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2022/0008 (NLE)

Proposal for a

COUNCIL RECOMMENDATION

on building bridges for effective European higher education cooperation

(Text with EEA relevance)

{SWD(2022) 6}

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

Achieving the European Education Area by 2025 means creating a European space of learning which benefits all learners, academics and other education staff who can move freely to study and work across the EU. For this, we need European higher education institutions to be able to cooperate closer and deeper. Further implementing a European Research Area implies strengthening mobility of researchers and the flow of knowledge, incentivising investment in research and innovation, and enhancing transnational cooperation among higher education institutions, as well as with businesses and other research and innovation actors in their ecosystems. Transnational cooperation strengthens the inclusiveness, excellence, diversity, attractiveness and global competitiveness of European higher education. It contributes to equality and non-discrimination, to solving Europe's challenges on climate change, the digital transformation and aging population, equipping learners with relevant skills and knowledge, as well as to build resilience and help the recovery. It will boost higher education institutions' role on the global stage, turning Europe into a pacesetter in solving global challenges effectively and efficiently, a worldwide source of inspiration and an appealing destination for students, academics and researchers.

The current initiative builds on previous EU-level work. As a follow-up of the 2017 European Council conclusions[1] that called on the Member States, the Council and the European Commission to take work forward on strengthening strategic partnerships between higher education institutions across the EU, the Commission launched in 2019 the piloting of 41 European Universities alliances under the Erasmus+ programme, complemented by the Horizon2020 programme on the research and innovation dimension. The aim was to pilot long-term structural, systemic and sustainable cooperation between more than 280 diverse higher education institutions from all parts of Europe, selected under the first two calls for proposals. The first lessons from this pilot show benefits and, by the same token, highlighted a number of challenges, such as difficulties linked to the delivery of joint transnational educational activities and programmes at all levels, including incompatible requirements preventing the award of joint degrees, including a joint European degree, or the lack of a legal statute for alliances of higher education institutions preventing them to efficiently pool resources, share infrastructure or transfer technology. This Council Recommendation on building bridges for effective European higher education cooperation constitutes a first step in addressing such challenges, with the objective that all higher education institutions in Europe, their learners, staff and researchers, can benefit from simplified transnational cooperation.

This Council Recommendation is part of the 'higher education package' announced in the Commission Work Programme 2022 under the headline ambition "Promoting our European way of life", together with a Commission Communication on a European strategy for universities. While the strategy sets a vision for the transformation of the higher education sector across Europe, the Recommendation is the first step of an incremental approach towards deeper, more sustainable and more effective transnational cooperation. The Strategy and the Recommendation broaden opportunities for innovative transnational cooperation in the higher education sector, as working together more closely is essential for the EU to consolidate its role as a global player. Hence, there is a need to bring forces together through deeper cooperation.

[1] 14-final-conclusions-rev1-en.pdf (europa.eu)

(1) Structural and operational issues to be addressed by the proposed Council Recommendation for enabling deeper transnational cooperation

A **legal statute** for alliances of higher education institutions would facilitate accessing, sharing and pooling joint resources - such as financial, human, digital and physical resources, and services. The lack of such a statute makes it more difficult for higher education institutions to reach a deeper level of cooperation and limits their competitiveness.

The award of **joint degrees** is hampered by incompatible requirements in the delivery of joint transnational educational activities and programmes e.g. differences in grading and credit allocations, even when following the European Credit Transfer and Accumulation System (ECTS); curricula with different minimum or maximum ECTS credits per course, and different forms of institutional autonomy. Overcoming such legal and administrative challenges is necessary to support ambitious and deeper transnational cooperation. It would be a stepping-stone in a progressive approach towards the establishment of a **joint European degree** covering all levels (Bachelor, Master, Doctorate and lifelong learning opportunities).

More mobility opportunities for learners embedded in transnational joint programmes is hampered by the lack of guidance, of digitisation and simplification of the processes. The **European Student Card initiative** makes it easier for students to study and train in several institutions. Mobility of academics, researchers and professional staff is insufficiently valorised in their career development.

Lack of **sustainable long-term funding** for institutionalised transnational cooperation is hindering their development and deep transformation across their missions. A longer-term outlook would provide better opportunities to build capacity and sustainable alliances in order to attain the charted ambition level. This can be facilitated by the setup of a legal statute allowing the alliances to pool resources and foster synergies between regional, national and European funding instruments and opportunities.

In countries where external quality assurance and accreditation is primarily programme-based, the **European Approach for the Quality Assurance of Joint Programmes** is still insufficiently implemented across the Member States, hence impeding the creation and accreditation of joint educational programmes at short-cycle, Bachelor, Master and Doctoral level. Consequently, different external quality assurance procedures are applied for joint programmes possibly in each country involved, with different national rules that create an administrative burden and hamper the implementation of innovative interdisciplinary pedagogies across different countries. At the same time, countries with institutional-level external quality assurance can set up transnational joint programmes more easily.

The emergence of European (virtual) inter-university campuses and platforms for joint **digital or blended activities** is hampered by the lack of interoperability between digital infrastructures of higher education institutions across the EU. Root causes of the problem are unevenness in individual higher education institutions' capacity and available resources to develop and access such digital infrastructure, limiting the potential of on-line collaborative learning and teaching. The solution would be to work towards shared interoperable digital infrastructure and solutions, assisted by institutions granting mutual access to infrastructure, services and training, accessible to all[2].

National legislative frameworks governing the assessment of single disciplinary fields hamper the development of **interdisciplinary** modules, especially when designing transnational joint degrees. As an important objective of the European Universities alliances is to work through

[2] In line with the Directive 2019/882/EU European Accessibility Act; Directive 2016/2102/EU Web Accessibility Directive

challenge-based approaches in order to address societal challenges through interdisciplinary approaches, national frameworks are often hampering alliances to go forward in this way.

Governance arrangements including students and staff in decisions affecting their learning and working environment enable deep and ambitious transnational cooperation and foster meaningful contribution from higher education to their ecosystems' development and sustainability. Institutional governance structures and management practices to run transnational alliances could benefit from more active involvement of learners, academics, researchers and professional staff to best respond to their needs and to allow innovative practices developed through transnational cooperation to diffuse within the institution. Currently, such structures often do not reflect the fabric of society and the diversity of experiences and ideas.

Shared values of our European way of life provide an indispensable foundation for transnational cooperation as the basis for developing quality learning, teaching and research. Transnational cooperation reinforces academic culture and contributes to the strengthening of democratic societies. Conversely, when fundamental values are not upheld, learning, teaching and research are weakened undermining deep transnational cooperation. Insufficient autonomy limits higher education institutions options to enter into transnational agreements, to contribute equitably with other partners, to provide co-financing and adequate staffing to their implementation. Autonomy for matters of governance and administration is therefore a critical condition to enable effective transnational cooperation.

(2) Objectives pursued by the proposed Council Recommendation

In a challenging and highly competitive global context, joining forces will make the European higher education sector stronger and consolidate its global attractiveness and competitiveness. For Europe to tackle common challenges, notably the twin digital and green transitions, more transnational cooperation helps harness the potential of all available resources, engaging different types of higher education institutions with complementary education and research capacities and strengths. Building robust solutions to tackle complex multidimensional challenges requires time and efforts at all levels. This Council Recommendation is a first step towards addressing structural and operational issues hampering deeper and more ambitious European institutional transnational cooperation, enabling the unhindered implementation of the freedom of association. A **legal statute** for alliances of higher education institutions will allow them to pool resources, capacities and their strengths; a **joint European degree** will recognise the value of transnational experiences in the higher education qualification the students obtain and cut the red tape for delivering joint programmes; and the generalised use of the **European Student Card initiative** made available to all mobile students by mid-2024 across all higher education institutions in Europe, will facilitate mobility at all levels. Such innovative instruments will work in synergy and are expected to shape a European identity, bringing transnational cooperation to a higher level and fostering a strong sense of European belonging. Building bridges for more systemic, structural and sustainable transnational cooperation at institutional level is instrumental to accelerate higher education institutions' transformation across all their missions of education, research, innovation, and service to society, and can help tackle European and global challenges.

- **Consistency with existing policy provisions in the policy area**

The Commission Communication on a European Strategy for Universities[3] aims to create a genuinely European dimension in higher education and research. The Commission

[3] COM(2022)16

Communication on Achieving the European Education Area by 2025[4] calls for a "policy framework across borders that allows for seamless and ambitious transnational cooperation between higher education institutions". The Council Resolution on "a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030)"[5] asks for "encouraging closer and deeper cooperation (…) which will enable alliances of higher education institutions, such as those within the European Universities initiative, to leverage their strengths and jointly deliver transformative higher education". The Council Conclusions on the European Universities initiative[6] invited the Member States to work together to identify and remove obstacles to more compatible higher education systems. The European Higher Education Area ministerial Rome communiqué[7] commits to facilitate and enhance deeper cooperation. The Council Recommendation on 'Promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad'[8] calls for promoting cooperation of Member States. The Commission Communication on a New ERA for Research and Innovation[9] states that developing common R&I strategies and sharing capacity and resources enables the European higher education sector to deliver on Europe's challenges. The Council Recommendation on the Pact for Research and Innovation in Europe[10] supports cooperation and synergies between the European Research Area and the European Higher Education Area. The Commission Communication on the Global Approach to Research and Innovation[11] encourages cooperation across borders on a scale never seen before to develop innovative solutions to deliver just green and digital transitions. The European Pillar of Social Rights Action Plan[12] aims "to unlock the full potential of higher education institutions for a recovery geared towards a sustainable, inclusive, green and digital transition", supported by the European Skills Agenda[13].

- **Consistency with other Union policies**

This Council Recommendation fosters effective transnational cooperation and enables the higher education institutions to play their key role in delivering on the Green Deal, the Digital Decade, sustainable growth, recovery, and to strengthen Europe's position in the world.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The proposed Council Recommendation is based on the Articles 165 and 166 of the Treaty on the Functioning of the European Union (TFEU)[14]. Article 165(1) of the TFEU lays down that the Union is to 'contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organisation of their education systems'. Article 165(2) of the TFEU further

4 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0625
5 https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.C_.2021.066.01.0001.01.ENG
6 https://www.consilium.europa.eu/media/49659/st08658-en21.pdf
7 BFUG_Final_Draft_Rome_Communique-link.pdf (ehea2020rome.it)
8 https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1568891859235&uri=CELEX:32018H1210(01)
9 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:628:FIN
10 OJ L 431, 2.12.2021, p. 1–9
11 COM(2021) 252 final
12 The European Pillar of Social Rights Action Plan | European Commission (europa.eu)
13 https://ec.europa.eu/social/main.jsp?catId=1223&langId=en
14 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT

specifies that Union action in education is aimed at 'developing the European dimension in education', 'promoting cooperation between educational establishments' and 'at encouraging mobility of students and teachers, by encouraging, the academic recognition of diplomas and periods of study'. Article 166(1) of the TFEU stipulates that the Union shall implement a vocational training policy. Article 166(2) of the TFEU mentions that the Union action must aim to "stimulate cooperation on training between educational or training establishments and firms". This proposal fully respects the responsibility of the Member States on the organisation of education and training systems (including the content of teaching, and their cultural and linguistic diversity), reflecting the supplementing and supporting role of the EU, and the voluntary nature of European cooperation in these systems. The initiative also complies with the shared responsibility in the field of research. The initiative does not propose any extension of EU regulatory power or binding commitments on Member States that will decide, according to their national circumstances, how they implement this Council Recommendation.

- **Subsidiarity (for non-exclusive competence)**

The present proposal is in conformity with the principle of subsidiarity as provided for in the Article 5(3) of the Treaty on the European Union (TEU). The proposal seeks to support and enhance transnational cooperation in the higher education sector while being fully observant of the principle of subsidiarity as it is safeguarding the ability of the Member States to take independent legislative decisions and implement measures aimed at fostering deeper cooperation between higher education institutions. Notwithstanding Member States' responsibility, legislation for the design, organisation and content of teaching and learning, transnational cooperation issues are by nature better addressed at EU-level. Due to the nature, scale and effects, the proposed measures can be better achieved through joint action at Union level.

- **Proportionality**

The present proposal is in conformity with the principle of proportionality as provided for in the Article 5(4) of TEU. Neither the content, nor the form of this proposed Council Recommendation exceeds what is necessary to achieve its objectives. The actions proposed are proportional to the pursued objectives as they respect Member States' practices and the diversity of systems. Any commitments by Member States are voluntary in nature and each Member State remains free to decide on the approach to take for implementing the commitments therein. In addition, this initiative implements the TFEU that state that "The Union shall contribute to the development of quality education by encouraging cooperation between Member States" (Article 165(1)). The added value of action at EU level is to facilitate and foster deeper transnational cooperation between higher education institutions from different Member States, to improve the functioning of the higher education sector across the EU and increase its worldwide attractiveness and competitiveness.

- **Choice of the instrument**

To achieve the objectives referred to above, the Articles 165(4) and 166(4) TFEU provide for the adoption by the Council of recommendations, on a proposal from the Commission. A Council recommendation is an appropriate instrument within the field of education and training where the Union has a supporting responsibility. It is a frequently used instrument for EU action in this area. As a legal instrument, a Council recommendation signals the commitment of Member States to the measures included and provides a strong political basis for cooperation in this area, while fully respecting Member State authority.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

• Stakeholder consultations

Numerous consultation activities were carried out over the past years on the higher education transformation, on the European Universities initiative, on the European Education Area and European Research Area Communications. Given the broad scope and extensive nature of these past consultations, the continuous contacts with stakeholders, and considering the need to avoid consultation fatigue, for the purposes of this Council Recommendation additional specific input has been gathered through targeted consultations with Member States, stakeholders (e.g. umbrella university organisations, student organisations, rector's conferences, social partners in higher education, public authorities) and European Universities alliances: 4 high-level online targeted consultations with the higher education community hosted by Vice-President Schinas and Commissioner Gabriel in July and September 2020 and in April and June 2021 on higher education transformation and transnational cooperation; Meetings in November 2020, April and September 2021 of the Directors General for Higher Education on the European Universities alliances, the challenges to unlock their full potential, and on the importance of cooperation between the higher education sector, Member States and the Commission, to address these challenges, building on the implementation of existing Bologna Process transparency tools. Consultations followed at the joint event on 4 November 2020 with the Directors General for Higher Education and rectors of European Universities. Diverse continuous bilateral and joint consultation meetings with coordinators and student representatives of the European Universities alliances outlined needs and lessons learnt with regard to higher education transformation and transnational cooperation, along the 5 meetings with the ad-hoc expert group consisting of Member States representatives, the coordinators of European Universities and stakeholders. A joint meeting of these three groups was held in July 2021. In July 2021 were held high-level targeted consultation meetings with Members of the Committee of the Regions and the European Economic and Social Committee. In September 2021 a meeting was held with university and student networks.

• Collection and use of expertise

The proposal is also based on reports and studies on: national student fee and support systems in European higher education; the impact of admission systems on higher education outcomes; the implementation of joint degrees in Erasmus Mundus; the implementation of the Bologna Process; internationalisation of academic staff; the national implementation of the European Approach for the Quality Assurance of Joint Programmes; the impact of the Erasmus+ higher education strand; the modernisation of higher education in Europe; the recognition of foreign qualifications in times of COVID-19; the benefits and costs of transnational collaborative partnerships in higher education; reports and studies from the OECD and the Council of Europe; reports, position papers and studies of various key stakeholders: European University Association, the Guild, the League of European Research Universities (LERU), the Academic Cooperation Association (ACA), Coimbra, the Network of Universities from the capitals of Europe (UNICA), etc. This information and other recent research evidence are included in the accompanying staff working document.

• Impact assessment

An impact assessment was not carried out, given the complementary approach of the activities to Member State initiatives, the voluntary nature of the proposed activities and the scope of the impacts expected. The development of the proposal was informed by dedicated and

previous studies, consultation of Member States, the public consultation and numerous dedicated stakeholder consultations.

- **Fundamental rights**

This proposed Council Recommendation respects the fundamental rights of the EU. It promotes the principles recognised by the Charter of Fundamental Rights of the European Union[15], namely the right of education under Article 14 and the right to the protection of personal data under Article 8.

4. BUDGETARY IMPLICATIONS

While this initiative will not require additional resources from the EU budget, the measures in this recommendation will mobilise sources of funding at EU, national and regional level.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

To support implementation, the Commission proposes to develop, in cooperation with Member States, specific guidance material, handbooks and other concrete deliverables, based on evidence, peer learning activities and identification of good practice. The Commission will recommend that Member States implement the principles set out in the Recommendation as soon as possible and submit a plan setting out the corresponding measures to be taken at national level. The Commission intends to report on the use of the Recommendation via relevant Union monitoring and reporting frameworks.

- **Outline of the specific provisions of the proposal**

The Council Recommendation proposes actions that can be pursued by Member States to promote more effective and deeper transnational cooperation, in particular by facilitating the implementation of joint programmes and exploring the feasibility of a legal statute for alliances of higher education institutions such as the European Universities, of a joint European degree, the roll-out of the European Student Card initiative and of the European Universities initiatives. It sets out the European Commission's commitment to support and complement Member State actions in this area. The accompanying staff-working document describes various recent research evidence and European stakeholder opinions and experiences to support the proposed Council Recommendation.

[15] OJ C 326, 26.10.2012

2022/0008 (NLE)

Proposal for a

COUNCIL RECOMMENDATION

on building bridges for effective European higher education cooperation

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 165(4) and 166(4) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Deeper and more effective transnational cooperation in the higher education sector across Europe is crucial for sustaining Union values, identity and democracy, building resilience of the European society and economy, and for building a sustainable future. To tackle the challenges related to green and digital transitions and to an aging population, and to secure Europe's capacity to boost technology-driven competitiveness, Europe needs strong inter-connected higher education institutions.

(2) Building bridges allowing higher education institutions to develop deeper, perennial and effective transnational cooperation at institutional level is instrumental in making higher education institutions stronger together and preparing students, lifelong learners and researchers for a global future. Higher education institutions across Europe are adapting to a rapidly changing world with fast-changing disciplines and learning environments, for instance related to the green and digital twin transitions. This requires new thinking and new structures for cooperation and mobility of students, staff and researchers across disciplines and across borders. This new reality, fuelled by the digital transition, implies new attractive education offer, new formats and opportunities for transnational cooperation and mobility, in person and online, for all learners, including for people with fewer opportunities or from remote areas, and encourages diversity of academics, researchers and professional staff.

(3) Stronger cooperation between diverse higher education institutions, including universities, research universities, university colleges, universities of applied sciences, higher vocational education and training institutions, and higher arts institutions, across the EU is a key principle underpinning and intrinsic to the European Education Area[16] and the European Research Area[17]. Deeper transnational cooperation between diverse and complementary institutions supports fair access to high-quality education, training and research, fosters knowledge creation and circulation, facilitates the sharing of capacity and infrastructure, and contributes to the vitality of their regions and communities, helping to overcome disadvantage and geographic disparities. Transnational cooperation also contributes to unlocking the full potential of the higher

16 European Education Area (europa.eu)

17 European research area (ERA) | European Commission (europa.eu)

education sector as promotor of skills and knowledge, such as for the twin digital and green transitions and contributes to delivering on the European Pillar of Social Rights.

(4) The Commission Communication on Achieving the European Education Area by 2025[18] calls for seamless and ambitious transnational cooperation, for a facilitated delivery of joint degrees, and for exploring the feasibility of a legal statute for alliances such as the European Universities. The Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030)[19] encourages deeper cooperation, pooling knowledge and resources and generating more opportunities for students, academics and researchers' mobility, including through the full roll-out of the European Universities[20] and the European Student Card initiatives[21]. In its Conclusions on the European Universities initiative[22], the Council invited the Member States to remove obstacles to more compatible higher education systems and to explore the feasibility for joint European degrees. The Commission Communication on a new ERA for Research and Innovation[23] and the Pact for Research and Innovation in Europe[24] call for deeper cooperation and acknowledge the higher education transformation potential of initiatives such as the European Universities. The European Skills Agenda[25] also calls for removing obstacles to effective and deeper transnational cooperation.

(5) The European Higher Education Area ministerial Rome communiqué[26] and the Council Recommendation on 'Promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad'[27] call for promoting and facilitating deeper transnational cooperation. The European Parliament Resolution on 'the European Education Area: a shared holistic approach'[28] underlines the need for more collaboration and calls for the use of synergies between the European Education Area, the European Research Area and the European Higher Education Area.

(6) The 41 European Universities alliances, supported by the Erasmus+ programme and complemented by Horizon 2020 for the research and innovation dimension, provide useful lessons learned while testing deeper transnational cooperation models that go beyond existing individual institutional strategies, governance and collaboration ecosystems. They are a source of inspiration for the wider higher education community, to drive system level reforms, while facilitating better coordination between European higher education and research policies.

(7) For the purposes of this Council Recommendation, the 'European Universities alliances'[29] are those funded under the Erasmus+ programme, with complementary support from the Horizon programme for research and innovation, where relevant. The 'alliances of higher education institutions' are referring to all other cooperation models. The objective of this Council Recommendation is to facilitate transnational

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18 COM/2020/625 final
19 OJ C 66, 26.2.2021, p. 1–21
20 European Universities Initiative | Education and Training (europa.eu)
21 European Student Card Initiative | Education and Training (europa.eu)
22 OJ C 221, 10.6.2021, p. 14-24
23 COM/2020/628 final
24 OJ L 431, 2.12.2021, p. 1–9
25 European Skills Agenda - Employment, Social Affairs & Inclusion - European Commission (europa.eu)
26 BFUG_Final_Draft_Rome_Communique-link.pdf (ehea2020rome.it)
27 OJ C 444, 10.12.2018, p. 1–8
28 P9_TA(2021)0452
29 https://education.ec.europa.eu/levels/higher-education/european-universities

cooperation for all European higher education institutions, beyond those supported under the European Universities initiative.

(8) Ambitious higher education alliances should benefit from the legal certainty of a legal statute that enables them to share common financial, human, digital and physical resources, and services, to operate virtual inter-university campuses and interoperable platforms for joint digital or blended activities. To deepen transnational cooperation in tackling effectively the twin green and digital transitions, the development of interdisciplinary modules and the design of joint European degrees need to be further facilitated in national legislative settings. Mainstreaming flexible and inclusive mobility through more coherent mobility frameworks and upscaling the use of the European Student Card initiative increases opportunities for learners, academics, researchers and staff. Sufficient long-term perennial funding is required to build capacity and attain the charted ambition level for transnational cooperation.

(9) Deeper cooperation between higher education institutions requires addressing all-encompassing challenges. Seamless set-up, external quality assurance and accreditation of joint transnational educational activities and programmes at all levels is hampered by the differences in external quality assurance, uneven implementation of automatic mutual recognition of qualifications and study periods abroad, as well as of the related key commitments within the Bologna Process, including the differences in degree structures and in the application of the European Credit Transfer and Accumulation System (ECTS)[30], and partial recognition of virtual and blended learning. Addressing these issues would reduce administrative burden and nurture the implementation of innovative interdisciplinary pedagogies across different countries.

(10) European transnational cooperation at institutional level is a powerful enabler for the deep transformation towards excellent, inclusive, competitive, sustainable and attractive higher education institutions, accounting for all their missions (education, research, innovation and service to society), with benefits within and beyond the higher education sector, for a Europe of knowledge, resilience and democracy and reflecting our European way of life and values. Transnational cooperation needs to be facilitated through a coherent legislative framework that articulates European and national legislative measures, effective implementation of available European initiatives, instruments and tools such as the European Universities, the Bologna Process tools or the European Student Card initiative, as well as the path towards developing new instruments such as a joint European degree and a legal statute for higher education alliances such as the European Universities. The framework should be developed in a stepwise approach enabling higher education institutions to build bridges and cooperate more effectively across borders and higher education systems to become more cohesive, for the benefit of the entire higher education community, and bringing value to society,

HEREBY RECOMMENDS THAT MEMBER STATES

With full regard to the principle of subsidiarity, institutional autonomy, academic freedom, in accordance with national circumstances, and in close cooperation with all relevant stakeholders:

1. Enable higher education institutions to test the feasibility of setting-up a **legal statute** for alliances of higher education institutions, such as the European Universities, with the objective to facilitate deeper cooperation by sharing human, technical, data,

[30] European Credit Transfer and Accumulation System (ECTS) | Education and Training (europa.eu)

education, research and innovation capacities. Allow them to experiment opportunities offered by existing European instruments. In this context, take steps for the full application of the European Grouping of Territorial Cooperation (EGTC) Regulation[31] to test it in the form of pilot projects, as referred to in point 11a.

2. Encourage and make it easier for higher education institutions engaged in transnational cooperation to provide joint programmes and award joint degrees. In this context, and building on the results from the exploratory actions as defined in point 12, facilitate the delivery at national level of a **joint European degree**, including the link to the National Qualifications Frameworks[32].

3. Enable higher education institutions to **develop and implement innovative joint transnational education activities** by allowing them to put in place suitable approaches and measures in relation to :

   (a) Admission and enrolment criteria of students and lifelong learners,

   (b) Defining the languages of instruction,

   (c) Share of online learning in the overall educational offer; share of student mobility (physical, virtual learning or blended) embedded in the joint educational activity; and share and organisation of internships, work-based learning activities, challenge-based and inter-disciplinary approaches,

   (d) The inclusion of flexible learning pathways, such as small learning experiences leading to micro-credentials,

   (e) The rules for credit allocation and transfer, and transparency in grading, according to the European Credit Transfer and Accumulation System (**ECTS) Users' Guide 2015,** as the only basis for transnational joint programmes, without additional rules or limitations,

   (f) The use of information on external quality assurance of European higher education programmes and/or institutions according to the Standards and Guidelines of Quality Assurance in the European Higher Education Area (ESG), included in the Database of External Quality Assurance Results (DEQAR) to implement automatic mutual recognition[33] for the purposes of further learning,

   (g) Allowing recognition of prior learning based on transparent and fair quality requirements and the organisation of appropriate assessment of learners, and awarding relevant credits for it.

   (h) Allowing more flexibility in defining the template of their joint degrees, including the use of a joint template for a joint European degree, when implementing joint transnational programmes.

4. Support **embedded mobility** in joint transnational educational programmes

   (a) Support higher education institutions to embed mobility (physical, virtual learning, blended) in a more systematic and flexible way in their joint

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31 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013R1302 OJ L 347, 20.12.2013, p. 303–319

32 https://webgate.acceptance.ec.europa.eu/europass/en/national-qualifications-frameworks-nqfs

33 As defined in the Council Recommendation on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad. OJ C 444, 10.12.2018

education programmes, at all levels, to allow a larger body of students, academics and researchers to benefit from the dynamics of integrated higher education cooperation and to promote balanced talent circulation.

(b) Foster the digitalisation of mobility management within multilateral partnerships of higher education institutions by upscaling the use of the European Student Card Initiative, in particular the standardisation and digitalisation of business processes around the signing of multilateral inter-institutional agreements.

(c) Work towards more coherent approaches for learning mobility in terms of admissions systems, academic calendars, tuition fee systems, access to and use of higher education facilities over summer/holiday months.

5. Commit to **sustaining financial support** for European Universities alliances and to deepen transnational institutional cooperation in higher education

(a) Mobilise available funding sources at regional, national and EU level[34] to match where possible the Erasmus+ and Horizon Europe support for successful participation of higher education institutions in European Universities alliances.

(b) Support higher education institutions to prepare their applications and participation in such deep institutional transnational cooperation.

(c) Promote and develop among higher education institutions a culture for transnational cooperation by ensuring that it is included and stimulated in national policy, priority setting and funding processes.

6. **Promote and protect the core principles of institutional autonomy** as a prerequisite for setting up common governance arrangements for deeper transnational cooperation. Enable universities to take independent decisions on internal governance, financial, staffing and academic matters, and to protect academic freedom. Involve academic staff and students meaningfully in decision-making related to their institution.

7. Strengthen mutual trust through **external quality assurance and accreditation of joint educational programmes** and other forms of joint educational offers developed by European Universities and similar institutional transnational cooperation models.

(a) Move further towards the use of **institutional-based external quality assurance**. This supports the development of a genuine institutional quality culture that leads to a greater accountability and compatibility of systems across Europe, building on tools and frameworks already in place in the context of the European Education Area, the European Research Area and the European Higher Education Area.

(b) Consider the possibility to allow for self-accreditation of programmes based on institutional quality assurance to underpin the self-responsibility of higher education institutions.

(c) In countries still relying on programme-based external quality assurance, consider the possibility to:

[34] Such as the European Regional Development Fund, the European Social Fund+, the Recovery and Resilience Facility and the InvestEU Fund

(i) enable the full implementation of the **European Approach for the Quality Assurance of Joint Programmes**, without further additional national requirements or conditions to the use of the European Approach;

(ii) ensure that the external evaluation of joint transnational programmes can be done by one single agency registered in the **European Quality Assurance Register for Higher Education (EQAR)**[35] and that the outcomes are automatically accepted in all other higher education systems concerned, without adding further national requirements or procedural steps; and

(iii) ensure that re-accreditation of joint transnational programmes is required only for clearly substantial changes, with a view to enhance their agility.

8. Support the development of **high-quality virtual collaborative learning** as an integral part of teaching, learning and research, to foster and facilitate inclusive and student-centred transnational cooperation, that complements face-to-face interactions, and in particular to:

(a) Support higher education institutions to develop virtual collaborative on-line international learning models as an integral part of a hybrid education, including through leadership commitment, strategic planning, robust and internationalised pedagogical training and support services, and appropriate funding.

(b) Valorise and recognise in their career assessment the time spent by academics in the development of new innovative pedagogies through transnational cooperation.

(c) Support European Universities alliances and similar institutionalised cooperation models in their efforts to pool expertise and resources to develop and implement **joint digital strategies and shared interoperable IT infrastructure**, for example by granting mutual access to online learning and research environments, learning management systems, digital libraries or massive open online course (MOOC) platforms, training and support services, seamless access to findable, accessible, interoperable, and reusable (FAIR) data and other interoperable services.

(d) Support the piloting and testing of open source solutions to overcome common challenges, thus contributing to the interoperability, digital readiness, data sovereignty and responsibility of higher education systems.

9. Support higher education institutions in developing **interdisciplinary joint transnational education activities at all levels** (short cycles, Bachelor, Master, and Doctoral).

(a) Enable and facilitate **transnational challenge-based approaches** where learners from different disciplines, cultures and countries cooperate together with researchers, companies, cities, regions, non-governmental organisations and local communities in finding creative and innovative solutions to global challenges.

[35] EQAR is the official register of national external quality assurance agencies that are in compliance with the commitments within the Bologna Process.

(b) Encourage the provision of high-quality life-long learning opportunities for everyone to facilitate upskilling and reskilling, with a focus on the most in-demand areas.

10. Encourage higher education institutions to **involve learners, academics and researchers more in the governance** of higher education institutional transnational cooperation structures, and notably

(a) Encourage higher education institutions to reflect in the governance structures the increasingly diverse backgrounds of learners and staff as well as different employment and educational experiences, in line with the principles of inclusion and equality.

(b) Support capacity building for strong and effective leadership as an important driver for holistic institutional transnational cooperation.

(c) Promote gender balance in the governance structures.

(d) Establish opportunities for peer learning and bench learning to encourage and support initiatives whereby higher education institutions can share experiences and engage in mutual learning and knowledge exchange.

Member States are recommended to implement this Recommendation as soon as possible and submit an action plan to the Commission by *[insert date 6 months after adoption by Council]* setting out the corresponding measures to be taken at national level to support the achievement of the objectives of this Recommendation by 2025 as essential steps towards a European Education Area.

HEREBY INVITES THE COMMISSION TO:

11. In parallel to the analysis of on-going studies and other preparatory work, support the Member States and higher education institutions to pilot the use of existing European instruments as a step with a view to developing by mid-2024 of **a legal statute for alliances of higher education institutions**. Such statute would facilitate deeper, long-term and flexible transnational cooperation, allowing and facilitating the sharing of capacities, data, and exchange of staff, and the implementation of joint programmes, with the aim to award at the level of the alliance joint degrees, including a joint European degree.

(a) As a first step, provide financial support under Erasmus+ as from 2022 to those alliances of higher education institutions wishing to test, in the form of a pilot project, the implementation of existing European instruments[36].

12. Examine options and necessary steps, in close cooperation with Member States, higher education institutions, student organisations and stakeholders, towards a **joint European degree** to be available by mid-2024. A joint European degree, to be delivered at national level, would attest learning outcomes achieved as part of transnational cooperation among several institutions, offered for example within European Universities alliances, and be based on a common set of European criteria. A European degree should be easy to issue, store, share, verify and authenticate, and recognised across the EU.

(a) Pilot as of 2022 under Erasmus+ the first steps towards a joint European degree, including gathering experiences with a view to develop European

[36] One existing instrument is the European Groupings of Territorial Cooperation (EGTC) https://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/egtc/

criteria for the award, as a first step, of a European Degree label. Such a label would be issued as a complementary certificate to the qualification of students graduating from joint programmes delivered in the context of transnational cooperation between several higher education institutions.

13. Pursue the **further development of the European Universities** initiative through the Erasmus+ programme, in synergy with Horizon Europe and other EU programmes, as the most ambitious and strategic transnational cooperation action among all other Erasmus+ transnational cooperation opportunities. As of 2022, provide higher and sustainable funding for successful existing European Universities alliances following a competitive and qualitative call, and allow for the creation of new ones. As part of the mid-term review of the MFF programmes, develop an investment pathway that takes into account regional, national and European funding, with the aim of making proposals by 2024.

14. Support the roll out of the **European Student Card initiative**, in particular the digitalisation of business processes that involve multiple signatories and data exchanges in order to reduce the administrative burden of managing students and staff mobility and exchanges embedded within transnational partnerships of higher education institutions.

The Commission is invited to assess and evaluate the progress made in the Member States action plans for the implementation of this Recommendation, as well as its use in the context of the work on the implementation of the strategic framework for European cooperation in education and training towards the European Education Area and beyond, via relevant Union monitoring and reporting frameworks, in cooperation with the Member States and after consulting the stakeholders concerned, and report to the Council within 5 years from the date of its adoption.

Done at Strasbourg,

For the Council
The President