

**"Building the European Higher Education Area. A further step forward"**

*Dr. Per Nyborg  
Chairman, Committee for Higher Education and Research,  
Council of Europe*

**"Bridges to Bologna"**

The Council of Europe has taken on the role of bridge-builder between "Bologna" and "non-Bologna" countries in Europe, informing those not yet partners in the process on its development and challenges. Also, the Council is very active in providing advice on higher education reforms to states in southeast Europe, in particular on legislative reform.

The Adriatic-Ionian Initiative is also building bridges in southeast Europe, and I am glad to be invited here to participate in your round table discussion. I have been asked to comment on some specific elements in the Bologna Process:

- Higher education as a public good and a public responsibility.
- Synergies between quality assurance and recognition.
- The role of legislation in the creation of the European Higher Education Area.

As several states represented at this round table are preparing to join the Bologna Process, I shall add a fourth topic:

- Stocktaking and milestones. New members.

If the time permits, I may also comment on other activities of the Council of Europe with a bearing on the Bologna Process.

**1. HIGHER EDUCATION AS A PUBLIC GOOD AND A PUBLIC RESPONSIBILITY**

Education, including higher education, is vitally important to all nations, given the critical role of education in economic, cultural and social development. Therefore, education is considered to be a national responsibility and a public good. However, most countries permit private education to coexist with public education. Private education may supplement, but should not displace, public education systems.

In many countries, higher education has changed from elite education to mass education. In other countries, the demand for higher education is increasing rapidly – much faster than the growth in educational capacity in the public system. Private, for-profit higher education institutions have been set up to meet the demand, some are branches of foreign institutions or private companies, some are transnational operations. For individuals with the ability to pay, education is then available as a private good.

Ministers in their Prague Communiqué supported the idea that higher education should be considered a public good and that it is and will remain a public responsibility. Ministers reaffirmed the need to take account of the social dimension in the Bologna process.

That higher education exists not only to provide opportunities for the individual, but also to serve the public interest, has previously been recognised by UNESCO, the Council of Europe and other international or multilateral bodies, through conventions and declarations.

According to UNESCO, the mission of higher education is to contribute to the sustainable development and improvement of society as a whole. It should educate highly qualified graduates able to meet the needs of all sectors of human activity and train young people in values, which form the basis of democratic citizenship.

We should also keep in mind that universities and colleges are important elements in any national infrastructure, not only for educational purposes, but also for culture, research, economic and regional development. This background is important for the development of identity, whether this be national, regional, European – or all of these at the same time.

The authority to regulate higher education must therefore remain in the hands of competent bodies as designated by national legislation. Trade in educational services may complement, but must not undermine the efforts of countries in transition to develop and enhance their own higher education systems.

Higher education as a public good implies that access must be fair and just. Ideally, higher education should be accessible to all qualified candidates, but it is recognised that, for financial or other reasons, it may be necessary to limit the capacity of the higher education system. In this case, however, all qualified candidates must have an equal opportunity to gain access to higher education, based on transparent criteria. Where fees are charged, these should be reasonable and financial support measures should make it possible for well qualified candidates to take higher education - even if they are unable to pay the fees or otherwise meet the share of the costs of higher education that the students are expected to meet themselves.

## **2. SYNERGIES BETWEEN QUALITY ASSURANCE AND RECOGNITION**

### Quality assurance

Quality assurance systems will play a vital role in ensuring high quality standards and facilitate the comparability of qualifications throughout Europe. All countries should have a system for quality assurance.

Existing national systems vary in mechanisms and procedures. Quality assurance systems should however include the following elements and procedures in each member state:

- A quality culture in the higher education institutions.
- An independent body responsible for quality assurance on the national level.
- A system of evaluation (and accreditation) of courses, study programmes and higher education institutions, which may include internal assessments, participation by students and reviews by external peer groups.

Co-operation between national quality assurance agencies is an essential factor. Such co-operation is carried out through the European Network for Quality Assurance (ENQA).

## Recognition

Recognition of qualifications should be based on the general provisions of the Lisbon Recognition Convention. Ratification and implementation of the Convention will be expected of all states taking part in the Bologna Process.

Main points of the Lisbon Convention are:

- Each country shall recognise qualifications from other countries as similar to the corresponding qualifications in its own system unless there are substantial differences.
- All countries shall provide information on the institutions and programmes belonging to their higher education systems.
- All countries shall appoint a national information centre, one important task of which is to offer advice on the recognition of foreign qualifications.
- All countries shall encourage their higher education institutions to issue the Diploma Supplement to their students in order to facilitate recognition.

The national information centres co-operate through the ENIC and NARIC Networks. (ENIC: Council of Europe / UNESCO, NARIC: EU Commission.)

## Synergies

The Lisbon Convention builds on the principle that higher education is a national responsibility. There is an implicitly assumption that study programmes, exams and degrees belonging to a national system of higher education hold a certain standard. This may be secured in various ways; previously this was often done by a decision of the Ministry of Education. More and more, higher education institutions are assumed to be accountable and fully responsible for the quality of their education. The Ministry of Education or an independent quality assurance agency oversees the system.

It follows that study programmes, exams and degrees should be quality assessed in their own national system and that other states should be ensured that they may trust the quality.

However, recognition also means looking backwards in time, as one may have to evaluate exams and degrees given at a time when study programmes may have been different and today's quality standards not yet introduced. And of course, recognition is not only about quality, but also about learning outcomes, levels and relevance.

Even so, there will be no recognition without a quality assessment. Building a system of national quality assurance bodies working together in a European network, probably is the best way to open for a wider recognition of higher education in Europe. A co-operation between ENQA and the ENIC/NARIC Networks is now being developed, opening up for important synergies.

### 3. THE ROLE OF LEGISLATION IN THE CREATION OF THE EHEA

Laws may be written in different ways. Traditionally, laws on higher education have prescribed in quite some detail how institutions in higher education should be governed and managed. With increasing interaction with society and with industry, such laws may often hinder necessary development.

With increased institutional autonomy, legislation is now being updated and simplified in many countries to allow for new initiatives. Still, there are significant differences in the way laws are written. For instance, the Austrian law has 144 articles filling 66 pages, whereas the Norwegian law has 63 articles filling 20 pages. Both laws were enacted last summer.

The Bologna Process is not a process moving towards a fixed goal: it is a dynamic system. This means that an effective law on higher education should only regulate that which is essential to regulate and which cannot effectively be regulated in any other way. It should be written to allow for change, remaining relevant as the higher education system develops.

A number of elements in the Bologna Process may call for changes in legislation in a number of countries.

- The Bologna Declaration refers to the European universities as partners in the process, underlining their autonomy. The law must delegate the necessary decision power to the institution – for changes in curricula and teaching methods, for internal self-governance, for interaction with other organisations nationally and internationally and for economic transactions.
- For universities to be responsible partners, the university leadership must be in charge of institutional activity and in control of the economy. Faculties within universities should not be legally independent persons relating directly to the Ministry of Education. Only the university leadership should relate directly to the Ministry.
- Autonomy goes hand in hand with accountability. For higher education institutions, this also must include accountability relating to the quality of teaching and learning. In addition to the formal accountability to the state, which should be prescribed by law, higher education institutions must also be accountable to society.
- The Bologna Process assumes that students are full members of the higher education community. They should participate in the organisation and content of education. Student participation in institutional governance should be prescribed by law.
- Of course, the Bologna Process requires adoption of a system of degrees essentially based on two main cycles, undergraduate and graduate. (The doctorate may be considered a third cycle.) It may not be necessary to describe the degree system in the law itself, it can perhaps better be described in a by-law. For the transition from one degree system to a new one, this may be more convenient than writing everything into the law itself. Most important, the law must not block the introduction of a two-tier system.

- One way to realise the European dimension in higher education would be for an institution to award a joint degree with an institution in another country. National legislation in many countries have provisions regarding the teaching language or the composition of the curriculum or the awarding of diplomas that in practice block the introduction of joint degrees. One element in any revision of higher education legislation should therefore be to make it easier to award joint degrees.
- Quality assurance systems will be important cornerstones in each national system of higher education. The quality assurance system must be independent of political and institutional interaction and it must have a basis in the legislation. The Bologna Process will build on the co-operation of national quality assurance systems.

#### **4. TAKING STOCK AND SETTING MILESTONES. NEW MEMBERS**

The Goal of the Bologna Process is to achieve a European Higher Education Area by 2010.

A stocktaking before 2010 will probably be considered by Ministers when they meet in Berlin in September 2003. The stocktaking has to be based on certain milestones: What “Bologna goals” should be achieved - and by what time? To a large extent the milestones will be related to acts of legislation.

Possible milestones :

- Introducing a 2-tier degree system.
- Introducing the Diploma Supplement.
- Introducing ECTS as a credit accumulation and transfer system.
- Opening up for joint degrees.
- Securing institutional autonomy and student participation in institutional governance.
- Provision for an independent quality assurance agency.
- Ratification of the Lisbon Recognition Convention.

At the Berlin Meeting, Ministers may review the geographical and institutional framework for the European Higher Education Area. The European Cultural Convention could be a meaningful way to define the geographical scope of the EHEA.

However, if milestones are being set for the partners in the Bologna Process, it would be reasonable to assess applications for membership according to the same milestones. In the meantime, applicants may be asked to present their higher education policies in the light of the Bologna Process and outline what reforms they plan to undertake to meet the goals of the Process. This is in line with the request from the Bologna Follow-up Group to ask member countries for progress reports.

My hope is that before 2010, all European States will be partners in the European Higher Education Area.