Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1907 (2012)[1]
Final version

Governance of higher education institutions in the European Higher Education Area

Parliamentary Assembly

1. The Parliamentary Assembly reaffirms the fundamental importance of higher education for each individual and for society. The right to education, guaranteed by Article 2 of the first Protocol to the European Convention on Human Rights (ETS No. 9 and ETS No. 5), encompasses the right to have access to higher education, which is also protected under Article 10.1 of the revised European Social Charter (ETS No. 163).

2. Highly educated people are a key factor for individual and collective welfare as well as for economic, social and democratic stability. It is therefore of strategic importance for member States to pursue the progressive introduction of free higher education accessible to all on the basis of ability, in accordance with Article 13 of the International Covenant on Economic, Social and Cultural Rights.

3. Autonomy of higher education institutions, academic freedom and freedom of scientific research and the arts are fundamental principles for the functioning of higher education institutions as well as for democratic and pluralist societies. These principles go hand in hand with public responsibility for higher education and research, as expressed in Committee of Ministers Recommendation CM/Rec(2007)6 on the public responsibility for higher education and research. In this respect the Assembly welcomes the recent work of the Committee of Ministers on the responsibility of public authorities for academic freedom and institutional autonomy.

4. Because of the crucial importance of higher education institutions and individual and societal dependence on university research and the education and training of experts, the basic strategic decisions about further development of higher education institutions should be made on a four-part basis – among the representatives of the academic community (including students), of the labour market (employers and trade unions), of civil society organisations and of government (executive as well as legislative).

5. Academic freedom and autonomy of higher education institutions require that the latter can, within the framework of national higher education policies and domestic law and with due respect for human rights, determine for themselves their academic curricula and degrees, student admissions, research, administrative organisation, financing and staff employment.

6. The Assembly deplores the continued violation of university autonomy and academic freedom in Belarus. Until higher education institutions in this country fulfil these universal principles, they cannot be regarded as valid partners of higher education institutions in other countries within the European Higher Education Area. The Assembly welcomes the recent decision by the ministers participating in the Bologna Process not to admit Belarus, as well as the decision by the European Union not to grant entry visas to five university rectors from Belarus.

7. In line with the objectives of Article 165 of the Treaty on the Functioning of the European Union, the Assembly reaffirms the competence and responsibility of national parliaments to determine higher education policies and legislation. This should be done in close co-operation with higher education institutions.

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1. Assembly debate on 5 October 2012 (36th Sitting) (see Doc. 12964 and Addendum, report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Flego). Text adopted by the Assembly on 5 October 2012 (36th Sitting).

8. Higher education institutions should actively participate in the decision-making process concerning governance of national higher education systems, according to the subsidiarity principle. In this respect, the Assembly welcomes the activities of representative organisations such as the European Students' Union, the European University Association and the European Association of Institutions in Higher Education.

9. The Assembly stresses the importance of participatory governance within higher education institutions. It wishes governance to be organised around the notion of collegiality and encourages universities and higher education institutions to associate students, graduates, teachers and researchers with the internal evaluation and decisions on the learning process, but also to find adequate modalities to get them involved in strategic decision-making.

10. The Assembly attaches particular importance to self-regulatory initiatives and, in particular, the Magna Charta Universitatum Observatory in Bologna. Recalling paragraph 13 of its Recommendation 1762 (2006) on academic freedom and university autonomy, the Assembly welcomes the invitation by the observatory to increase co-operation and to be represented at its meetings.

11. The Assembly recommends that member States and public authorities preserve and protect the autonomy of higher education institutions and academic freedom and therefore:

11.1. promote equal access to higher education institutions on the basis of ability and, to this end, provide financial support – to institutions as well as students – to overcome socio-economic barriers, particularly in times of financial difficulties and social crisis;

11.2. agree upon transparent funding principles, make them publicly available and ensure that direct or indirect funding schemes do not result in undue advantage to individual higher education institutions;

11.3. in accordance with the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS No. 165) and the Bucharest Communiqué of the ministers participating in the Bologna Process, set quality standards for the recognition of study periods, degrees and diplomas without external restrictions of courses, degrees and diplomas offered by higher education institutions;

11.4. prevent political and economic interference in the internal management of higher education institutions, irrespective of whether they are privately or publicly held, while ensuring full application of relevant national legislation;

11.5. support the co-operation of higher education institutions as well as student and teacher mobility across borders;

11.6. duly respect the right to freedom of association of students, teachers and researchers;

11.7. involve students in decision-making processes concerning academic matters;

11.8. develop projects for students and teachers from Belarus who have been excluded or dismissed from higher education institutions for political reasons; such projects should include national scholarships and university grants to these students and teachers.

12. The Assembly invites the Standing Conference of Ministers of Education to reinforce its working links with the European Students' Union, the European University Association, the European Association of Institutions in Higher Education and the International Association of Universities, and to increase its impact on, and voice within, the Bologna Process.

13. The Assembly invites the Joint Council on Youth and the European Youth Parliament to discuss higher education policies.