

# *Why* **EUROPEAN UNIVERSITIES need a EUROPEAN LEGAL STATUTE**

**ECIU University welcomes the initiative to work towards a Legal Statute for European Universities as stated in the recent European Strategy for Universities.**

ECIU University has been working with national legal bodies for 25 years now. This current legal status is not serving the urgent ambition to offer education on a European level, solve societal challenges in close co-operation with various parties from our societies, and to create a European network for knowledge. A phased approach towards a European legal statute, starting with pilots in 2022, is welcomed by ECIU University. Stretching available national and European solutions, could be part of this approach.

A Legal Statute for European Universities is needed in order to fulfil the high ambitions for European co-operation in education and beyond. We cannot realise European Universities, a European Degree and a European Education Area without such a Legal Statute.

Moreover, a Legal Statute is crucial for (international) recognition of trustworthy partnership. To enable such partnerships and visibility towards society in a broader perspective, the Statute must be recognised beyond the domain of education.

A European Legal Statute will not be a single solution for a single problem. The exact obstacles which European Universities are facing due to the lack of a Legal Statute, and arguments for creating a such a Statute, are shared in this document. We look forward to working together with policy-makers and all parties involved in order to realise a Legal Statute for European Universities at short notice.

## Why European Universities need a Legal Statute

A Legal Statute for European Universities is important **to reach new levels of knowledge**, research and innovation for the long term among institutions of higher education in Europe. But its function must reach beyond such institutions: the European Statute should be a vehicle to achieve deeper and more sustainable co-operation across sectors, disciplines and cultures. This is essential for Europe to build up resilience. A Legal Statute should support exchanges, synergies, creativity and innovation and support the creation of a European network for knowledge.

The **need for a system of micro-credentials** is another example of why ECIU University welcomes plans to work towards a Legal Statute for European University Alliances. Such a system would allow alliances to pool the resources, capacities and strengths required in order to scale up their work.

ECIU University is in support of the arguments stated in the recent European Strategy for Universities (European Commission, January 2022; see text box).

*A legal statute for European Universities is important to mutualise their strengths together, make common strategic decisions, act together with a legal personality, and facilitate pooling together resources, activities and data. Such statute would facilitate deeper, long-term and flexible transnational co-operation, allowing the sharing of capacities, exchange of staff and the implementation of education programmes, with the aim to award at the level of the alliance a European degree - European Commission, January 2022*

## Obstacles that we are facing now

ECIU University is facing concrete administrative and regulatory barriers. Our current legal body is set up in accordance with national law (Foundation under Dutch law), which brings difficulties when sharing financial, human, digital and physical resources, infrastructures and services, as well as offering joint education, research, innovation and service to societal activities.

Member States have different interpretations of existing recommendations, rules and regulations. Even if the tools for smooth collaboration would be in place, in reality these different interpretations are causing issues.

Moreover, European Universities need a Legal Statute to overcome legal challenges: A Legal Statute could help European Universities comply with GDPR, VAT, IPR, FDI, competition law, public procurement, and more.

A European Legal Statute would help European Universities overcome the cultural and political differences between Member States. Political differences can usually be explained due to different legal regulations; cultural differences are so-called "soft" aspects, closely related to interpretations, that cannot be explained by written rules.

A Legal Statute would support European Universities creating a joint identity: being acknowledged as a true European University and being recognised at a European level as a sustainable and trustworthy partner.

# The requirements that European Universities have for a European Legal Statute

European Universities need resource management that is recognised at a European level – moving beyond a ‘joint’ way of working, since European Universities aim to do more than simply putting a document together, and allowing for different interpretations.

Examples are:

- Human resources, staff recruitment, management and secondment, including social security and pensions, recognised at a European level, building on initiatives like Resaver. ECIU University hires people that are based in different European countries, and faced complex taxation and administrative processes.
- Management of data, ethical issues and intellectual property, recognised at a European level, building on initiatives like the European Open Science Cloud.
- Physical and online infrastructure management on a European level, including common IT management and solutions.
- EU financial resources to buy goods and services, applying for EU funding and other funds, such as private or national subsidies.

A European Legal Statute must support the need to stay agile and flexible, avoiding ineffective layers of governance and the danger of additional transaction costs. We must work towards a European level of governance, a European offer of education, European support for innovation and a European knowledge market. Moreover, the Legal Statute must be recognised beyond the domain of higher education in order to realise a European network for knowledge.

European Universities will recruit learners and realise management at a European level. This includes the portability of grants, learners’ rights including social security, no double fees and an automatic recognition of learning outcomes. European Universities are in need of a simplified accreditation of modules, personalised learning paths and a European certification. A European Legal Statute must help realise the need for simplified internal and external quality assurance processes, including unified procedures.

A European Legal Statute will facilitate joint access to international networks and databases.

ECIU University is eager to work towards a legal statute for alliances of Universities by the middle of 2024, and to join the pilot under Erasmus+ as of 2022. ECIU University underlines that this pilot must exceed the implementation of existing European instruments such as the European Groupings of Territorial Cooperation (EGTC) to serve the needs of European Universities.

# 14 PIONEERS

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**Aalborg University** (Denmark)

**Dublin City University** (Ireland)

**Hamburg University of Technology** (Germany)

**Institut National des Sciences Appliquees**  
(France)

**Kaunas University of Technology** (Lithuania)

**Linköping University** (Sweden)

**Lodz University of Technology** (Poland)

**Tampere University** (Finland)

**TEC de Monterrey** (Mexico)

**Universitat Autònoma de Barcelona** (Spain)

**University of Aveiro** (Portugal)

**University of Stavanger** (Norway)

**University of Trento** (Italy)

## ECIU UNITES

# 489

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GROUPS

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ACADEMIC STAFF/RESEARCHERS

# 147

FACULTIES

# 298,000

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