The Future of Fundamental Values in the EHEA: Russian War on Ukraine and Re-Thinking Safeguards Against Non-Democracies

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Abstract

The concept of the fundamental values of the European Higher Education Area (EHEA) – academic freedom, academic integrity, institutional autonomy, participation of students and staff in higher education governance, and public responsibility *for* and *of* higher education – received little attention and was taken for granted during the first decade of the Bologna Process, even if some of the values were addressed independently of each other before the concept was formally introduced.

This chapter aims to contribute to the discussion on the fundamental values in the context of the Bologna Process from two perspectives. First, it provides an overview of the EHEA response to the Russian war on Ukraine and analyses procedural complexities of its decision-making process. This discussion is supplemented by an account of disruptions incurred by the Ukrainian higher education system due to Russian military attacks since 2014. The depiction of academic freedom and public responsibility *for* and *of* higher education in Ukraine provides the argument for a bottom-up model of policy implementation in emergencies.

Second, the chapter argues the need to uphold fundamental values in international cooperation with non-democracies and authoritarian regimes that infringe on human rights and the rule of law and promote authoritarian ideologies. It analyses the concept of democratic change through engagement and provides examples of legitimization of authoritarian ideologies through 'soft power'. Finally, the authors suggest implications for collaboration between the EHEA and other countries as part of the Global Policy Dialogue.

Keywords

Bologna Process, European Higher Education Area, Crisis management, Fundamental values, Public funding, Higher education, Non-democracies, Ukraine.

In memory of Ukrainian Heroes and Heroines

1. Introduction: Rule of Law 'Explained' by Russia and Belarus

Beyond producing knowledge and developing human capital, higher education contributes to developing and maintaining democratic societies. On 19 November 2020, the Ministers responsible for higher education in the member countries of the European Higher Education Area (EHEA) reaffirmed, among others, the following commitment in the Rome Ministerial Communiqué: 'The EHEA of our vision will fully respect the fundamental values of higher education and democracy and the rule of law. … We reaffirm our commitment to promoting and protecting our shared fundamental values in the entire EHEA through intensified political dialogue and cooperation as the necessary basis for quality learning, teaching and research as well as for democratic societies. We commit to upholding institutional autonomy, academic freedom and integrity, participation of students and staff in higher education governance, and public responsibility for and of higher education.' (European Higher Education Area 2020).

Fundamental values largely remained a vague topic for the EHEA until shortly before the 2015 Yerevan Ministerial conference which underscored the challenges of 'conflicts within and between countries, … extremism and radicalization' (European Higher Education Area 2015b:1) and asserted the role of 'public responsibility for higher education, academic freedom, institutional autonomy, and commitment to integrity' (ibid.: 1). These developments built upon, elements such as the Bologna Follow-Up Group (BFUG) discussions in the preceding years arguing for 'responsibility of European political and institutional leaders, academics and student organizations for transferring global values into HE' (European Higher Education Area 2020a: 7) and the need for the EHEA to 'react [to] conflicts between countries and political extremisms within countries' (ibid.:9). The importance of the fundamental values was reaffirmed in 2018 at the Paris Ministerial conference, followed by the work of a dedicated Task Force under the Working Group on Monitoring during 2018-2020. As mandated in the Rome Ministerial Communiqué by the EHEA Ministers responsible for higher education, in 2021 the Working Group on Fundamental Values commenced to develop a monitoring and implementation framework. One year later, two EHEA members invaded a third one.

This chapter provides a detailed account of the consequences of international cooperation with non-democracies in the EHEA context, as exemplified by Russian war on Ukraine with the support of Belarus.

Firstly, it outlines changes and challenges in Ukrainian higher education caused by the Russian military invasion of Ukraine since 2014, and, particularly, from 2022. The authors argue that the response of public authorities in Ukraine to the aggression was broadly adequate from the perspective of their public responsibility *for* higher education. The chapter also examines public responsibility *for* higher education as exercised by the EHEA[1] in face of Russia's full-scale attack on Ukraine and the decisions taken and pending in this regard. The depiction of public responsibility *of* higher education draws on the example of institutional agency in Ukraine and the bottom-up model of policy implementation.

Secondly, the chapter investigates the notion of non-democracies as illustrated by Russia and Belarus. The authors draw on these countries' violations of human rights and academic freedom and instilling of authoritarian ideologies through 'soft power'. Emphasis is also given to the EHEA actions in upholding fundamental values of higher education related to democracy and the rule of law. The

[1] By the EHEA, we refer to the governance structures of which the EHEA is structured around, specifically the Ministerial Conferences, the Bologna Follow-up Group (BFUG), the BFUG Board, Working and Advisory Groups established by BFUG and the Secretariat. Although the EHEA could be considered as a higher education space for dialogue and practice, its operation is attached to and built on the actions and decisions taken by its governance structures.

chapter concludes with a review of the EHEA aspirations for global cooperation and provides recommendations for safeguarding against non-democracies.

The chapter scrutinizes fundamental values in several ways. Firstly, it reviews the history of the concept in the context of the Bologna Process and the EHEA. Secondly, it analyses the decision-making power and commitment of the EHEA in acting upon the declared adherence to fundamental values and illustrates challenges and successes in doing so. Thirdly, it evaluates the implementation of policy-related responses of Ukrainian national authorities after the full-scale Russian invasion and examines their public responsibility *for* funding and provision of higher education in times of crisis.

2. Higher Education in Ukraine: Managing the Emergency

The Ukrainian higher education sector has been dealing with the consequences of Russian military invasions since 2014, when Russia temporarily occupied the Autonomous Republic of Crimea and ghettos Donetsk and Luhansk regions.

This violation of international law forced the full-fledged displacement of 18 Ukrainian higher education institutions and marked a long-lasting crisis for their students and staff (EuroMaidan Press 2017). Public support for the relocated universities remained limited, lacking targeted financial assistance or integration policies into new regional communities (Nikolaev et al. 2023). The displaced higher education institutions have suffered deteriorated performance and decreased students' demand, resulting, for some of them, in mergers with other universities.

The full-scale Russian war against Ukraine has exerted a considerably larger impact on the Ukrainian higher education sector. This section provides a concise account of the war-induced challenges experienced by Ukrainian higher education institutions since 2022 and attempts to compensate for the losses incurred and to enable uninterrupted operations.

1.2.1 Disrupted service delivery and financial crisis

At the time of writing, Russian targeted destructions have resulted in 3798 damaged and 365 destroyed educational institutions[2]. The first comprehensive assessment of damages to the higher education institutions, their losses and needs was conducted in mid-2022 by the MoES, UNICEF, Save the Children, and the World Bank (Education Cluster et al. 2022).

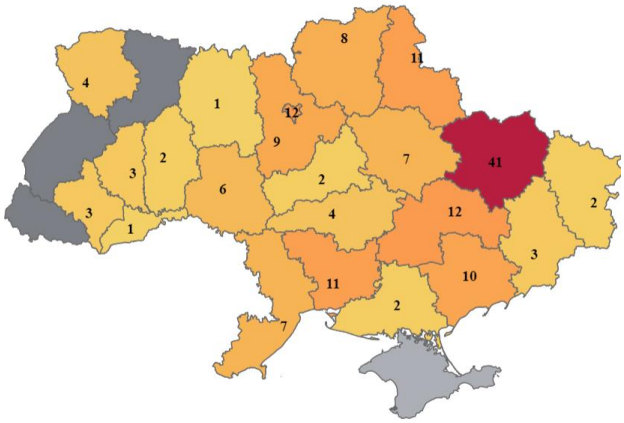

Fig.1. Number of destroyed/damaged tertiary institutions in Ukraine, mid-2022
Source: Reprinted from Education Cluster et al., 2022.

[2] https://saveschools.in.ua/, accessed March 15, 2024.

Note: The survey was administered during 25 June – 4 August 2022 across 1247 tertiary educational institutions. The overall response rate amounted to 62% (34% for higher education institutions, 66% for professional pre-higher education institutions). No data is available for regions highlighted grey.

Major challenges of professional pre-higher and higher education institutions related to lack of digital capacity, damage to infrastructure and equipment, displacement of students, staff and institutions, and safeguarding the mental health of learners and educators. The costs incurred due to the Russian military aggression have been reported to exceed 115 million USD, with higher education institutions accounting for 102 million USD (see Table 1).

Assets	Costs for universities (in UAH)	Costs for colleges (in UAH)	Total costs (in UAH)	Total costs (in USD)
Damaged laboratory equipment	UAH 1,192,672,395	UAH 176,895,782	UAH 1,369,568,177	$ 37,083,155
Damaged ICT equipment	UAH 86,092,950	UAH 11,043,419	UAH 97,136,369	$ 2,630,116
Damaged library equipment	UAH 39,607,471	UAH 9,708,620	UAH 49,316,091	$ 1,335,309
Damaged furniture	UAH 182,654,706	UAH 45,657,372	UAH 228,312,078	$ 6,181,899
Damaged education material	UAH 36,098,655	UAH 7,886,251	UAH 43,984,906	$ 1,190,959
Other damaged assets (buses, catering facilities, etc.)	UAH 885,907,373	UAH 95,646,248	UAH 981,553,621	$ 26,577,067
Costs related to facilities overuse	UAH 230,721,049	UAH 32,043,503	UAH 262,764,552	$ 7,114,753
Costs related to IDPs support	UAH 314,013,958	UAH 54,102,996	UAH 368,116,954	$ 9,967,330
Costs related to rental space	UAH 51,620,396	UAH 4,287,818	UAH 55,908,214	$ 1,513,800
Costs related to the construction of shelters	UAH 706,620,078	UAH 56,160,052	UAH 762,780,130	$ 20,653,440
Costs related to debris removal	UAH 44,883,022	UAH 11,294,623	UAH 56,177,645	$ 1,521,096
Total costs	UAH 3,770,892,053	UAH 504,726,684	UAH 4,275,618,737	$ 115,768,923

Table 1: Damages and financial losses of tertiary education institutions, August 2022

Source: Reprinted from Education Cluster et al., 2022.

Supported by the World Bank 'Improving Higher Education for Results Project', the survey was replicated in May 2023, with a focus on safe learning spaces. As reported by 113 higher education institutions (74% response rate), the key challenges for enabling a safe educational process included the accessibility of shelters, the availability of surveillance systems, and infrastructure for mental health and psychosocial support. The needs for enhancing safe learning conditions have been stipulated at 64.2 million USD, as detailed in Table 2. The war-affected higher education institutions did not exceed 30% of the reported needs, which could be attributed to challenges with processing reporting requests, particularly in the temporarily occupied territories.

Reported needs of higher education institutions	All regions		War-affected regions		Other regions		Kyiv city	
	Total amount, M UAH	Total amount, M USD	Total amount, M UAH	Total amount, M USD	Total amount, M UAH	Total amount, M USD	Total amount, M UAH	Total amount, M USD
Digital equipment	579,0	15,8	172,0	4,7	311,0	8,5	96,0	2,6
Safety infrastructure	1553,0	42,5	446,0	12,2	503	13,8	604,0	16,5
Inclusive learning spaces	216,0	5,9	43,0	1,2	111,0	3,0	62,0	1,7
Total	**2348,0**	**64,2**	**661,0**	**18,1**	**925,0**	**25,3**	**762,0**	**20,8**

Table 2: Reported needs of higher education institutions for safe learning, May 2023

Source: Project Implementation Unit of the 'Improving Higher Education for Results Project', 2023

Note: For purposes of this survey the war-affected higher education institutions included those located in the regions of active and potential hostilities, as defined by the Ministry of Reintegration of Temporarily Occupied Territories of Ukraine at a time of the survey implementation (Kharkiv, Zaporizhzhia, Mykolaiv, and Kherson regions), higher education institutions located in the temporarily occupied regions of Ukraine, and displaced higher education institutions located in Sumy and Chernihiv.

These findings are further substantiated in the Ukraine Rapid Damage and Needs Assessment, whose third issue estimates the reconstruction needs of the higher education sector to 641,5 million USD (World Bank et al. 2024). This clearly makes an argument for prioritising fiscal efficiency, diversifying institutional funding, and rationalising the network of higher education institutions for the reconstruction period (Kahanec et al. 2022), the issues of the higher education modernisation agenda also prior the crisis (Gresham and Ambasz 2019).

1.2.2 Public responsibility for and of higher education

Ukrainian public authorities have provided a consolidated response to the challenges of the operation of higher education institutions in crisis, particularly, compared to 2014.

Providing sufficient public funding remained the most difficult aspect of sustaining the operation of higher education institutions. As Fig. 2 details, in 2022 the real value of the public funding of higher education institutions dropped by 6.2% as compared with 2021 and remained low throughout 2022-2023. While fiscal projections for 2024 increased above the pre-war level, higher education institutions in emergencies might well require higher levels of resourcing. Limited financial autonomy and declined tuition fees purported their further dependencies on public funding, making its allocation arrangements particularly important.

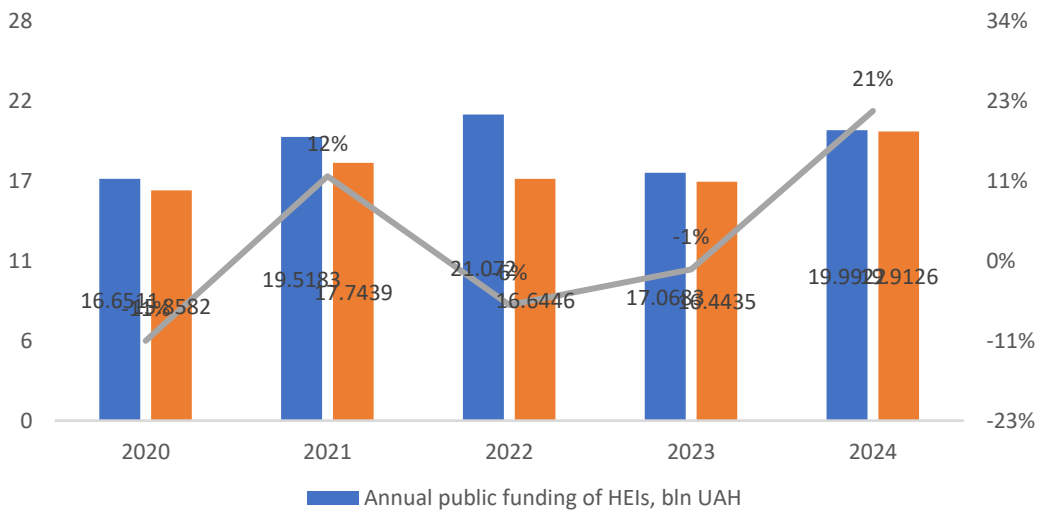

Fig. 2: Tendencies of public funding of Ukrainian higher education institutions

Source: The State Budgets of Ukraine in years 2020-2024, authors' calculations.

During 2020-2021 the public funding of higher education institutions was allocated as per the performance-based funding (PBF) formula policy (Parliament of Ukraine 2019), an embodiment of the so called Matthew effect where stronger institutions prosper while weaker institutions improve or merge (Suprun 2020). After the full-scale Russian invasion, the PBF policy was suspended and received little attention. Public funding returned to a historic funding model based on student numbers, long purporting multiple imbalances, from exceptionally high completion rates (since higher education institutions have no financial interest in selective admissions) to lose institutional profiling (due to bargaining between the MoES and institutions).

Under the circumstances, financial assistance and in-kind contributions of external partners became crucial. In March 2022, top-tier EdTech companies, i.e., Coursera, Udemy, edX, Google, Zoom and Microsoft provided free-of-charge access for Ukrainian higher education institutions to their products (Hochschulforum Digitalisierung 2022). During April-May 2022, the World Bank disbursed 100 million USD in support of merit- and needs-based scholarship to students at these institutions[3]. Until March 2023, 100 partnerships between UK and Ukrainian universities had been established under the Twinning initiative[4], facilitating infrastructure rehabilitation and bilateral cooperation.

These crisis responses and recovery objectives became institutionalised in the national plans, including Ukraine's National Recovery Plan (National Recovery Council 2022), Draft Ukraine Recovery Plan (The National Council for the Recovery of Ukraine from the Consequences of the War 2022), Vision of Education and Science of Ukraine (Ministry of Education and Science of Ukraine 2023) and Strategic Plan of the Ministry of Education and Science of Ukraine until 2027 (Ministry of Education and Science of Ukraine 2024). Notably, higher education is rarely featured on humanitarian response and recovery agenda of major development partners (Education Cluster and UNICEF 2023; UN Office for the Coordination of Humanitarian Affairs 2023; United Nations in Ukraine 2022; USAID 2019), except for

[3] https://mof.gov.ua/uk/news/minfin_svitovii_bank_nadast_100_mln_dolariv_dlia_viplat_akademichnikh_ta_sotsialnikh_stipendii-3365, accessed February 14, 2024.
[4] https://www.universitiesuk.ac.uk/what-we-do/creating-voice-our-members/media-releases/twinning-scheme-one-year-how-invasion, accessed February 14, 2024.

supra-national and international actors active in the sector prior to emergency (European University Association 2023; OECD 2022; World Bank 2022).

As the full-scale Russian war on Ukraine continues into its third year, sustaining the operational capacity of higher education institutions becomes even more urgent. In mid-2023, the MoES announced a large-scale reform of higher education governance and funding. The envisioned changes should include reinstating the PBF policy, diversifying state subsidies for waiving tuition fees (merit-based grants and needs-based aid), merging higher education institutions and piloting wider financial and organizational autonomy at several universities. Notably, the PBF formula should be key in defining mergers' priorities since it steers the MoES modelling of the future higher education landscape towards 'some public higher education institutions becoming bankrupt'[5].

Available anecdotal evidence (e.g., stakeholder meetings, expert articles, media) claims the PBF formula redesign to envision high reserve funding (6.3% of operating expenditures), wide-ranging differences in funding of higher education institutions as compared to the previous year (from 60% to 150%), use of the pre-war data for evaluating research outputs (2019-2022), and incentivising institutions participating in the Erasmus+ programme.

The outlined policy changes, initiated during the full-scale war, invite a closer look into policy learning during a crisis and robustness of the suggested policy designs against external shocks and internal resistance (Capano and Woo 2017).

1.2.3 Displaced universities

The 2023 Free to Think report[6] cites multiple attacks on higher education and academic freedom committed by Russians in their war against Ukraine. These include, i.e., murdering, kidnapping and disabling scholars and students, seizing control of the administration of higher education institutions through appointing pro-Russian rectors, and modifying curriculum to reflect Russian imperialistic and Soviet era beliefs.

Russia has caused massive internal and external displacement of higher education institutions, students and staff, whose capacity to remain engaged in intellectual activities has been challenged. Mid-2022, 29 institutions were displaced, including 18 that had been in exile since 2014 (Ministry of Education and Science of Ukraine 2022), and their number grew to 44 in April 2023. Contrary to 2014, the newly displaced institutions have adopted a 'semi-virtual relocation' model, assuming a quick return: few key administrators relocated to the hosting university, while students and staff continued remote teaching and learning (Nikolaev et al. 2023).

The exact number of displaced students and staff remains unknown, both to the national authorities and the EU. The best available hypothesis implies one-quarter of post-secondary students (325,000 persons) staying outside the country (European University Association 2022).

The academic freedom index of Ukraine has experienced a decline since 2022, as campus integrity, institutional autonomy and the freedom of academic and cultural expression has deteriorated since the full-scale Russian invasion, particularly, in the temporarily occupied and newly liberated territories. Yet, the bottom-up networks of higher education actors play a pivotal role in safeguarding academic

[5] https://osvita.ua/blogs/91424/?fbclid=IwAR0sng0duvW-3Wshka_JjZwJdEcWxq5UwO5Jn5wNZ-3SunFYsH60eZ0jWVs, accessed February 16, 2024.
[6] https://www.scholarsatrisk.org/resources/free-to-think-2023/, accessed February 14, 2024.

freedom, institutional autonomy and participation of students and staff in higher education governance, as discussed in the next section.

1.2.4 Institutional agency

Key stakeholders in the bottom-up model of policy implementation are local implementing entities with 'a wide range of discretion and interpretative power' (Schofield 2001). This model adopts an analytical approach in anticipating and predicting policy outcomes and analysing policy implementation. Yet, it is subject to limitations of accountability and power base and exaggerative character of autonomy and impact of the low-/local-level actors (Matland 1995).

In Ukraine, 'problem solving around a complex, context-specific, and dynamic policy issues' (Hill and Hupe 2003) has led to higher education institutions assuming a proactive role as centres of regional communities. As emphasised by Oleg Sharov (2023), universities became humanitarian hubs for millions of internally displaced people. According to the 2022 MoES survey, 85% of their staff are engaged in war-related volunteering activities (Education Cluster et al. 2022). The community engagement resulted in multiple grass-root institutional initiatives, such as the Ukrainian Global University[7], the Alliance of Ukrainian Universities[8], and the Digital University[9]. Many higher education institutions from safer regions have opened their premises to displaced institutions to establish temporary administrative 'back-offices' and supported the internally displaced with dormitory placements and necessaries. Lastly, the student agency has developed into periphery implementation structures of the emergency policy response. The Erasmus Student Network Ukraine, the Ukrainian Student League, and Ukrainian Students for Freedom have conducted a survey of Ukrainian students displaced abroad to inform policy making with their perceptions and attitudes (Fedorchuk et al. 2022). Another example of the front-line students' engagement is the Unissued Diplomas project, aimed to disseminate information on students' casualties across international higher education communities[10].

1.2.5 Against all odds

Ukrainian higher education institutions have suffered long-lasting, unprecedented disruptions to their human potential, physical infrastructure, and operational capacity. As the Russian war on Ukraine continues, reconstruction will become more demanding and costly, external partners' commitment to support weakened, and people available to rebuild the country fewer. Providing Ukraine with long-requested military supplies is the most effective way to mitigate further purposeful destruction of the national higher education sector.

1.3 EHEA Decision-Making in the Face of Crisis

Russia, Ukraine, and Belarus have been members of the Bologna Process since 2003, 2005 and 2015 respectively. For Russia, the decision to join the Bologna Process came after several years of its government's preparatory work, arguably with a view to 'incorporating Russian higher professional education system into European education community before 2010' (European Higher Education Area 2003). Ukraine's accession to the Bologna Process was perceived as key for 'modernization [of] the system of higher education and science of Ukraine' (European Higher Education Area 2004). Belarus' access required more efforts, as its higher education was largely misaligned with the Bologna Process

[7] https://uglobal.university/ukrainian-global-university, accessed February 14, 2024.
[8] https://ucu.edu.ua/news/v-ukrayini-stvoryly-alyans-universytetiv-zarady-vidbudovy-ukrayiny-ta-rozbudovy-gromad/, accessed February 14, 2024.
[9] https://www.eeas.europa.eu/delegations/ukraine/eu-support-higher-education-development-ukraine-erasmus-digital-university-%E2%80%93-open-ukrainian_en?s=232, accessed February 14, 2024.
[10] https://www.unissueddiplomas.org/, accessed February 14, 2024.

structural reforms. This, alongside with Belarus being the first country accessing the EHEA after its formal establishment in 2010 and a scope of structural reforms required of Belarus, including on fundamental values, necessitated adopting a Belarus strategy 2018-2020 at the Paris Ministerial conference.

The Russian invasion of Ukraine in 2014 received little attention from the EHEA governance structures, as the Russian military offensive in Georgia in 2008. The Bologna Process Implementation Report (BPIR) issued in 2015, the year after Russia's temporary occupation of the Autonomous Republic of Crimea, Donetsk, and Luhansk regions, provided no reference of these events. This BFUG non-reaction to the disruption of fundamental values surprisingly coincided in time with its work on referencing fundamental values in the Yerevan Ministerial Communiqué. Still, the BPIR lacked any mention of Ukraine or reasons for Ukraine's non-submission of data. Russia, on the contrary, not only had its higher education system properly reflected in the BPIR, but also hosted a BFUG Board meeting in September 2017, several years after exterminating Ukrainian higher education institutions from the Autonomous Republic of Crimea and the eastern regions of Ukraine.

As per the 2014-2020 BFUG and minutes of the BFUG Board meetings, the BFUG neither officially discussed nor undertook any actions related to the illegal military invasion by one EHEA member of another. The first documented evidence of the Russian violation of international law in the official proceedings of the BFUG appeared in the minutes of the BFUG meeting hosted by Ukraine in March 2020 (Bologna Process 2020a). As the MoES stressed at a time, the EHEA needed to finally react to 'hybrid threats to global peace and security' (ibid., p.3). The problem of non-implementation in Belarus and its disregard for fundamental values has received more attention than the Russian war against Ukraine. The topic of suspension within the EHEA was first raised with regard to Belarus and its violent suppression of student protests related to electoral fraud by the European Students' Union during the BFUG Board meeting hosted by the UK (Scotland) (Bologna Process 2020b). Notably, the UK, the UK (Scotland) and Germany initiated, in their capacity of the EHEA Co-Chairs, a statement on the situation in Belarus (Bologna Process 2020c). Supported by 24 EHEA countries and 5 consultative members, it argued that there were 'grave violation of human rights and shared fundamental freedoms and values' (ibid.) in Belarus and reiterated the EHEA support to its academic community authorities in achieving fundamental values. Russia produced its own counter-statement in support of the Belarus authoritarian regime[11] and echoed the Belarus authorities during the BFUG meeting hosted by Italy immediately before the Rome Ministerial conference (Bologna Process 2020d).

The BFUG's negligence and inertia goes against its role as the executive structure overseeing the Bologna Process implementation and its duty to act upon commitments undertaken through the Ministerial Communiqués. Despite the explicit ministerial pledges to safeguarding fundamental values, the BFUG remained silent on military invasions of its member.

The full-scale Russian war eventually challenged the status quo. On 1 March 2022, the MoES issued an official letter[12] to the BFUG Co-Chairs and the BFUG Secretariat, asking for suspension of Russia's participation in the work of the Bologna Process and its expulsion from the EHEA. Similar statements were sent to several EHEA consultative members – ENQA, EUA, EURASHE, EQAR, as well as the ENIC Bureau and NARIC Advisory Board, aiming to exclude Russia from the EHEA-relevant institutional and intergovernmental relations.

[11] At the moment of writing, the document was mentioned, but not uploaded on the EHEA website under the link https://ehea.info/Upload/%D0%9C%D0%9D_12_2762.pdf, accessed February 16, 2024.
[12] https://www.ehea.info/Upload/MoES_to_EHEA_-_RU_suspension%5B6%5D.pdf, accessed February 14, 2024.

The E4 Group (ENQA, EUA, EURASHE and ESU) promptly responded to the war unfolding in Europe. ENQA suspended[13] the rights of Russian quality assurance and accreditation agencies and urged its member and affiliate agencies to reconsider engagement in Russia. EUA suspended[14] the membership of 12 Russian higher education institutions that were signatories to the rectors' letter[15] in support of Russian war against Ukraine and called on its members to 'cease contact and collaboration with any central government agency of the Russian Federation or any other country that actively supports the Russian invasion of Ukraine'[16]. EURASHE condemned[17] Russia's violation of territorial integrity of Ukraine and recommended its members to cease all academic cooperation in Russia. ESU joined the public judgment against Russia's invasion of Ukraine, 'a sovereign democratic State with full rights to determine its own future.'[18]. EQAR committed[19] not to cooperate with any central government agency in Russia and advised EQAR-registered quality assurance agencies against collaboration with the Russian higher education institutions, whose rectors supported Russian invasion of Ukraine. The ENIC and NARIC Networks did not issue any public statements or decisions on the Russian war against Ukraine[20]. The Lisbon Recognition Convention Committee (LRCC), overseeing the implementation of the Lisbon Recognition Convention, adopted a decision[21] restricting the participation of Russia and Belarus only on 28 February 2023. This belated response was preceded by an attempt to put the issue on the agenda of the regular LRCC meeting in November 2022, yet this was turned down and postponed until the extraordinary session held in February 2023.

The BFUG response enabled suspending the rights of participation of Russia and Belarus in the EHEA at the BFUG meeting held by France in April 2022, as reflected in the Statement by members and consultative members of the Bologna Follow-Up Group on consequences of the Russian Federation invasion of Ukraine[22]. Signed by 39 governmental and 6 consultative EHEA members, the European Commission and EQAR, it proved the BFUG's determination to suspend Russia and Belarus from participating in the meetings, working groups, structures, and work program of the EHEA. The statement was prepared over a short time (March 2022), by an informal group of some EHEA members with steadfast support of the Council of Europe. The statement was introduced during the extraordinary BFUG Board meeting hosted by France on 18 March 2022. Following a formal proposal submitted by the French Co-Chair in Strasbourg, the BFUG reached 'a near-unanimous agreement on this exceptional situation' (Bologna Process 2022).

While the BFUG was able to provide a response to the atrocities caused by Russia and Belarus in Ukraine, its decision-making process was not smooth. The BFUG Rules of Procedure (RoP) became the key point of contention since they lacked clear guidance on decision-making in exceptional circumstances. The BFUG statement underwent several revisions to fully comply with the RoP for the

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[13] https://www.enqa.eu/wp-content/uploads/ENQA-Board-statement-on-invasion-of-Ukraine.pdf, accessed February 14, 2024.
[14] https://www.eua.eu/news/842:eua-suspends-membership-of-12-russian-universities-following-statement-by-university-leaders.html, accessed February 14, 2024.
[15] https://rsr-online.ru/news/2022/3/4/obrashenie-rossijskogo-soyuza-rektorov/, accessed March 10, 2024.
[16] https://www.eua.eu/news/835:european-university-association-statement-on-ukraine.html, accessed February 14, 2024.
[17] https://www.eurashe.eu/news/eurashe-statement-ukraine-crisis/, accessed February 14, 2024.
[18] https://esu-online.org/policies/statement-addressing-the-renewed-russian-aggression-towards-ukraine/, accessed February 14, 2024.
[19] https://www.eqar.eu/we-stand-with-ukraine/, accessed February 14, 2024.
[20] As explained in the ENIC-NARIC Networks' official letter to the Minister of Education and Science of Ukraine dated 11 April 2022, that is also available to the first author of this chapter, its mandate is limited to that of an implementation mechanism of the Lisbon Recognition Convention, accessed February 14, 2024.
[21] https://www.coe.int/en/web/education/-/declaration-adopted-by-the-lisbon-recognition-convention-committee-on-the-participation-of-the-russian-federation-and-belarus, accessed February 14, 2024.
[22] https://www.ehea.info/Upload/STATEMENT%20BY%20MEMBERS%20AND%20CONSULTATIVE%20MEMBERS%20OF%20THE%20BOLOGNA%20FOLLOW%20UP%20GROUP%20ON%20CONSEQUENCES%20OF%20THE%20RUSSIAN%20INVASION%20OF%20UKRAINE.pdf, accessed February 14, 2024.

2021–2024 working period and mitigate reservations of some EHEA members on national policies and terminology. Other instances of discord included an argument by some delegations that the BFUG lacked a mandate to decide on the suspension of members, for which – the argument went - the decision of the EHEA Ministers was required, and voting arrangements when consensus cannot be reached, i.e., the type of BFUG membership majority (absolute or qualified) for voting, number of voting delegations, political vis-à-vis technical decisions, and the interpretive or prescriptive nature of the RoP. Unable to close a motion on these matters in Strasbourg, the BFUG Co-Chairs (France and Azerbaijan) committed to suggesting amendments to the Rules of Procedure, have their final text approved electronically, and present them for formal approval at the next BFUG meeting. This intention was never fulfilled: the BFUG Board meeting hosted by Kazakhstan in October 2022 reopened the question on establishing an *ad hoc* Task Force to review the rules and regulations for the EHEA governance. As per the mandate of this Task Force, adopted by the BFUG in November 2022[23], and its work during the recent years, the revisited RoP (or part of it) should be presented for adoption at the 2024 Tirana Ministerial conference.

Shortly after the BFUG decision, the Russian public authorities started spreading news of their intentional withdrawal from the Bologna Process, given 'a lack of positive impact on the national system of higher education'[24]. Similar fake narratives were reinforced by higher education media, including the anonymous anti-Western 'UNW Reporter'[25], specialising in Russia and China. This reaction resembles the way Russia attempted to mislead the public into thinking it chose to leave the Council of Europe mid-March 2022, while being excluded[26] from it just a few hours after its attempted withdrawal. Unlike its arguably independent decision to leave the Council of Europe, Russia, however, has not submitted any withdrawal to the EHEA competent authorities.

1.4 Public responsibility *for* Higher Education and Collaboration with Non-Democracies

The fundamental values of higher education have consistently enjoyed attention in higher education studies (Bergan 2020; Enders et al. 2013; Maassen et al. 2017; Weber and Bergan 2005), including a recent surge in their comparative aspect (Karran et al. 2017; Matei et al. 2021; Pruvot and Estermann 2017) and endeavours to provide a consistent literature review thereof (BFUG Working Group on Fundamental Values 2022; DAAD 2021). Still, so far relatively little consideration has been given to the feasibility and necessity of cooperation with actors coming from non-democratic contexts, although this consideration would be particularly important in upholding the public responsibility *for* higher education. As suggested by Bergan and Matei (2022), the responsibility of public authorities and actors in national and supranational level (including the EHEA) should ensure that the fundamental values of higher education are respected. This includes also furthering the democratic values, which play essential role in higher education for preparing the active citizenship in democratic societies and maintaining the democratic culture in society (Bergan and Matei 2022; Council of Europe 2007). In the light of this, suspending the rights of participation of Russia and Belarus in the Bologna Process has hardly prevented them from continuous engagement in higher education collaboration in Europe, enabled by vague or non-existent policies of the national and supranational authorities. For instance, the Erasmus Mundus Association (EMA) welcomed a country representative from Russia at its 16th General Assembly in May 2022, despite Ukraine's official appeal[27]. The Council of the European Union introduced restrictions on cooperation with Russian public authorities but allowed 'mobility exchanges

[23] https://www.ehea.info/Upload/BFUG_CZ_KZ_82_ToRs_Task_Force_Review_of_Rules_and_Procedures%20%281%29.pdf, accessed February 14, 2024.
[24] https://www.universityworldnews.com/post.php?story=20220415114832118, accessed February 14, 2024.
[25] https://www.universityworldnews.com/post.php?story=20230518145828664, accessed February 14, 2024.
[26] https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680a5d7d9, accessed February 14, 2024.
[27] The appeal was tabled by the first author in her capacity as the Ukrainian representative to the 16th EMA General Assembly and Oleksandr Ivanov on behalf of the EMA Eurasian Regional Chapter 2016-2018, accessed February 14, 2024.

for individuals and people-to-people contacts'[28]. Numerous higher education institutions in the EHEA countries, e.g., University of Amsterdam[29], University of Manchester[30], University of Leuven[31] and University of Osnabrück[32], have established common support structures for students and staff from Ukraine, Russia, and Belarus, thus humiliating Ukrainians' grief. Both ENQA and EUA have stated their continued communication with to-be-suspended Russian institutions and encouraged case-by-case maintenance of existing collaborations with Russia 'where these are clearly based on shared European values.'[33].

At the same time, non-democracies are keen to use soft power measures to reinforce their geopolitical standing. According to Nye (2017), soft power refers to the ability to obtain preferred outcomes by attraction rather than coercion or payment. Soft power involves ways to impact and build an image which aims to facilitate state cooperation, administration and a race to distribute influence, values and ideology to other states (see also Nye 1990). It can include many non-coercive forms, such as humanitarian assistance, developmental aid, cultural exchange and, more importantly, higher education and research collaboration and exchange. Simultaneously, liberal democracies have been eager to promote their own soft power measures aiming to support liberalisation and democratisation of non-democracies.

Unfortunately, current research suggests a failure of democratic change through engagement with non-democracies (Baykal and Benner 2020; Morris 2002; Pap 2023). Often this engagement is coupled with increased risks for those initiating cooperation in the hope of instilling fundamental values through 'soft power'. A more prevailing outcome of engaging with non-democratic regimes appears to be unintended (or quite purposeful) legitimisation of authoritarian narratives under the umbrella of enhancing educational diplomacy, overthrowing 'geopolitical narcissism' (Marginson 2023) or 'addressing global social needs' (Altbach and de Wit 2021).

When we look at the real outcomes instead of hopeful aims, non-democracies like Russia and Belarus have not taken any steps during the past 20 years to liberalise their political systems, nor have they turned to embrace "Western" or "European values". On the contrary, they have transformed into more authoritarian regimes with a higher tendency to rely on hard power in domestic (violent suppression of democratic movements and opposition, assassinations and imprisonment of political opponents and eradication of independent media) and foreign policy (invasions of Georgia and Ukraine). This leads us to think that non-democracies have been better equipped to capitalise on soft power than European liberal democracies, or at least that the soft power initiatives of European democracies largely have failed.

For purposes of this chapter, we should also recall how and why Russia accessed the EHEA in 2003. According to several Russian and non-Russian authors, it was primarily politically motivated and driven by President Putin's administration, while strongly opposed by the Russian higher education sector, particularly by rectors (Ezhevski et al. 2017; Marquand 2018; Pursiainen and Medvedev 2005; Telegina and Schwengel 2012; Tomusk 2007). From a soft power perspective, joining the EHEA benefitted Russia in many ways. It allowed Russia to use the European "halo effect" to increase the prestige and image of the Russian higher education sector globally and to enter the race for global talent (Mäkinen 2016; Pursiainen and Medvedev 2005), and it further legitimised the Russian higher education sector as a valid partner for European higher education systems and reinforced the capability to benefit from

[28] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0576, accessed February 14, 2024.
[29] https://www.steunuva.nl/project/support-students-in-need, accessed February 14, 2024.
[30] https://www.manchester.ac.uk/discover/conflict-support/ukraine-response/, accessed February 14, 2024.
[31] https://www.kuleuven.be/fundraising/emergency-fund-ukraine, accessed February 14, 2024.
[32] https://www.uni-osnabrueck.de/en/solidarity-towards-ukraine/, accessed February 14, 2024.
[33] https://www.eua.eu/news/835:european-university-association-statement-on-ukraine.html, accessed February 14, 2024.

European funding (e.g., international credit mobility, Erasmus Mundus Joint Masters, capacity building projects and Jean Monnet activities). Since 2003 Russian higher education institutions have been able to coordinate EU-funded projects and since 2006 to receive EU funds (Mäkinen and Deriglazova 2021). Finally, it has increased Russian opportunities to influence foreign students' worldviews and perceptions on Russia (Crowley-Vigneau et al. 2022).

It should not be forgotten that the same regime that pushed towards Russian accession in 2003 used the strongest possible hard power tools in 2008, 2014 and 2022 against other EHEA countries. This leads us to assume that, despite the naïve expectations, there was no major change in Russian geopolitical ambitions between 2003 and 2008. Therefore, also the goals of Russia's accession should be interpreted primarily in the light of successive use of hard power in the form of unprovoked military invasions of the neighbouring countries.

It is unfortunate that several European countries were blinded by beliefs that collaborating with Russia and Belarus would, in the end, if not lead the latter to embrace the European values, then at least keep them abstaining from the use of hard power tools. As it can be now seen, Europe's political inaction and continued appeasement of Russia after 2008 and 2014 did not prevent the all-out attack on Ukraine in 2022. On the contrary, the continued absence of punitive actions, like those that took place eventually after the 2022 invasion, possibly encouraged Russia to act more presumptuously. Although we are not suggesting that earlier suspension (or preferably expulsion) of the Russian Federation from the EHEA would have prevented the 2022 invasion, we argue that by continued inaction and collaboration with Russia the EHEA stakeholders missed a crucial moment to safeguard a fundamental value of public responsibility *for* higher education. Failure to oppose an aggressive non-democratic EHEA member was a missed opportunity to show what supporting democracy means in European higher education. Even now when it has become evident that appeasement as a policy has clearly failed, some European countries and actors continue to hesitate in their punitive actions. A more cynical perspective is that the willingness to continue collaborating with the Russian higher education sector results from financial, political or other dependencies.

1.5 The Global Dialogue of the Bologna Process – the Way Forward

On its own behalf, Ukraine has been defending European fundamental values from Russian aggression for 10 years already. Meanwhile, the EHEA stakeholders should have come to realise the meaning of fundamental values. The continuous presence of fundamental values on the BFUG agenda since 2015 marks a considerably closer attention devoted to this topic in the EHEA. It is with great hopes that we await the outputs of the dedicated Working Group on Fundamental Values and the wording on and commitment to fundamental values in the Tirana Ministerial Communiqué. Still, even after fundamental values will have been operationalised, the question remains how to distinguish between true and fabricated values.

This chapter has attempted to describe the BFUG non-decision making in 2014 and the way resolutions were taken in 2022. The Russian war on Ukraine, which nudged the BFUG to take a closer look at its own regulations, is nowhere near an end and Russia's purposeful destruction of the Ukrainian higher education system continues. While the BFUG mandate is limited, excluding Russia and Belarus from the EHEA falls perfectly well under the Ministers mandate. It is only reasonable to expect the BFUG to mobilise again to put forward this proposal on the agenda of the Tirana Ministerial conference and the EHEA Ministers to be determined in their decisions.

The *savoir faire* of collaboration with non-democracies will likely remain a EHEA priority, as it aims to establish wider political engagements via the Coordination Group on Global Policy Dialogue. In this collaboration, it is important to remember that the EHEA has been challenged with addressing

authoritarian regimes among its own members multiple times[34]. While international fora and dialogue can be useful, the BFUG might benefit from an honest reflection on its experiences with Russia and Belarus and learn from this. In addition, the BFUG would benefit from risk management of the evolving geopolitical tensions and the emerging cases of non-democratic politics and policies within the EHEA.

Values-based collaboration with non-democracies should be grounded in one's capability to uphold those values, whether out of self-interest or political necessity. When the absence of shared values becomes evident, such collaborations should cease. European countries should learn that even when appeasement and silence are the easiest options, they are also the most dangerous ones, making Europe at least partly complicit to the actions of non-democracies. There is a real risk that inaction only reinforces the perception of non-democracies that Europe is unable and weak in safeguarding its own values.

Acknowledgement

The authors are grateful to Sergiy Artemenko, Oleksandr Zakharov and Mykola Horbovtsov (World Bank 'Ukraine Improving Higher Education for Results Project') for providing the survey data in support of this research.

Disclosure statement

The first author was a Ukrainian national representative in the BFUG during 2018-2023. Both authors declare no present conflict of interest. This chapter reflects only the authors' position. The conclusions given in the chapter do not reflect the position of state bodies, institutions, or organizations.

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[34] Such other instances include, i.e., the conflict over the Karabakh region.

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