

**Appendix 5**  
(Item 7.1)

**Recommendation CM/Rec(2007)6  
of the Committee of Ministers to member states  
on the public responsibility for higher education and research**

*(Adopted by the Committee of Ministers on 16 May 2007  
at the 995th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity among its members and that this aim can be pursued notably by common action in educational and cultural matters;

Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and to the Universal Declaration of Human Rights (1948);

Having regard to the European Cultural Convention of 1954 (ETS No. 18);

Having regard to the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS No. 165; Lisbon Recognition Convention);

Having regard to the subsidiary texts to the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region adopted by the Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region:

- the Recommendation on international access qualifications (1999);
- the Recommendation on the criteria and procedures for the assessment of foreign qualifications (2001);
- the Code of good practice in the provision of transnational education (2001);
- the Recommendation on the recognition of joint degrees (2004);

Having regard to the Sorbonne Declaration adopted in Paris on 25 May 1998 by the Ministers of Education of France, Germany, Italy and the United Kingdom, to the Joint Declaration of the European Ministers for Education signed in Bologna on 19 June 1999 and to the communiqués adopted at their meetings in Prague on 19 May 2001, in Berlin on 19 September 2003 and Bergen on 20 May 2005 aiming to establish a European Higher Education Area;

Having regard to the UNESCO World Declaration on Higher Education for the 21st century: Vision and Action (1998);

Having regard to Recommendation Rec(2002)6 of the Committee of Ministers to member states on higher education policies in lifelong learning;

Having regard to Recommendation Rec(2000)24 of the Committee of Ministers to member states on the development of European studies for democratic citizenship;

Having regard to Recommendation No. R (2000) 12 of the Committee of Ministers to member states on the social sciences and the challenge of transition;

Having regard to Recommendation Rec(2005)13 of the Committee of Ministers to member states on the governance and management of university heritage;

Having regard to Recommendation No. R (2000) 8 of the Committee of Ministers to member states on the research mission of universities;

Having regard to Recommendation No. R (98) 3 of the Committee of Ministers to member states on access to higher education;

Mindful of the outcomes and recommendations of the European Year of Citizenship through Education (2005);

Considering that higher education is essential to European society, and that it fulfils the multiple concomitant purposes of preparation for the labour market, preparation for life as active citizens in democratic societies, personal development and the development and maintenance, through teaching, learning and research, of an advanced, comprehensive and diverse knowledge base;

Considering that higher education plays a key role in developing and maintaining democratic culture, without which democratic societies cannot function;

Considering that effective equal opportunities to higher education contribute to social cohesion and thus to the sustainable development of European societies;

Considering, therefore, that higher education and research is a public responsibility;

Further considering that public authorities must exercise their responsibility with a view to adapting it to the requirements of modern, complex societies,

1. Recommends that the governments of member states:
  - a. take steps to implement in their policy, law and practice the principles set out in the appendix to this recommendation;
  - b. promote the implementation of the principles and measures contained in the appendix where this is not the direct responsibility of governments;
  - c. promote the implementation of these measures by higher education institutions;
  - d. ensure that this recommendation is distributed as widely as possible among all persons and bodies concerned;
2. Instructs the Secretary General of the Council of Europe to transmit this recommendation to the governments of those states parties to the European Cultural Convention which are not members of the Council of Europe.

#### *Appendix to Recommendation CM/Rec(2007)6*

#### **Scope**

1. The present recommendation addresses the public responsibility for higher education and research, which is an integral part of the academic heritage of Europe and a cornerstone of the efforts to establish a European Higher Education Area by 2010. It also addresses the close link between the European Higher Education Area and the European Research Area. It recognises that for this public responsibility to remain a living reality, it must be adapted to the requirements of modern, complex societies.
2. The public responsibility for higher education and research is complemented by the public responsibility of higher education and research, exercised by its institutions, bodies, students and staff. While recognising the dual implication of public responsibility, as well as the importance of the policies and activities within higher education and research institutions, the present recommendation focuses on the responsibilities of public authorities.

3. Public responsibility should be exercised with due regard for the need of higher education and research institutions and systems, as well as their staff and students, to act freely and efficiently in the pursuit of their mission. Public authorities therefore have a responsibility to promote autonomy for higher education and research institutions as well as academic freedom for individual members of the academic community.

4. “Public responsibility” is to be understood as the responsibility of public authorities. Public responsibility for higher education and research can be exercised in different ways and at different levels (national, regional, local or combinations of these) in different countries. A “public authority” is understood to be any body, organ, entity or other organisation, at any level, empowered to supervise, oversee or make decisions, representing or acting on behalf of the population of the territory concerned, irrespective of its legal status under public or private law. Public authorities may be competent at local, regional or national level, in accordance with the constitutional arrangements of the country concerned.

### **Responsibility for the multiple purposes of higher education and research**

5. In keeping with the values of democratic and equitable societies, public authorities should ensure that higher education institutions, while exercising their autonomy, can meet society’s multiple expectations and fulfil their various and equally important objectives, which include:

- preparation for sustainable employment;
- preparation for life as active citizens in democratic societies;
- personal development;
- the development and maintenance, through teaching, learning and research, of a broad, advanced knowledge base.

6. Public authorities should also ensure appropriate conditions for higher education and research institutions to fulfil their function as a service to society.

### **Main categories of public responsibility for higher education and research**

7. The responsibility of public authorities for higher education and research should be nuanced and defined relative to specific areas. It is broadly recommended that public authorities have:

- exclusive responsibility for the framework within which higher education and research is conducted;
- leading responsibility for ensuring effective equal opportunities to higher education for all citizens, as well as ensuring that basic research remains a public good;
- substantial responsibility for financing higher education and research, the provision of higher education and research, as well as for stimulating and facilitating financing and provision by other sources within the framework developed by public authorities.

8. In exercising their responsibility, public authorities should take due account of internationally accepted standards and developments, in particular those that follow from the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region and other international treaties, as well as of standards and developments in the context of the European Higher Education Area.

### **Responsibility for the framework of higher education and research**

9. Public authorities should assume exclusive responsibility for the framework within which higher education and research are conducted. This should include responsibility for:

- the legal framework;
- the degree structure or qualifications framework of the higher education system;
- the framework for quality assurance;
- the framework for the recognition of foreign qualifications;
- the framework for information on higher education provision.

10. In elaborating or amending the legal framework, in accordance with the constitution and the legislative practice of each country, public authorities should consult with higher education institutions and their organisations, research institutes and bodies, organisations of students and staff and other relevant stakeholders.

11. Public authorities should determine the degree structure or qualifications framework of the higher education system for which they are responsible in accordance with international standards, and in particular those of the European Higher Education Area. Public recognition and funding of higher education institutions and programmes could be made conditional on their compliance with national qualifications frameworks.

12. The importance of quality assurance, which is a joint responsibility of public authorities and higher education institutions, grows with increasing degrees of institutional autonomy. Public authorities should establish, as an essential regulatory mechanism in diversified higher education systems, cost-effective quality assessment mechanisms that are built on trust, give due regard to internal quality development processes, allow for independent decision making, and abide by agreed-upon principles.

13. While avoiding burdensome administrative arrangements and seeking greater transparency, public authorities should set the requirements for the provision of accurate, objective and up-to-date information on higher education options, including on transnational education providers. Such information should correspond to the needs of learners and other stakeholders, including those seeking a certain degree of mobility, enabling and empowering each to make informed choices at all stages, from entering into higher education, to first employment.

#### **Responsibility for ensuring equal opportunities in higher education**

14. Public authorities should assume leading responsibility for ensuring that all qualified candidates enjoy effective equal opportunities to undertake and complete higher education, irrespective of their social and economic background. In particular, public authorities should endeavour to establish effective opportunities for members of underprivileged and underrepresented groups to access and complete higher education to the full extent of their aspirations and abilities. Equal opportunities should extend to all aspects of higher education, including internationalisation, for example through academic mobility of students and staff.

#### **Responsibility for research**

15. Public authorities should endeavour to ensure that basic research remains a public good, *inter alia* through providing adequate funding of basic research, by elaborating and overseeing the implementation of codes of ethical behaviour in research and by seeking to prevent the misuse of research results. Public authorities should further endeavour to ensure wide public access to research results to which no copyright restrictions apply, as well as to ensure that copyrights are granted and exercised with reason.

#### **Public responsibility for the financing and provision of higher education and research**

16. Public authorities should recognise higher education and research as strategic investments, and public funding should be a major source of support for higher education and research. They should therefore provide substantial funding for higher education and research.

17. Public authorities should further establish a legal and policy framework to encourage institutions and staff to seek supplementary funding from other sources, including from the private sector. Public authorities should state their commitment to considering such funding as supplementary to, rather than as a substitution for, funding provided by public authorities exercising their responsibility for higher education and research.

18. Public authorities should, according to practice in each country, play a substantial role in the provision of higher education and research through public institutions and bodies. Their responsibility in this area should not prevent organisations, bodies or individuals from establishing higher education and research institutions and bodies within the legal and policy framework established by public authorities.

### **Instruments for exercising public responsibility**

19. Public authorities exercise their responsibility for higher education and research through the various instruments at their disposal, including legislation, funding, public policies, programmes and projects, and general encouragement of the initiatives of institutions, students and staff. In their choice of instruments, public authorities should, as far as possible, seek to avoid overly elaborate, costly and time-consuming administrative procedures.

20. In the choice of instruments for exercising their responsibilities, public authorities should respect the principle of institutional autonomy and acknowledge that funding, motivating and stimulating the development of higher education and research is as important a part of public responsibility as the exercise of regulation and control.