerial Conferences and the Global Policy Forum and advise Ministers on all matters put before the Ministerial Conference or otherwise referred to the Ministers for decision.

### **I.4 Implementation of the EHEA work programme**

The BFUG develops and implements the EHEA work programme according to the priorities adopted by Ministers. The work programme shall be completed until the following ministerial meeting, and the BFUG shall report to Ministers on its implementation. It may entrust the implementation of parts of the work programme to working groups and similar structures, the terms of reference of which shall be adopted by the BFUG. All groups thus established shall report and submit their proposals to the BFUG in accordance with the timetable established by the BFUG.

### **I.5 Meeting reports<sup>20</sup>**

In follow-up of all meetings of the BFUG, the BFUG Board and working groups, meeting reports<sup>21</sup> will be drafted, shared with the participants for comments, and once finalised, published on the website.

This is the responsibility of the Co-Chairs of the BFUG and the respective working groups, which are assisted by the Secretariat. Within 15 days after the meeting, the Secretariat shall draft the meeting reports, and, once agreed with the respective chairs, who shall provide feedback within 15 days of the

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<sup>18</sup> The reason for the BFUG issuing invitations to GPF participants who are not members or consultative members of the EHEA is the participation should be agreed in BFUG, and to avoid that this becomes a diplomatic issue,

<sup>19</sup> Whether there will be a permanent secretariat, or a continuation of the present practice, it would be important to make sure that the HoS to the BFUG.

<sup>20</sup> Here and elsewhere: there are some sections which do not only concern the Bfug, but also Board and working groups

<sup>21</sup> Minutes and meeting reports have been alternately. It is suggested to settle for meeting reports.



receipt of the draft, circulate to the participants for feedback within 15 days. Once amended they will be circulated for adoption, usually by electronic consultation. In the case of diverging views on the meeting reports and the decisions made, the meeting reports shall be adopted at the following meeting of the body or group concerned.

### **I.6 Participation in and representation at the BFUG**

Each member and consultative member of the EHEA shall designate its BFUG representatives, shall be represented by a maximum of two representatives at meetings of the BFUG and shall make every effort to attend each BFUG meeting. Members and consultative members shall notify the BFUG Secretariat of any changes in their BFUG representation and update the contact details of their delegation as required.

### **I.7 Rights and suspension of members and consultative members**

Members and consultative members of the BFUG shall have the right to speak to and submit proposals under all items on the agenda. The right to vote shall be reserved to members and be conducted in accordance with Articles V.1 and V.2 of the RoEHEA.

The Bologna Follow-Up Group may decide to suspend the right of representation in the governing bodies and participation in the work programme of any member or consultative member judged to have acted in ways warranting their exclusion from the European Higher Education Area under Article III.3 of RoEHEA. Unless it would decide to revoke the suspension, it would continue, until such time that Ministers, at a regular Ministerial Conference or otherwise, may decide to prolong or lift the suspension, or to exclude the said member or consultative member.

### **I.8 Preparation of the BFUG meetings**

The BFUG meeting (and Board meetings) should be scheduled ideally at least 6 months in advance, to enable all parties to participate.

A draft agenda should be circulated at least one month before the meeting, asking for comments and suggestions.

The documents for meetings of the BFUG, the BFUG Board, and other BFUG structures shall be circulated by the BFUG Secretariat to all delegations at least 15 days prior to the meeting, unless imperative reasons dictate otherwise. Delegations of members and consultative members may propose changes to any text submitted for adoption. Delegations are encouraged to submit major changes in writing to the Co-Chairs and the Secretariat<sup>22</sup> at least 5 days prior to the meeting, who shall circulate any proposed amendments to all delegations before the meeting.

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<sup>22</sup>Here and elsewhere: it is not easy to decide, on whether notifications should go to the co-chairs (as the ones with a – limited - mandate for taking decisions and actions in order moderate the BFUG, or to the Secretariat – which is the “professional” body for such issues (insuring that such requests are formally registered and swiftly followed up)

The BFUG Co-Chairs, in consultation with the Board, may invite experts to contribute to BFUG meetings under specific agenda items for which they have the required expertise.

## **II THE BOARD OF THE BOLOGNA FOLLOW-UP GROUP**

### **II.1 Role and responsibilities**

The Board of the Bologna Follow-Up Group (BFUG Board)<sup>23</sup> shall prepare the meetings of the Bologna Follow-Up Group and oversee the work between the meetings of the Bologna Follow-Up Group. The BFUG Board shall decide the agenda and, as far as possible, review the documents, to ensure that they are adequate for discussion and decision making at the BFUG. It should provide advice to the BFUG, in particular on complex and contested matters, in sharing with the BFUG its deliberations. It may make decisions on matters which are delegated to it by the latter, or require immediate action<sup>24</sup> or do not require consideration by the Bologna Follow-Up Group, such as procedural issues, issues regarding the preparation of BFUG meetings and similar. These decisions shall be shared with the BFUG, and may be revoked by the BFUG, if required in an extra-ordinary meeting.

### **II.2 Composition**

The Bologna Board shall be made up of the Co-Chairs of the Bologna Follow-Up Group in the semester concerned, the Co-Chairs in the immediately preceding and following semesters, the Vice - Chair, and representatives of the European Commission, the Council of Europe, the European University Association, the European Association of Institutions in Higher Education, and the European Students Union<sup>25</sup> (the Board members).

In addition, one Co-Chair of each Working Group, Task Force and similar structures participates in the meetings of the Board, to report on progress, without the right to vote.<sup>26</sup>

### **II.3 Working methods**

Regular meetings of the Board shall be held at least once under each Co-Chairmanship, in presence if at all possible. Additional meetings can be held in presence or online, as judged preferable.

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<sup>23</sup>We might wish to decide on how to refer to this in an abbreviated fashion – our proposal would be “BFUG Board” rather than “Bologna Board”, underlining that this is a substructure of the BFUG

<sup>24</sup>The Task Force invites the BFUG to discuss and define the limits of the Board’s decision-making authority.

<sup>25</sup>The composition of the Board was decided by Ministers in the 2003 Berlin Communiqué. The “triple troika” of the current, incoming, and outgoing BFUG Co-Chairs was established through the 2009 Leuven/Louvain-la-Neuve Communiqué. Information provided by Sjur Bergan: To the best of my recollection, including the triple troika in the Board instead of the previous arrangement with three elected non-EU members was decided by the BFUG following the Ministerial conference, and the inclusion of one Co-Chair per WG (or similar) was also decided by the BFUG, but the link to the documents from BFUG meetings prior to the 2018 Ministerial conference no longer seems to work.

<sup>26</sup>If the Board has some decision-making powers, and as voting has been defined as extraordinary and exceptional way of decision making, voting should not in principle be excluded from the Board. Entitled to vote would be the 6 co-chairs, the vice-chair and the EC.

Extraordinary meetings of the Board shall be held by decision of the Co-Chairs or when requested in writing by at least one third of the members and consultative members represented in the Board and shall consider only the issues for which they were called.

### **III THE CO-CHAIRS AND THE VICE-CHAIR**

#### **III.1 Roles and responsibilities**

The Co-Chairs<sup>27</sup> and the Vice-Chair coordinate the work of the Bologna Follow-Up Group and Board and chair the meetings of these, supported by the BFUG Secretariat. They open and close the meetings, and lead the discussions on all points of the agenda. If required, they organise votes in accordance with the provisions of Articles V.1 and V.2 of the RoEHEA. If the Co-Chairs or the Vice-Chair speak and act in their capacity as national BFUG delegates, they should make clear that their intervention reflects their country's position.

#### **III.2 Time in office**

The Co-Chairs are appointed as stipulated in the RoEHEA Article I.4

#### **III.3 Vice-Chair**

The Vice-Chair is provided by the country hosting the forthcoming ministerial conference and shall serve for the duration of the work period concerned. The Vice-Chair shall in particular ensure the liaison between the BFUG and the authorities of the country hosting the Ministerial conference. The Co-Chairs shall consult the Vice-Chair as appropriate in the preparation of the meetings of the Bologna Follow-Up Group and Board. Should two or more countries jointly organise the Ministerial Conference, they shall appoint one Vice-Chair acting on behalf of all the host countries.

### **IV DRAFTING COMMITTEE OF THE COMMUNIQUÉ AND THE GLOBAL POLICY FORUM STATEMENT**

The BFUG shall establish a drafting committee to assist it in drafting the Communiqué, to be submitted to the Ministerial conference, and the Statement to be submitted to the Global Policy Forum for adoption.

The drafting committee shall start its work during the first semester of the year preceding the Ministerial Conference and the Global Policy Forum. It shall be made up of the Co-Chairs, and the Co-Chairs of the three semesters before the conference, the Vice Chair and one consultative member, proposed by the consultative members, subject to approval of the BFUG. The BFUG may appoint the chair(s) of the drafting committee or leave it to the drafting committee to decide on the chairing

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<sup>27</sup>A consideration was to rename the Co-chairs into BFUG-Chairs, in order to avoid confusion with the co-chairs of the working groups.

arrangements at its first meeting. The drafting committee shall submit a roadmap for its work to the BFUG for approval.

## **V WORKING GROUPS<sup>28</sup>**

### **V.1 Remit and terms of reference**

The Bologna Follow-Up Group may establish working groups, task forces, thematic peer learning groups and similar structures, and also commission research or launch projects to assist it in implementing the work programme and in preparing decisions on matters within its competence. Such structures shall have no decision-making authority but shall submit proposals and provide advice to enable the BFUG to take decisions, develop recommendations, reports, instruments, etc. for Ministers to adopt.

The working structures are usually set up at the beginning and for the duration of the work programme. They can nevertheless be established at any time and for any period necessary for them to fulfil their terms of reference subject to the BFUG's decision.

The terms of reference of the working groups are developed on the basis of the communiqué, the work programme and discussion and decisions of the BFUG. They shall specify the purpose and goals, main tasks and ways of working, and also the tentative schedule and the profile of participants.

The BFUG shall have the final decision-making authority on all matters concerning working groups, including whether to discontinue them, or to redefine their purpose, tasks and format.

### **V.2 Participation in BFUG working structures**

Participation in working groups, and any modification thereof shall be subject to the approval of the BFUG, in consideration of the terms of reference, and the requirements of the work programme.

In principle, all BFUG members and consultative members may participate in any working group. However, the BFUG may decide to limit participation in a working group, and stipulate in the terms of references how and by what criteria the participants are to be selected.

Interest in participating in a working group shall normally be expressed when the group is established. It may, however, also be expressed in the course of the work of the group, and the request for participation shall then be decided by the BFUG at its earliest opportunity. Members and consultative members appoint their representatives in working groups at their own discretion and shall ensure regular participation, as far as possible by the same person.

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<sup>28</sup> “working group” would be the generic term for all working structures, but also “working groups”, such as the monitoring, the SD working group, the Bologna Process Implementation Group etc.

Working group participants shall keep their ministry, institution or organisation duly informed of the work of the group.

### **V.3 Working arrangements**

Working groups are chaired by one or several chairs, either appointed by its members, or by the BFUG. At least one co-chair of each working group shall represent a member or consultative member of the BFUG.

The chairs, in collaboration with the group's participants and the support of the secretariat, are responsible for the smooth, consistent and efficient work of the group, by ensuring among others:

- Plan and implement in close collaboration with the group's members workplan and schedule, in line with the terms of references.
- Facilitate the group's collaboration, through proper preparation and follow-up of meetings, and any other means that the group perceives at fit-for-purpose and is deemed useful for its work, such as for example exchanges with other groups, expert hearings, good practice sharing. In case these exchanges and collaborations are a more regular arrangement, they should be approved by the BFUG in advance.
- Ensure that collaboration with dedicated projects is effective and appropriate, and does not lead to a deviation from the group's goals, tasks and work plan.
- Ensure that the working group's activities, such as meetings, result into accurate and clear meeting reports prepared by Secretariat, which contain conclusions and decisions, but also open issues and points of disagreement within the group. A draft is circulated within 15 days after the meeting, with another 15 days for comments, and adoption at the next meeting.
- Report progress to the BFUG and its Board, and also indicate any major changes in the group's workplan and schedule.
- Represent group's work to outside parties, or delegate this task, while clearly distinguishing between the group's preliminary results, and adopted policies and positions of the Bologna Process.

## **VI DECISION MAKING**

Decisions concerning the European Higher Education Area shall as far as possible be made by consensus. If, in spite of the best efforts of the Co-Chairs, consensus is not possible, decisions shall be taken by vote in accordance with Article V.1 of the Rules of the European Higher Education Area.

## **VII SUPPORT TO NEW MEMBERS**

### **VII.1 Assessment of applications for membership and consultative membership**

The BFUG shall assess applications for membership and consultative membership, on whether they meeting the goals and purpose of the Bologna Process, and its values, and in such as case, recommend Ministers to formally include them.

For membership, the BFUG will establish a Task Force, to assist it in the preparation of recommendations to Ministers on any application of a new member. The group shall guide the applicant during the entire admission process. Its reports shall enable the BFUG to provide recommendations and advice to Ministers on the application. The BFUG shall select the participants of the group according to their institutional and individual expertise and capacity.

### **VII.2 Roadmap**

The admission of new members shall be accompanied by a Roadmap for the period between the Ministerial conference at which the new member is admitted and the following Ministerial conference. The purpose of this Roadmap shall be to guide the competent public authorities of the new member in implementing the necessary reforms to fulfil the requirements of an EHEA member. The implementation of the Roadmap shall be supported by a Roadmap Group, consisting of BFUG members, with the suitable institutional and individual expertise, and representatives of the new member country. The Roadmap Group shall report to the BFUG.

## **VIII BFUG SECRETARIAT**

### **VIII.1 Role and tasks**

The Bologna Follow-Up Group Secretariat (BFUG Secretariat) shall provide neutral, administrative, technical and operational support to the BFUG, the BFUG Board, Co-Chairs, BFUG working groups and other structures and initiatives established by the BFUG. While the BFUG and its structures are responsible for and in charge of the strategy and implementation of the work programme of the European Higher Education Area, the Secretariat shall provide at all stages neutral advice, in particular to the co-chairs, pointing out to potential short-comings and risks, but also to opportunities for enhancement of the overall planning and schedule, and its specific actions and activities.

It shall act as an external and internal contact point for the EHEA and may also represent the BFUG in a variety of settings, in agreement with the Co-Chairs. The Secretariat further supports the preparation of the EHEA Ministerial Conference and the Global Policy Forum and maintains the EHEA website.

The BFUG may adopt specific Terms of Reference related to the Secretariat applicable to the work period for which the Secretariat is established.<sup>29</sup>

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<sup>29</sup> This may need re-consideration depending on the final decision on how the Secretariat will be established in the future,

## **IX HOST AND VENUE OF THE MINISTERIAL CONFERENCE AND GLOBAL POLICY FORUM**

### **IX.1 Selection of the host of the next Ministerial Conference and the Global Policy Forum**

The BFUG shall invite expressions of interest in hosting the forthcoming Ministerial Conference and Global Policy Forum. The call shall include the deadline and the terms of reference, the conditions to be fulfilled by the host and information to be provided by prospective host. Conferences may be hosted jointly by several EHEA members. The BFUG shall make a recommendation on the selection of the venue to Ministers.

## **X EHEA COMMUNICATION**

The BFUG, supported by the EHEA Secretariat is in charge of and responsible for the internal and external communication of the Bologna Process, which shall be transparent, accountable, and therefore appropriately documented and accessible.

This shall include, among others:

- Ensuring that all BFUG members and all participants of working groups receive all relevant and necessary information in due course, and usually at the same time.
- Ensure that information shared, whether internal or external, is clearly worded, based on reliable facts, and as much as possible neutral and objective. It should leave no ambiguity between what has been agreed by the BFUG or one of its bodies or structures, and what is the view of an individual or a group of members or participants.
- Publishing all documents for BFUG meetings, at least 10 days in advance.
- Secure spaces for sharing draft documents, internal calendars etc., either established by the Secretariat, a hosting party, or through a reliable service provider.
- Updating the pages of BFUG Working Groups and other substructures, in collaboration with the co-chairs
- Inviting members and consultative to update the information on their systems, organisations and representatives at least once every three years.
- Organisation of the handover of relevant documents and information and the transfer of the website to the incoming Secretariat, and assistance during the transition phase in order to guarantee a seamless continuation of the work of the BFUG<sup>30</sup>.

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and possibly also a transition clause.

<sup>30</sup> To be deleted or rephrased, in case of the Permanent Secretariat

The Secretariat shall ensure:

- the availability of the appropriate physical and virtual infrastructures and means for meetings and events, whether physical or online
- Ensure prompt and timely information transfer, before, during and after events, including registration procedures, and participants' lists etc.

### **X.1 Website**

The BFUG is responsible for the development and regular update of the EHEA website [www.ehea.info](http://www.ehea.info). It shall include all recent documents of the BFUG and its substructures, and make them accessible to the wider public, unless there are compelling reasons not to do so. It will also give access to the archive of the EHEA.

### **X.2 Information sharing through the BFUG**

Relevant information provided by individual members and consultative members may be disseminated to the BFUG and published on the website. In principle, this service is also open to other parties. The decision on what information to circulate and publish shall be taken by the Co-chairs.

### **X.3 Calendar**

The website's calendar shall contain all events organised by the BFUG and its substructures. External events may be published provided they are relevant and related to the EHEA (if organised or supported by a member or a consultative member).



## APPENDIX

### 1. EHEA members, consultative members and EHEA institutions

The countries, institutions and organisation listed below have been accepted as members, consultative members or partners of the EHEA. Membership of the EHEA is governed by Article II of the RoEHEA. EQAR is an institution of the EHEA.

Members
Albania
Andorra
Armenia
Austria
Azerbaijan
Belarus (suspended from participation in the EHEA work programme and representation in all EHEA governing bodies as of 12 April 2022)
Belgium
Bosnia and Herzegovina
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
European Commission
Finland
France
Georgia
Germany
Greece
Holy See
Hungary
Iceland
Ireland
Italy
Kazakhstan
Latvia
Liechtenstein
Lithuania
Luxembourg
Malta
Moldova
Montenegro
Netherlands

North Macedonia
Norway
Poland
Portugal
Romania
Russian Federation (suspended from participation in the EHEA work programme and representation in all EHEA governing bodies as of 12 April 2022)
San Marino
Serbia
Slovak Republic
Slovenia
Spain
Sweden
Switzerland
Turkey
United Kingdom
Ukraine
<b>Consultative Members</b>
<b>BUSINESSEUROPE</b>
Council of Europe
Education International
European Association for Quality Assurance in Higher Education (ENQA)
European Students Union (ESU)
European University Association (EUA)
European Association of Institutions in Higher Education (EURASHE)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
<b>As an independent institution established by the EHEA, participating without voting rights</b>
European Quality Assurance Register for Higher Education (EQAR)

## 2. EHEA PARTNERS

<b>Partners</b>
Association Européenne des Conservatoires, Académies de Musique et Musikhochschulen (AEC)
European Association for International Education (EAIE)
Council of European Professional and Managerial Staff (EUROCADRES)
European Council for Doctoral Candidates and Junior Researchers (EURODOC)
EUROSCIENCE

### 3. Working groups of the BFUG

As stated in ART V RoBFUG, the BFUG establishes working groups and other structures, in order to fulfil its tasks. The following lists the most common working groups and their functions. It does not strictly exclude different use of existing, and development of new types of working groups.

Approach	Description	Example
Working group	<ul style="list-style-type: none"> <li>usually a larger group</li> <li>open to participation of all BFUG members and consultative members</li> <li>established to conduct work on core tasks, and to contribute to policy development</li> <li>some are standing WG, or continue over several working cycles</li> </ul>	Working Group on Monitoring Working Group on Social Dimension Working Group on Values
Co-ordination Group	<ul style="list-style-type: none"> <li>Oversees and coordinates activities, also in collaboration with parties or stakeholders who not BFUG members</li> </ul>	BFUG Coordination Group of Implementation of key commitments (BICG) Coordination Group on Global Dialogue
Ad Hoc Group	<ul style="list-style-type: none"> <li>substructure of a WG</li> <li>established to explore or fulfil certain tasks</li> </ul>	Ad hoc group on Fundamental Values in the 2018 – 20 work programme
Task Force	<ul style="list-style-type: none"> <li>established to explore or fulfil certain tasks</li> <li>limited in duration</li> <li>sometimes limited in participation, to ensure expertise on the issues and fast results</li> </ul>	Task Force on Knowledge Sharing Task Force for the revision of the Rules of Procedures A Task Force is also established to assist aspiring members and consultative members
Roadmap Group	<ul style="list-style-type: none"> <li>established to assist a new member or consultative member during first period of membership</li> <li>participants are representative of the new member, and of the BFUG, selected due to their individual and institutional capacity</li> </ul>	There have two roadmap group, for Belarus in 2015-2018, and for San Marino, in 2021-24
Thematic Peer Groups	<ul style="list-style-type: none"> <li>established to enable mutual learning and enhance implementation of key commitments at national level</li> <li>involvement of experts and stakeholders</li> </ul>	