



WORKING GROUP ON FUNDAMENTAL VALUES

Third Meeting, Hosted by Malta
11-12 July 2022

Minutes

List of Participants

Country/Organization	First Name	Last Name
Austria	Liviu	Matei
Austria	Milica	Popović
Council of Europe	Sjur	Bergan
Croatia	Leonardo	Marušić
Croatia	Dijana	Mandić
EI-ETUCE	Rob	Copeland
ENQA	Elena	Cirlan
ENQA	Øystein	Lund
European Commission	Kinga	Szuly
European Commission	Svein	Hullstein
European Commission/Eurydice	David	Crosier
European Students Union (ESU)	Matteo	Vespa
European University Association (EUA)	Monika	Steinel
France	Mathieu	Musquin
France	Carle	Bonafous - Murat
Germany (Co-Chair)	Marit	Metternich
Holy See	Melanie	Rosenbaum
Malta (Co-Chair)	Rose Anne	Cuschieri
The Netherlands	Sophie	Duijser
Norway (Co-Chair)	Tone Flood	Strøm
Poland	Piotr	Kulicki
Romania (Co-Chair)	Mihai Cezar	Hâj
Sweden	Robin	Moberg
Switzerland	Aurélia	Robert-Tissot
Scholars at Risk Network (Guest)	Robert	Quinn
BFUG Secretariat (Head)	Oltion	Crumbullaku

Italy, Kazakhstan, North Macedonia, Turkey, UK and UK (Scotland) did not attend the meeting. Finland and Iceland sent regrets.

Welcome remarks by Grech Svetlana, Ministry for Education, Youth, Sport, Research and Innovation in Malta

Mr. Grech Svetlana welcomed the members to the meeting and thanked everyone for their contributions and efforts in the area of higher education, particularly on the work on the fundamental values. Mr. Svetlana emphasized the importance of these values in fostering a supportive learning environment, raising academic achievement and developing social skills in students. He added that promoting and protecting such values is vital, and all BFUG country members and stakeholders need to cooperate to achieve best results for quality learning, teaching and research. Mr. Svetlana praised the WG's importance and commitment to the education sector, and concluded by wishing for a successful meeting.

1. Welcome remarks and approval of the agenda

The Co-Chairs welcomed everybody to the third meeting of the 2021-2024 work period and thanked the Maltese Co-Chair for hosting the meeting in-presence. Rose-Anne Cuschieri (Co-Chair) expressed her appreciation for the organization of the first in-presence meeting for the working period 2021-2024, and wished for a successful meeting.

An outline of the agenda was provided, which was adopted without changes. A tour de table was held, during which all of the participants introduced themselves and explained their respective roles within the institutions they represented.

For more information, please see: [WG FV CZ KZ 3 Agenda](#)

2. Update from the WG on Monitoring: Plans for the 2024 Bologna Process Implementation Report (BPIR)

Tone Flood Strøm (Co-Chair, WG on Monitoring) provided an overview of the state-of-play of the Bologna Process Implementation Report (BPIR), outlining the tasks of the WG on Monitoring in relation to the preparation of the BPIR including the identification of reliable, comparable data sources relevant for the EHEA and enhancing the structured and standard monitoring of the EHEA. An outline of specific tasks was also provided, including creating a proposal for the scope of the BPIR, developing and agreeing on the indicators, selecting suitable data collection material and ensuring that information is collected from all EHEA country members.

David Crosier (Co-Chair, WG on Monitoring) outlined the structure of the report, highlighting its six chapters, each of which will be about 30 pages long and downloadable separately to make it more reader-friendly. In the most recent BFUG meeting, it was suggested that the monitoring group examine ways to incorporate concerns about the reaction to the situation in the Ukraine. Cooperation with other WGs has been fully established, and indicator proposals to be delivered by these WGs is expected by early autumn.

Next steps include agreement on indicators and development of a questionnaire by end of the year, in order to analyze the data obtained by July 2023 and finalize report drafting by November 2023. It was emphasized that apart from the information gathered from public authorities (PA), additional data sources will be utilized. Following this, the WG members were encouraged to contribute suggestions and proposals for additional sources to be used in the future BPIR, and to work on new indicators for this report.

For more information, please see: [Working Group on Monitoring: Progress Report](#)

3. Presentation of the project "New building blocks of the Bologna Process: fundamental values" (NewFAV)

Cezar Haj (Co-Chair) presented an overview of the NewFAV project, which was submitted under the Erasmus+ call, with the objective to support the implementation of the Bologna Process commitments, in line with the Rome Communique and contribute to the WG on FV, by proposing a set of indicators on monitoring and assessment of fundamental values. The project consortium, associated partners, advisory board, and the work packages were all introduced. A list of the content experts and researchers who would offer guidance and support, as well as the timeline of the activities, were also provided.

A discussion commenced about the connection between the tasks and outcomes of the NewFAV project and the WG on FV. It was noted that the project does not anticipate the development of statements, and that the work on the project was planned to ideally begin once the WG has produced a draft of the statements and delivered it to the project content team, to consequently work on the framework and indicators. A remark was made that the end results between the WG and project may vary, as the WG outputs and project deliverables differ. To this, it was advised to avoid contradictory or discordant outcomes, especially on the development of statements. Another remark included the fundamental value of "*academic integrity*", highlighting the need to produce content as

it has not been significantly reviewed up to now. Moreover, maintaining a similar format to the statement of academic freedom was emphasized. Mr. Liviu Matei, expert from the project content team, added that the WG members ought to indicate and suggest sources of reference to utilize for academic integrity.

It was informed that the European Commission (EC) plans to create a framework for indicators on FVs, as part of the European strategy for universities. As there is clear reference in this strategy to the Rome Communiqué, it was emphasized to consolidate contributions and prevent duplication of work. As a result, it was stressed that it is essential to be aware of these initiatives and consider their content, in order to support the WG's work. Consultations with stakeholder organization would also be highly beneficial and taken into consideration.

4. Presentation of the short statements on fundamental values: Process description and plans for the meeting

Marit Metternich (Co-Chair) began by reminding members of the ongoing work on the three draft concepts and statements on fundamental values, citing academic integrity as still missing. A brief description on how the present work on the statements can be approached followed. One of the primary tasks mentioned was achieving a common understanding of the FVs among all EHEA countries and consultative members so that a similar conceptual and monitoring framework to that on academic freedom can be achieved. A prior meeting was cited as helpful in achieving a common understanding and improved definitions. A research-based approach was used and potential definitions of FVs based on the expert discussion results were drafted.

The process of the present meeting was then explained. It involved short presentations on the concepts by the experts who have drafted them and an in-depth view of the current document. This would be followed by a final discussion wherein the FVs can be further developed until they become sufficiently defined to be proposed to the BFUG. It was explained that the Co-Chairs will gather the results from the discussions, presentations, and minutes from the present meeting and develop new drafts for the future meeting.

5. Session 1: Plenary work on "Public responsibility for and of higher education" statement

Sjur Bergan (Council of Europe), also presenting on behalf of Liviu Matei, began by stating that the format of their proposal is based on that of the document on academic freedom adopted by Ministers in 2020, whereas the content is up for discussion among the group members. He continued by emphasizing that "*Public responsibility for and of higher education*" may look like one value but is in actuality two distinct values which should be defined separately¹. Distinguishing between the two values while recognizing the link between them was cited as crucial.

Public responsibility for HE indicates the responsibility of public authorities toward the education system through funding and policies that guide the development of the HE system, as well as ensuring that FVs of HE are respected, furthered and implemented. It was explained that the nuancing of what public authorities actually means stems from a CoE recommendation from 2007, where the subject of public responsibility was reintroduced and its definition expanded. One of the main takeaways was that Public authorities should have the responsibility of providing a framework that both secures financial and legal support for HE while also encouraging and accommodating non-public responsibility and financing². It was suggested that PAs should ensure that the four major purposes of HE be fulfilled by all of the major HE systems.

The presentation continued on the topic of public responsibility of HE toward broader society. It was clarified that though HE should be autonomous, it should still have responsibility toward the

¹ Public responsibility (PR) for HE indicates the responsibility of public authorities for the development of HE in their country while PR of HE denotes the responsibility of HE to the broader community.

² This proposal has already been approved by every country within the Council of Europe, with the exception of Belarus, Kazakhstan and the Holy See.

development of the community. In addition to ensuring fundamental values, it was reiterated that the HE community should design fair, non-discriminatory and transparent policies, and that it has a responsibility to encourage a culture of democracy and of ethics.

Liviu Matei recommended an edit regarding the section on public authorities' final responsibility in ensuring regulatory frameworks. According to him, this statement should be supplemented with a phrase citing the PA's cooperation with representatives of all relevant sectors so as to avoid granting the government excessive authority. Another issue raised was whether transnational authorities and multilateral organizations are or should be considered public authorities or mediators.

Members discussed the challenges of effectively defining this value. Creation of additional values ought to be avoided; instead, the value should be defined as a single concept while taking into account its dual nature. It was stated that it would be difficult to develop an understanding whether the value is *for* or *of* without reference to what the actors should do to implement it, hence a need to state this.

One suggestion was developing a single, umbrella statement or framework that gathers and consolidates the information on FVs, which is currently categorized and presented separately as an introduction to all statements. Another aspect emphasized the accountability of transnational players. In addition, the authority and context of supranational entities, such as the CoE and EC, should be specifically addressed. To this end, a statement³ was proposed to be added to the current document which clarifies their role and gives a mandate to international community, which can then be translated into responsibility and monitoring. It was decided that the particularities of this matter and correct phrasing will be addressed in the future.

A few members called for maximal specificity when developing the definition for this value. For instance, a better definition of the term responsibility is needed but it is important for it not to suggest exclusivity. The distinction between final and leading responsibilities was also touched upon. Specificity is needed when citing who has final responsibility with regards to frameworks and provisions for HE. On the other hand, the definition of leading responsibility should ensure that public authorities empower HE institutions and, thusly, delegate responsibility effectively.

Reconciling the responsibility of the HE part of the system and the rest of the system was mentioned as a challenge, as was the placement of autonomy in the final document. It was suggested that some of these challenges will be resolved in the final editing phase, which will ensure consistency and coherence. It was lastly suggested to assess the dimensions of the FVs, which will also clarify the role of the BFUG and its responsibility in the HE system. It was agreed that the deadline for comments be the end of July, that revised statements were due in the end of August, and that the BFUG Secretariat would inform the group about the deadlines.

For more information, please see: ["Public responsibility for and of higher education" statement](#)

6. Session 2: Plenary work on "Institutional autonomy" statement

Robert Quinn (Scholars at Risk Network) provided an overview of the "Institutional autonomy" statement, highlighting the reference to the Rome Communiqué, and the link between academic freedom and institutional autonomy as essential. The importance of not recreating a statement with regards to institutional autonomy was stressed, as there is a lot of information available in this area. Thus, this initiative can be linked to or referenced to other existing institutional autonomy standards.

Mr. Quinn emphasized the UNESCO definition from the 1997 recommendation as the most comprehensive one, highlighting the institutional side of academic freedom as an essential precondition of quality HE, and the degree of self-governance as necessary for effective decision making. He emphasized that academic freedom and institutional autonomy have already been

³ "In some instances, international and supranational institutions and organizations exercise a role similar to that of system-level public authorities. Their interaction with national public authorities and the higher education community should be guided by the same fundamental values and geared toward safeguarding these values".

acknowledged within international human rights law, adding that UNESCO member states are required to protect institutional autonomy from any source (state and non-state).

To measure institutional autonomy, two major systems were emphasized:

- Academic Freedom index (AFI): A simple assessment system with a relatively small number of indicators, measured at state-level. This system is sustainable, avoiding risks that come with self-reported data. However, there is a risk associated with expert assessment, which is mitigated by utilizing a sophisticated model to eliminate any research bias. Delivering data from only national systems and excluding institutional level data is another limitation.
- European University Association (EUA) Autonomy Scorecard: A more comprehensive methodology that focuses primarily on the operational side of institutional autonomy. Limitations include relying solely on self-reported data through rectors' associations or other similar organisations, and the absence of expression dimensions of academic freedom that connect with institutional autonomy.

Mr. Quinn highlighted the importance of being able to measure *de jure* vs *de facto* elements, as well as explore issues of governance models where autonomy and academic freedom take place. In this regard, the EUA Autonomy Scorecard places a lot of emphasis on these aspects. In order to positively influence practices and behaviors, he advised that the methodology must also be relatively inexpensive, sustainable and replicable.

A remark was made on the EUA Autonomy Scorecard, pointing out that it generates an analysis on the participating countries' legal framework. In this sense, the self-reporting methodology may not be particularly valid. The scorecard attempts to address the issue of discrepancy between *de jure* and *de facto* features by interviewing national rectors' conferences in order to produce a complete picture of autonomy across Europe, to be ultimately used by national authorities.

Further, it was advised to cite the European Court of Justice's ruling regarding the link between academic freedom and institutional autonomy among the references in the documents, as it has actual legal value in the European context. More generally, it is observed in the EU that when institutional autonomy or academic freedom is restricted, it is typically done by governmental sources by restricting the financial autonomy of institutions. While maintaining that institutions still have full academic autonomy in decision-making over academic issues, the institutions' financial means are being affected, and as a result, the academic freedom. Thus, this aspect is significant and ought to be viewed as a financial restriction.

Another remark was made to consider creating a definition of institutional autonomy that does not heavily reference to existing sources, but is more independent and specific to the EHEA. As a result, the WG must assess whether these sources are in compliance with the Rome Communiqué, and applicable in the context of the EHEA. Furthermore, it was noted that the UNESCO definition did not align with the aforementioned measurement methodologies. Therefore, using the definition and the measuring systems simultaneously would be ineffective.

On another note, it was stressed that institutional autonomy is not necessarily an essential guarantor of academic freedom in all circumstances. For instance, there can be institutions where the leader limits academic freedom and creates potential area for abuse of academic freedom, thus this issue needs to be recognized. Other infringements of institutional autonomy included the link between general legislation and the specific situation of higher education institutions, where the PA influence the educational system through public policies that interact with insurances of institutional autonomy.

Overall, the need for the definition to be relevant within the context of the EHEA was stressed. Further, it was emphasized that manifestations of autonomy violations frequently center on financial limitations. Additionally, challenges were noted around institutional leadership being the subject of pressure in different contexts. In response, institutional leadership should play a role in appropriating accountability, in order to avoid being perceived as the incorrect actor and to make sure that accountability measures do not simultaneously turn into a source of pressure from a financial

standpoint. Consequently, it was advised that specific components are required to come up with a system for the FVs, including the definition, indicators and data, and all these are bounded by the methodology. The EUA Autonomy Scorecard is a useful measurement method in this regard because it may provide guidance and references. Despite the limitations that a measurement system may have, it will improve as information-sharing increases among various actors.

7. Session 3: Plenary work on “Participation of students and staff in higher education governance” statement

The recording for this agenda item is not available due to technical issues.

8. Plenary work on indicators for the 2024 BPIR

David Crosier (Eurydice) provided an overview of the current state of the work on each fundamental value for the 2024 BPIR, including potential indicators and data to be acquired from the BFUG on each value, respectively. He emphasized that, instead of attempting to obtain a large amount of data, it was urged to make use of the indicators that were already in place, as well as to focus on gathering data for a small number of indicators. It was noted that in addition to identifying indicators, the members should make sure that the indicators are operational, politically significant and applicable to a greater number of countries. Considering the Council of Europe's recommendations, one principle that stated that public authorities should promote ongoing dialogue on a variety of issues, particularly with students and staff in HEIs, was underlined.

It was highlighted that the WG would need to present both the *de jure* and the *de facto* aspects of the FVs. As a result, the BFUG members can offer information with regard to the *de jure* component. It was also emphasized that the BFUG's requirement to employ many sources will make the gathering of information for the *de facto* component challenging.

It was generally agreed that giving academic freedom priority would be a good starting point because it has the strongest legal protection in the majority of countries. Further, a project by ESU on students' perceptions of academic freedom and institutional integrity was highlighted, and it was mentioned that they had already launched a [student survey](#), which could be a good source for developing indicators.

For more information on areas/outcomes of the ESU students' survey, please see: [Theoretical input for Academic Integrity Section of ESU survey](#)

Overall, it was decided that the group will attempt to find the best informational source now accessible to evaluate the implementation of values, and if a better source is found in the future, it can be substituted. Furthermore, it is critical to understand that there is a limited capacity to go in-depth into the field, making the prioritization of particular topics necessary.

8.1. Academic Freedom

Because the AFi does not conceptually and methodologically fully fit with the EHEA's framework of values and does not measure what the Rome Communiqué defines, it was proposed to conduct a rephrasing exercise and adjust indicators accordingly. The fact that this could not be done for the entire AFi was emphasized, but some sections - like the second⁴ and fourth⁵ statements (refer to the link below) - were nonetheless noted as needing improvement.

As a result, it was determined to concentrate on the AFi dimensions that are consistent with the EHEA framework and those components, as well as to acquire data from additional sources. The WG on Monitoring will also send a questionnaire to the BFUG members in order to collect data, specifically regarding the clarification of legal definitions of academic freedom.

⁴ Campuses free from politically motivated surveillance or security infringements.

⁵ Scholars and university students able to publicly criticize government policies.

8.2. Institutional Autonomy

For this value, it was decided to survey the BFUG on its legal provision and the de jure reality of countries, whereas the AFI and EUA scorecard would be used to evaluate the de facto component. As in earlier BPIRs, it was suggested to think about how to complement this information and compare it from various sources. The term "universities" was also hindered due to its limitation, as it should refer to a variety of higher education institutions.

8.3. Academic integrity

It was advised to look at CoE's recommendations, reports, guidelines from IAU and ongoing projects from ENQA on academic integrity, to identify potential indicators to be used. It was also mentioned that there is a lot of existing research on academic integrity that can provide a picture about existing regulations, policies and practices. Another focus was on inquiring not only about the guidance provided to HEIs on integrity, but also about this guidance given by HEIs to their staff and students.

8.4. Participation of students and staff in HE governance

The third bullet point⁶ (refer to the link below) which stated that external experts should also be consulted was noted as inconsistent, due to this value being about students and staff rather than outside experts. Additionally, it was suggested that the involvement aspect be clarified in greater detail. As prospective sources to check and acquire a new perspective, additional data sources like EUROSTUDENT were also mentioned. Furthermore, it was said to involve staff and student consultations on the research component, as well as have general consultations on program closures.

8.5. Public Responsibility for and of Higher Education

In general, the objective for this value is to connect the data gathered in the statement's framework. Public financing specifically can be examined in an effective way, for instance by looking at the trend over a period of five years to determine any changes. This can be discovered through statistical data collection, after which cases can be developed. Identifying appropriate funding instruments and introducing new aspects on the funding governance were also proposed. It was also emphasized that the distinction between 'for and of' was not fully developed. Nonetheless, having the BFUG reference to public financing, in addition to other sources, was deemed important. As the subjects that need to be covered are already recognized, it was decided that additional consideration and reflection of the information that needs to be gathered, was needed.

For more information, please see: [Identifying indicators on Fundamental Values](#)

Milica Popovic (Austria) gave a review of a study of the OSUN Global Observatory on Academic Freedom about the connection between higher education's FV and quality assurance (QA), outlining its objectives, findings, and challenges encountered. Ms. Popovic emphasized that this was a preliminary proposal to examine a particular link between QA and FV, which primarily concentrated on how QA legal frameworks take into account fundamental values in the evaluation procedures and mechanisms. Further, the study concentrated on sections of the HE statutes that directly address QA and all subsequent under-provisions. In terms of methodology, the de jure examination concentrated on national regulatory frameworks, exclusively those pertaining to quality assurance, and the regulatory frameworks of the QA agencies themselves, whereas the de facto analysis concentrated on the survey sent to all EQAR registered QAAs (with a response rate of 17 agencies).

Ms. Popovic explained how the study aims to be a living archive to be continuously adapted, enhanced and updated. An outline of the EHEA member countries where direct references to specific FV were identified in national regulatory frameworks on QA was provided, with detailed information on each value. The key finding was that FV were not defined in the pertinent QA regulation provisions, nor were there any specific QA methods to support the FV or penalize disregard for them.

⁶ Requirements to consult stakeholders when opening new higher education programs.

It was challenging for the agencies to properly comprehend the values, and determine how they are implemented and included in the accreditation and evaluation methods of QA agencies.

Overall, it was determined that large research networks and consultation processes are needed for such a study to be more comprehensive. Further, there are roots of reluctance, in addition to a lack of resources and a significant amount of work inside these agencies, which contribute to the low response rate. Future BFUG initiatives to forge solid synergies with significant European QA stakeholders like EQAR and ENQA were welcomed. The ESGs were also regarded as being essential in the European QA system, and the EHEA's QA systems are required to incorporate them. In order for students to become active citizens and for research and science to advance in Europe, quality HE must establish, sustain, and strengthen these values.

A discussion occurred on whether existing European-wide QA mechanisms could be used to promote, defend and further the FV. The study indicated that the ESGs, regarding the FV explicitly, need to be updated. As a result, it was suggested to advance possibilities on creating any synergies within the BFUG working structures, including TPG C on QA, to encourage the relationship between QA and FV.

Despite the difficulties during the data collection and implications of results of the study, it was emphasized as being imperative to keep promoting the FV among all the EHEA and all the relevant parties. The importance of the ESG's influence and impact in influencing the discourse in the area of QA was also established. Thus, it was highlighted that the FV needed to be given more recognition and that it was crucial to make sure that ESGs were strengthened with relation to it.

For more information, please see: [Study on the relationship between the Fundamental Values of Higher Education and Quality Assurance](#)

9. Way forward

Marit Metternich (Co-Chair) thanked everyone for their contributions and input on the topics discussed. She urged the members to send their comments and recommendations on the draft statements by mid-August, in order for the Co-Chairs to work with the experts and present them in the upcoming WG meeting. As the new draft statements would need to be approved by October 2022 and delivered to the WG on Monitoring, a discussion would also need to be held regarding the new indicators to be updated in reference to them. Therefore, for the following meeting, a revised, more advanced draft of the statements would be provided, along with some proposals for the first indicators to present to the BFUG for the 2024 monitoring report. The WG would be able to continue working on the creation of indicators, specifically on the de facto approach, post-BFUG meeting. David Crosier proposed to write a summary of the state-of-play of the values and indicators, which would be circulated to the group.

10. Concluding remarks: division of tasks for the next WG's meeting and meeting conclusions

Rose-Anne Cuschieri (Co-Chair) thanked everyone for their participation to the meeting. The Co-Chairs expressed gratitude to the guests and participants for their contributions and input, as well as on the organization of the work on indicator development. No other business was brought forward, thus the third meeting of the WG on FV was successfully concluded.