

Some first personal reflections on the EC's Higher Education Package

1. The set-up of competitive joint degree programs and the award of joint degrees is since many years a real headache in the EU27.
2. This is caused by the many legal and administrative barriers which still exist at member state level. They slow down the smooth set up of joint programs and the award of joint degrees.
3. So, all efforts to do something about this are welcome, as it happens today with the Higher Education Package (HEP). The EC has taken the concerns of universities serious and with this HEP now proposes several specific actions.
4. The HEP is however a second best approach, not the best approach : in normal circumstances, if the EC, EP and Member States (MS) would be convinced of the need of a European Degree (regardless the format, label or qualification), legislative action by the EU would be the best and obvious approach. However, seen the lack of competences of the EU in the field of education, this is now impossible. Let's hope that education soon becomes a shared competence of the EU and the MS, so that second best approaches are no longer necessary.
5. The second best approach presented today by the EC consists of a communication and two recommendations. Both are non-binding legal instruments, they don't impose legal obligations on the member states.
6. This second-best approach means, in particular for the European Degree, that the EC must incentivize MS to eliminate, on a voluntary basis, the before mentioned obstacles. The creation of a European Degree Policy Lab and an Annual European Degree Forum certainly can be appropriate tools for that necessary incentivizing approach. Will this suffice ? The proof of the pudding will be in the eating. **Legal anchoring** of the European Degree (be it as a label be it as a qualification) is nonetheless crucial : universities are nothing with an empty shell – i.e. a label or a qualification that is not anchored in domestic law, as appropriate university tools with their own specific characteristics.
7. A second condition to avoid an empty shell approach is that the development and the offer of European degree programs gets appropriate **funding**. The creation of New Erasmus+ support for European Degree Pathway Projects and for the design of joint degree programs leading to a European Degree certainly can be appropriate tools for the funding needs which those initiatives will entail. However, again, the proof of the pudding will be in the eating.

8. Next to legal anchoring and funding, a third important element regarding this HEP in general, and the European Degree (as label, as qualification) in particular, is the respect of a number of **horizontal principles** :
 - a. Delivered at national, regional and institutional level, in full respect of subsidiarity, institutional autonomy and academic freedom;
 - b. Awarded jointly and on a voluntary basis by universities across the EHEA;
 - c. Fully based on existing Bologna Process tools, so avoiding duplication of processes;
 - d. Cutting the red tape in establishing joint degree programs, hence, reducing administrative burden;
 - e. Based on common European criteria tested and agreed with MS, SHO and HEI.
9. The success of this HEP will not only depend on its legal anchoring, its funding, and its respect for the above horizontal principles. It will also depend on the **leadership** that the **European Commission** will show vav the MS. Seen the impossibility for the EU to impose EU legislation aiming at the elimination of national obstacles to the creation of joint programs and joint degrees, it will be up to the EC, with support of the EP, to push the MS to a voluntary elimination of those obstacles, so that European programs and European degrees become possible in a faster and more flexible way. In this leadership test for the EC, the goal must be that all joint initiatives by universities benefit from this approach, not only the joint initiatives in the framework of the European University Alliances. Time will show if a “communication” is sufficient to do all of this. An explicit and detailed “recommendation” will probably soon prove to be absolutely necessary to “convince” the MS to act.
10. Obviously, for all of the above, also improvements re quality assurance and recognition are necessary, and are rightly suggested. And of course, academic careers must be attractive and sustainable for the goals pursued by the HEP. It’s just a pity that the relevant actions are not developed in an integrated way with what DG R&I is doing on careers.

All in all, this HEP is a promising approach by DG EAC, considering the present legal boundaries within which it has to work. If this second-best approach will be successful will very much depend on DG EAC’s leadership and perseverance, and the MS’ willingness to give up national obstacles. The European Education Area was in the doldrums. With the HEP, we can have some hope again.

Kurt Deketelaere, 27/03/24