



**DEMOCRATIC LEARNING ENVIRONMENT:
FOSTERING EUROPEAN VALUES WITHIN
HIGHER EDUCATION SYSTEMS
IN EaP COUNTRIES**

2019

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List of Acronyms

ATHENA project – Fostering Sustainable and Autonomous Higher Education Systems in the Eastern Neighbouring Area (IV Tempus programme)

AFT – American Federation of Teachers

BFUG – Bologna Follow Up Group

CSF – Civil Society Forum

EAEU – Eurasian Economic Union

EaP – Eastern Partnership

EaP CSF – Eastern Partnership Civil Society Forum

EHEA – The European Higher Education Area

EU – The European Union

EUA - The European University Association

GDP - Gross domestic product

ISCED - The International Standard Classification of Education

HE – Higher Education

HEI – Higher Education Institution

NP – National Platform of the EaP Civil Society Forum

OECD - The Organisation for Economic Co-operation and Development

TI – Transparency International

The Eastern Partnership Civil Society Forum (EaP CSF) is unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms. The EaP CSF is a non-partisan bona fide non-governmental organisation.

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Executive Summary

This policy paper was prepared within the framework of the EaP Civil Society Forum specifically for Tbilisi Eastern Partnership Conference: Promoting Common Values through Education and Culture (June 25-26, 2019). It provides a snapshot of the situation with promoting the fundamental European values in the higher education systems of the six EaP countries.

This publication is the result of collaborative work of experts from the six EaP CSF National Platforms with the financial, organisational, and information support of the Secretariat and the Steering Committee of the EaP Civil Society Forum (the List of Contributors is provided in the end of the paper).

This policy paper focuses on the capability of the higher education systems of the six EaP countries to serve the purpose of promoting the European values as an integral part of the EHEA. Due to the heterogeneous situation of the higher education environment in each of the EaP countries and limited time for analysis, the expert assessment method was chosen for this work. To carry out this analysis, a special team of country experts was established based on the recommendations of the EaP National Platforms and experience of previous work on the EHEA issues in the EaP countries' context. A special extensive questionnaire was prepared by the expert coordinators to provide a comparable framework for the country experts to provide and analyze qualitative information. The qualitative data is mainly based on the information about legislation, regulations, national policies, and the experts' assessment of specific aspects of the higher education reality. The experts also relied on the national and international statistics, and secondary analysis of sociological surveys. The main indicators presented in this paper are based on the EHEA, EUA and Transparency International (TI) criteria grouped and analysed within four main dimensions:

- *Academic Freedom;*
- *Institutional Autonomy;*
- *Corruption-Free Environment in Higher Education;*
- *Inclusiveness in Higher Education.*

Reports on each of the six EaP countries are presented in the Appendices.

The EaP countries are on the periphery of the pan-European efforts to monitor and evaluate achievements in higher education by degree and quality of the process of values implementation. The EaP region is excluded from the institutional autonomy study periodically conducted by the EUA. It often remains a blank spot in the EHEA reports on the issues related to the social and value dimensions of higher education. Incomplete and incomparable statistics does not contribute to drawing an objective picture of higher education reforms in the EaP countries. This is part of a more general issue: lack of transparency. This is not only the consequence of the non-public political process in some countries but is the result of lack of the relevant tools and mechanisms.

Preparing this policy paper, the expert team faced significant challenges related to insufficient transparency of information and lack of essential data regarding the state of affairs in some of the dimensions under analysis. In spite of this, the country experts collected the maximum information available for analysis based on which a general regional comparative analysis of the situation in all 6 EaP countries was carried out. Local characteristics and country trends are described in more detail in separate country reports which may be of interest to the reader specialising in the issues of a particular country. In view of the above, this study and recommendations are of even higher added value to fill in the gap with independent analysis of presence and practice of the European values in the higher education systems in the EaP region.

The expert team resulted its work in the following conclusions:

In spite of their differences, the higher education systems of the six EaP countries are similar due to insufficient development of a democratic educational environment required to promote and protect the European values. There are higher education systems which have advanced in implementing these values but there are also countries which need to do a lot in this area.

Academic Freedom

The most reliable instrument of academic freedom protection against politically motivated dismissals is a long-term or permanent faculty appointment. Although the situation in Armenia, Georgia, Moldova, and Ukraine is different, permanent appointments protecting academic staff are very rare in any EaP country. The share of academic staff employed under a one-year appointment has been growing. The quality of practicing values of academic freedom produces the greatest difference among the EaP countries in terms of setting the conditions to develop critical thinking and civic engagement. In the Belarusian and Azerbaijani higher education, the level of implementation of these values remains very low in terms of the law as well as in terms of academic practice. Student civic engagement competences are present only at those universities which have real autonomy and which governing bodies have the decision-making powers in the significant aspects of the academic life.

Institutional Autonomy

A majority of the countries in the region have an average European level of institutional autonomy at the legislative level. However, the university management reforms have been implemented to a different extent from country to country. Armenia and Georgia have implemented them to a large extent; Moldova and Ukraine have achieved certain success in some aspects while Belarus and Azerbaijan are still quite far from the average European standard. The reforms affected institutional autonomy in different ways. The universities became more financially independent and sustainable, however, in terms of academic development, the EaP countries are unable to boast of achievements. Belarus is the only stable outsider concerning all types of autonomy: in spite of the commitment to reform its higher education system undertaken by the government of Belarus at the conditional admission to the EHEA in 2015, changes in institutional autonomy are virtually absent. All higher education systems envisage student participation in higher education self-governing bodies. The students' quota ranges from 10% to 30% in the academic councils.

However, the student civic engagement competences are developed only at those universities, which have functional autonomy and their self-governing bodies have the decision-making power. It is obvious that the level of institutional autonomy of Azerbaijani and Belarusian universities does not favour promotion of civic engagement values. Increasing the level of universities' institutional autonomy remains an urgent task.

Corruption-Free Environment in Higher Education

The issue of corruption in higher education remains far from being solved. At the same time, contrary to the popular belief, the level of corruption does not correlate with the level of the governmental funding of higher education. It is possible to minimise some forms of corruption by administrative means but the issue of public tolerance towards corruption in education remains an obstacle in most of the EaP countries. This is especially noticeable in terms of academic misconduct, which is present in all of our countries. Besides, administrative measures to fight corruption in higher education, as a rule, are associated with reducing significance and limitation of the fundamental academic values. In particular, this results in a low level of academic autonomy in all of the EaP countries.

Inclusiveness in Higher Education

The most urgent tasks for fostering the European values include the task to ensure equal access to high-quality and inclusive education, and equal opportunities for all students regardless of their gender, sexual identity, abilities and education needs, economic status, ethnicity, language, religion and citizenship status. This task, as well as inclusive potential of higher education, has not become an education policy priority for either the society or the academia yet. All higher education systems in the EaP countries are unable to achieve significant progress in providing the real gender balance in higher education. The issue of accessibility and inclusiveness of higher education for other social groups of applicants remains unresolved. Having implemented certain preferential instruments to provide greater accessibility to higher education for vulnerable and under-represented groups, absence of transparency in higher education does not allow us to evaluate the efficiency of the efforts to overcome discrimination. This is only part of a more general issue: absence, with rare exceptions, of long-term quantitative policy objectives for access/participation of students from under-represented groups.

The following recommendations are made:

To the EaP Governments and ministries responsible for the development of higher education in the EaP countries:

- to ensure implementation of the Recommendation of the Council of Europe (Rec/CM(2012)7) concerning the responsibility of the public authorities for academic freedom and institutional autonomy, and Recommendation concerning the Status of Higher-Education Teaching Personnel adopted by the UNESCO on 11 November 1997;
- to boost the academic freedom by legally restricting the use of short-term contracts with university teachers;
- to enhance institutional autonomy of the universities by providing legislative expansion of academic autonomy and by limiting the representation of governments and ministries

- in the governing bodies of the universities meanwhile allowing for expanding them by the representatives of civil society, think-tanks, trade unions and business sector;
- to foster the implementation of the reforms of the higher education area by establishing advisory bodies composed of representatives of civil society, media, research institutions, think tanks and business and consequently strengthen the collaboration and cooperation among those actors;
 - to tackle the critical situation with financial autonomy – to remove unnecessary restrictions, to supporting the universities in developing their fundraising capacities and by providing incentives for other sources of income while promoting transparent and participative budgetary procedures;
 - to provide targeted financing within the university sector to develop administrative skills, financial management system and internal human resources management including the clear career paths for university staff
 - to improve the transparency of higher education on the implementation of the EHEA values - academic freedom, institutional autonomy, equal access to high-quality and inclusive education by developing the system of collection of relevant statistical indicators for harmonisation with the EHEA classification and allow for its monitoring by different actors. To provide for a comprehensive reflection of the implementation of these values in the national higher education systems.
 - to increase student participation in the decision-making process relevant to institutional autonomy;
 - to develop and adopt national indicative plans on inclusive education and corruption-free environment that would be developed in collaborative effort while including students, civil society and other relevant actors;
 - to define academic honesty and develop control mechanisms for all levels of education by investing in anti-plagiarism and anti-corruption programmes;
 - to tackle the brain-drain by investing resources and efforts to maintain contact with professionals and students abroad and engaging them in academic activities in their home countries so that they can benefit from the knowledge and skills that they were able to acquire abroad.

To the European Union:

- to encourage the EaP governments to adopt the necessary legislation supporting the academic freedom and independence and to support implementation if such legislation is already in place;
- to support universities in the region by developing their fundraising, administrative and financial management capacities;
- to encourage the development of national indicative plans on inclusive education and corruption-free environment that would be developed in collaborative effort while including students, civil society and other relevant actors;
- to support anti-plagiarism programs developed within the EaP countries;
- to continue supporting student but also teachers' mobility and encourage exchanges not only with the EU member states but also within the EaP region in order to foster the links within the region;
- to facilitate better inclusion of the EaP universities into the international research networks and international research mobility; to improve the funding environment and

practice so that the EaP universities play substantive role in the international research projects targeting the region;

- to support the efforts of the EaP CSF and its National Platforms to involve stakeholders in the development of a coordinated regional strategy for the implementation of European values in and through the education systems, ensuring transparency and regular monitoring of this process with the participation of non-state higher education stakeholders, primarily students.

To the European Higher Education Area and the European University Association:

- to pay special attention to the EaP region and to promote a comprehensive inclusion of these countries into the research and monitoring of the implementation of the EHEA values, in particular in the next study of “University Autonomy” that would allow for comparison, assessment and improve transparency;
- to grant EaP CSF an observer status within the BFUG.

To the civil society organisations, networks, coalitions at country level, EaP initiative and European partners:

- in line with the EaP CSF policy paper “Advancing Eastern Partnership: 23 Civil Society Ideas for the Policy beyond 2020”¹ guided by the task to contribute the emergence of the EaP as a region and building links among the EaP countries, EaP CSF should lead in developing a coordinated strategy for promoting the European values in and through the higher education systems of the EaP countries;
- the civil society and EaP CSF in particular should advocate for an efficient multistakeholder dialogue with the EaP national governments leading to the development of the national indicative plans on inclusive education and corruption-free environment;
- to promote the integration of the EaP countries in monitoring the EHEA's academic values and principles implementation process via the relevant European networks and structures as well as to support the EaP CSF's nomination to the BFUG as an observer.

¹ <https://eap-csf.eu/10-years-of-eap-policy-advancing-eastern-partnership/>

Introduction

In the report “Reaching out to EU Citizens: A New Opportunity” Luc Van den Brande, Special Adviser to the President of the European Commission Jean-Claude Juncker, said: “In a rapidly changing world, political inspiration and human-centred practices are needed to shape and strengthen the values that are associated with 'Europe'... To respond to the challenges of globalization and increasing complexity, the role of education is therefore fundamental. Indeed, learning to live together with our differences and diversity is becoming the central dimension of active citizenship”².

The Council Recommendation on Common Values, Inclusive Education, and the European Dimension of Teaching indicates the importance of promoting the common European values such as democracy, freedom, tolerance, non-discrimination, equality, and solidarity in and through education. The Eastern Partnership is based on the common commitment to the fundamental values including democracy, rule of law, respect for human rights, fundamental freedoms and gender equality. Relying on the fact that higher education in the EaP countries can foster these values, we should also make possible that the education system promotes the European values within to become a channel of communicating them to the society.

There are several areas where values issue is of utter importance: a) developing a democratic educational environment, which allows cultivating real freedom of thought and critical thinking; b) developing institutional autonomy as an environment to form civic engagement and social responsibility competences; c) ensuring the conditions of intolerance to all forms of discrimination, corruption and misconduct for promoting inclusiveness values.

The expert team consisting of Gubad Ibadoghlu (Azerbaijan), Thea Galdava (Georgia), Victor Gotisan (Moldova), Sergiy Kurbatov (Ukraine), and Misha Tadevosyan (Armenia) was coordinated by Vladimir Dounaev and Ulad Vialichka (Belarus).

² https://ec.europa.eu/commission/sites/beta-political/files/reaching-out-to-citizens-report_en.pdf , p.11

Fostering Values in Higher Education

The higher education systems of six EaP countries have in common not only their Soviet past but also that they are part of the European Higher Education Area (EHEA). The EaP countries joined the Bologna process with a gap of ten years between Ukraine, Moldova, Georgia, Armenia and Azerbaijan that joined in 2005 and Belarus, that joined in 2015. The time gap is not the only reason to explain the heterogeneity of the six countries' educational environments.

There are different political, socio-economic and cultural characteristics (geopolitical orientation (EU or EAEU), level of political institutions' development, degree of respect to democracy and human rights, type of economic model, socio-cultural and religious patterns etc.) that influence higher education system and dominating values in each of the EaP countries.

It makes sense to analyze the issue of values in higher education in EaP countries via four main dimensions: Academic Freedom, Institutional Autonomy, Corruption-Free Environment and Inclusiveness in Higher Education.

1. Academic Freedom

Council of Europe's Recommendation CM/Rec (2012)7 of the Committee of Ministers to Member States³ on the responsibility of public authorities for academic freedom and institutional autonomy proclaimed that academic freedom and institutional autonomy are essential values of higher education, and they serve the common good of democratic societies. Academic freedom should guarantee the right of both institutions and individuals to be protected against undue outside interference by the public authorities or others. It is a prerequisite for both the academic staff and students and should be applied throughout Europe. The university staff and/or students should be free to teach, learn, and research without the fear of disciplinary action, dismissal or any other form of retribution.

The 2018 EHEA report⁴ mentions that the degree of academic freedom is hard to study. The very concept of academic freedom is enshrined in the laws of four EaP countries – Armenia, Georgia, Moldova and Ukraine. Azerbaijan and Belarus do not have such provision in its legislation but it does not mean total absence of academic freedom in the life of the universities. However, lacking legislation means serious limitations of the students and academic staff's rights and lack of protection of thereof.

Moreover, the national legislations of Azerbaijan and Belarus contain provisions limiting academic freedom. In particular, the Code of Education of the Republic of Belarus includes terms justifying ideological censorship and repressions against dissenting opinions (clauses 2.1, 3, 5.2 of Article 18) and compulsory two-year job placement (Articles 83-88). The Civil Code and the

³ <https://www.refworld.org/pdfid/50697ed62.pdf>

⁴ https://eacea.ec.europa.eu/national-policies/eurydice/content/european-higher-education-area-2018-bologna-process-implementation-report_en

Law on Non-Governmental Organisations restrict the freedom of association for students and academic staff by: a) the procedure for registering a non-governmental organisation is of permissive and not of declarative nature; the procedure is complicated, and provides grounds for arbitrary refusal to register any organisation; b) unregistered non-governmental associations' activities are prohibited and their continued activities lead to administrative penalty. Until recently, such activity could result in up to two-year imprisonment (article 193.1 of the Criminal Code); c) the law substantially limits non-governmental associations' abilities to seek funding from domestic and foreign sources; d) non-governmental associations' rights for peaceful assembly as well as freedom of expression are limited to a significant extent.

The Belarusian State University's (BSU) updated internal regulations for students now include new provisions in Chapter 3 Student's Responsibilities. Clause 5.20 binds students 'not to have comments about the BSU and on behalf of the BSU published in information sources (media, internet, social media) which can harm the BSU's image and business reputation". The same applies to PhD students (clause 6.9). In case of disseminating the information which "harms the BSU's image and business reputation", disciplinary sanction is envisaged. A similar "ban to criticise" is also adopted by other Belarusian universities (<https://news.tut.by/society/633762.html>).

Similarly, the legislation in Azerbaijan does not guarantee academic freedom because the authorities always linked academic freedom to political activity. In both countries, political parties and socio-political movements cannot establish branches within education institutions. In reality, the offices of the ruling party (New Azerbaijan Party) in Azerbaijan and Bielaja Rus, a pro-government organisation seeking to become a political party in Belarus, operate at higher education institutions.

Arbitrary dismissal of academic staff and students on political grounds is common practice in Azerbaijan and Belarus.

In May 2017 the American Federation of Teachers (AFT) raised their concerns over the crackdown against teachers in Azerbaijan due to their political affiliation. Educators in Azerbaijan along with many activists are at the centre of this crackdown. Several teachers are reportedly suspended for attending an opposition rally.

Loretta Johnson, the secretary and treasurer of the AFT, wrote a letter to Azerbaijan's President Ilham Aliyev on behalf of the 1.6 million members of the AFT. In the letter, she wrote to express her shock at learning about the Azerbaijani educators who were threatened with dismissal – and then fired – for their political party affiliation.

(<http://www.turannews.info/ext/news/2017/5/free/Social/en/62187.htm>).

The most reliable instrument of academic freedom protection against politically motivated dismissals is a long-term or permanent faculty appointment. Although the situation in Armenia, Georgia, Moldova and Ukraine is different, permanent appointments protecting academic staff are very rare in any EaP country. The share of academic staff working on one-year appointment has been growing. Our experts point to the lack of available statistics. It is difficult to develop critical thinking competences in a higher education system where students cannot criticize their own universities and where the academic staff is afraid to be vocal in order not to be fired.

2. Institutional Autonomy

Despite the fact that institutional autonomy is considered an important prerequisite for the successful completion by European institutions of higher education of their mission to create an advanced knowledge-based society, self-governing university communities are still the environments where students learn civic engagement competences and skills. In recent years, the European higher education institutions have achieved significant progress in strengthening their autonomy further. At the same time, the understanding of institutional autonomy has been substantively revised. Adapting to the current challenges, the European higher education institutions have become increasingly open to labour market demands and their governing bodies started involving a growing number of social partners into their decision-making. Universities have to be more flexible, open and efficient economically. This new approach poses a challenge to traditional models of academic democracy because it limits the authority of academic collective bodies. However, in some countries along with positive changes, higher education institutions' management systems have demonstrated a tendency to weaken student participation in the decision-making process and, in turn, this affects the universities' abilities to develop civic engagement competences and skills among the students. This happens in all EaP countries. Students are treated not so much as partners, but clients with limited rights.

The current understanding of institutional autonomy is stipulated in the 2007 European University Association (EUA) Lisbon Declaration.⁵ Since 2007, the EUA has monitored and analyzed institutional autonomy in the countries where they have member universities. The EaP countries did not participate in any of these monitorings, but within the framework of the ATHENA project the higher education systems of Armenia, Moldova, and Ukraine have been assessed in accordance with the scorecard of the EUA methodology in 2013-2014.⁶ In Belarus, the Belarusian EaP CSF National Platform (by initiative of the Independent Bologna Committee) has been conducted similar analysis regularly since 2013.⁷ The methodology was based on singling out the main four dimensions of institutional autonomy of universities and expert assessment of each indicator defining the dimension. The institutional autonomy indicators are grouped in the following dimensions in the 2017 version of the EUA's methodology:

⁵ <https://eua.eu/resources/publications/619:lisbon-declaration.html>

⁶ <https://athena-tempus.eu/>

⁷ <http://bolognaby.org/index.php/en/131-research-and-analytics-en/768-white-book-2018-belarusian-higher-education-european-perspectives>

Organisational autonomy

- Selection procedure of the executive head (rector)
- Selection criteria
- Dismissal of the executive head
- Term of office of the executive head
- Inclusion of external members in university governing body
- Selection of external members in university governing body
- Capacity to decide on academic structures
- Capacity to create legal entities

Financial autonomy

- Allocation of public funding
- Ability to keep surplus
- Ability to borrow money
- Ability to own buildings
- Ability to charge tuition fees from national students
- Ability to charge tuition fees from foreign students

Staffing autonomy

- Capacity to decide on recruitment procedures of senior academic and senior administrative staff
- Capacity to decide on salaries of senior academic and senior administrative staff
- Capacity to decide on dismissals of senior academic and senior administrative staff
- Capacity to decide on promotions of senior academic and senior administrative staff

Academic autonomy

- Capacity to decide on overall student numbers
- Capacity to select students
- Capacity to introduce and terminate programmes
- Capacity to choose the language of instruction
- Capacity to select quality assurance mechanisms and providers
- Capacity to design content of degree programmes

It is difficult to reproduce the EUA's procedures of measuring the indicators in full. A simplified monitoring procedure was applied for this research. Instead of a numerical system of scoring and weighting, we restrict ourselves to an expert assessment of each indicator on an interval scale.

- Expert assessment of the autonomy level in each dimension is visualized on the interval scale, which corresponds to the EUA methodology and allows distributing the higher education systems by four clusters for comparison:
- a high group of countries scoring between 100% and 81%
- a medium high group scoring between 80% and 61%
- a medium low group scoring between 60% and 41%
- a low group scoring between 40% and 0%.

Scores of 100% for all indicators mean that the university can decide on all aspects encompassed by this autonomy area without governmental interference.

Scores of 0% mean a high degree of involvement of the government in all aspects encompassed by this autonomy area.

Although the EUA methodology does not envisage the integrated indicator of Institutional Autonomy, we have attempted to develop it based on the average rating of four dimensions for better clarity (see Fig.5).



Fig. 1. Organisational autonomy

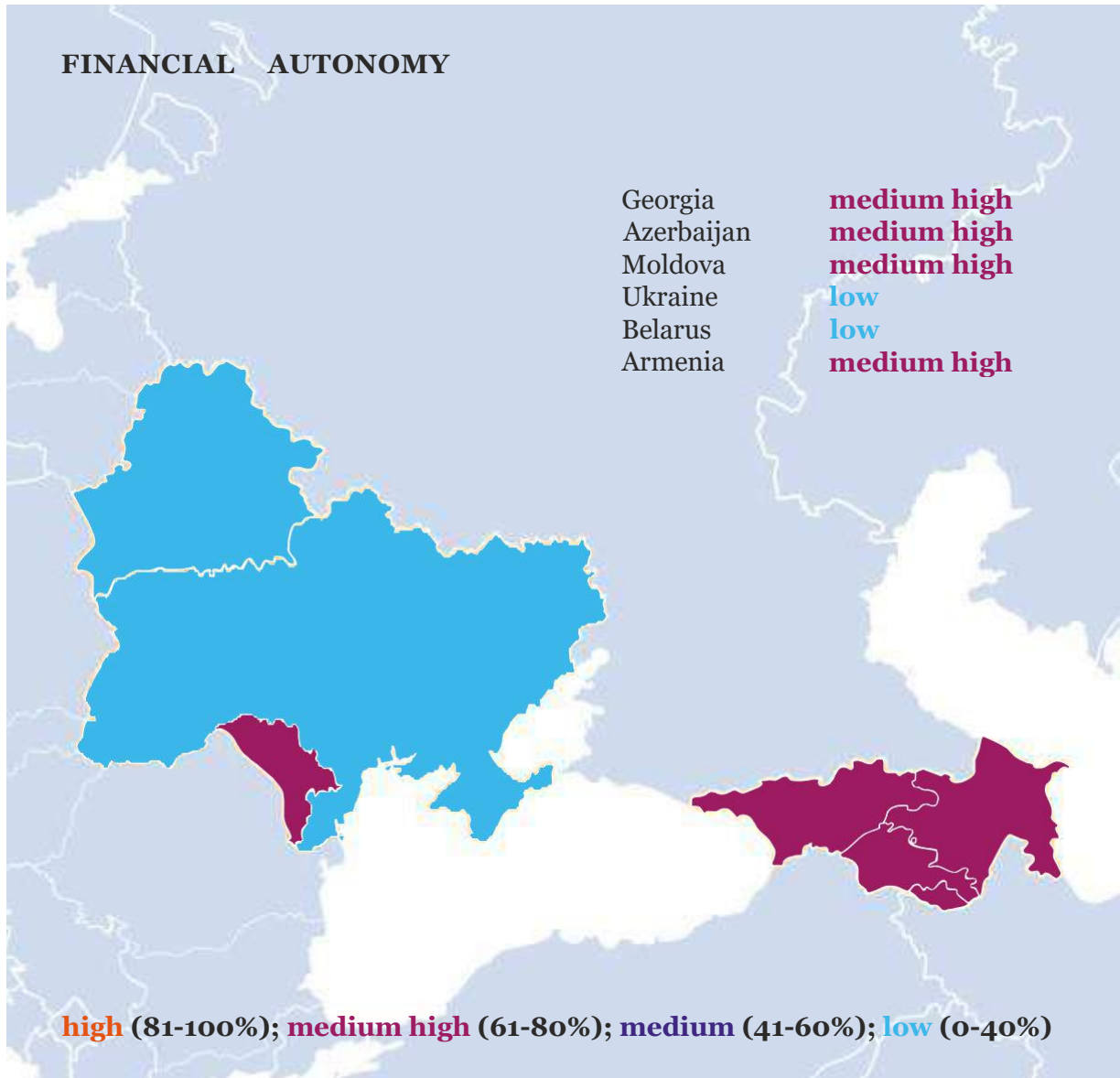


Fig. 2. Financial autonomy

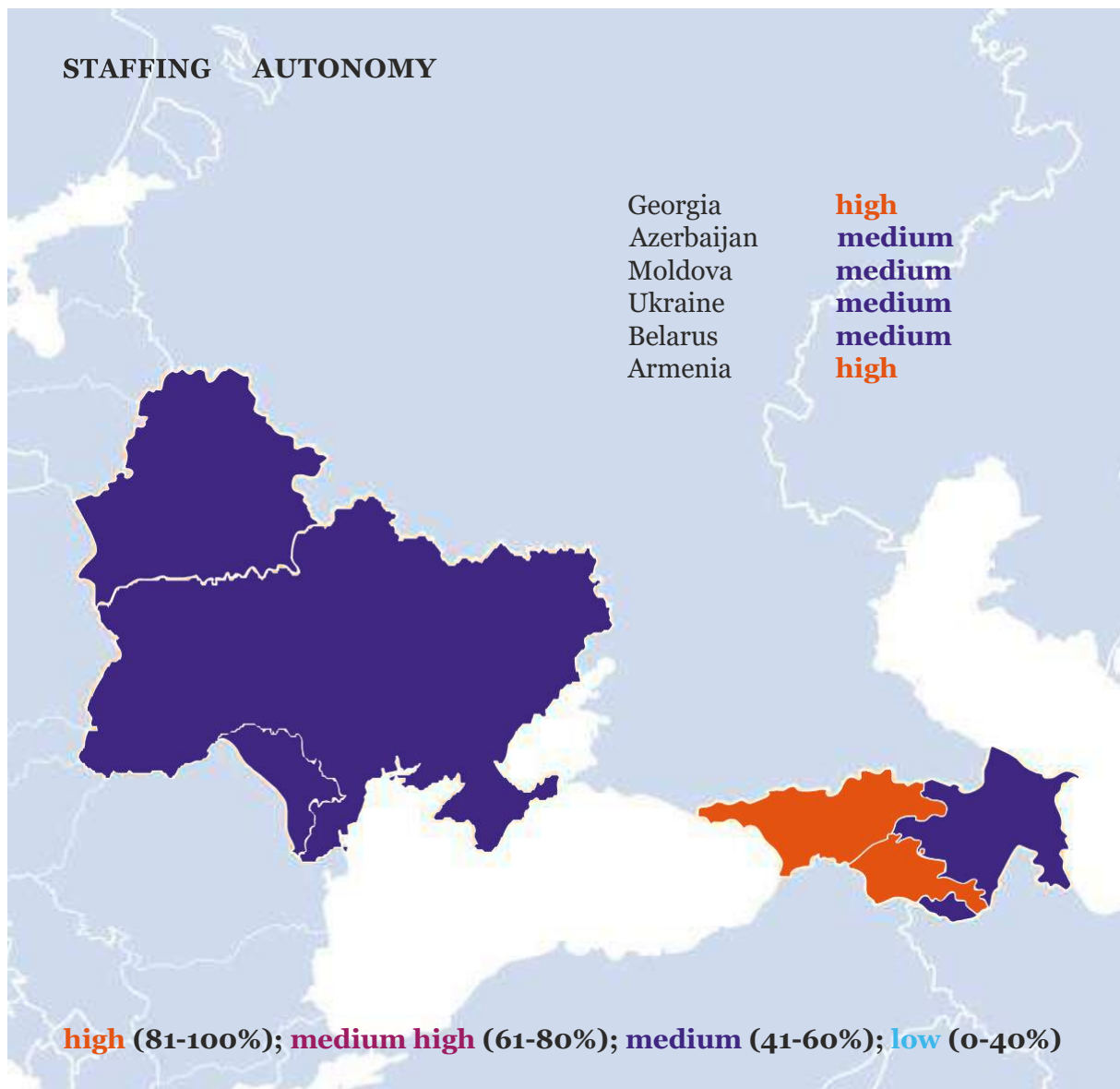


Fig. 3. Staffing Autonomy

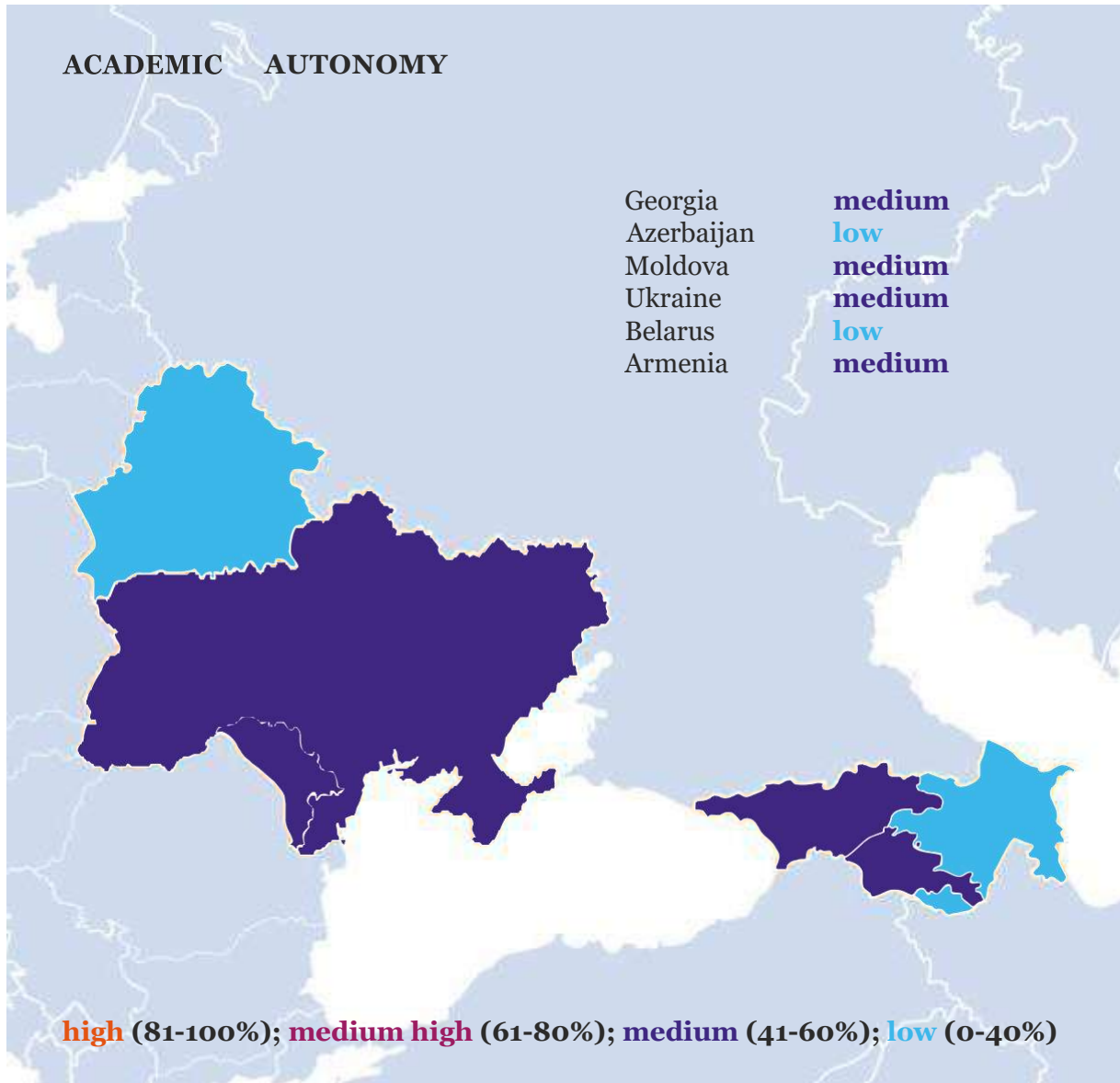


Fig. 4. Academic Autonomy

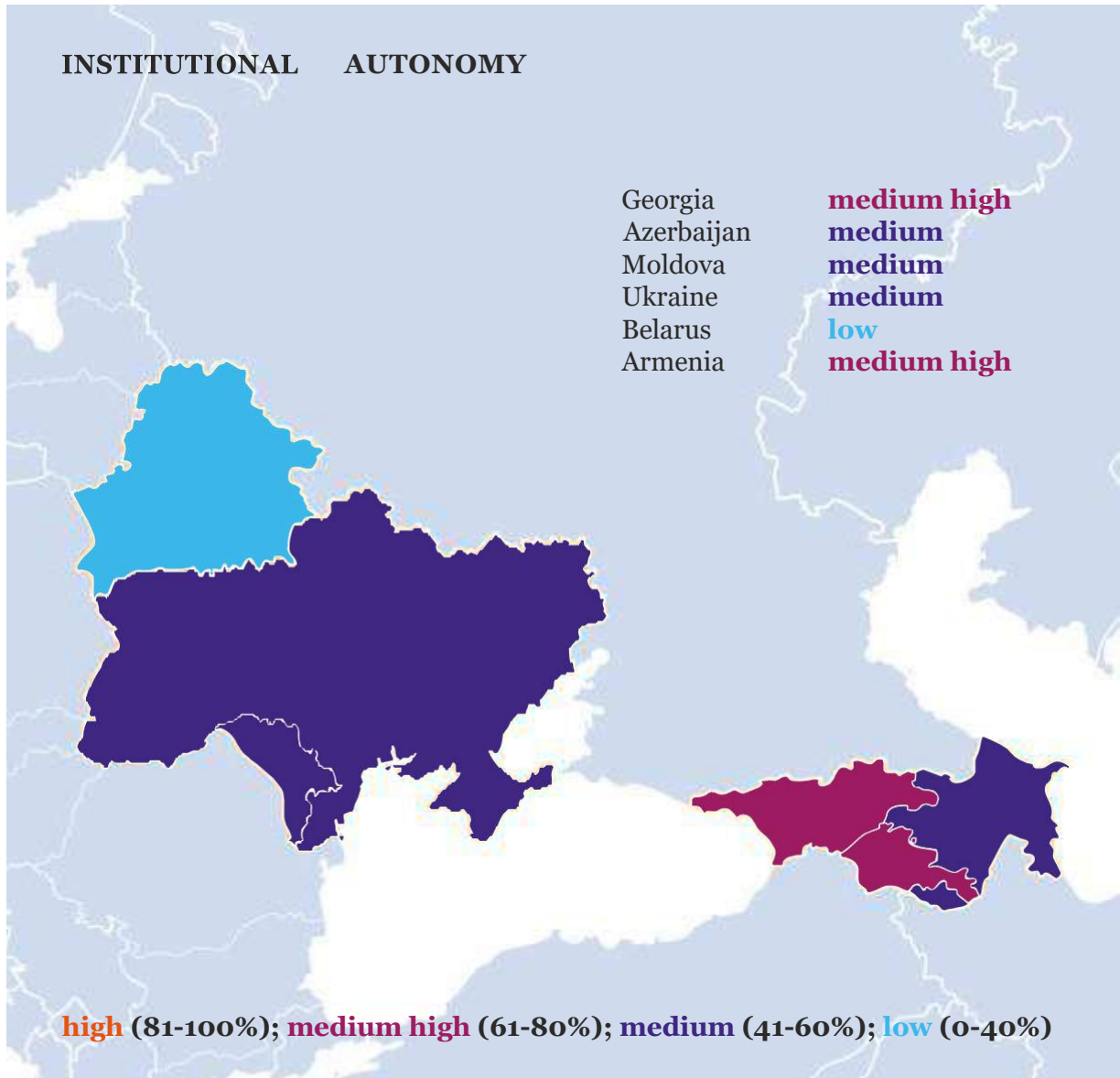


Fig. 5. Institutional autonomy

A majority of the EaP countries have an average European level of institutional autonomy at the legislative level, despite unfinished reforms. Armenia and Georgia implemented them to larger extent, Moldova and Ukraine have achieved a certain success, while Belarus and Azerbaijan are still quite far from average European standard. The reforms affected institutional autonomy in various ways. The universities became more financially independent and sustainable, but in terms of the academic development the EaP countries are unable to boast of achievements. Belarus is the only stable outsider in all dimensions of autonomy: in spite of the commitment to reform its higher education system undertaken by the government of Belarus on conditional admission to EHEA in 2015, changes in institutional autonomy, as well as in the fundamental academic values implementation, are virtually absent.

All higher education systems envisage student participation in higher education self-governing bodies. The students' quota ranges from 10% to 30% in the academic councils. However, the student civic engagement competences are developed only at those universities, which have a functional autonomy and their self-governing bodies have the decision-making power. It is obvious that level of institutional autonomy of Azerbaijani and Belarusian universities does not favour promoting civic engagement values. Increasing the level of universities' institutional autonomy remains an urgent task. Without this, the students' participation in the academic community life will remain limited and decrease assimilating the European values.

3. Corruption-Free Environment in Higher Education

The situation with corruption in the six EaP countries shows that none of them is well off. The Corruption Perception Index 2018 puts EaP countries in the places between 41 and 152.⁸ The education system is among the areas affected by corruption. Based on Transparency International's (TI) data⁹ when this organisation still measured the level of corruption in education, the EaP countries had the following standing:

Table 1. Corruption Perception Index 2018

Place	Country	CPI Score
44.	Georgia	58
73.	Belarus	44
109.	Armenia	35
120.	Moldova	33
126.	Ukraine	32
155.	Azerbaijan	25

⁸

https://www.transparency.org/news/feature/weak_checks_and_balances_threaten_anti_corruption_efforts_across_eastern_eu

⁹ https://www.transparency.org/whatwedo/publication/global_corruption_report_education

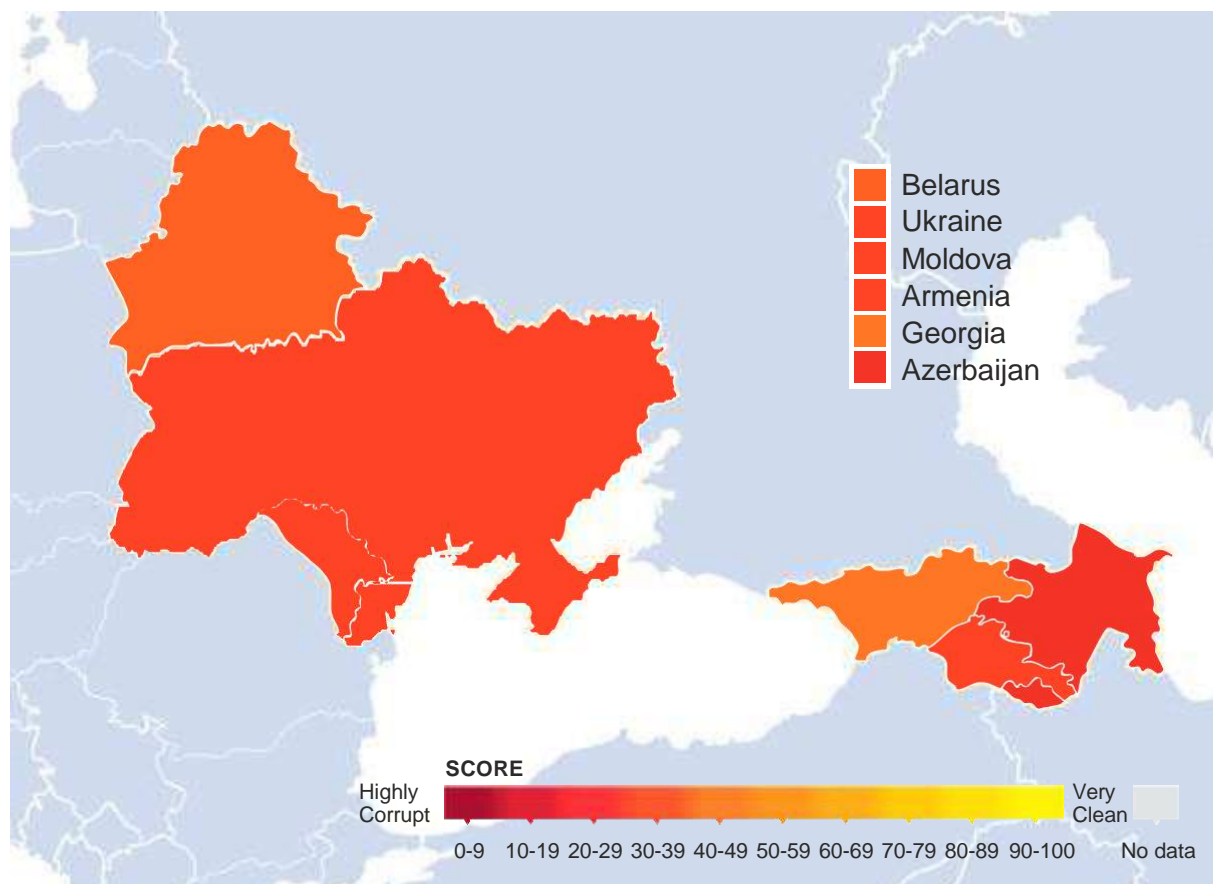


Fig. 6. Corruption Perception Index 2018

The level of corruption in higher education reflects the general situation with corruption in education in a country. However, corruption in this field not only means “the abuse of entrusted power for private gain” but “the lack of academic integrity” as well.¹⁰

In the EaP countries, nobody measured financial damage from corruption in higher education but its non-financial consequences appear in devaluation of social investments into the citizens' future. Corruption in higher education has many faces and can appear in the following forms:

- Bribery
- Collusion
- Conflict of interest
- Favouritism
- Fraud
- Lobbying
- Revolving doors

The education system is among the areas affected by corruption. Based on Transparency

¹⁰ https://www.alexandria.unisg.ch/254858/2/Denisova-Schmidt2018_Chapter_CorruptionTheLackOfAcademicInt.pdf

International's (TI) data when this organisation still measured the level of corruption in education, the EaP countries had the following standing:

Table 2. To what extent do you perceive the education system in this country to be affected by corruption? (1: not at all corrupt, 5: extremely corrupt) Average score.

#	Country	Score
1	Armenia	4.2
2	Azerbaijan	3.3
3	Belarus	3.2
4	Georgia	2.2
5	Moldova	3.7
6	Ukraine	4.0

Source: Transparency International Global Corruption Barometer 2010

It is rather difficult to present clear and justified information about the level of corruption in higher education in EaP countries. Open statistics on corruption cases in higher education is often absent or very limited. The criminal statistics reports include corruption cases related to accepting/giving bribes and abuse of power while the cases of academic misconduct, nepotism, cronyism, and discrimination are not registered.

Experts, government officials and citizens believe that the level of corruption is higher than stated in the official statistics reports. The opinion polls in the EaP countries show that mentioned higher education stakeholders are convinced that higher education is plagued by corruption. Georgia can be some exception: the level of petty corruption has dropped significantly since the reforms started in 2004, including reforms in the university admission system and student-tied state funding to universities. At the same time, it is not possible to find either public criminal statistics or higher education stakeholders' surveys results in open access. There are no court decisions confirming existence of high-profile cases in this field (country report Georgia is in the Annexes).

In other EaP countries, the situation looks steadily problematic (for particular sources on each of the countries, please, see appropriate chapter of the country reports in the Annexes). In 2009, over 67% of the Ukrainian students and 79% of their parents regarded corruption as prevalent at the Ukrainian HEIs. Comparing the polls results from 2001 and 2017, we see the unchanging 33% of the Ukrainian students who have had personal experience with corruption.

In Armenia, only 13.5% of students do not know any corruption cases in their respective universities. 72% of students had experience with corruption during term exams (66.5%) and during final exams (57.5%). 16% of MA students and 11.5% of PhD students encountered corruption. Out of this pool, 62% of students bribed their examiners.

In Moldova, 95% of students' parents believe that there is corruption in the education system. Students view corruption as the most serious issue in education: 22.6% of the respondents mention this along other issues such as lack of qualified teaching staff (11.3%), students' indifference (7.6%), and financial issues in the given field (~4%). Besides, students' parents point to three main issue in the education system: too complicated programme/curriculum – 41%; corruption – 37%; and lack of well-trained staff – 32%.¹¹ corruption – 37%; and lack of well-trained staff – 32%.¹²

¹¹ <http://moldnova.eu/ro/educatia-din-republica-moldova-este-pe-branci-elevii-nu-pot-citi-diplomele-se-cumpara-iar-profesorii-sunt-corupti-3442.html/>

¹² <http://moldnova.eu/ro/educatia-din-republica-moldova-este-pe-branci-elevii-nu-pot-citi-diplomele-se-cump>

In Belarus, the level of corruption in higher education does not look as grave as in Moldova, Ukraine and Armenia and, according to the poll results, 11% to 14% of students were aware of corruption cases in their respective universities and 7 to 8% of students became victims of corruption. However, the tolerance level towards bribes at examinations puts the Belarusian students on equal footing with the students of the other EaP countries. Ten years' analysis data concerning students' attitude towards bribes at examinations shows that the share of students prepared to give bribes at examinations amounts to 56.1% in full-time programmes and to 64.5% in part-time programmes. Only 21% of students fundamentally oppose this practice.¹³ The corruption-tolerant culture is also a distinctive feature of higher education in other countries of the region.

In Ukraine, over 90% of students admit various forms of plagiarism:

- 49% – rewriting the information sources in own words without reference
- 37% – downloading essays and other works from various internet sources
- 31% – using (partly or in general) texts by other authors without reference
- 28% – using texts of other authors while changing the order of words without reference
- 26% – using texts with false reference
- 18% – translating texts in foreign languages into Ukrainian and using them without reference
- 12% – joining group work without participation in producing text.

According to the OECD review of Integrity in Education:

“34% of students and 24% of educators listed the buying finalized papers from companies, who specialized in this market among the methods used by students who do not complete their written assignments independently (IED, 2015)”.¹⁴

In Belarus the following situation takes place: 44% of students pass examinations and pass-fail examinations without cheating. A majority of students use various types of cheat sheets. 1/3 of students pledges that they did not plagiarise when preparing written assignments.¹⁵

- 74% of students downloaded free research papers from the internet from time to time
- 63% of students paraphrased texts of others without reference
- 61% of students copied texts of others without reference
- 30% of students purchased research papers, term papers, graduation theses, and other written works
- 17% of students repeatedly did so.

In Armenia, 2/3 of 125 students of five Armenian Universities participated in the 2013 survey admitted regular copying of about 1/3 of their written papers from internet sources or elsewhere without reference. 23% of the respondents claimed that they had never plagiarised.¹⁶

Unfortunately, there is no data available on academic misconduct in Georgia, Moldova, and Azerbaijan.

At the same time, the available data of sociological research shows that, in many cases, students are prepared to justify their academic misconduct by the education system faults and, as a result, lack of motivation to follow academic behavioural standards.

<http://profesorii-sunt-corupti-3442.html/>

¹³ <http://elib.bsu.by/bitstream/123456789/123835/1/112-121.pdf>

¹⁴ https://read.oecd-ilibrary.org/education/oecd-reviews-of-integrity-in-education-ukraine_9789264270664-en

¹⁵ <http://bolognaby.org/index.php/issledovanija-analitika/452-rezultaty-oprosa-studentov-i-vypusnikov-kachestvo-obrazovaniya-i-uchastie-v-upravlenii-vuzami-2>

¹⁶ http://www.osf.am/wp-content/uploads/2016/01/Integrity-report_final_en_12.11.2015.pdf

In Armenia, a half of the respondents claimed academic misconduct for condition-related reasons but among motivation-related reasons lack of skills to organise educational process are mostly stated. As a result, 2/3 of the students are prepared to justify their academic misconduct by the education system faults.¹⁷

The similar situation is observed in Ukraine¹⁸ and Belarus¹⁹.

A majority of the Belarusian higher education institutions' students tend to justify their violation of academic ethics standards by external circumstances, 54% of the students refer to lack of assignments practical value, 48% to lack of applicability of and disinterest in such assignments. A widespread motive includes faults of the teaching and learning process organisation: overburden with assignments (30%) and lack of training in academic writing and absence of academic culture (29%). A popular type of neutralising academic dishonesty is the overall atmosphere of plagiarism tolerance by the students and academic staff (22%), the academic staff laissez-faire attitude towards plagiarism in students' assignments (17%), low professional level of academic staff (16%). Consequently, the students shift responsibility for academic standards violations to those who should control them – a widespread type of rationalising the students' behaviour in numerous higher education systems.

According to Transparency International, the most important reason for corruption in higher education is insufficient state funding allocated to higher education. This leads to education commercialisation, intensified pressure on faculty, and bureaucratisation of the management system. All of these should affect both the quality of education and motivation of the educational process participants.²⁰

However, we do not observe dependence of the level of corruption in higher education on the level of funding. The contrast between a very modest share of the GDP allocated to higher education in Armenia and relatively high share of GDP allocated to this purpose in Ukraine does not entail any noticeable differences in the corruption level in the higher education of these countries. (Ukraine - 1.8%, Armenia -0.31%)²¹

The countries with a greater difference in the government expenditure per student demonstrate a similar alarming level of bribery, academic misconduct and corruption-tolerant culture. Vice versa, equally low figures are seen in the countries with varying levels of corruption in education. Thus, it is not justified to link the success in fighting corruption to the increase in the governmental funding of higher education.

¹⁷ http://www.osf.am/wp-content/uploads/2016/01/Integrity-report_final_en_12.11.2015.pdf

¹⁸ https://read.oecd-ilibrary.org/education/oecd-reviews-of-integrity-in-education-ukraine_9789264270664-en#page4

¹⁹ <http://bolognaby.org/index.php/issledovanija-analitika/452-rezultaty-oprosa-studentov-i-vypusknikov-kachestvo-obrazovaniya-i-uchastie-v-upravlenii-vuzami-2>

²⁰ https://www.transparency.org/gcr_education/content/higher

²¹ https://eacea.ec.europa.eu/national-policies/eurydice/content/european-higher-education-area-2018-bologna-process-implementation-report_en

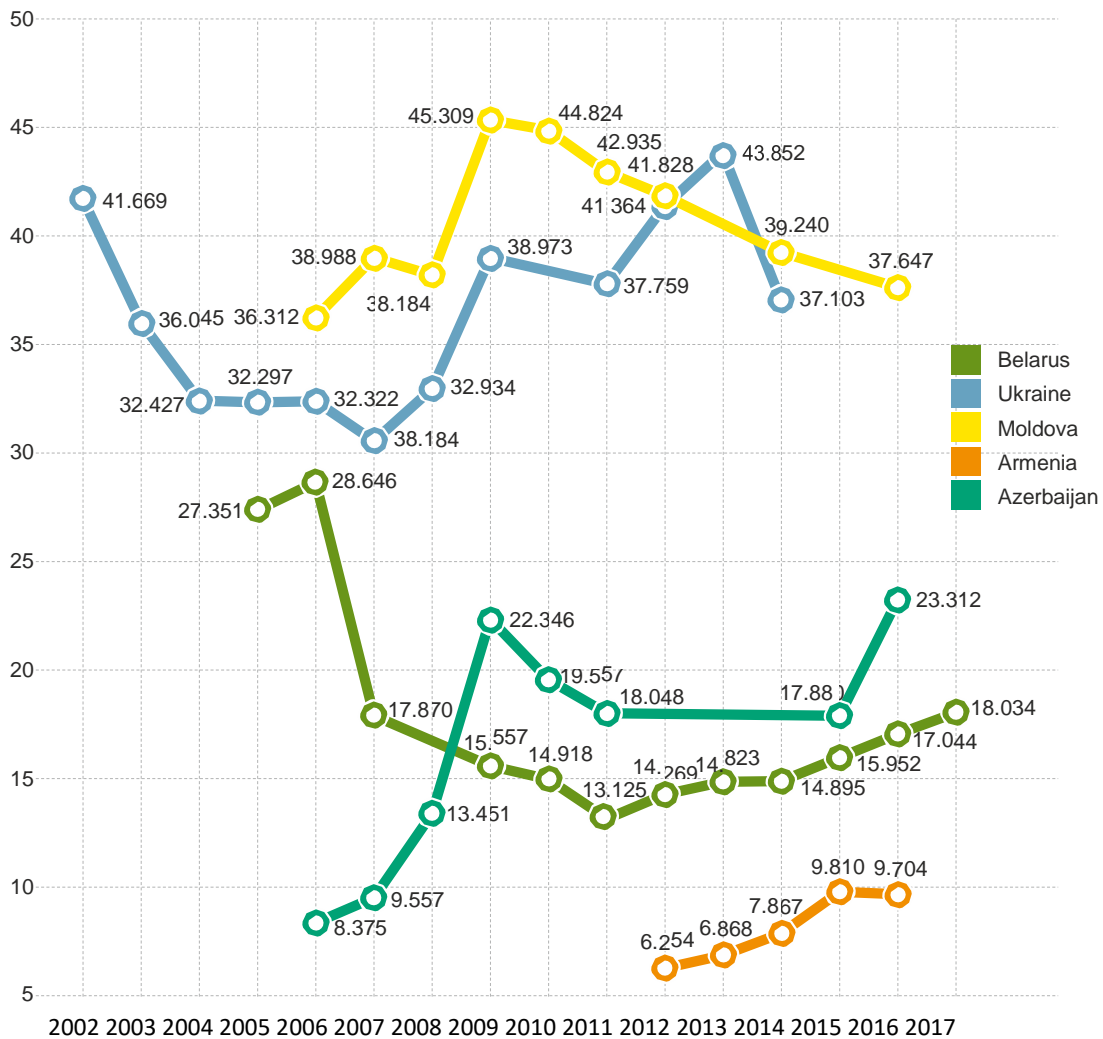


Fig.7. Government expenditure per student: Tertiary:% of GDP per Capita

Dominating administrative and legal methods of fighting corruption, do not guarantee success. When choosing between intrinsic motivation and extrinsic incentives in the EaP countries' education policy, preference is always given to the latter. This can be explained by the nature of governance systems, which usually underestimate the value of social trust, personality and personal motivation. In some cases, it seems to have the positive effect. In the countries where university admission examinations were replaced with standardized testing with a Baccalaureate (full secondary education) this reduces immediate corruption risks for applicants who apply to the university under general terms. On the other hand, in some cases, it shifted these risks towards the creative testing at admission to a number of programmes, to admission on preferential basis and to the secondary schools' final examinations. Besides, improvement of the situation was achieved at the cost of sensitive restriction of institutional autonomy: waving the universities' rights to set the admission criteria and procedures.

Measures of civil liability, criminal and administrative prosecution against corrupt individuals in the conditions of the corruption-tolerant culture dominance do not demonstrate expected efficiency. Only a few cases are brought to court. University administrations prefer to steer clear

of those faculty who compromised themselves quietly and without publicity. Representatives of the judicial admit that criminal statistics of corruption cases reflects not so much education as periodical outbreaks of law enforcement activities. General weakness of institutions, mistrust of the judicial system, and legal nihilism of the population do not contribute to the process of eliminating corruption in the higher education system.

The attempt to fight academic misconduct through the legal ban on advertising services for assignment/diploma/theses writing does not have any effect. Service providers easily bypass this, responding to the increased use of plagiarism detection programmes by offering rewriting services.

The EaP countries' education systems increasingly use administrative mechanisms to fight academic misconduct. They envisage tightening control over term papers, diploma theses and master theses preparation, measures of disciplinary liability for plagiarism and introducing into the internal university's regulations the requirements for students to independently perform their work. Faculty codes of conduct have been developed and implemented. They emphasize measures to fight bribery and prevent conflict of interests. Although, presence of effective legal mechanisms contributes to strengthening academic integrity, control measures and disciplinary sanctions do not play the main role. It makes sense to invest more in raising quality and relevance of the university programmes, when students recognize their usefulness.

Anti-corruption awareness campaigns also delivered mixed results. During the last decade, Belarusian universities have delivered an optional course Corruption and Its Public Danger. According to the survey conducted, 21.2% of the respondents radically changed their attitude towards those faculties who took bribes. 57.6% described it as "interesting and useful", and only 2.4% answered that this course was "uninteresting and useless" (Survey results_2011).

On the other hand, in Ukraine, two recent experiments have shown that anti-corruption campaigns can actually have the opposite effect: instead of reducing corruption, such campaigns can promote it. Students are able to learn new cheating techniques, and their assumptions about the widespread nature of corruption can be confirmed.²² This experience should be learnt and taken into account for planning and implementing more systemic and long-term oriented campaigns for corruption-free higher education.

In such self-regulating communities as universities, intrinsic motivation often plays a more important role than any instruments of administrative incentives and control. Cultivating the fundamental academic values contributes to university corporations acquiring a higher degree of social responsibility and separating institutional goals and objectives. This also means that civil society should be given a greater role to play in strengthening academic integrity and developing zero tolerance towards corruption in higher education via independent monitoring, shadow reporting and other means of watchdogging. This goal is not achievable without ensuring comprehensive transparency of universities and education authorities. First, it is necessary to establish permanent public monitoring of higher education developments and effective dialogue channels with both academic communities and higher education stakeholders, and government institutions to improve education environment. By now, among EaP countries only Ukraine has similar monitoring, while even there monitoring activities are quite sporadic, not regular. Monitoring data is fragmental, not comparable, its validity is not high.

²² https://link.springer.com/chapter/10.1007/978-3-319-77407-7_5

Inclusiveness in Higher Education

The most urgent tasks for fostering the European values include the task to ensure equal access to high-quality and inclusive education, and equal opportunities for all, regardless of students' gender, sexual identity, abilities and education needs, economic status, ethnicity, language, religion and citizenship status. (The Council Recommendation on Common Values, Inclusive Education, and the European Dimension of Teaching)²³

Declining accessibility of higher education is typical for all of the EaP countries except Georgia. Certainly, among the main reason for this are a decline in the student population due to the demographic factors, as well as economic and institutional reasons. In a situation of general deterioration of access to higher education, the fate of socially disadvantaged and underrepresented groups is dramatically alarming.

Table 3. Enrolment rates in tertiary education for the 18-34 years old (% of the total population aged 18-34), 2008/09, 2011/12 and 2014/15

	2008/09	2011/12	2014/15
Armenia	11.2	11.1	9.4
Georgia	7.2	7.7	13.5
Belarus		15.3	14.9
Moldova	12.0	10.0	9.5
Azerbaijan	5.5	5.3	5.1
Ukraine	18.5	16.1	12.7

In Azerbaijan, low public expenditure on education creates barriers with access to education. As public spending on education declines, families have to cover certain expenses related to education – a burden that is greatest for low income and poor families. According to a World Bank report, the richest 20% of the population consistently accounts for nearly 40% of private spending on education while the poorest 20% accounts for only approximately 10% of the total private spending on education.

At the legislative level, the state secures creation of equal opportunities for all citizens and does not tolerate any discrimination regardless of the individual gender, race, language, religion, political views, nationality, social status, background and state of health. It is relevant to all of the EaP countries. However, the reality does not look so optimistic.

Gender balance

One of the key tasks of the education policy in the EHEA member states is the gender balance in access to education. As appears from the EHEA 2018 Implementation Report²⁴, many education

²³ https://ec.europa.eu/education/education-in-the-eu/council-recommendation-on-common-values-inclusive-education-and-the-european-dimension-of-teaching_en

²⁴ https://eacea.ec.europa.eu/national-policies/eurydice/content/european-higher-education-area-2018-bologna-process-implementation-report_en

systems were designed to increase the share of male student population and to mitigate gender imbalance in some programmes. The percentage of women among those enrolled at higher education institutions in the majority of the countries decreased in the ten years between 2004/05 and 2014/2015 alongside relatively stable average EHEA indicators. But men are still less involved in higher education.

In the EaP countries, gender balance at different levels of education varies in each country and remains unsustainable due to lack of education policy's continuity and short term approach.

Table 4. Percentage of women in tertiary education by level of education

	AZ	GE	UA	BY(16/17)	MD	AM
ISCED6	47,2	50,6	51,7	55,4	55,9	48,9
ISCED7	59,9	55,9	56,8	41,4	64,5	66,8
ISCED8	54,6	51,6	59,2	52,0	54,7	53,0

Gender imbalances are especially noticeable in relation to various fields of education.

Table 5. Share of female student population by field of education (ISCED 6), %

Profile	BY	UA	AM	AZ	MD	GE	EHEA
Pedagogy (Education)	55.4	68.8	60.0	78.4	85.0		79.5
Healthcare	70.0	70.4	60.0	45.7			77.5
Humanities	77.7	82.1	52.0	51.6			65.6*
Art and Design	71.8	74.8	68.0	61.9	80.0		
Science	54.3	58.1		61.8		41.1	54.4
Communication.Law. Economics.Management	69.6	61.6		31.6	85.0		55.9**
Engineering and Technologies	24.6	22.5	11.0	24.74	20.0	28.1	25.3

Note: * Arts and Humanities according to EHEA classification; ** Business, Administration and Law according to EHEA classification

Similar to other European countries, some groups of professions have been established as male or female. The percentage of women in Pedagogy (Education), Art, Humanities, Healthcare, Engineering and Technologies programmes and other profiles at the EaP higher education institutions correlates with the median values in the EHEA.

The attempts to improve women's access to engineering study programmes which correspond to the pan-European trend were unsuccessful. In Georgia, in 2011/12 to 2016/17, the share of women in Engineering and Technologies education programmes decreased from 35.8% to 28.1%.²⁵ In Belarus, the share of women studying this profile decreased from 27.7% to 24.6% in 2011/12 to 2016/17.²⁶

Virtually no progress can be observed in addressing gender imbalance in other fields of education. Gender imbalance concerns not only students. Despite a significantly high feminisation level of higher education systems, obvious phenomena of vertical segregation can be observed in the field. Gender asymmetry in the academic and administrative personnel structure of higher education institutions shows a decrease in the percentage of women along the position hierarchy.

²⁵ https://www.geostat.ge/media/21016/W%26M-in-ENG_2017.pdf

²⁶ Установы вышэйшай адукацыі Рэспублікі Беларусь па стану на пачатак 2017/2018 навучальнага года. Мінск: Установа «Галоўны інфармацыйна-аналітычны цэнтр Міністэрства адукацыі Рэспублікі Беларусь», 2017, р.6

The general share of women in university staff in Moldova is 54.7%, in Georgia 53%, in Belarus 55%, in Armenia 53%, in Azerbaijan 51.8%. The percentage of women among lecturers and assistant professors is higher than men while the percentage of women among professors is much lower. The share of women among the senior administrative staff decreases along the position hierarchy as well. The proportion of women among university rectors ranges from 23% in Moldova to 9% in Belarus.

Mature students

Equal access to higher education for students of different backgrounds is far from being a reality. One of indicators of education inclusiveness is the percentage of “non-traditional” learners who did not have the possibility to enter higher education right after leaving school. The proportion of mature students in the six EaP countries is not always reflected in comparable statistics. The higher education accessibility for 30 years old and older is growing very slowly. E.g., in Ukraine, the representation of such people among students has grown from 5.6% in 2012 to 6.3% in 2017. Nevertheless, this is significantly lower than the European (EHEA) median (15.7% in 2015).

In Moldova, the situation is not any better. The percentage of mature students grew from 6.5% in 2012 to 7.7% in 2015.

In Belarus, the age structure of the student population remains quite stable since 2010, except for the cohort older than 26 years. The representation of the cohort increased from 13.2% in 2010/11 to 17.9% in 2016/17 although the number of people in this student category decreased. However, due to the differences in statistics indicators structure (interval of 26 years and more), the Belarusian statistics is hard to compare to the EHEA statistics.

The situation with access to higher education for mature students is much worse in the South Caucasus. According to the EHEA, the increase in the number of such students was 0.5% from 1% in 2012 to 1.5% in 2015. During the same period, the percentage of mature students in Azerbaijan grew from 1.1 % to 1.4%.

Measures to support access of under-represented groups to higher education The European policy to improve inclusiveness of higher education²⁷ includes the following measure supporting disadvantaged groups of population at admission to higher education institutions:

1. Monitoring the composition of the student body
2. Longer-term quantitative policy objectives for access/participation of students from under-represented groups
3. Under-represented student groups' access support, including preferential treatment of certain group of students
4. Financial support targeted at under-represented groups of students

The EaP countries do not have a well-developed system to monitor the social dimension of higher education. In the best-case scenario, they trace gender, age, disability, the orphan status, and the level of gained education. The process of present expert work shows that national experts are often unable to obtain information related to these indicators: the issue of socio-economic inequality, religious and national characteristics, and migration status of the prospective university students remains beyond the attention of education statistics.

²⁷ https://ec.europa.eu/education/policies/higher-education/inclusive-and-connected-higher-education_en

In such conditions, it is not easy to implement a policy aimed at improving access to higher education of various social groups as a method to develop inclusive societies in EaP countries. The implementation process of such a policy requires measurable indicators of accessibility for these groups of people and long-term planning of how to bring the percentage of students from under-represented groups in higher education closer to their percentage among secondary school graduates. This task was only found in the 2016-2025 Armenian State Programme of Education Development²⁸: “to ensure an equal participation opportunity of all vulnerable groups, including persons with special educational needs, at all levels of education by 2025”.

Although the indicative plans of EaP countries are not available, certain measures to improve the social structure of the student population are in place in all higher education systems with a varied degree of efficiency.

The statistical analysis of the Georgian Unified National Examination data shows that, in the test-based admission system, rural applicants, males, language minorities, and public school graduates are significantly less likely to gain admission to higher education institutions than urban applicants, females, Georgian speakers, and private school graduates. With other variables equal, the admission rate of the urban school graduates to higher education institutions is 22% higher than of the rural school graduates.

One of the most common methods to improve access of under-represented groups to higher education is their preferential treatment or positive discrimination. In some education systems, the quota allocation method is used. It reserves a certain share of places in the first year of study to the representatives of such groups (national minorities, orphans, disabled, displaced persons etc.). Moldova has a 15% quota for students from disadvantaged families, orphans, and people with disabilities. Ukraine has quotas for admission to institutions funded from public sources and in accordance with the state order for some categories of applicants from socially disadvantaged groups, including orphans, applicants from the regions, displaced persons, and others.

Another popular method is preferential treatment with more lenient requirements to the prospective university students from under-represented groups. This method is used in Belarus but to a limited extent. At present, orphans, children left without custody of their parents as well as retired service personnel, the officers of the Ministry of Internal Affairs and other law enforcement agencies are entitled to preferential treatment in case of enrolment to less demanded education programmes, if they fall into the allocated quota of 30%. At the same time, the government rejects the possibility of quota allocation for people with disabilities.

The rejection of targeted preferential measures is fraught with significant difficulties with access to higher education for the respective groups of applicants. In Belarus, the rural schools' graduates had preferential treatment until 2014. On 20 March 2014, the new regulation was approved under the pressure from universities' rectors. These regulation set equal admission requirements for all groups of applicants. As a result, the percentage of applications from rural schools' graduates to higher education institutions dwindled by 40% in 2017/18 as compared to 2010/11 (from 12.1% to 7.3%). At the same time, they amount to 20% of the secondary school graduates (those who received general secondary education).

²⁸ https://eeas.europa.eu/sites/eeas/files/armenia_development_strategy_for_2014-2025.pdf

Georgia has another preferential mechanism for people from disadvantaged groups. It has a governmental programme for education with the modest level of governmental funding of higher education and allocated funding to support vulnerable and under-represented groups of population. Between 2013 and 2017, the governmental funding to support students from vulnerable groups grew three times but was only equal to 4.5 million lari. The governmental funding allocated to the grant programme for high achievers increased as well and reached 4.1 million lari. Obviously, this is too low to provide for access to higher education and a high level of inclusion of all vulnerable students although the government promises to significantly increase the respective funding.

Lack of systematic monitoring and indicative plans does not allow in-depth assessment of the national policies' efficiency and their measures to support inclusiveness of higher education.

If in Ukraine the percentage of students with special needs increased from 0.95% in 2013/2014 to 1% in 2015/16, in Belarus, we see the totally opposite situation. The percentage of people from vulnerable and disadvantaged groups among students decreased. If 1,684 persons with disabilities or 0.44% of student population studied at ISCED level 6 programmes in 2010/11, in 2017/18 it was only 915 people or 0.34% (persons with disabilities amounted to 0.94% of the secondary school students in 2016/17). The situation with orphans and children left without parents' custody did not improve either. If 2,113 students of this group amounting to 0.55% of the student population studied at ISCED level 6 in 2010/11, in 2017/18 it was 1,136 people or 0.5% of the student population.²⁹

The broadening participation agenda is not limited to measures to support disadvantaged groups of persons at admission to higher education. Lack of indicative plans and long-term quantitative policy objectives for access/participation of students from under-represented groups to/in higher education is not only evidence of weakness of development policies of higher education inclusiveness in the EaP countries but it is also an important value marker. It seems that the task to ensure equal access to high-quality and inclusive education and equal opportunities for everybody has not become an education policy priority as well as the inclusive potential of higher education is not yet fully wanted either by the society or by the academia.

Conclusions

The EaP countries are on the periphery of the pan-European efforts to monitor and evaluate achievements in higher education by degree and quality of the process of values implementation. The EaP region is excluded from the institutional autonomy study periodically conducted by the EUA. It often remains a blank spot in the EHEA reports on the issues related to the social and value dimensions of higher education. Incomplete and incomparable statistics does not contribute to drawing an objective picture of higher education reforms in the EaP countries. This is part of

²⁹ Установы вышэйшай адукацыі Рэспублікі Беларусь по стану на пачатак 2013/2014 навучальнага года. Мінск: Установа «Галоўны інфармацыйна-аналітычны цэнтр Міністэрства адукацыі Рэспублікі Беларусь», 2013, р.183

a more general issue: lack of transparency. This is not only the consequence of the non-public political process in some countries but is the result of lack of the relevant tools and mechanisms. Preparing this policy paper, the expert team faced significant challenges related to insufficient transparency of information and lack of essential data regarding the state of affairs in some of the dimensions under analysis. In spite of this, the country experts collected the maximum information available for analysis based on which a general regional comparative analysis of the situation in all 6 EaP countries was carried out. Local characteristics and country trends are described in more detail in separate country reports, which may be of interest to the reader specialising in the issues of a particular country. In view of the above, this study and recommendations are of even higher added value to fill in the gap with independent analysis of presence and practice of the European values in the higher education systems in the EaP region.

The expert team resulted its work in the following conclusions:

In spite of their differences, the higher education systems of the six EaP countries are similar due to insufficient development of a democratic educational environment required to promote and protect the European values. There are higher education systems, which have advanced in implementing these values, but there are also countries, which need to do a lot in this area.

Academic Freedom

The most reliable instrument of academic freedom protection against politically motivated dismissals is a long-term or permanent faculty appointment. Although the situation in Armenia, Georgia, Moldova, and Ukraine is different, permanent appointments protecting academic staff are very rare in any EaP country. The share of academic staff employed under a one-year appointment has been growing. The quality of practicing values of academic freedom produces the greatest difference among the EaP countries in terms of setting the conditions to develop critical thinking and civic engagement. In the Belarusian and Azerbaijani higher education, the level of implementation of these values remains very low in terms of the law as well as in terms of academic practice. Student civic engagement competences are present only at those universities which have real autonomy and which governing bodies have the decision-making powers in the significant aspects of the academic life.

Institutional Autonomy

A majority of the countries in the region have an average European level of institutional autonomy at the legislative level. However, the university management reforms have been implemented to a different extent from country to country. Armenia and Georgia have implemented them to a large extent; Moldova and Ukraine have achieved certain success in some aspects while Belarus and Azerbaijan are still quite far from the average European standard. The reforms affected institutional autonomy in different ways. The universities became more financially independent and sustainable, however, in terms of academic development, the EaP countries are unable to boast of achievements. Belarus is the only stable outsider concerning all types of autonomy: in spite of the commitment to reform its higher education system undertaken by the government of Belarus at the conditional admission to the EHEA in 2015, changes in institutional autonomy are virtually absent. All higher education systems envisage student participation in higher education self-governing bodies. The students' quota ranges from 10% to 30% in the academic councils.

However, the student civic engagement competences are developed only at those universities, which have functional autonomy and their self-governing bodies have the decision-making power. It is obvious that the level of institutional autonomy of Azerbaijani and Belarusian universities does not favour promotion of civic engagement values. Increasing the level of universities' institutional autonomy remains an urgent task.

Corruption-Free Environment in Higher Education

The issue of corruption in higher education remains far from being solved. At the same time, contrary to the popular belief, the level of corruption does not correlate with the level of the governmental funding of higher education. It is possible to minimise some forms of corruption by administrative means but the issue of public tolerance towards corruption in education remains an obstacle in most of the EaP countries. This is especially noticeable in terms of academic misconduct, which is present in all of our countries. Besides, administrative measures to fight corruption in higher education, as a rule, are associated with reducing significance and limitation of the fundamental academic values. In particular, this results in a low level of academic autonomy in all of the EaP countries.

Inclusiveness in Higher Education

The most urgent tasks for fostering the European values include the task to ensure equal access to high-quality and inclusive education, and equal opportunities for all students regardless of their gender, sexual identity, abilities and education needs, economic status, ethnicity, language, religion and citizenship status. This task, as well as inclusive potential of higher education, has not become an education policy priority for either the society or the academia yet. All higher education systems in the EaP countries are unable to achieve significant progress in providing the real gender balance in higher education. The issue of accessibility and inclusiveness of higher education for other social groups of applicants remains unresolved. Having implemented certain preferential instruments to provide greater accessibility to higher education for vulnerable and under-represented groups, absence of transparency in higher education does not allow us to evaluate the efficiency of the efforts to overcome discrimination. This is only part of a more general issue: absence, with rare exceptions, of long-term quantitative policy objectives for access/participation of students from under-represented groups.

The following recommendations are made:

To the EaP Governments and ministries responsible for the development of higher education in the EaP countries:

- to ensure implementation of the Recommendation of the Council of Europe (Rec/CM(2012)7) concerning the responsibility of the public authorities for academic freedom and institutional autonomy, and Recommendation concerning the Status of Higher-Education Teaching Personnel adopted by the UNESCO on 11 November 1997;
- to boost the academic freedom by legally restricting the use of short-term contracts with university teachers;
- to enhance institutional autonomy of the universities by providing legislative expansion of academic autonomy and by limiting the representation of governments and ministries

in the governing bodies of the universities meanwhile allowing for expanding them by the representatives of civil society, think-tanks, trade unions and business sector;

- to foster the implementation of the reforms of the higher education area by establishing advisory bodies composed of representatives of civil society, media, research institutions, think tanks and business and consequently strengthen the collaboration and cooperation among those actors;
- to tackle the critical situation with financial autonomy – to remove unnecessary restrictions, to supporting the universities in developing their fundraising capacities and by providing incentives for other sources of income while promoting transparent and participative budgetary procedures;
- to provide targeted financing within the university sector to develop administrative skills, financial management system and internal human resources management including the clear career paths for university staff
- to improve the transparency of higher education on the implementation of the EHEA values - academic freedom, institutional autonomy, equal access to high-quality and inclusive education by developing the system of collection of relevant statistical indicators for harmonisation with the EHEA classification and allow for its monitoring by different actors. To provide for a comprehensive reflection of the implementation of these values in the national higher education systems.
- to increase student participation in the decision-making process relevant to institutional autonomy;
- to develop and adopt national indicative plans on inclusive education and corruption-free environment that would be developed in collaborative effort while including students, civil society and other relevant actors;
- to define academic honesty and develop control mechanisms for all levels of education by investing in anti-plagiarism and anti-corruption programmes;
- to tackle the brain-drain by investing resources and efforts to maintain contact with professionals and students abroad and engaging them in academic activities in their home countries so that they can benefit from the knowledge and skills that they were able to acquire abroad.

To the European Union:

- to encourage the EaP governments to adopt the necessary legislation supporting the academic freedom and independence and to support implementation if such legislation is already in place;
- to support universities in the region by developing their fundraising, administrative and financial management capacities;
- to encourage the development of national indicative plans on inclusive education and corruption-free environment that would be developed in collaborative effort while including students, civil society and other relevant actors;
- to support anti-plagiarism programs developed within the EaP countries;
- to continue supporting student but also teachers' mobility and encourage exchanges not only with the EU member states but also within the EaP region in order to foster the links within the region;
- to facilitate better inclusion of the EaP universities into the international research networks and international research mobility; to improve the funding environment and

practice so that the EaP universities play substantive role in the international research projects targeting the region;

- to support the efforts of the EaP CSF and its National Platforms to involve stakeholders in the development of a coordinated regional strategy for the implementation of European values in and through the education systems, ensuring transparency and regular monitoring of this process with the participation of non-state higher education stakeholders, primarily students.

To the European Higher Education Area and the European University Association:

- to pay special attention to the EaP region and to promote a comprehensive inclusion of these countries into the research and monitoring of the implementation of the EHEA values, in particular in the next study of “University Autonomy” that would allow for comparison, assessment and improve transparency;
- to grant EaP CSF an observer status within the BFUG.

To the civil society organisations, networks, coalitions at country level, EaP initiative and European partners:

- in line with the EaP CSF policy paper “Advancing Eastern Partnership: 23 Civil Society Ideas for the Policy beyond 2020”³⁰ guided by the task to contribute the emergence of the EaP as a region and building links among the EaP countries, EaP CSF should lead in developing a coordinated strategy for promoting the European values in and through the higher education systems of the EaP countries;
- the civil society and EaP CSF in particular should advocate for an efficient multistakeholder dialogue with the EaP national governments leading to the development of the national indicative plans on inclusive education and corruption-free environment;
- to promote the integration of the EaP countries in monitoring the EHEA's academic values and principles implementation process via the relevant European networks and structures as well as to support the EaP CSF's nomination to the BFUG as an observer.

³⁰ <https://eap-csf.eu/10-years-of-eap-policy-advancing-eastern-partnership/>

Higher Education System of Armenia: Country Report

Misha Tadevosyan

1. Overview of the national higher education system

In 2017, 78,747 students were registered for bachelor studies; 11,793 students were registered for master studies; 1,085 students for post-graduate studies; and almost 45 students were registered for doctoral studies. According to the data, in the last ten years – 2009 to 2019 – the number of students of the Republic of Armenia nearly halved: in 2009, around 123,710³¹ students were studying at the HEIs all over the country.

In 2018, the number of students at the public education institutions was 69,622³² persons (in 2009 this figure was 114,629 persons. The remaining 8,127 (11.67%) were students studying at private institutions (in 2009, their number was almost 22,739, accounting for 19.84%).

The HEI network consists of 56 institutions, including 33 state-owned and 23 private ones. Most universities are based in Yerevan, the capital of the country. In the 2018-2019 academic year, 10,348 lecturers were employed at the higher education institutions, 589 fewer as compared to the 2017/18 academic year.

The ratio of the education budget expenditures to the GDP has demonstrated a declining trend in the recent years. Over the past 20 years, the index exceeded the threshold of 3% in 2009 only after which, with a steady decline, it was around 2.4% in the recent years³³. While in 2015 the expenditures for the education sector amounted to 2.4% of the GDP; in 2016, this figure was 2.39% of the GDP, in 2017, this figure was 2.21% of the GDP. The proportion of the public expenditures on vocational programmes in the GDP was 0.42% in 2015, 0.42% in 2016, 0.40% in 2017.³⁴

2. Academic freedom

The term “academic freedom” is used in the Higher and Postgraduate Professional Education Laws of the Republic of Armenia (adopted on 14/12/2004⁶) (hereinafter the “Law”). In particular, “7) Promotion and development of academic freedoms and autonomy of higher education institutions” is defined by law as the principle of the governmental policy in the field of higher and postgraduate professional education (Article 4). At the same time, the term is also used in the title of Article 6 of the Law: “Article 6. Autonomy, Competence and Academic Freedoms of Higher Education Institutions”. It is important to note that the term “academic freedom” in the current law is not specifically interpreted in any way.

The most important fact of the autonomy of the Armenian higher education system since 2009 is that several universities in Armenia have become foundations. Previously, those universities

³¹ BA&MA

³² BA data available only <http://www.osf.am/wp-content/uploads/2018/03/Education-interim-report-for-posting-2.pdf>

³³ Decision of the Government of the Republic of Armenia on Approving the State Medium-Term Expenditure Plan for 2019-2021, Decision nr. 797 from 10.07.2019, available in Armenian <http://www.irtek.am/views/act.aspx?aid=150781>

³⁴ RA Laws on Higher and Postgraduate Professional Education, available in Armenian

were state non-commercial organisations (SNCOs) which led to a number of restrictions. Universities which have the foundation status promote the university autonomy, in particular by allowing incorporation of legal entities and independent engagement in business. Foundation universities also face fewer restrictions in choosing a rector (there is no age limit for being elected or restrictions on re-election). This has had a major impact on higher education in Armenia. Currently, 12 out of the 16 state HEIs have the foundation status. Other legal amendments have not been implemented in this area. Currently, the Ministry of Education and Science of the Republic of Armenia is drafting a new Higher Education Law which is not available yet.

Professors enter into contracts with the faculty which are executed in accordance with the law and may be terminated in accordance with the Labour Code³⁵ (Article 19 (4) of the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

A university may terminate the contract with a lecturer in accordance with the Labour Code of the Republic of Armenia. If the lecturer is selected according to the procedure for a 5-year period, then the university may not dismiss him/her. However, the majority of lecturers have 1-year contracts only, which makes it easy for the HEIs to terminate contracts or hire lecturers.

Students are enrolled in the governing board of their university. It is regulated accordingly by Government Resolution No. 975-N of 23 June 2005 (approval date 23/06/2005) Decision of the Government of the Republic of Armenia on Approving the Formation of the Council of the State Higher Education Institution³⁶.

The proportion of the students in the governing collegiate bodies of universities is established by law.

3. Institutional autonomy

3.1. Organisational autonomy

The HEI is governed by the rector assisted by vice rectors with the support of the governing board. **The rector of the state higher education institution is elected** in an open competition established by the laws of the Republic of Armenia and by the charter of the higher education institution for a five-year term. The same person cannot be elected to the rector's office more than twice (Article 15, clause 4, the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)). However, since previously HEIs used to be SNCOs and only later were reorganised into foundations changing their legal status, likewise, rectors' previous governance was not taken into consideration, thus it enabled some of them to be elected and govern de facto more than two terms, e.g. in the case of Yerevan State University.

The nomination of the rector requires external approval. Some higher education institutions in the Republic of Armenia are state non-commercial organizations (SNCOs) and,

³⁵Labour code of the Republic of Armenia, available in Armenian, Russian <http://www.parliament.am/legislation.php?sel=show&ID=2257&lang=arm> <http://www.parliament.am/legislation.php?sel=show&ID=2131>

³⁶ Resolution of the Government of the Republic of Armenia on Approving the Formation of the Council of the State Higher Education Institution, available in Armenian <https://www.arlis.am/DocumentView.aspx?DocID=65208>

in this case, the founder's approval is required, and some universities are foundations and, according to the Foundations Law of the Republic of Armenia³⁷, it is not mandatory if it is not envisaged by the foundation's charter. "The results of the rector's election are approved by the founder. In case the results of the rector's election are pronounced null and void, a new rector election is appointed. The founder approves the resolution of the board if the candidate has received at least two thirds of the votes" (Article 15, paragraph 4, the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

Requirements for a candidate to the rector's position are established by the charter of the university. Rectors are formally employed by the government (approval of the election results is required); regulations, including duration of the term of office, are set forth by law (with additional criteria set forth by universities). The law does not stipulate a requirement for election to the rector's position but the university's constitution may require qualifications. Universities with the foundation status also face less restrictive choices in the rector's election process (there is no age limitation or restrictions on re-election).

The rector is dismissed upon the end of the management period which is governed by law. The resolution is made by the council of the university, approved by the chair of the university council and is advised to the Ministry of Education and Science. The law does not envisage separate terms of the rector's dismissal but they may be set forth by the charter of the university.

The term of tenure of the university head is set forth by law. However, due to the politicised regime of executive control over the governing boards the HEIs' autonomy has weakened and became restricted over the years which provided the basis for political favouritism and nepotism.

The senate is the collegiate managing unit of the university.

"1. The management of the higher education institution shall be carried out in accordance with the laws of the Republic of Armenia and the charter of the higher education institution on the basis of self-governance, in conjunction with the principles of sole management and collegiality, with the functions of the Council, the Academic Council and the Rectorate of the higher education institution, - 2. The board of the state higher education institution is a collegiate management body of the education institution formed for a period of five years in accordance with the statute of the higher education institution. The powers of the chairperson and members of the board shall be set forth by the Charter" (Article 15, clause 1, 2, the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

Selection or election of external members to the university governing body is established by law. The law establishes that the council includes lecturers, representatives of the students (representatives of the founders (for state HEIs, in case of private ownership), and the authorised body (Ministry of Education and Science for State and Private Universities): It consists of at least 20 members of the university under the Charter of the Universities.

Government Resolution No. 975-N on establishment of higher education councils of 23/06/2005³⁸ determines that the council shall consist of 25 per cent of academic and pedagogical staff, students, representatives of the founder, government officials appointed by

³⁷ Foundations Law of the Republic of Armenia, available in Armenian

<https://www.arlis.am/DocumentView.aspx?docID=75486>

³⁸ Resolution of the Government of the Republic of Armenia on Approving the Formation of the Council of the State Higher Education Institution, available in Armenian <https://www.arlis.am/DocumentView.aspx?DocID=65208>

the Prime Minister and prominent cultural, research, economic and education individuals representing the areas represented by the founder or the authorized state body. It should be from 20 to 32 members.

The board structure is strictly regulated by the public authorities; the government/ministries are heavily represented in the board (the council of the institution) and appoint other external members.

The right to resolve on the academic structure is made by the university.

Resolutions on the internal academic structure as well as to incorporate legal entities may be made by universities but with authorization of the Ministry and according to specific rules restricting commercial activities. Universities may incorporate their legal entities but, as set forth by the SNCOs law, the government's resolution should be passed. In this regard, the universities which have the foundation status are the most prominent. In the case of private universities, this is due to their organisational and legal forms.

In 2014, in the framework of “Tempus ATHENA project, Higher education system-Armenia. The State of University in Armenia; an external analysis, 2014” the organisational autonomy of the Armenian higher education institutions was measured. According to the report, Armenia is in the 25th place and has 47% organisational autonomy.

3.2 Financial autonomy

State funding is provided through a grant, which is conditioned by the number of students. Funding is greater for postgraduate students than for undergraduate and graduate students. The funding mechanism and deadlines are regulated by Government Resolution No. 1183-N of 27 July 2006 (adopted on 27/07/2006)³⁹ **The budget period is one year. The block budgeting method is used** (allocation of block subsidies – financial grants covering several categories of expenses which may be allocated and used by the university independently).

Higher education institutions are free to allocate state funding according to their areas of activities which is determined by the governing board of the university. Universities with the SNCO status do not have the right to maintain the potential surplus of state funding if the budget surplus is generated by any programme, the next year's financing is reduced to the same amount or is returned to the state. “3. The higher education institution independently determines the areas of use of its financial resources” (Article 15, clause 5, the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

Universities with the foundation status can raise credit funds without the government's approval seizing their buildings. There is no restriction to this.

The real estate of the university is owned by the state, and this property should serve solely the principal mission of the university and may not be sold or leased without the government's permission. Universities do not have financial control over the real estate which they have been provided by the government.

According to Article 23 “Property Relations in the Higher and Postgraduate Professional Education System”, to ensure the activities envisaged by the charter, the founder (founders)

³⁹ Available in Armenian <https://www.arlis.am/DocumentView.aspx?DocID=122102>

shall provide the higher education institution with buildings, structures, transport, land, equipment as well as the necessary property of consumer, social, cultural or other right of ownership or use (gratuitous or compensable) (Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

Armenian universities are free to **determine their tuition fees** for national students but the state has set the maximum thresholds to increase access to education and it is governed by law. Armenian universities are free to determine the tuition fees for international students but in this case the state has not set the upper limit. There is a separate order in Armenia for admission of international students – resolution 700-N of 28 April 2011 of the Government of the Republic of Armenia concerning the procedure for admission of foreign citizens to the higher education institutions of the Republic of Armenia⁴⁰.

In 2014, in the framework of Tempus ATHENA project the financial autonomy of the Armenian higher education institutions was measured. According to the report, Armenia is in the 11th place and has 66% financial autonomy.

3.3. Staffing autonomy

According to Article 6. Autonomy, competence and academic freedoms of higher education institutions, the higher education institution **independently defines the staff list of all categories**, carries out the selection and distribution of employees, including the replenishment of the academic staff, the order of occupation of the teaching staff, the heads of research and academic units” (Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

The Higher Education Law provides that universities, in accordance with their charters, are free to hire their academic and teaching staff. The limitation set out in the law is the provision under which academic staff contracts should be executed for a period not exceeding five years (with the possibility of renewal). **The recruitment procedure** for the academic staff is determined internally in university's statutes; no civil servant status for university staff.

“Vice rectors of the higher education institution (deputy director of the branch) are appointed by the order of the rector (branch director) and execute an employment contract with them.

“The position of the dean of the faculty (head of the education unit), the head of the chair is optional the order of which is determined by the charter of the higher education institution. The dean of the faculty (the head of the education unit) is considered to be academic and pedagogical worker” (Article 15, clause 8, the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

Education institutions have absolute freedom to set their salaries if they exceed the established minimum salary. According to Article 25. Remuneration of employees of the higher education institution, the Higher Education Institution determines the form and the system of remuneration of labour, the amount of bonuses, additional pay, remuneration, and

⁴⁰ Procedure for admission of foreign citizens to higher education institutions of the Republic of Armenia, available in Armenian <http://www.yso.am/userfiles/dimord/%C2%AB%D5%95%D5%BF%D5%A1%D6%80%D5%A5%D6%80%D5%AF%D6%80%D5%B5%D5%A1%D6%84%D5%A1%D5%B2%D5%A1%D6%84%D5%A1%D6%81%D5%AB%D5%B6%D5%A5%D6%80%D5%AB%D5%A8%D5%B6%D5%A4%D5%B8%D6%82%D5%B6%D5%A5%D5%AC%D5%B8%D6%82%D5%A9%D5%B5%D5%A1%D5%B6%D5%AF%D5%A1%D6%80%D5%A3%C2%BB.pdf>

other monetary incentives as well as the salaries of all categories of employees without the determination of the maximum salary rates within the limits of the funds on the basis of which it has its own and employees' remuneration (the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

According to the external analysis (2014) of ATHENA project, Armenia has 91% staffing autonomy and is the 7th autonomous country after Estonia, the United Kingdom, the Czech Republic, Sweden, Switzerland, Finland, and Latvia.

3.2 Academic autonomy

There are two types of institutes of higher education: public and private. The studies can be organised as full-time, part-time or distance. According to the procedure, all state and private HEIs submit to the MoES for the approval of state-funded and paid places for each specialty for both local and foreign students. It may seem that the HEIs are free **to determine the number of students** but in reality tenders are mostly based on the previous year which was determined based on the allocation of the state-funded scholarships and was basically conditional on the existing facilities, such as licensing requirements – space, infrastructure, resources and more.

The government has considerable control over the admission examinations confirming the content of the examinations and supervising the process of their conduction centrally. Student selection is co-regulated in principle; the external examination for the bachelor studies, however, leaves no room for manoeuvre to the universities.

As stated by the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004), Article 14. Admission to higher and post-graduate professional education organizations, admission to higher education institutions is carried out in the bachelor degree programme at the first level of higher education with the applications of persons having at least general secondary (full) education envisaged by law or by the statute of the higher education institution. In the two-tier higher education system, the second level (master) competitive admission is carried out with the score of the first degree (bachelor degree). Students are accepted to master programmes by the HEIs according to the order prepared by the Ministry of Education and Science (Approval of the Master Admission and Teaching Procedure at Education Institutions Order of the Minister of Education and Science of the Republic of Armenia No. 1193-N of 6 December 2007)⁴¹.

Each university defines the master degree admission but there is a state-recognised master degree admission procedure. Admission to the master degree studies is carried out on the basis of the Master or Certified Specialist Programme based on the results of the entrance examinations of the applicants, the procedure and the list of professions set forth by the Government of the Republic of Armenia.

According to Article 14. Admission to higher and post-graduate professional education organizations, admission to postdoctoral and postgraduate studies is carried out on the basis of the Master or Certified Specialist Programme based on the results of the entrance examinations of the applicants, the procedure and the list of professions set forth by the Government of the

⁴¹ Master Admission and Teaching Procedure at Education Institutions, available in Armenian.

Republic of Armenia (Procedure for Admission and Studying in Postdoctoral and Postgraduate Studies in Armenia Resolution of the Government of the Republic of Armenia No. 238 of 25 February 2016)⁴².

The Ministry of Education and Science of the Republic of Armenia terminates (cancels) the license for a bachelor, master degree programme. **The decision on granting (rejecting) or termination of the license** and the change of the number of places for admission to the specialties, the types of learning, the basics of education and the operation permit are made under the order of the Minister of Education and Science of the Republic of Armenia. Decisions on issuing licenses are made under the Licencing Law of the Republic of Armenia and according to the order mentioned (Licencing Procedures for Education Programmes in Armenia Resolution of the Government of the Republic of Armenia No. 808 of 9 July 2009¹⁵). In case of discontinuation of a programme, the resolution is passed by the university council and a notice is submitted to the Ministry of Education and Science.

Language of instruction cannot be chosen freely, except for classes intended for international students, which limits the scope of the internationalisation strategy. The Constitution of the Republic of Armenia and the Language Law of the Republic of Armenia require teaching at Armenian universities to be organised in Armenian.

Quality assurance mechanisms are built into the mandatory periodical accreditation or institutional audit programmes. According to article 22 Ensuring the quality of higher and postgraduate professional education and state control over it to ensure the quality of higher and postgraduate vocational education, the higher education institution and the postgraduate professional education institution shall publish the criteria for quality assessment and/or accreditation, the conclusion made by the quality assurance and/or accrediting organisation as well as the current quality assurance result (the Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on 14/12/2004)).

Universities are required to undergo institutional accreditation. **Universities are free to determine what kind of institutional and programme accreditation they would like to pass.** It may be by the Armenian National Centre for Professional Education Quality Assurance (ANQA)⁴³ or by any international quality assurance agency registered in the European Quality Assurance Register.

Armenian universities face restrictions concerning the content of education programmes as the state authorities mandatorily prescribe 5% of the content for all bachelor degrees which is taken from the list of mandatory modules. Some mandatory content in bachelor and doctoral programs determined by law restricts the capacity of universities to design programmes.

According to Article 6. Autonomy, competence and academic freedoms of higher education institutions, the competence of the higher education institution includes **elaboration and approval of curricula and subject curricula** of specialties and specialisations of higher and postgraduate professional education, publication of educational literature and education methodology manuals.

Higher and Postgraduate Professional Education Law of the Republic of Armenia (adopted on

⁴² Procedure for admission and studying, postdoctoral and postgraduate studies in Armenia, available in Armenian <https://www.arlis.am/DocumentView.aspx?docid=104366>
<https://www.arlis.am/DocumentView.aspx?docid=41863>

⁴³ Armenian National Centre for Professional Education Quality Assurance, available in English <http://www.anqa.am/en/>

14/12/2004)) establishes general requirements for higher and postgraduate professional education programmes.

In 2014, in the framework of “Tempus ATHENA project the academic autonomy of the Armenian higher education institutions was measured. According to the report, Armenia is in the 25 place and has 46 % academic autonomy.

4 Academic integrity

The number of studies of academic integrity in Armenia is insignificant. That is why there are no answers to sociological queries. In particular, this section presents the results of a single study conducted in this area (Strengthening integrity and fighting corruption in education: Armenia, Open Society Foundation Armenia (available in English)).⁴⁴

At the higher education institutions of the Republic of Armenia, the anti-plagiarism programme is not institutionalised. In particular, there is no information on the existence of such programmes. An anti-plagiarism programme for the postgraduate studies is available at the Supreme Certifying Committee /SCC18/⁴⁵ of the Ministry of Education and Science but there are no studies on its performance.

All Armenian higher education institutions have policies and procedures for ensuring academic honesty. The documents also contain references to penalties for recruitment but there is no information on their use.

In particular, universities have the following policies:

- The regulation of the concept of academic honesty,
- Politics and Procedure of the Academy of Honour,
- Architectural Precision and Plagiarism Prevention.

5 Corruption in higher education

According to the results of the World Corruption Barometer (CIA), the education system has risen 58% among the most corrupt spheres. In 2010, education was one of the three most corrupt fields in Armenia, according to the Caucasus Resource Centre for Household Surveys⁴⁶. In 2009, according to another survey, healthcare (23.1%), electoral systems (14.7%), police (9.4%), and education (7.4%) were assessed as the most corrupt in the first rank. The second rank correction is the following: education (11.7%), tax services (9.7%), electoral systems (9.6%), and police (9.4%).

According to a survey conducted by the OSCE, nearly 40% of the respondents think that university corruption is systemic due to its imperfection. Among other causes of corruption, there are the lull of students (24%), the complicated social condition of the lecturers (14%), the students' ignorance of their rights (8%) etc. majority of respondents, almost 40%, considered the entrance examinations to be the most risky stage in terms of corruption 62% of those students who stated they are aware of corruption at their universities admitted having given

⁴⁴ Strengthening integrity and fighting corruption in education: Armenia, Open Society Foundation Armenia, available in English http://www.osf.am/wp-content/uploads/2016/01/Integrity-report_final_en_12.11.2015.pdf

⁴⁵ Supreme Certifying Committee /SCC /, available in Armenian http://bok.am/?page_id=103

⁴⁶ Students' Perceptions on Corruption in the Higher Education System, OSCE, available in Armenian <http://goo.gl/ZRQszz>, p. 12-13

a bribe to their teachers to pass an examination. The results of the sociological survey conducted by the IPSC in 2011 and 2013 are quite interesting. In the case of individuals with HEI, these figures are almost equal. In 2013, 28.1% of the respondents mentioned a decrease, and 26.1% stated an increase in 2011. The results of the study do not differ significantly. 29.9% mentioned a decrease in corruption, and 23.9% an increase.

The Government of the Republic of Armenia has adopted the Concept on Combating Corruption in the Public Management System²³, Anti-Corruption Strategy the Republic of Armenia.²⁴ These documents also include separate sections on education. The higher education institutions of the Republic of Armenia also have an anti-corruption strategy.

6 Inclusiveness in higher education

There is no separate national programme for higher education accessibility for risky and vulnerable groups. However, the Government of Armenia adopted a resolution on 7 July 2006 (No. 1183-N), which sets forth the procedure for granting student benefits and state scholarships⁴⁷. Under this resolution, the government provides partial and complete compensation for student tuition fees:

- 1) At least 30 percent for socially insecure students (families with a high score on family disability);
- 2) At least 50 percent for those who have been left without parental care;
- 3) At least 50 percent for single-parent (single) students under 23 years of age;
- 4) At least 30 percent for students from families with three or more children
- 5) At least 30% for students with disability categories 1 or 2, including those with a disabled freedom fighter parent;
- 6) At least 30 percent for the students enrolled in the combat duty units in the combat duty compulsory military service;
- 7) At least 20 percent for socially insecure students (families with more than 0 points of vulnerability registered in the family vulnerability assessment system);

Others

To make higher education available to risky and vulnerable groups, the clause is also included in the Higher Education Law of the Republic of Armenia (Article 6) as well as in other laws and regulations.⁴⁸

The 2009-2019 data on changes in the students' age structure and its dynamics at enrolment as well as in the process of studies shows that, in 2011 to 2018, the number of students decreased by around 50%.

Data on vulnerable and risky groups in education is not collected at the national level. Such indicators are not available in the official data of the National Statistics Service of the Republic of Armenia. The share of graduates of rural schools, persons with disabilities and orphans is not included in the statistics reports.

Over the last 10 years, the students' gender structure has changed. In 2009, the total number

⁴⁷ The procedure for granting student benefits and state scholarships, available in Armenian <https://www.arlis.am/DocumentView.aspx?DocID=122102>

⁴⁸ On reimbursement of social assistance to border communities of the Republic of Armenia, available in Armenian <https://www.arlis.am/DocumentView.aspx?docID=111577>

of the students studying in cycle 1 (bachelor studies) was 114,629 (61,272 female, 53,356 male students), in 2018 it dropped by 40% to 69,622 (33,684 female, 35,938 male students). In 2009, 9,081 (5,904 female, 3,177 male) students studied in cycle 2 (master studies), in 2018, the number of students was 11,793 (7,886 female, 3,907 male students). In the case of the postgraduate and doctoral cycles, the number of students has decreased.

In terms of the gender structure per areas of studies, female students are in the majority in the field of humanities: Education and Pedagogy, Philology, Arts and Culture, Journalism and Communication, Healthcare and Services. At the same time, male students are in the majority in the field of sciences: Architecture and Construction, Engineering, Information and Communication Technologies, Agricultural Sciences, Security.

At the beginning of the 2018/19 academic year, 10,348 persons were employed in the higher education institutions (key staff). The share of women among the total staff was 5,525. Only in the case of the university lecturer position, the number of women is much higher than of men. In all other teaching and scientific positions – associate professors, university professor etc. – men are in the majority. The administrative and governing positions in the HES are mostly occupied by men.

7. Conclusions

1. The only component of organisational autonomy concerning which universities are free to make decisions is the right of the universities to establish academic bodies. The Higher Education Law clearly outlines the autonomy of universities in this regard. Public universities with the status of SNCOs are not authorised to establish legal entities without the governmental approval. The public authorities are heavily represented in the governing bodies of universities. The conditions for state, private and interstate universities are unequal.
2. The Higher Education Law of the Republic of Armenia gives Armenian higher education institutions a broader financial autonomy but they face difficulties due to various regulations and mechanisms. Although the Armenian universities have a relatively high degree of financial autonomy, the imbalance in public and private funding poses a threat to their financial sustainability. Moreover, the standards for unit grants are too far from the real cost of education. The SNCOs Law has strongly constrained many state HEIs to engage in business by limiting their possible revenue. In this context, higher education institutions with the foundation status are privileged.
3. The Higher Education Law of the Republic of Armenia envisages broad autonomy of human resources management but it does not mean that HEIs have enough capacity to efficiently manage their staff. State HEIs can independently determine their employees' admission, promotion standards, remuneration, and bonuses.
4. The Higher Education Law of the Republic of Armenia and the Education Law provide for the autonomy and academic freedoms of higher education institutions. However, the Higher Education Law of the Republic of Armenia with its bylaws enables the government to intervene in the institutional governance of higher education institutions. In spite of the academic freedoms authorised by the laws on education, in fact, HEIs mostly follow governmental education standards for curricula and teaching processes approved by the MOE. Armenian universities also face restrictions on the content of education programmes. Universities are

deprived of autonomy in choosing the language of study for each profession and determining the number of students.

8. Recommendations

To contribute to the autonomy of the Armenian higher education institutions, financial autonomy, human resources management autonomy and academic autonomy, it is necessary to:

- Reform/change the legal status of all universities from the SNCO to the foundation status.
- Limit engagement/representation of the Government and the Ministry in the governing bodies of universities.
- Expand participation in the governing bodies, including of civil society and business sector.
- Support universities to develop their fundraising capacities, provide incentives for other sources of income
- Modify the students' cost weights, taking into account the peculiarities of the various subjects taught
- Establish equal conditions for education institutions by allocating institutional equity funds
- Establish the output-based criteria for the unit grants calculation process
- Provide targeted financing within the university sector to develop administrative skills. Develop clear career paths for university staff
- Cancel or reduce the content of the training provided by the government mandate.
- Cancel the compulsory list of approved courses
- Allow learning in different languages
- Define academic honesty and control mechanisms for all levels of education by investing in anti-plagiarism programmes
- Monitor implementation of academic honesty procedures by universities, implementation of anti-corruption strategies.

Higher Education System of Azerbaijan: Country Report

Gubad Ibadoghlu

1. Overview of the national higher education system

At the beginning of the 2017/18 academic year, 167,677 thousand students were studying at higher education institutions (HEIs) of the Republic of Azerbaijan (with the exception of foreign students). This is 3,898 fewer students as compared to the 2016/17 academic year. In the 2017/18 academic year, 38.5 thousand students were registered for bachelor studies; 6.5 thousand students were registered for master studies. According to the State Statistics Committee (SSC) data, in the last ten years

–2008 to 2018 – the number of students in the Republic of Azerbaijan increased by 37.2 thousand: in 2007/08, around 130 thousand students were studying at the HEIs all over the country. As compared to 10 years ago, in the 2017/18 academic year, the number of students at the HEIs increased by 25.8 percent.

In 2017/2018, the number of students in the public education institutions was 153.3 thousand persons (in 2008/09, this figure was 108.2 thousand accounting for 82.9%) or 91.5% of the total number of students. The remaining 14.3 thousand (8.5%) are students studying at private institutions (in 2008/2009, their number was almost 20.6 thousand accounting for 15.1%). Thus, in 2017/18, there were 171 students of higher education institutions per ten thousand inhabitants on average with a decrease of two students as compared to the 2016/17 academic year.

The HEI network consists of 59 establishments, including 39 state-owned and 12 private ones. The majority of the universities are situated in Baku, the country capital. In the 2017/18 academic year, 14.5 thousand teachers conducted their work at the higher education institutions, 0.5% or 569 persons fewer as compared to the 2016/17 academic year. Out of this staff, 6.7 thousand persons have an academic degree out of which 83.1% are doctors of science and 16.9% are honoured doctors. The share of women in the total number of teachers is 51.8%.

In the current year, the budget for the education sector will be 2,285.9 million Azerbaijani manats (AZN) (1.19 billion EUR), which represented 9.1% of the state budget expenditures⁴⁹; in 2018, this figure was 2,002 million AZN (1.02 billion EUR) representing 9.5% of the state budget expenditures⁵⁰. Over the last 5 years – starting from 2015, – the budget for the education sector varied between 8.1-9.1 of the state budget expenditures increasing each year in the monetary terms by approx. 7%. In 2013 and 2014, the expenditures for the education sector were in the amount of around 7.5-8.3% of the state budget expenditures.

⁴⁹ <http://maliyye.gov.az/static/112/dovlet-ve-icmal-budceleri-uzre-vetendasin-budce-beledcisi>

⁵⁰ <http://budget.az/main?content=331>

2. Academic freedom

2.1. Legal aspects

The legal regulation of the Azerbaijani education system is carried out by the following laws and regulations:

- The Azerbaijan's Constitution of 1995 with the amendments as of 26 September 2016
- Azerbaijan 2020: Look into the Future Development Roadmap (approved by a decree of the President of the Republic of Azerbaijan on 29 December 2012)
- The State Strategy for Development of Education in the Republic of Azerbaijan (signed by the President of the Republic of Azerbaijan, Decree No. 24 of October 2013)
- The Education of the Republic of Azerbaijan Law (signed by the President of the Republic of Azerbaijan on 19 June 2009)
- The State Standard and Programme of the Higher Education Level (approved by the Cabinet of Ministers of the Republic of Azerbaijan, resolution No. 75 of 23 April 2010)
- The Model Charter of Higher Education Institutions (approved by a resolution of the Cabinet of Ministers of the Republic of Azerbaijan, resolution No. 9 of 21 January 2011)
- The State Programme to Increase the International Competitiveness of the Higher Education System in the Republic of Azerbaijan in 2019-2023 (approved by a decree of the President of the Republic of Azerbaijan on 16 November 2018)

In accordance with Article 42 of the Constitution of the Republic of Azerbaijan everyone shall have the right to education. Besides, Azerbaijan 2020: Look into the Future Development Roadmap and the Strategy for Development of Education in Azerbaijan determine the purpose, objectives, directions, instruments, and mechanisms of development of the education system in the Republic of Azerbaijan.

The Strategy for Development of Education in Azerbaijan determines the objectives and measures for the management of the education system in the framework of establishing an efficient and transparent management model in education institutions, including:

- administration of education institutions, academic, financial and organisational autonomy;
- establishment of mechanisms for applying strategic management in education institutions;
- ensuring that education institutions are administered publicly and with the participation of stakeholders (Parent Teacher Association, Board of Governors, Board of Trustees etc.).

The legal analysis shows that the Azerbaijani legislation does not guarantee academic freedom. The authorities have long linked academic freedom to political activity.

2.2. Political aspects

According to Article 4 (Educational Process and Public and Political Activity) of the Education of the Republic of Azerbaijan Law, establishment and operation of the organisational structures of political parties, socio-political movements at education institutions is not allowed. Despite the fact that the Education Law clearly states that political activities at education institutions are prohibited, branch offices of the ruling party (New Azerbaijan Party) are active at numerous state higher education institutions.

Deteriorating the general political situation, especially personal, civil, and political freedoms have a negative impact on the academic freedom in Azerbaijan. According to the Freedom in the World 2017 report, “the Aliyev regime continued to aggressively consolidate power at the expense of citizens' political rights and civil liberties. The authorities have long linked academic freedom to political activity. Some educators have reported being dismissed for links to opposition groups, and students have faced expulsion and other punishments for similar reasons. In July, the Education Ministry announced that Baku's Qafqaz University, founded by Gülenists, would be closed and that its management would be transferred to the state-run Baku Higher Oil School. The contracts of fifty Turkish academics from the institution were not renewed”⁵¹. The American Federation of Teachers (AFT), a national teachers' union, raised its concern over the crackdown against teachers in Azerbaijan⁵² due to their political affiliation. Educators in Azerbaijan, along with many activists, are at the centre of a crackdown with several teachers reportedly suspended for attending an opposition rally.

Loretta Johnson, the secretary and treasurer of the AFT, wrote in a letter to Azerbaijan's President Ilham Aliyev on behalf of the 1.6 million members of the AFT. She wrote to express her shock at learning about the Azerbaijani educators who were threatened with dismissal – and then fired – for their political party affiliation.

3. Institutional autonomy

3.1. Organizational autonomy

Higher education institutions of all levels of education may be state (public) and private. Education institutions have an equal status, regardless of ownership or founder's identity. The government ensures development of all education institutions, including the private education institutions, by providing them with credits, allocating grants, and granting concessions to state education institutions in accordance with the laws.

Establishment and operation of education institutions, both state and private ones, is monitored by the Ministry of Education and by the competent authorities. Any education institution should receive a special permit (license) from the respective executive authority (Ministry of Economy) under the current laws to provide education services. The state education institutions are issued special permanent permits (license). Private education institutions founded by individuals and legal entities of the Republic of Azerbaijan are issued special permits (licenses) for 5-year periods.

Higher education is governed by the Cabinet of Ministers of the Republic of Azerbaijan and the Ministry of Education of the Republic of Azerbaijan.

The Cabinet of Ministers determines the education strategy, supervises implementation of the Education Law and the relevant legislative acts and documents as well as defines the regulations for the establishment, restructuring and liquidation of higher education institutions. Moreover, the Cabinet of Ministers establishes, restructures and closes vocational institutions as well as

⁵¹ <http://www.refworld.org/docid/5936a46c13.html>

U.S. teacher's union "shocked" by dismissal of educators for political views in Azerbaijan.

⁵² <http://www.turannews.info/ext/news/2017/5/free/Social/en/62187.htm>

approves the list of qualifications, education regulations and rules. It also makes certain proposals on the development of the budget and funds for the development of education and defines state standards for education funding as well as regulations for scholarship and salary payment.

The Ministry of Education is the central executive body governing the education system of the country. It participates in the development and implementation of the state policy for education. 19 out of 39 public higher education institutions of Azerbaijan are under the control of other ministries and executive bodies of the government (Presidential Administration, Ministry of Culture and Tourism, Ministry of Foreign Affairs, Ministry of Agriculture, Ministry of Youth and Sport, Ministry of Health, Azerbaijan Caspian Shipping, Azerbaijan Airlines (AZAL) State Concern, Ministry of Defence, Ministry of Internal Affairs, Ministry of Emergency Situations, State Border Service, State Oil Company of the Azerbaijan Republic (SOCAR), State Customs Committee).⁵³

According to Article 24 (Independence of HEIs) of the Education in the Republic of Azerbaijan Law, HEIs implement curricula that are fully relevant to the global standards and are registered at the Ministry of Education. They independently apply effective and advanced methods of teaching as well as research. Below 20% of the time provided for in the curriculum is freely used. Taking into account the human potential, material and technical base, educational and research achievements, autonomy is given to higher schools based on the rule. Universities with autonomy have the following additional rights: to define the content of education, not below the global standards; to define the student's (bachelor, master) and doctoral degree plans, taking into account the state order; to freely provide academic degrees; the right of ownership to the premises, material and technical base, land and other property in which the education institution is located; to exercise the powers assigned to public administration bodies in accordance with the statute. A higher education institution with autonomy may delegate its individual powers to the governmental education authorities.

According to the Action Plans on implementation of the state programme on reforms in the higher education system of the Republic of Azerbaijan for 2009-2013, the Ministry of Education, Ministry of Finance, Ministry of Justice, Ministry of Economy, ministries which have subordinate higher education institutions, universities should establish bodies (the board of trustees, alumni association, development fund etc.) which facilitate development of higher education institutions in 2010.⁶ However, this measure of the implementation plan has not been carried out yet.

In accordance with Article 30.2 of the Education Law of the Republic of Azerbaijan, the head of the state education institution is appointed by the relevant executive authority. The supreme governing body of the state education institution is an academic and pedagogical council. Establishment and operation of the academic and pedagogical councils shall be determined on the basis of the statute approved by the relevant executive authority and the charter of the education institution.

Public higher education institutions are governed by a rector appointed by the President of the Republic of Azerbaijan upon recommendation by the Ministry of Education. Private higher education institutions are governed by a rector appointed by the Board of Founders the members of which may include the founders, trustees etc. of the institution. The Ministry of

⁵³ https://eacea.ec.europa.eu/sites/eacea-site/files/countryfiches_azerbaijan_2017.pdf

Education directly appoints the vice rectors of the state universities upon recommendation by the rector (except one)⁵⁴. Regularly, vice rectors at the state universities are appointed in the following areas:

- The vice rector for teaching and training technologies
- The vice rector for research and innovations
- The vice rector for administrative and organizational issues
- The vice rector for work with students
- The vice rector for economic affairs
- The vice rector for general affairs

The management bodies of the state HEIs consists of the Rector, Rectorate, Departments, Centres, Branches, Trade Union and Academic Council. The key decision-making institution of the HEI is the rectorate which is presided over by the rector assisted by vice rectors, adviser(s) and scientific secretary.

Heads of departments, centres, branches, the trade union are appointed by the rectors of the HEIs. The Academic Council is governed by the Statute on the Academic Council of the Higher Education Institution approved by the order of the Minister of Education of 10 November 1997⁵⁵. According to article 1 of the Statute, the general management of the HEIs is carried out by the Academic Council. According to Article 2, the Academic Council consists of the rector (chairman) of the higher education institution, the vice rector for academic affairs, vice rectors, academic secretaries, deans, directors of research institutes operating within the higher education institution, the chair of collegiums (employees and students), department heads and the chair of the Student Academic Society. The other members of the Academic Council amount to 3-10% of the total number of the professors and teachers of higher education institutions. This number is determined by the rector depending on the number of professors and teachers. Candidates for the Academic Council are elected by secret ballot by the faculty members and professors of each faculty. Additionally, up to 10% of the Academic Council's members may be appointed by the head of the higher education institution (by the Rector).

Rectors, vice rectors, and deans are permanent and non-elected members of the Academic Council. The term of the mandate is three years and is usually synchronized with that of the rector. The term of the mandate of the Academic Council members from among students is one year with the possibility of renewing it.

The head of a private higher education institution is appointed and dismissed by the founder. Branches, faculties, departments, academic departments, libraries, research and testing laboratories, relevant divisions for doctorate, additional education, registration offices, teaching practice offices, sports facilities, educational theatres and studios, concert halls, exhibition halls, catering institutions, servicing and other units of the HEIs are allowed to function. Manufacturing, clinical, scientific-research, artistic institutions and organizations may be established as part of the HEIs.

⁵⁴ The vice rector in charge of general affairs at the university is appointed by the National Security Service. One of his/her main responsibilities is to conduct surveillance over all courses and research activities of teachers having independent and critical thoughts like me, and based on these findings to prepare reports for the Service.

⁵⁵ <https://edu.gov.az/az/page/299/873>

3.2. Financial autonomy

The sources of income of the HEIs are as follows:

- Public funds;
- Income received from the fee-based education;
- Profit gained by the universities from the services
- Annual subsidies allocated by the foundations established by the university (only for private HEIs);
- Grants by legal entities and individuals, including foreign legal entities and individuals, as well as international organisations, inherited resources, donations, sponsorship and other aids;
- Resources obtained from the sale or leasing of the physically and morally depreciated equipment, vehicles and other property not suitable for education purposes in the ownership of the university;
- Other legal resources.

Public funds are allocated from the state budget directly to the HEIs. The Cabinet of Ministers of the Republic of Azerbaijan governs the report on drafting and implementation of the state budget. The drafting of the state budget and the budget discussions are conducted by the Ministry of Finance of the Cabinet of Ministers while mid-term (for three years) macroeconomic forecasts and the state investment programme are conducted by the Ministry of Economy. Participation of the Ministry of Education in drafting the revenue section of the budget is ensured. The budget is spent by the General Treasury Office of the Ministry of Finance. The state budget is implemented by the relevant executive authorities, and organizations of these authorities through the state treasury.

The authority to approve and amend the budget is at the discretion of the Parliament. In addition to adoption of the budget for the next year, the Parliament also examines and approves the report on implementation of the budget of the previous year. Financial control over appropriate use of the budget funds is conducted by the Accounting Chamber of the Parliament.

The state budget comes into force and its implementation is started as of 1 January and ends on 31 December of each year. The leading role in preparing and spending of the budget is assigned to the Ministry of Finance. The process of discussion and approval of the budget at the Parliament in Azerbaijan is formal. The Parliament generally does not make any considerable amendments to the budget drafted by the Ministry of Finance, discussed by the Cabinet of Ministers, and submitted by the President. Minor amendments which are made in the course of the discussion at the Parliament have the characteristics of imitation.

Participation of the Cabinet of Ministers in the budget process is also nominal but not real. The key real authority in the budget process is at the discretion of the Presidential Administration and the Ministry of Finance.

According to the Single Budget Classification of the Cabinet of Ministers, the functional structure of the education budget is as follows:

- Expenditures for pre-school and primary school education
- Expenditures for incomplete and complete secondary education
- Expenditures for boarding schools and special schools

- Expenditures for technical vocational training, high school and specialised secondary education
- Higher education expenditures
- Expenditures for programmes and services in relation to education
- Other services in the field of education.

Azerbaijan's public spending on education is very low. The education expenditures will constitute 9.1% of the total expenditures which is 1.3 percent higher in comparison with the current year. Hence, the education expenditures in 2019 will amount to 1.34 billion US dollars or 2.286 billion AZN. The main expenditure growth is observed in the general education expenditures. 52.8% of the total education expenditures overall are allocated to general education. Higher education expenditures continue to decline. At present, higher education institutions shift to the self-financing scheme; hence, only 2% of the total education expenditures or 27.1 million US dollars (46.1 million AZN) will be allocated to the HEIs. According to the Model Charter of Higher Education Institutions, income and resources obtained by the university are allocated to the development of research and education, establishment of a permanent fund, libraries, library facilities, student scholarships, professional development and monetary incentives of the academic, pedagogical and administrative staff.

Financing of the HEIs is implemented in accordance with financial norms defined for each education level. These norms are determined by considering the amount of cost defined for each student and in accordance with resolution of the Cabinet of Ministries of the Republic of Azerbaijan No. 120 of 25 June 2010 to approve implementation of the new financing mechanism at the higher education institutions. However, at the same time, the university independently determines the areas for expenditure of the income and resources it has obtained, defines the specific weight of the allocations for monetary incentives of the university employees and can establish foundation for the social security of its employees.

In accordance with the model charter, the university is a legal entity; it has its own independent balance sheet, property in its ownership and disposal, treasury and bank accounts.

Currently, two public legal entities of the Ministry of Education (Baku State University and Azerbaijan State University of Economics), the HEIs under the control of other ministries and executive bodies of the government and private HEIs have the right and freedom to accumulate, transfer, and distribute financial resources in the internal level according to their responsibility to ensure the quality of education in line with the statutory principles. Over the last years, the financial sources of the higher education system (HES) were diversified, thus reducing the dependence on public financing. Also, the universities were allowed to open bank accounts so that the management of financial resources is done via bank accounts and not via the Treasury.

Buildings and properties in/on which the public higher education institutions carry out their activities are part of the public domain and may not be transferred and privatised. However, the public HEIs have the right to buy using their own resources or other legal resources immovable and movable assets, properties or any other assets necessary for their work. Once bought, they become the property of the public HEIs. The assets of the public HEIs may be leased, rented out or may be sold provided that the revenue obtained will be used for development of the institution.

3.3. Staffing autonomy

The teaching staff can be hired in the HES based on Article 50 (Regulation of Labour Relations concerning Positions Occupied by Competition) of the Code of Labour of the Republic of Azerbaijan.

According to the Decree of the President of the Republic of Azerbaijan of 21 June 2017, two HEIs – Baku State University and Azerbaijan State University of Economics – have been granted the status of a public legal entity of the Ministry of Education. Only public legal entities (Baku State University and Azerbaijan State University of Economics) and private HEIs determine their own number of teachers with whom they may sign short-term or long-term contracts.

In the case of other state HEIs, the number of staff and any change in the number of staff should be approved by the Ministry of Finance.

There are no special programmes for the initial education of future academic staff in the higher education system. Likewise, there are no requirements concerning particular subjects during studies, such as psychology, pedagogy, teaching methodology or other education related subjects. Admission criteria to the higher education institutions for those planning to pursue an academic career are equivalent to those anticipated for any other student applying for a higher education programme. Typically, a PhD degree is required for those applying for academic staff positions, although persons with master degree may apply for some positions. Research work and the publication of research papers are highly valued for students aiming for academic career. According to these regulations, every five years, all teaching positions (assistant professor; university lecturer; senior university lecturer; associate professor; university professor) are declared vacant and should be occupied on the competitive basis. Nevertheless, the HEIs are very limited in setting staff salaries and should comply with the existing legal framework. Most often, the institution's own income is spent on infrastructure and salaries. The ratio between self-provided income and that coming from the state budget largely varies from one higher education institution to another. No freedom exists in establishing incentive payments and awards.

The requirement system at both private and public HEIs is based on the interview and competition procedures. The HEIs sign contracts for the appointed period of traineeship with the academic staff who pass the interview. Upon successful completion of this period, the academic staff has the right to participate in the competition to fill in vacant positions at the HEIs.

Professors and doctors of science may take part in the competition to fill in the positions of professors, associate professors, doctors of science and candidates of science may take part in the competition to fill in the positions of associate professors. A doctor of science having years of research and pedagogical experience or highly qualified specialists with higher education (master degree) with five years of research and pedagogical or work experience and published research and methodology works may generally take part in the competition to fill in the positions of senior lecturers. Candidates of science with at least one year of the research and pedagogical or the work experience in their major as well as highly-qualified specialists with higher education (master degree) with three years of research and pedagogical or work experience and published research and methodology works may take part in the competition to

fill in the positions of teachers and assistants. Specialists who graduated from full-time doctoral studies who successfully completed assistantship internship, graduated from a higher education institution with distinction and are research-oriented as well as trainee teachers may be appointed for the period of three years maximum. The positions are filled in by competition in accordance with these regulations upon expiration of the term.⁵⁶

Positions of deans and heads of departments are elective and can be filled in by competition for a five-year period. A resolution on employment and filling in teaching positions is passed by open vote by the Academic Council of the education institution and is announced publicly.

Execution or termination of contracts with the teachers is done based on the provisions of the Labour Code of the Republic of Azerbaijan⁵⁷. According to the Code, employees with doctor of science degrees, directors and their research assistants, academic secretaries at research institutes, and the research departments of higher education institutions shall be eligible to a vacation of 56 calendar days per year and employees with academic degrees of candidates of science, directors, and their research assistants, academic secretaries of research institutes, and the research departments of higher educational institutions shall be eligible to a vacation of 56 calendar days per year.

3.4. Academic autonomy

The Education Law formally introduced the European Credit Transfer System, a three-cycle system of study and a diploma supplement. As a result, from the 2009/2010 academic year, all newly admitted students have studied under the reformed study programmes at all higher education institutions.

The Rules on Organizing the Credit System Education at Bachelor and Master Levels of Higher Education Institutions were approved by decree of the Cabinet of Ministers No. 348 of 24 December 2013. The authority responsible for certification is the higher education institution. Upon completion of the first level of higher education, the student receives a diploma with his/her relevant professional title, average degree and the number of ECTS earned. The Ministry of Education provides the forms of the diploma and the academic transcripts to the HEIs. The student also receives a diploma supplement, which contains information regarding the level, type and content of the studies successfully finished.

Higher education is divided into three levels: the first level (bachelor studies), the second level (master studies), and the third level (PhD studies). All those who have obtained a secondary education certificate have the right to apply for an admission to the higher education institutions. No privileges are given to students for an admission to the higher education institutions (with the exception of the winners of international Olympiads and other similar high-level competitions). Graduates of the secondary and/or vocational schools or colleges who have been awarded the relevant diploma of completion (or the certificate of secondary education) may also apply for admission to the universities (for bachelor studies). Admission is carried out on the basis of the central examinations set by the State Student Admission Commission of the Republic of Azerbaijan. Students applying for programmes requiring special talents (such as sports, arts) have to take an additional examination in relevant areas.

⁵⁶ Overview of the Higher Education System Azerbaijan, https://eacea.ec.europa.eu/sites/eacea-site/files/countrifiches_azerbaijan_2017.pdf

⁵⁷The Labour Code has been approved by the Approval, Enforcement and Related Legal Regulation Issues of the Labour Code of the Republic of Azerbaijan Law of the Republic of Azerbaijan No. 618-IQ of 1 February 1999.

The admission plan is drawn up by the Ministry of Education. However, the relevant procedures and requirements for admission are prepared by the State Student Admission Commission. This Commission also sets forth the admission procedures and structure and implements the admission of Azerbaijani students to the different levels of higher education based on their results at the centralised entrance examinations. It also makes a decision on the admission regulations and rules for entrance examinations, monitors application procedures, submits regular reports on admission to the President of the Republic of Azerbaijan, issues statistical data on the admission results etc.

The Government is the agency establishing annually the enrolment plans which include the places subsidized from the state budget for all cycles of studies, and the maximum number of enrolment for commercial places. Still, the number of places for enrolment is proposed by each HEI, beginning with the capacity of the institution, which further is modified to a certain extent following the examination carried out by the Government.

Upon completion of the undergraduate studies, students may apply for admission to the postgraduate studies. Examinations are set by the State Student Admission Commission of the Republic of Azerbaijan. The further studies to which a student applies should correspond to his/her educational background at Bachelor level.

Self-evaluation and internal quality assurance of academic programmes, teaching and work conditions are defined by the general act of each higher education institution. Only some HEIs in Azerbaijan have quality assurance departments. The higher education institution defines its own internal documents and procedures required for internal quality assurance.

The curriculum in Azerbaijan is set forth at the national level. The curriculum is designed by the experts of the specialties who are selected by the Ministry of Education for the working groups at the national level. The authority responsible for approval of the curricula is the Ministry of Education as well. The curricula include compulsory and optional subjects. Optional subjects are defined by the higher education institutions concerned. They include academic disciplines, research methodologies and techniques. There are also a number of international curricula implemented upon the approval of the Ministry of Education.

4. Academic integrity

There is no comprehensive research, no studies or surveys to establish or examine the extent of plagiarism and academic integrity at the HEIs of Azerbaijan. Despite the academic integrity plays an essential part in maintaining the integrity of the university, only some universities approved a policy in this regard. These universities struggle with them because they do not want the name of the university to be associated with dubious personalities. Other universities close their eyes to this, claiming that there is no plagiarism at their university.

The first policy in the fight against plagiarism was implemented by the Azerbaijan University of Tourism and Management, Azerbaijan State Oil and Industry University, Azerbaijan State Economic University, Azerbaijan Technical University, Khazar University and others.⁵⁸ They implement anti-plagiarism procedures for checking and evaluating student and research papers

⁵⁸ <https://plagiat.pl/en/blog/2018/01/29/azerbaijan-begins-the-fight-against-plagiarism-in-the-education-system/>

as to presence of plagiarism. According to the university policy on academic honesty⁵⁹, students' rights are accompanied by certain duties and responsibilities which should be respected by them. Students are expected to recognize and uphold high standards of intellectual and academic integrity. As a basic standard of conduct in academic matters, the university assumes that students submit for credit only the products of their own efforts. All dishonest work is rejected. Any of the following kinds of infringement is strictly forbidden and will, if proven, be penalised: plagiarism, cheating, unauthorised collaboration, falsification, and multiple submissions. The university policy is to retain ownership and any rights to discoveries, innovations, and inventions, including computer software made by students, faculty, and staff with the use of the university facilities. Following the standards of academic conduct, rights and responsibilities are essential for all the members of the university academic community, including the faculty.

In general, the main issue is the absence of an appropriate legal framework. Azerbaijan has appropriate laws in the field of intellectual property protection. The Copyright Agency of the Republic of Azerbaijan is active in the country, highly qualified specialists work there. In April 2016, the Agency hosted a “roundtable” on academic plagiarism where there was an open discussion, and the university rectors shared the experience and technologies used in the fight against plagiarism. In spite of the existence of intellectual property protection in Azerbaijan, the concept of plagiarism has recently entered the Education Law of Azerbaijan. An amendment was adopted to the Education Law requiring to begin the universal verification of student works on plagiarism while using the information technology corresponding to certain minimum standards.

It means that Azerbaijan requires appropriate bylaws, decrees, resolutions on which the rectors could rely. Another important factor is the lack of a code of academic integrity, not the use of disciplinary measures, and the insufficient use of information technology in the academic process.

In the CIS countries, there was a wave of reforming science and cleansing it from bureaucracy and Soviet practices, providing a broad autonomy and responsibility to the universities themselves to decide who to award academic degrees to and who not. Unfortunately, this process didn't happen in Azerbaijan. Azerbaijan has not moved to the PhD system although this would solve many problems. So far confirmation and justification of the doctoral degree is centralised by the Higher Attestation Commission (HAC) of the President of the Republic of Azerbaijan⁶⁰. This organisation is the governmental agency specialising in the field of attestation of high research and research and pedagogical personnel and in charge of the governmental policy in this field. The HAC implements expertise of works received from the research (research, research and production) companies (organisations, associations) and higher education school related to the research degree (PhD, DPhil) in all areas of science, technology, education, culture and art and conferring of academic titles (associate professor and professor). The relevant research degrees and titles are conferred to the candidates whose works meet the requirements of the academic degrees and titles as well as the relevant diplomas and certificates are provided by the HAC.

⁵⁹ http://www.khazar.org/en/menus/173/academic_honesty

⁶⁰ <http://www.aak.gov.az/>

The Higher Attestation Commission should implement the complex measures to fight against plagiarism, the creation of a depository of doctoral dissertations, the integration into a common network with university repositories. It would also be correct if the HAC published dissertations on its website. But the HAC of Azerbaijan uses an anti-plagiarism system that in effect is engaged in rewriting, copies the papers of some authors and sells them to others doing it openly on their website.

5. Corruption in higher education

Corruption in Azerbaijan is endemic and systematic: it is present at all levels and areas of the society, including the education system. Endemic corruption and bribery in the education system is another factor leading to strengthening of central administration and strictly diminishing the autonomy of higher education institutions. The government recognises the existence of corrupt practices in the management of human resources in education, namely bribing and nepotism in selection, hiring and promotion, arbitrary dismissals, and violation of labour rights of education employees.

There are several issues related to the widespread corruption in the education system. Azerbaijan's public spending on education is very low. Insufficient public expenditures on education translate into inadequate salaries for teachers. The average monthly salary for employees in the education system was 307 AZN (\$ 108.6) in 2016. These low salaries for teachers and faculty make them disinterested in the quality of the education and lead to corruption. Teachers are inclined to accept bribes to pay for their costs. A common public tutoring phenomenon is for example that teachers ask additional payment for the materials they are supposed to teach them in class. As a result, the quality of public education deteriorates. Another consequence of the low salaries is that most of the students of state universities, especially of the medical university, pay bribes for good grades.

Low public expenditures on education also create issues regarding access to education services. As public spending on education declines, families must supplement educational expenses themselves, a burden that is greatest for low income and poor families. According to a World Bank report⁶¹, the richest 20% of the population consistently spend nearly 40% of their private spending on education while the poorest 20% spends only approximately 10% on education.

Lastly, there is lack of transparency and accountability in the education system. An example of this is the sale of school uniforms for too high prices by school managers, a practice which occurs regularly in Azerbaijan.

Corrupt practices at universities which had roots in the later years of the Soviet period became more common during the early years of independence. Bribery was often practiced in student admission to universities and in obtaining diplomas. Four branches of the Azerbaijan Institute of Teachers were closed due to the alleged corrupt practices in 2014-2015. Hence, newly emerging private universities became alternatives for corrupt state institutions. Limited funds also urged universities to start charging student fees and establishing new educational programmes. To fight corruption, Azerbaijan was the first former Soviet Union country to introduce standardized testing in the university admission process in 1992. The State Commission for Student

⁶¹ <https://data.worldbank.org/indicator/SE.XPD.TOTL.GB.ZS>

Admission (SSAC) was established as the major administrative body for these tests. The SSAC operates independently from the Ministry of Education (MoE) and reports directly to the President. Currently, the SSAC administers school graduation exams, organises bachelor and master admission examinations for both private and public HEIs, and implements student placement at the HEIs.

A report of the international transparency organisation published on January 29 indicates that in 2018 Azerbaijan was ranked 152 among 180 (down 30) in the Corruption Perceptions Index-2018. Previous reports of Transparency International noted that in 2017 Azerbaijan was ranked 122; 123 in 2016; 119 in 2015.

According to the report of the OECD on the Fourth Round of Monitoring of the Istanbul Anti-Corruption Action Plan 2016⁶², in Azerbaijan, the education sector is perceived to be vulnerable to integrity violations. The recent anticorruption reforms represent a positive step forward in responding to the integrity challenges. The development, implementation, monitoring, and assessment of anti-corruption policies should be more transparent and evidence-based, and provide for broader civil society engagement.

According to the alternative reports by the NGOs, awareness raising and education are insufficient in Azerbaijan⁶³. TI Azerbaijan notes that a more comprehensive and targeted approach is needed, cooperation with the civil society should be broadened and businesses should be one of the target groups⁶⁴. Anti-corruption is not part of the education curriculum in Azerbaijan. The alternative monitoring report concludes that although anti-corruption education in higher and secondary education is crucial from the point of view of developing a culture against corruption, this has not been accomplished by Azerbaijan⁶⁵.

6. Inclusiveness in higher education

According to Article 5 (Guarantee of the Right to Education by State) of the Education in the Republic of Azerbaijan Law, the state secures creation of equal opportunities for each citizen and doesn't tolerate any discrimination, regardless of the individual's gender, race, language, religion, political views, nationality, social status, background, and state of health. The state guarantees equal opportunities for men and women in recruitment to all education institutions, regardless of their type of ownership, appointing to or election to positions, stimulating and awarding the labour, admission of the learners to education institutions, providing them with scholarships, selection of curricula and majors, assessment of knowledge, providing the graduates with jobs, continuing education at the next level, furthering the major etc.

Currently, there are no programmes and/or strategies at the national level to regulate and/or promote increasing of access to higher education for persons from socially vulnerable groups or for national minorities.

Over the last 10 years, during the 2007/08-2017/18 academic years, female students in the gender structure of the students increased from 61,172 to 80,827. In the 2017/18 academic year, the share of the female students in the total number of students accounted for 48.2 percent.

⁶² <http://www.oecd.org/corruption/anti-bribery/OECD-ACN-Azerbaijan-Round-4-Monitoring-Report-ENG.pdf>

⁶³ <http://transparency.az/alac/files/ENG%20%20A5.pdf>

⁶⁴ TI National Integrity System (2014) available at: <http://goo.gl/aRWHSE>

⁶⁵ Constitution Research Foundation (2015) Implementation of the National Anti-Corruption Action Plan for 2012- 2015, September 2013 – December 2014 available at: <http://goo.gl/CG3WMe>

The female students are a majority in the field of humanities: in the 2017/18 academic year, 41 percent of 80,827 female students studied education, 14.2 percent humanities, 14.1 percent economics and management, 11 percent technics and technology. While the male students are a majority in the field of science: architecture and construction (~70%), engineering (~80%), information and communication technologies (~85%). It is impossible to make a comparative analysis with 2009, as there is no aggregate data in this respect.

In the 2017/18 academic year, 14,569 thousand persons were employed at the higher education institutions (key staff). The share of women in the total staff number was 51.8%, 51.1% at public HEIs and 48.9 % at private HEIs.

In all other teaching and research positions – university professor, senior researcher etc. – men are a majority. The administrative and governing positions at the HEIs are occupied mostly by men. For instance, out of 59 rectors of higher education institutions, only 8 are women, the remaining 51 are men.⁶⁶

7. Conclusions

In the last decade, the HEIs in the Republic of Azerbaijan face some major challenges and issues. The most important issues include: a) significant centralisation; b) the Soviet-style management system, c) low salaries in the education system; d) corruption and lack of transparency; e) and, last but not least, slow and poor reforms in the field.

Although the whole education system of Azerbaijan was left broken after the collapse of the Soviet Union and its official Communist ideology, harmonisation of the national system with the European one has not been finalised yet; still the authorities have long linked academic freedom to political activity; institutional autonomy and integrity has not been fully consolidated yet, academic freedom at higher education institutions, including private universities, is at a very low level or almost absent. Academic freedom as well as the autonomy of universities should not be directly proportional to their quality in research and education. Unfortunately, no higher education institution in Azerbaijan has been able to incorporate academic freedom into its education policy.

Azerbaijan's education system is inherited from the Soviet Union. A majority of teachers, especially at the university level, are of the old generation, trained during the Soviet period and lacking any knowledge other than the one provided by the outdated Soviet literature. Since there is no option to choose or drop a course, as is the case in Western education systems, students end up sitting and listening to outdated lectures, and then have to pass irrelevant examinations. Some representatives of the younger generation who studied in Western countries currently teach at the university level. However, in most cases, they are overwhelmed by the workload and are often marginalised, especially at public universities. The deans are not selected but appointed, and not for their educational credentials, but for their loyalty to the corrupt system of which they are ardent representatives themselves. Even the student unions should be loyal to this system, thus instead of representing the students, they become the representatives of this corrupt system.

The HEIs are not sufficiently adapted either to modern learning or to responding to the demands of people with special education needs. The availability of books and other educational materials

⁶⁶ https://baku.ws/hot_news/38314-azrbaycan-universitetlrinin-rektorlar-kimlrdir-syahi.html

is still a big problem. Because of the language barrier, books in English or other Western languages stay inaccessible to a majority of students.

Finally, due to the low quality of higher education, Azerbaijan does not currently have any universities in the overall Times Higher Education World University Rankings.

8. Recommendations

- A. Strengthen the de-centralisation of the fiscal, curricula and administrative regulatory system, develop corporate governance in university management, involve various stakeholders (civil society, think tanks, business, media etc.) in the HEIs' governance system and increase student participation in the decision-making process.
- B. Enhance the transparency and accountability of the university budget and the higher education institutions' financial management system
- C. Organise vocational training for university teachers regularly, increase the salary, social security benefits, health and safety for higher-education teaching personnel through an increase of the budget for education.
- D. Enhance the freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system.
- E. Improve the legal and regulatory base of the management of higher education institutions to consider the Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education adopted by the World University Service in September 1988 and Recommendation concerning the Status of Higher-Education Teaching Personnel adopted by the UNESCO on 11 November 1997.
- F. Struggle corruption, bribery, nepotism and kinship at the HEIs
- G. Strengthen fighting against plagiarism by creating a database of dissertations and a comprehensive examination of dissertations for plagiarism.
- H. Develop and affirm policies and values by the standard inclusion of the academic integrity policy on all syllabi and education programmes.

Higher Education System of Belarus: Country Report

Vladimir Dounaev

1. Overview of the national system of higher education

1.1. Belarus is included in the most numerous group of countries with the student population below 1 million persons. In the academic year 2014/15, Belarus had 505,637 students who were referred to the category of the tertiary education students in the EHEA Implementation Report⁶⁷ Belarusian statistics include a significant number of students of secondary specialised education institutions among the tertiary education students for the purposes of comparison among countries. The accuracy of this method gives rise to doubt while it is based on unfounded identification of this education level with the short cycle of higher education according to the EHEA classification. Internal statistics, the statistics of the Ministry of Education in particular, does not include this group of students in the total number of the students of higher education institutions. Moreover, the student category includes the students of the first cycle (ISCED 6) only. In 2014/15, the country had 362.9 thousand students according to the data of the Education in the Republic of Belarus in 2017/2018 Bulletin of Statistics.⁶⁸

The Belarusian student population is distributed structurally in the Implementation Report as follows:

- ISCED 5 includes 128,975 persons, ISCED 6 has 362,907,
- ISCED 7 has 8,855
- ISCED 8 has 4,900 persons.

Relevance of ISCED 8 presence in the Belarusian higher education statistics can give rise to the same doubt as in the case with ISCED 5. The third cycle of higher education according to the EHEA classification is not integrated in the Belarusian higher education system yet. At the same time, one has to turn a blind eye on lack of relevance of some of Belarusian statistics for the purposes of comparative analysis.

Distribution of students by education levels reflects the deformed structure of the Belarusian higher education as compared to the average EHEA data. Using the data provided for the Implementation Report, the structure of the Belarusian higher education is as follows:

ISCED 5 – 25%, ISCED 6 – 71.8%, ISCED 7 – 1.75%, ISCED 8 – 0.97%.

In the EHEA, the student population is distributed among the higher education cycles quite differently.⁶⁹

ISCED 5 – 16.8%, ISCED 6 – 58.3, ISCED 7 – 21.7%, ISCED 8 – 3%.

This disparity in the structure of the Belarusian higher education system is indicative of shifting the focus in the education policy significantly to accessibility of lower qualification levels

⁶⁷67 The European Higher Education Area in 2018: Bologna Process Implementation Report. Luxembourg: Publications Office of the European Union 2018 [Electronic resource]. Mode of access: https://eacea.ec.europa.eu/national-policies/eurydice/sites/eurydice/files/bologna_internet_0.pdf

⁶⁸68 Статистический бюллетень «Образование в Республике Беларусь (2017/2018 учебный год)».

Минск: Национальный статистический комитет Республики Беларусь, 2017.С.38

⁶⁹69 Ibid.,p.22.

(ISCED 5, ISCED 6) to the detriment of the higher ones (ISCED 7 and ISCED 8). Without considering

ISCED 5 level, the structure of the student population remains as disproportional:

ISCED 6 – 96.3%, ISCED 7 – 2.3%, ISCED 8 – 1.3%.

1.2. Belarus falls into the category of the 11 EHEA countries in which an increase in the student population reversed to a decrease.

Table 1. Changes in the Belarusian student population of ISCED 6, thousand persons

2005/06	2008/09	2010/11	2014/15	2015/16	2016/17	2017/18
383.0	420.7	442.9	362.9	336.4	313.2	284.3

In Belarus, the student population continuously grew from the early 1950s. It reached its peak in the 2010/11 academic year and began to decrease subsequently. In 2017/18, the student population dwindled to the 2000/01 level losing almost 36% of the 2010/11 numbers.

Table 2. Changes in the Belarusian student population of ISCED 7

Academic year	2010/11	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Number of students	4,805	6,088	7,552	8,855	10,227	11,782	14,947

In contrast with the decrease in the student population of ISCED level 6, the number of master students keeps growing. As compared to 2010/11, it increased more than three times.⁷⁰ As a result, the structure of the student population has improved gradually. If master students amounted to 2.3% of the students of the first and second levels (ISCED 6 and ISCED 7) in 2014/15, their proportion increased to 5% in 2017/18. However, representation of the main student groups is still far below the European pattern.

1.3. In 2016/17, Belarus had 51 higher education institutions: 42 public and 9 private ones. From 1950/51 until 2012/13, the number of public universities increased from 29 to 48 and then decreased to 42. The number of private higher education institutions which appeared in 1991 reached 20 by 1994/95. Upon 1996/97, it kept dwindling as a result of administrative measures and reached 9 by 2012/13. The number of students of private higher education institutions decreased three times from 60 thousand to 19.17 thousand persons in 2010/11-2017/18.

1.4. The number of students of private higher education institutions decreased three times from 60 thousand to 19.17 thousand persons in 2010/11-2017/18.⁷¹

1.5. In Belarus, increase in the number of faculty was observed in 2000/01 until 2011/12.⁷²

⁷⁰ Ibid., p.43

⁷¹ Установы вышэйшай адукацыі Рэспублікі Беларусь па стану на пачатак 2017/2018 навучальнага года. Мінск: Установа «Галоўны інфармацыйна-аналітычны цэнтр Міністэрства адукацыі Рэспублікі Беларусь», 2017. Ibid., p.43

⁷² Образование в Республике Беларусь. Статистический сборник. Минск: Национальный статистический комитет Республики Беларусь, 2013, p. 170; 16, p. 76; 17, p. 156.

Vetokhin, Siarhei. Higher Education in Belarus. Minsk: National Institute For Higher Education, 2001, p. 76.

Образование в Республике Беларусь. Статистический сборник. Минск: Национальный статистический комитет Республики Беларусь, 2016, p.156.

Table 3. Changes in the number of the academic staff at Belarusian higher education institutions

Academic years	Number of academic staff	Number of students (ISCED 6), thousands
2000/01	20,086	277.7
2005/06	22,939	383.0
2010/11	24,451	442.9
2016/17	21,623	313.2

In 2011/12, the number of academic staff reached the maximum of 24,673 persons and began to decrease gradually. At the same time, the decrease rate of the academic staff lagged behind the decrease rate of the students significantly. In 2000-2005, the number of students grew by 137.9% and of the academic staff by 114.2%. In 2005-2010, increase in the number of students was 115.6% and of the academic staff 106.6%. By 2016, the number of students decreased to 70.7% against the level of 2010 and of the academic staff to 88,4% respectively, i.e. by 11.6% as compared to 29.3% in case of the students.

1.6. Belarus belongs to the group of countries spending below 1% of the GDP on higher education from the public funds. Differences in the structure of the values complicate comparison with the EHEA statistics but do not exclude it. In 2016, expenditure on higher and postgraduate education amounted to 11.3% of the total public expenditure on education, which amounts to 0.56% of the GDP.⁷³ At the same time, the GDP percentage of the public expenditure on higher education keeps decreasing. If 0.76% of the GDP was spent on higher and further education in 2005, 0.66% was spent in 2010. The percentage of the GDP to finance this field of education decreased by over 26% by 2016. Decrease in the governmental financing of higher education reflects the overall trend of decrease in the governmental support of education in real terms in general.⁷⁴ The relevant percentage of the GDP has decreased constantly. If 6.4% of the GDP was spent in 2005, 5.4% in 2010, the GDP percentage dwindled to 4.8% in 2014 and 2015. However, it increased to 5% in 2016.⁷⁵ It should be taken into consideration that prior to 2011, i.e. prior to passing the Education Code, the standard of the public expenditure on education of at least 10% of the GDP had been set forth by law. This standard was never followed but the authorities declared their intent to achieve the level by 2010.⁷⁶ Upon 2011, the 10% level has never been mentioned either in laws or in political declarations.

The data of the National Statistics Committee of Belarus concerning the consolidated budget spending per student of higher and postgraduate education enable comparison to the EHEA data.⁷⁷

⁷³ Ibid.

⁷⁴ The European Higher Education Area in 2018: Bologna Process Implementation Report, p.33.

⁷⁵ Образование в Республике Беларусь. Статистический сборник. Минск: Национальный статистический комитет Республики Беларусь, 2017, p.17.

⁷⁶ http://president.gov.by/ru/news_ru/view/doklad-prezidenta-respubliki-belarus-aglukashenko-na-tretjem-vsebeloruskom-narodnom-sobranii-5863

⁷⁷ Образование в Республике Беларусь. Статистический сборник. Минск: Национальный статистический комитет Республики Беларусь, 2017, p.21

Translating the spending data in the euro at the average annual official exchange rate, we can have the data of Table below.

Table 4. Spending of the consolidated budget of the Republic of Belarus per student by education cycles (in the effective prices; million Belarusian rubles) Without expenditure on capital construction

Years	2010	2011	2013	2014	2015	2016	2017
Million Belarusian rubles	6.7	10.9	22.3	27.8	30.8	35.8	3.8*
Euros	1,696.2	1,694.6	2,081.5	2,291.5	2,269.0	2,032.9	1,726.9

* Thousand Belarusian rubles

The spending of the consolidated budget per student in 2010-2016 was significantly lower than the European median (7,009 euros).

2. Academic freedom

2.1. The very concept of academic freedom is present in the laws of virtually all EHEA countries. Belarus is the exception. Currently, the Belarusian laws do not use the terms “academic freedom” and “institutional (university) autonomy” (and it is not planned to use them) although they were present in the Education Law (Article 34) until 2009. Other terms referring to the EHEA values are missing as well.

2.2. Efficiency of a provision of law referring to academic values should certainly not be overestimated in the situation of widespread legal nihilism in Belarus. Article 34 in force in 2002-2009 could not stop the repressions against independent higher education institutions, Belarusian students and academic staff. However, lack of terminology certainty results in legislative collisions and provides massive opportunities for abuse of administrative power.

The **Education Code** passed in 2011 had no room for the terms defining fundamental academic values either. It can be defended by the fact that the rights are enshrined in laws although the term “academic freedom” is not used.

The proponents of the point of view refer to the fact that a number of the Code articles set forth the teacher's right to creative initiative, freedom of choice of pedagogically sound teaching and personal development forms and techniques, textbooks and teaching aids, unionisation, joining other non-governmental associations whose activities do not contradict the law. The students' rights to participate in non-governmental associations and education institution governance are declared as well.

However, these norms of the Code concern students and teachers of all education levels, including preschool education, are not customised for the students and academic staff of higher education institutions, are of proclamatory nature, and do not include the right exercise mechanisms or liability for the right violation. The Code and its detailing bylaws do not guarantee the right to teach, study, and research with no fear of disciplinary action, dismissal or other penalties. At the same time, several articles limit academic freedom or do not establish hindrances for its arbitrary violation.

The requirement of **clauses 2.1, 3, 5.2 of Article 18. Personal Development in Education System** to ensure personal development of students based on state ideology limits the students' as well as the teachers' academic freedom. Basically, this regulation justifies ideological censorship and repressions against the dissenting.

Despite **clause 1.6. of article 52** declaring the right to participate in research and creative work, **limitations of the right to disseminate and publish research results freely** are practiced at the institutional level. Numerous Belarusian higher education institutions apply various **limitations to research mobility of the academic staff** – from complicated procedures of obtaining permits to travel abroad to coercion of the academic staff to reject their salaries during travel. Crossing of the border by the academic staff is controlled by the law-enforcement agencies, and the information is provided to the administration of higher education institutions.

Clause 3 of Article 50. Teaching Staff includes a list of academic staff positions to be filled in on the competitive basis. However, the academic staff have no right to a tenure contract, and rectors of higher education institutions may arbitrarily execute contracts with selected academic staff for a period shorter than their selection period. The academic staff are deprived of real possibility **to participate in the higher education institution governance**. Rectors appointed by governmental agencies do not report to the academic community, the councils of higher education institutions or faculties are deprived of the right to pass final resolutions on the key issues of operation of higher education institutions and their units. The councils of higher education institutions consist of the heads of units mostly.

Under the law, students may participate in the governance of a higher education institution through participation in the work of councils of the higher education institution and its faculties. The Ministry of Education's Regulations of the Education Institution Council provides for 25% representation of students at these self-governance bodies. Although the councils have no powers due to concentration of power in the rector's hands, and the administration's control over the elections (if any) holds out little hope of independence of the student representative body, this formal requirement does not comply with at a number of higher education institutions.

Clause 7.7. of article 3 declaring the right to select the level of educational subjects, academic disciplines, academic subject areas and topics is devalued because of preservation of standardised syllabi and curricula regulating 50% of the content of the first-cycle educational programme (which was a decrease as of 2018) and up to 30% of the content of the second-cycle educational programme. In this situation, the students' selection of the educational path is significantly limited. According to a poll, 72% of the students indicate lack of possibility to select course units.⁷⁸

Clauses 1.23. of article 31 and 1.10. of article 52 declaring freedom of association for students and academic staff are null and void since the rights to establish and register non-governmental associations and other non-profit organisations are governed by the Civil Code and the Non-Governmental Associations Law (Non-Governmental Associations Law of the Republic of Belarus No. 3254-XII of 4 October 1994). The analysis of the law and other regulations demonstrates: a) the procedure for governmental registration is of permissive and not of declarative nature, the procedure is complicated, provides for arbitrary refusal to register

⁷⁸ <http://bolognaby.org/images/uploads/2016/12/gemiusAdHoc-study-for-OBK- Dec2016.pdf>

any organisation being established; b) operation of unregistered non-governmental associations is prohibited and entails an administrative penalty, until recently its violation has resulted in imprisonment up to two years (article 193.1 of the Criminal Code); c) the laws substantially limit financing of non-governmental associations from domestic and foreign sources; d) the right of non-governmental associations for peaceful assembly as well as freedom of expression are limited to a significant extent.

2.3. The academic staff have no right for a tenure; consequently, their position is quite vulnerable. They should be periodically certified in the form of competitive selection for the position occupied.

2.4. The Regulations provide the rector with the right to determine the contract duration at will ignoring the Council's resolution.

2.5. Under the law, students may participate in the governance of a higher education institution through participation in the work of councils of the higher education institution and its faculties.

2.6. The Ministry of Education's Regulations of the Education Institution Council provides for 25% representation of students at these self-governance bodies. Although the councils have no powers due to concentration of power in the rector's hands, and the administration's control over the elections (if any) holds out little hope of independence of the student representative body, this formal requirement does not comply with at a number of higher education institutions.

3. Institutional autonomy

3.1. Organisational Autonomy

3.1.1. Selection Procedure for the Executive Head (Rector).

The rectors of state higher education institutions are appointed by the Council of Ministers upon recommendation by the Ministry of Education and approved by the President of the Republic of Belarus. The President appoints the rectors of the Belarusian State University and of the Management Academy of the President of the Republic of Belarus.

The head of a private higher education institution is appointed and dismissed by the minister of education upon recommendation by the founder.

Validation.

Approved by the President of the Republic of Belarus.

3.1.2. Selection Criteria for the Rector.

The requirements for a rector nominee are determined by Amendment of Issue 28 of the Single Employees' Qualification Reference Book Ordinance of the Ministry of Labour and Social Protection of the Republic of Belarus No. 105 of 21 October 2011.

3.1.3. Dismissal of the Executive Head.

Procedure for Appointing to (Approving for, Dismissing from, Suspending from) and Consenting to Appointment to (Dismissal from, Suspension from) Certain Positions Included in the Personnel Register of the Head of State of the Republic of Belarus Edict of the President of the Republic of Belarus No. 645 of 8 November 2001.

Validation.

The procedure is fully controlled by the President and deprives the rector of any legal remedies against arbitrary dismissal.

3.1.4. Terms of Office of the Executive Head.

Neither law nor a higher education institution determines the terms of office of its head.

3.1.5. Type of governing structure.

The higher education institution council is just an advisory body of the rector (clause 60 of the Higher Education Institution Regulations approved by Ordinance of the Ministry of Education of the Republic of Belarus No. 93 of 1 August 2012).

3.1.6. Selection of External Members in Governing Body.

Inclusion of external members in the university governing body (the council of a higher education institution) in Belarus is governed by the Regulations of the Education Institution Council approved by Ordinance of the Ministry of Education No. 84 of 18 July 2011. According to the Regulations (clause 5), “the council may consist of the representatives of local executive and administrative bodies, other governmental bodies, personnel customers, non-governmental associations, and other organisations”.

3.1.7. Selection of External Members in Governing Body.

The Regulations of the Education Institution Council set forth the procedure for selecting and including external members in the higher education institution council unclearly: “Representatives of local executive and administrative bodies, other governmental bodies, personnel customers, non-governmental associations, other organisations shall be included in the council on the basis of proposals of the heads of the above bodies and organisations”.

However, the council composition is approved by the rector.

3.1.8. Capacity to Decide on Academic Structure.

In Belarus, higher education institutions determine their structure pursuant to article 23, clause 7 of article 207 of the Education Code of the Republic of Belarus, Higher Education Institution Regulations No. 93 of 1 August 2012 (approved by the Ministry of Education) At the state as well as private higher education institutions, changes of the academic structure are sanctioned by the founder upon recommendation by the higher education institution council.

3.1.9. Capacity to Create Legal Entities.

The Belarusian higher education institutions may establish or co-establish units and businesses with legal identity. However, this has to be sanctioned by the higher education institution's founder.

3.2. Financial autonomy

3.2.1. Length and Type of Public Funding.

The budget period of the Belarusian higher education institutions is one year. The line-item method of funding higher education institutions

3.2.2. Ability to keep surplus.

Universities are not allowed to include the surplus in the budget for the following year

3.2.3. Ability to Borrow Money.

A higher education institution may use a bank loan upon its founder's consent only.

3.2.4. Ability to Own Buildings.

Clause 9.4 of the Higher Education Institution Regulations approved by the Ministry of Education on 1 August 2012 explains that a higher education institution disposes of the property assigned to it under the operating management right according to the procedure set forth by the law.

3.2.5. Ability to Charge Tuition Fees from National Students.

Tuition fees are governed by the Instructions of the Cost of Fee-Paying Education approved by Ordinance of the Ministry of Education No. 38 of 20 April 2006 and are connected to the first-class rate of remuneration, fluctuations of heat and power rates, the inflation rate. The tuition fees are also governed by the Procedure for Setting Forth Tuition Fees In Fee-Paying Higher and Specialised Secondary Education Programmes at State Education Institutions Instructions No. 210 approved by the Ministry of Education on 29 July 2011 which replaced Instructions No. 38.

3.2.6. Ability to Charge Tuition Fees from Foreign Students.

In case of Belarus, the financial terms of training foreign students are set forth by the higher education institution itself unless governed by international treaties. Instructions Nos. 38 and 210 actually exclude the issue of setting forth the prices of educational services for foreign students from the general procedure of setting forth prices and rates. The Instructions (clause 7) stipulate that tuition fees for foreign nationals are determined pursuant to the treaties executed.

3.3. Staffing autonomy

3.3.1. Capacity to Decide on Recruitment Procedures of Senior Academic and Senior Administrative Staff.

In Belarus, the procedure for employing the academic staff is determined by the Regulations of Competitive Selection of Academic Teaching Staff for Teaching Positions at Higher Education Institutions of the Republic of Belarus approved by Ordinance of the Council of Ministers of the Republic of Belarus No. 806 of 21 June 2011.

The procedure for appointing senior administrative staff in Belarus is set forth by the Education Code and by the Higher Education Institution Regulations No. 93 of 1 August 2012 approved by the Ministry of Education.

3.3.2. Capacity to Decide on Salaries of Senior Academic and Senior Administrative Staff.

In Belarus, the rate of remuneration of the teachers is determined pursuant to clause 4 of schedule 1 to Actions to Improve Terms of Remuneration of Staff of Budgetary Organisations and of Other Subsidised Organisations Which Staff Is Equivalent to Staff of Budgetary Organisations as to Remuneration Ordinance of the Ministry of Labour of the Republic of Belarus No. 6 of 21 January 2000.

The ordinance covers activities carried out at the expense of the funds of the relevant budget as well as of the funds from non-budgetary activities (clause 1.1 of Schedule 1 to Ordinance No. 6).

Based on clause 1.2 of Ordinance No. 6, rates of remuneration (salaries) of the staff are determined by multiplying the first-class rate of remuneration set forth by the Council of Ministers of the Republic of Belarus by rate ratios of the Single Table of Employees' Rates of the Republic of Belarus considering adjustment rates and rising rates considering the complexity of the works carried out.

The salaries of senior administrative staff in Belarus are determined according to Ordinance No. 6.

3.3.3. Capacity to Decide on Dismissals of Senior Academic and Senior Administrative Staff.

In Belarus, the procedure for dismissing academic staff is governed by law, the Regulations of Competitive Selection of Academic Teaching Staff for Teaching Positions at Higher Education Institutions of the Republic of Belarus (clauses 7, 34), other regulations.

The practice of executing short-term contracts contrary to the resolutions of the higher education institution council (Regulations of Competitive Selection) provided the rectors with ample opportunities for arbitrary dismissals.

In Belarus, the procedure for dismissal of senior administrative personnel is set forth by the Higher Education Institution Regulations No. 93 and by the labour laws. The issues are not related to those which are governed by the education institution charter. The contract system, just like in case of academic staff, has expanded the area of administrative arbitrariness.

3.3.4. Capacity to Decide on Promotions of Senior Academic and Senior Administrative Staff.

In Belarus, the procedure for promoting senior academic staff is set forth by the Regulations of Competitive Selection of Academic Teaching Staff for Teaching Positions at Higher Education Institutions of the Republic of Belarus. These Regulations detail the terms of and procedures for promoting academic staff.

In Belarus, any issues related to appointment, dismissal and promotion of senior administrative staff of higher education institutions are set forth by law.

Formally, promotion of senior academic staff is possible in case of a vacancy only to be filled in by open competitive selection and secret ballot of the Higher Education Institution or Faculty Council.

The administrative staff may be promoted to a vacancy provided for by the staffing table of the higher education institution. The list and number of senior administrative staff positions in the staffing table is set forth by Model Staff and Standards of Quantity of Certain Staff Categories of Higher Education Institutions Ordinance of the Ministry of Education of the Republic of Belarus No. 43 of 10 July 2013.

3.4. Academic Autonomy

3.4.1. Capacity to Decide on Overall Student Numbers.

Expecting an improved system of planning demand for staff intended by Certain Issues of Forecasting Economy Demand for Staff Ordinance of the Council of Ministers No. 1016 of 28 December 2017, the Ministry of Education carried out the so-called “defence of the request for the reservation of specialties and specialisations, taking into account the profile of the university” in February 2017 as a result of which the higher education institutions were set forth rigid enrolment target.

3.4.2. Capacity to Select Students.

The Belarusian variant is referred to the model of enrolling students based on the rules set forth by the authorities. Irrespective of the form of ownership, all higher education institutions are guided by the Education Code as to selection of prospective students (article 213. General Requirements for Admitting Persons for Higher Education); the Rules of Admission to Higher Education Institutions approved by Edict of the President of the Republic of Belarus No. 80 of

7 February 2006 as amended, the list of administrative procedures carried out by governmental bodies and other organisations upon citizens' applications approved by Edict of the President of the Republic of Belarus No. 200 of 26 April 2010 as amended; the Regulations of Procedure for Submitting Documents on Which Basis the Right to Governmental Social Benefits, Rights and Guarantees Is Implemented by Certain Categories of Citizens approved by ordinance of the Council of Minister of the Republic of Belarus No. 1738 of 13 December 2007 as amended; the Regulations of the Admission Committee of the Higher Education Institution approved by ordinance of the Ministry of Education No. 23 of 23 March 2006 as amended; other legal acts. Upon introduction of the centralised testing and enrolment to the higher education institution according to its results, Belarusian higher education institutions lost any autonomy concerning student selection.

As to the Master level, there is still somewhat greater autonomy for the university in this matter. Ministry of Education. The Ministry of Education resolves on the issue (article 18). If a profession is already introduced in the classifier, the Ministry of Education resolves on beginning training in it upon the consent of the relevant governmental bodies and organisations according to the Regulations of the Procedure for Introducing Training in Education Profiles, Education Areas, Professions, Profession Areas, Specialisations No. 849 of 27 June 2011 approved by the Council of Ministers.

Termination of programmes is regulated by an external authority.

3.4.3. Capacity to Introduce and Terminate Programmes.

In Belarus, higher education institutions may not resolve on opening new educational programmes at their discretion. If a profession to be trained in is not available in the Professions and Qualifications National Classifier, the classifier should be amended in advance according to the Instructions on the Procedure for Maintaining and Applying the Professions and Qualifications National Classifier No. 42 of 1 July 2009 approved by the Ministry of Education. The Ministry of Education resolves on the issue (article 18). If a profession is already introduced in the classifier, the Ministry of Education resolves on beginning training in it upon the consent of the relevant governmental bodies and organisations according to the Regulations of the Procedure for Introducing Training in Education Profiles, Education Areas, Professions, Profession Areas, Specialisations No. 849 of 27 June 2011 approved by the Council of Ministers.

3.4.4. Capacity to Choose the Language of Instruction.

In Belarus, “the language of instruction and personal development shall be determined by the founder of the institution taking into consideration requests of students (legal representatives of minor students). At education institutions, organisations carrying out postgraduate educational programmes, education and personal development may be carried out in a foreign language if the conditions are provided and upon the consent of the Ministry of Education of the Republic of Belarus” according to the Education Code (article 90).

3.4.5. Capacity to Select Quality Assurance Mechanisms and Providers.

In Belarus, article 124 of the Education Code is worded as follows: “Education quality assurance is the activity of the authorised governmental bodies to inspect compliance of education with the education standard, syllabus documentation of educational programmes, educational activities, legal requirements”.

Ordinance of the Council of Ministers No. 820 of 22 June 2011 approved the Regulations of the Procedure for Governmental Accreditation of Education Institutions, Other Organisations Provided with the Education Right according to the Laws and for Governmental Accreditation Confirmation. These procedures have no alternative, they may be insignificantly modified by standardised quality assurance systems of higher education institutions.

In Belarus, the Education Code (article 124) unequivocally states that the President of the Republic of Belarus shall determine the governmental bodies authorised to assure education quality, the assurance procedure and periodicity. The Quality Assurance Department of the Ministry of Education resolves on accreditation of an education institution, another organisation or on accreditation withholding (following accreditation procedures). It is the only body authorised to assure quality.

3.4.6. Capacity to Design Content of Degree Programmes

Guidelines to design new educational standards and curricula (generation 3+) were approved by the minister of education of the Republic of Belarus on 30/05/2018. The ratio of the national component to the higher education institution component was set forth as 35-55% to 45-65% at level 1, and 25-35% to 65-75% at level 2 by the new standard. The amendments extended the rights of the Belarusian universities to design curricula somewhat but fell short of completely lifting the institutional autonomy limitations on the matter.

The Belarusian higher education system has struck out a line of its own just increasing the gap with the European academic values. Conditional accession of Belarus to the Bologna Process in 2015 required the management of the education sector to implement the European imperatives in the laws and practice of academic life. The roadmap of reforms of the Belarusian higher education system requires governmental guarantees of academic freedom and institutional autonomy. However, this does not come out of nothing

4. Academic integrity

4.1. An opinion poll commissioned by the Independent Bologna Committee has demonstrated that academic dishonesty is widespread at the Belarusian higher education institutions⁷⁹. However, it is impossible to state that the situation with plagiarism or cheating during examinations differs significantly from what we can observe in other countries. In the opinion of the respondents, 44% of the students only pass examinations honestly and independently without cheating. A majority use various types of cheat sheets or cheat. When preparing written assignments, only 1/3 declared that they did not plagiarise, 74% of the students downloaded free research papers from web sites from time to time at least, 63% paraphrased others' texts without a reference to the source, 61% copied others' texts without a reference to the author, 30% purchased research papers, term papers, graduation theses, and other written works while this violation of academic standards is of repeated nature for 17% only.⁸⁰

⁷⁹ «Оценка результатов работы министерства и проблемы, стоящие перед высшим образованием в Республике Беларусь, с позиций студентов и выпускников» [Electronic resource]. Mode of access: <http://bolognaby.org/images/uploads/2016/12/gemiusAdHoc-study-for-OBK-Dec2016.pdf> (26.12. 2016)

⁸⁰ Ibid

The main types of neutralising and rationalising academic dishonesty used by the Belarusian students are comparable to the excuses used by students in other countries. A majority of students of the Belarusian higher education institutions tend to justify violations of the academic ethics standards by external circumstances, 54% of the students refer to lack of practical value of assignments for their professional training, 48% to lack of applicability of and disinterest in such assignments. A widespread motive is reference to defects in the teaching and learning process organisation: overburdening with assignments (30%) and lack of training in academic writing and of research culture (29%). A popular type of neutralising academic dishonesty is reference to the overall atmosphere of plagiarism tolerance by the students and academic staff (22%), the academic staff's laissez-faire attitude towards plagiarism in students' works (17%), low professional level of the academic staff (16%). Consequently, the students shift responsibility for academic standards violations on those who should control them – a widespread type of rationalising the students' behaviour in numerous higher education systems.⁸¹

Similar to other countries, the Belarusian students tend to justify their behaviour by lack of damage to their professional training through violation of academic integrity standards: 46% of the respondents rationalised the violations in this manner, and 37% saw a harmless component of the student way of life in examination cheating and plagiarism at all times.

A special place among the reasons justifying academic dishonesty is occupied by reference to isolation of the Belarusian higher education from European academic values and traditions. 28% of the students tend to explain the academic community's insensitivity of academic integrity standards by distinct basic values of the Belarusian higher education system. In other words, low academic freedom results in similar responsibility.⁸²

4.2. Antiplagiat system in its various versions has been mandatorily used since 2008 to check candidate and doctoral (analogue of the third-cycle) dissertations. The system has been used at the other levels at higher education institutions selectively – at separate universities and at the discretion of separate lecturers. Higher education institutions connect to the system one by one. As of the beginning of 2018, 13 universities used Antiplagiat. At some universities, emphasis was laid on updating and applicability of students' works, their greater practical orientation during the struggle against academic dishonesty. However, the Belarusian education system is still oriented mostly to disciplinary action to solve any issue.

4.3. At some universities, emphasis was laid on updating and applicability of students' works, their greater practical orientation during the struggle against academic dishonesty. However, the Belarusian education system is still oriented mostly to disciplinary action to solve any issue. (Consultation workshop for higher education institutions titled *Combating Plagiarism and Commissioning of Term Papers, Graduation Theses, Master's Theses and Other Written Works* of 15 February 2018: <http://www.nihe.bsu.by/index.php/ru/novosti-instituta/1900-ceminar-soveshchanie-dlya-uvo-protivodejstvie-zaimstvovaniyu-i-vypolneniyu-na-zakaz-kursovykh-i-diplomnykh-proektov-rabot-magisterskikh-dissertatsij-i-inykh-pismennykh-rabot>)

⁸¹ Ibid

⁸² Ibid

5. Corruption in higher education

5.1. Financial losses from corruption in higher education have not been calculated.

5.2. Statistics of the number of wrongdoings related to corruption in higher education identified and registered by law enforcement agencies in the period from 2009 until present. According to the Prosecutor General's Office, the number of corruption cases in higher education in Belarus reached 200 and criminal charges were put forward in 2009.

In the following years, the number of such cases remained at the same level. E.g., in 2012, the number of corruption cases in higher education was 146.

In 2018 (the first three months), the number of corruption cases in higher education increased by 17% in comparison to 2017, e.g. from 37 cases to 45 cases. On the annual basis, this means that the number of corruption cases in higher education registered by law enforcement agencies came to 180.

Corruption in education consistently held the sixth place among the key fields assessed in terms of this.

However, experts point out that only an insignificant part of corruption cases in higher education comes to the view of the prosecutor's office and other law enforcement agencies.⁸³

5.3. Selected surveys results (sociological surveys)

The Belarusian Independent Bologna Committee in cooperation with Baltic Internet Policy Initiative conducted online surveys gemiusAdHoc in 2015 and in December 2016 - January 2017. In accordance with the results, in 2015, 11% of the respondents stated that their universities violate students' rights to protection against corruption of the faculty, dormitory's administration and others. In 2016/2017, we saw 14% of such respondents. At the same time, only 7% (2015) and 8% (2016/2017) of the respondents stated that they were victims of corruption at their respective universities^{84 85}.

The Belarusian opinion polls showed the following distribution of the respondents' answers on the question "Did you encounter extortion of bribes by higher education institutions' employees? (% of respondents)"⁸⁶:

- 2009 – 14.9%
- 2017 – 17.9%

5.4. Main forms of corruption in higher education:

Starting from 2011, the list of corruption crimes includes 10 counts:

- Embezzlement through malpractice (article 210 of the Criminal Code of Belarus (CC)). This is the most common wrongdoing.
- Officials' money legalisation (laundering) acquired by criminal means and using their executive powers (part 2.3, article 235 of the CC).
- Abuse of power or official authority out of mercenary or personal interests (part 2,3, article 424, CC).

⁸³ <http://www.prokuratura.gov.by/ru/info/novosti/borba-s-korruptsiej/ob-otdelnykh-pokazatelyakh-borby-s-korruptsiej/>

⁸⁴ <http://bolognaby.org/index.php/issledovanija-analitika/452-rezultaty-oprosa-studentov-i-vypusnikov-kachestvo-obrazovaniya-i-uchastie-v-upravlenii-vuzami-2>

⁸⁵ <http://bolognaby.org/images/uploads/2016/12/gemiusAdHoc-study-for-OBK-Dec2016.pdf>

⁸⁶ http://mgup.by/sites/default/files/userfiles/EF/GD/kadravaja_palityka_zbornik_2018.pdf

- Official inaction committed out of mercenary or personal interests (part 2.3, article 425 of the CC).
- Excess of powers or official authority committed out of mercenary or personal interests (part 2.3, article 426 of the CC).
- Illegal participation in entrepreneurial activities (article 429 of the CC).
- Accepting bribe (article 430 of the CC).
- Bribe (article 431 of the CC).
- Mediation in bribery (article 432 of the CC).
- Abuse of power, excess of power or inaction of committed out of mercenary or personal interests (part 1, article 455 of the CC).

In fact, the statistics of corruption cases in higher education show that most of such cases are related to accepting bribes. Other cases which come to the attention of the prosecutor's office include embezzlement through malpractice but at a lesser scale.

5.5. Fundamental anti-corruption tools.

5.5.1. Combined or national (centralised) entrance examinations (tests)

The centralised testing for university admission was introduced in 2004 which subsequently lead to decrease in corruption at this level. However, the corruption in education has not ceases to exist but has shifted to secondary schools. This is because along with the tests results, the average score of the school leaving certificate is taken into account for the university admission.

5.5.2. Legislative and administrative tools to combat corruption in higher education (Laws against corruption, Faculty Code of Conduct, corruption level monitoring – student questionnaires etc.)

The Constitution of the Republic of Belarus includes the legal basis for anti-corruption activities. In addition to this, the country ratified a number of the UN and Council of Europe conventions on combating corruption and organised crime. Belarus also adopted the Combating Corruption Law (No. 305-3 of 15 July 2015) (Corruption Law).

The Corruption Law sets forth:

- anti-corruption restrictions and prohibitions for governmental officials and those occupying similar positions at other governmental/state agencies;
- terms and procedures for resolving conflicts of interest;
- a legal framework for declaring income and property, for eliminating the corruption consequences and for implementing control and monitoring mechanisms to combat corruption.

The Administrative Code (AC), Criminal Code (CC) and other laws and regulations of the Republic of Belarus set forth measures to be taken for creating the conditions to combat corruption and corruption activities.

In spite of the fact that Belarus has the legislative framework to combat corruption, the international assessment of the country's anti-corruption measures is quite controversial.

On the one hand, Transparency International placed Belarus on the 20th place out of 42 countries assessed by all indicators in its “World Corruption Barometer” in Europa thus declaring the level of corruption in Belarus as average.

On the other hand, Council of Europe's anti-corruption body GRECO publicly declares Belarus non-compliant with the CoE anti-corruption standards: “The Council of Europe's Group of

States against Corruption, in an unprecedented move, has publicly declared Belarus non-compliant with GRECO's anti-corruption standards. The large majority of the recommendations GRECO issued to Belarus relate to fundamental anti-corruption requirements, such as strengthening the independence of the judiciary and of the prosecution office, as well as increasing the operational autonomy of the law enforcement and limiting immunity protection of certain categories of persons. Public declaration of non-compliance in respect of Belarus Rule 32.2(iv) adopted by GRECO at its 82nd Plenary Meeting (Strasbourg, 18-22 March 2019)".⁸⁷

There are very few Belarusian universities which adopted the Faculty and Student Code of Conduct or Corporate Codes but even at those ones the measures to combat corruption are not accented on.

The monitoring of corruption level in higher education is not in place. The national surveys on corruption are very rarely conducted. The universities sometimes conduct students' polls on corruption issues (bribes) but there is no systemic approach to this issue.

5.5.3. Anti-corruption awareness campaigns

Independent student monitoring, student participation in decision-making at the departmental and university levels

Other

During the last decade, Belarusian universities have been delivering the Corruption and Its Public Danger course. The course consists of 10 lecture hours and does not envisage any assessment of learning outcomes determining the course status as optional. In spite of this, its impact has a positive effect based on the 2011 survey results:

21.2% of the respondents radically changed their attitude towards those faculty who accepted bribes. 57.6% described it as "interesting and useful", and only 2.4% answered that this course was "disinteresting and useless".⁸⁸ Although students are a part of universities and faculties councils, they have very little influence over the decision-making process, including concerning corruption.

6. Inclusiveness in higher education

The EHEA policy in the social dimension is aimed at improving access to higher education for various social groups as a method to create inclusive societies in our countries.

6.1. In the EHEA, the statistical value of the enrolment rate for the 18-34 age interval is broadly used. It is quite stable in the majority of European countries. The median value was 15.9% in 2015 and has remained quite stable since 2012. In some countries in which the student population decreases for demographic reasons mostly, similar to Belarus, the enrolment rate in the 18-24 cohort does not decrease but increases owing to broadening options for enrolment and continuation of studies at universities. This happens in Denmark, Germany, Norway, Serbia, Switzerland, and Turkey. Unfortunately, it is difficult to compare it with the Belarusian situation since such statistics are missing in Belarus. However, another

⁸⁷ <https://rm.coe.int/joint-first-and-second-evaluation-rounds-public-declaration-of-non-com/168093909f>

⁸⁸ http://www.mgup.by/sites/default/files/userfiles/UMO/sbornik_nmk_2018.pdf

value is calculated in Belarus: the rate of enrolment at higher education institutions. It is the ratio of those enrolled at higher education institutions to the population at the age of 17 expressed as percentage.

Table 5. Rate of enrolment at Belarusian higher education institutions, %

Year	2010	2011	2012	2013	2014	2015	2016
Enrolled students	82.3	85.6	84.3	71.0	69.8	70.2	68.6

6.2. Decrease of the enrolment rate in the cohort of the 17-year-olds cannot testify to limited access to higher education if enrolment opportunities for other cohorts improve. However, the age structure of the student population remains quite stable since 2010, except for the cohort older than 26 years. The representation of the cohort increased from 13.2% to 17.9% in 2010/11-2016/17 although the absolute quantity of this student category decreased.⁸⁹

6.3. On 20 March 2014, President Lukashenka signed Amendments of Edict of the President of the Republic of Belarus No. 80 of 7 February 2006 Edict No. 130 under the pressure of the university rectors who explained their position by concern about the quality of prospective university students. This regulation approved of a new version of the admission regulations of higher education institutions which set forth the single requirements for university applicants. As a result, the percentage of the graduates of rural secondary schools among the students newly admitted to higher education institutions dwindled by 40% in 2017/18 as compared to 2010/11 (from 12.1 to 7.3%).⁹⁰ At the same time, they amount to 20 % among the secondary school graduates (who got general secondary education).

During the same period, the percentage of groups poorly represented in the student population as the people with disabilities and orphaned children decreased. If 1,684 persons with disabilities or 0.44% of the student population studied in the programmes of ISCED level 6 at higher education institutions in 2010/11, in 2017/18, 915 or 0.34%.⁹¹ People with disabilities amounted to 0.94% of the secondary school students in the 2016/17 academic year. The situation with the orphaned children and children left without their parents' custody did not improve. If 2,113 students of the group, which amounted to 0.55% of the student population, studied at ISCED level 6 in 2010/11, 1,136 persons or 0.5% studied in 2017/18.⁹²

In Belarus, this population group has benefits when applying to higher education institutions – the right for non- competitive enrolment in the majority of study programmes of the first level of higher education (ISCED 6). However, numerous other issues which do not permit to use this benefit for entering and studying at a higher education institution have not been resolved

In the Belarusian education system, monitoring of the social structure of students, similar to the majority of other EHEA countries, is limited to gender, age, disability, the orphan status, and the level of previous education. The issues of socio-economic inequality, religious and national characteristics, and migration status of the prospective university students remain beyond the **attention of education statistics.**

⁸⁹ Статистический бюллетень «Образование в Республике Беларусь (2017/2018 учебный год)». Минск: Национальный статистический комитет Республики Беларусь, 2017, р.18

⁹⁰ Вышэйшыя навучальныя установы Рэспублікі Беларусь, 2010/2011. Мінск: Установа «Галоўны інфармацыйна-аналітычны цэнтр Міністэрства адукацыі Рэспублікі Беларусь», 2010,р.135

Установы вышэйшай адукацыі Рэспублікі Беларусь по стану на пачатак 2017/2018 навучальнага года. Мінск: Установа «Галоўны інфармацыйна-аналітычны цэнтр Міністэрства адукацыі Рэспублікі Беларусь», 2017,р.237-238

⁹¹ Ibid.,p.86,83

⁹² Ibid

6.4. In Belarus, changes in gender balance can be observed from the statistics of the number of women at different education levels. We can see a gradual decrease of the share of women in the first level of higher education from 58.2% to 55.4% in the period of 2005/06 to 2016/17. Although gender imbalance remains, development of the education system follows the European trend.⁹³

Gradual gender rebalancing can be observed in the third cycle, although this level is not integrated in the higher education system yet, it can be compared to the third cycle in the EHEA with reservations. In 2005-2009, the share of women in postgraduate programmes increased from 54.0% to 58.4%. The percentage of women at this education level began to decrease later. In 2016, women made up 52% of postgraduate students.⁹⁴

Enrolment in master programmes demonstrates the general trend of a decreasing share of women among the students newly enrolled at this level of education. However, a new gender imbalance arose instead of gender balance. The share of women among those enrolled in master programmes dwindled from 57.0% in 2010/11 to 41.4% in 2017/18.⁹⁵

6.5. The percentage of women in education programmes of Pedagogy (Education), Art, Humanities, Healthcare, Engineering and Technologies and other profiles at the Belarusian higher education institutions correlates to the median values in the EHEA.

Table 6. Share of female student population by field of education (ISCED 6), %

Profile	Belarus, 2016/17	EHEA, 2014/15
Pedagogy (Education)	55.4	79.5
Healthcare	70.0	77.5
Humanities	77.7	65.6 *
Art and Design	71.8	
Science	54.3	54.4
Communication.Law. Economics.Management	69.6	55.9**
Engineering and Technologies	24.6	25.3

Note: * Arts and Humanities according to EHEA classification; ** Business, Administration and Law according to EHEA classification.⁹⁶

Attempts to improve women's access to engineering study programmes, which corresponds to the pan-European trend, were unsuccessful in Belarus. In 2010/11-2016/17, the share of women studying in the profile decreased from 27.7% to 24.6%.

Virtually no progress could be seen as to attempts to address gender imbalances in other fields of education.

6.6. In Belarus, women amount to 54.9% of the academic staff. Their percentage has actually remained unchanged since the early 2000s. In 2005, it was equal to 53.0%, in 2010 to 55.3%.

⁹³ Образование в Республике Беларусь. Статистический сборник. Минск: Национальный статистический комитет Республики Беларусь, 2017, р.156

⁹⁴ *ibid.*, р.164

⁹⁵ Установы вышэйшай адукацыі Рэспублікі Беларусь по стану на пачатак 2017/2018 навучальнага года. Мінск: Установа «Галоўны інфармацыйна-аналітычны цэнтр Міністэрства адукацыі Рэспублікі Беларусь», 2017, р.205

⁹⁶ Образование в Республике Беларусь. Статистический сборник. Минск: Национальный статистический комитет Республики Беларусь, 2017, р.146-147

However, despite a significantly high feminisation level of the Belarusian higher education system, obvious phenomena of vertical segregation can be observed in the field. Gender asymmetry in the personnel structure of the academic and administrative staff of higher education institutions can be seen in the decrease of the percentage of women along the position hierarchy. If the percentage of women among lecturers and assistant lecturers is 65.8%, 52.2% of women occupy positions of associate professors. The percentage of women among department professors is even lower – 23.3%. The percentage of women among the senior administrative staff decreases along the position hierarchy as well. Women amount to 38.0% of department heads, 31.7% of deans, 23.8% of vice rectors, and 9.6% of rectors of higher education institutions. At the same time, as compared to 2010, this asymmetry decreased a bit. In 2010, women accounted for 47.7% associate professors and 19.8% of professors. Among the senior administrative staff, women accounted for 31.7% of department heads, 34.1% of deans and vice deans, 22.1% of vice rectors, 7.1% of rectors.⁹⁷

7. Conclusions

The Belarusian higher education system has struck out a line of its own just increasing the gap with the European academic values. Conditional accession of Belarus to the Bologna Process in 2015 required the management of the education sector to implement the European imperatives in the laws and practice of academic life. The roadmap of reforms of the Belarusian higher education system requires governmental guarantees of academic freedom and institutional autonomy. However, this does not come out of nothing. Essentially, it requires overcoming the conflict of traditional and new imperatives in higher education. Development of the autonomy of higher education institutions conflicts with the narrative prevailing in the higher education system to preserve complete external controllability of higher education institutions and to produce graduates loyal to the authorities and lacking independence in their thoughts and actions. However, this ideal of the higher education system is hardly compatible with European common values.

Because of the lack of autonomy and academic freedom at Belarusian higher education institutions, it would be naïve to hope for students' self-control and corporate university solidarity in the struggle against academic dishonesty. Disqualification of students from assessment and decision-making concerning examination cheating and plagiarism facts aggravates. To conclude, it could be mentioned that the Belarusian governmental education policy declared it was aimed at restructuring professional education by decreasing the higher education percentage in it. However, this strategy is not accompanied with measures to ensure inclusivity of the higher education system. Accessibility of higher education to vulnerable groups does not improve and even deteriorates due to curtailing some old preferential tools and insensitivity of the system to the new European mechanisms of ensuring inclusivity.

Reference: *White Book 2018. Belarusian Higher Education: European perspectives VŠI «Socialinės ir politinės ekspertizės agentūra». Vilnius, 2018⁹⁸*

⁹⁷ Профессорско-преподавательский состав учреждений высшего образования Республики Беларусь по состоянию на 1 октября 2017 года. Минск: Министерство образования Республики Беларусь, 2017, p.20

⁹⁸ http://bolognaby.org/images/uploads/2018/12/WB_Belarus_2018_eng.pdf

Higher Education System of Georgia: Country Report

Thea Galdava

Introduction

The higher education system in Georgia experienced difficult times after the country declared its independence in 1991, and the period of the 1990s was particularly disruptive. While subsequently many reforms were introduced which, to a great extent, reduced corruption and brought the system closer to the Western standards, many of the issues still remain, both related to internal deficiencies within the system and external issues hindering the progress. Internal issues are as follows: insufficient financial support from the government; issues with the admission system and financial requirements creating unequal access to high-quality higher education for different groups of population; lack of qualified staff able to teach at the level required by international standards, especially at many provincial and private institutions; lack of high-quality textbooks in Georgian in some of the disciplines, while textbooks in other languages are either too expensive or require non-existent command of the relevant language; lack of contemporary equipment required for the areas of education (natural sciences, information technologies etc.) which require up-to-date technological furnishing of the educational facilities.

Among external issues the following seem to be the most important: poor quality of primary and secondary education due to which students are unprepared for the challenges of the high-quality higher education; and, the distorted and inadequate labour market causing many bright graduates to either emigrate to realise their potential (brain drain) or move to more lucrative activities that do not actually need all the acquired knowledge and skills as preferable jobs are either unavailable or paying too little; lack of opportunities for both professors and students to engage in advanced research due to insufficient local research funding and difficulty with engaging in international research projects; lack of thorough studies of the issues hindering progress in higher education, including in-depth analysis of the interplay of different factors, and surveys which would provide for better understanding of subjective view of the obstacles to improving the system; and last but not the least, lack of interest or understanding on the part of the government towards developing higher education or supportive research which could serve as the basis for knowledge-based economy, reduce brain drain, and secure long-term development of the country

1. Overview of the national system of higher education

1.1. The total number of students and their distribution by the level of higher education (students include the 2011 ISCED levels 5-8, i.e., the second cycle, the first master cycle, and the third (doctoral) cycles) (levels) of education.

In the 2018-2019 academic year, there were 73,250 students at the undergraduate level, 20,795 within the master cycle, and 3,512 engaged in the doctoral programmes⁹⁹.

⁹⁹ Sources: https://www.geostat.ge/media/18182/umaglesi-ganatileba-%28geo%29_2018.pdf
<https://www.geostat.ge/ka/modules/categories/61/umaglesi-ganatileba>

1.2. The total number of students has been steadily growing from 2009 to 2018/19, as seen below: 2008-2009: 95.2; 2009-2010: 105.6; 2010-2011: 110.9; 2011-2012: 95.1; 2012-2013: 110.0; 2013-2014: 117.7; 2014-2015: 124.2; 2015-2016: 133.1; 2016-2017: 140.2; 2017-2018: 143.7; 2018-2019: 147.7.

1.3. The number of higher education institutions. They are divided into public and private. Today there are 63 higher education institutions in Georgia, where ca. 147.7 thousand students are studying. There are 19 state institutions out of the 63 higher education institutions, and 44 private ones. About 65% of students study at state institutions, 35% at private ones.

1.4. The proportion of students at public and private higher education institutions. The change in the proportion of students at private higher education institutions from 2009 to 2018/19.

Currently 64.9% of students study at state institutions, 35.1% at private ones. In the previous years, the share of private institution students was:

2008-2009: 29.0%; 2009-2010: 27.9%; 2010-2011: 21.0%; 2011-2012: 25.4%; 2012-2013: 27.0%; 2013-2014: 29.3%; 2014-2015: 30.6%; 2015-2016: 32.0%; 2016-2017: 34.6%; 2017-2018: 34.9%; 2018-2019: 35.1%.¹⁰⁰

1.5. The number of teachers at higher education institutions in 2009/2010–2018/2019 has demonstrated some oscillation but not much growth, as seen in the below table:

Table 1. Teachers in higher education institutions

Academic year	Overall in State/Private HEIs	Full professors in S/P	Associate professors in S/P	Assistant professors in S/P	Lecturers in S/P	Other in S/P
2009/2010	4455/2151	1056/755	1990/758	1106/420	303/218	-- / --
2010/2011	4582/2415	929/495	1856/786	1014/272	445/681	338/ 181
2011/2012	--	--	--	--	--	--
2012/2013	4324/1963	951/564	1854/798	1019/265	225/313	275/23
2013/2014	5386/2890	1197/647	1970/1026	982/314	712/815	525/88
2014/2015	5359/3030	1229/722	2065/1313	909/ 354	717/ 512	439/129
2015/2016	4731/3352	1254/823	2138/1462	886/368	349/675	104/24
2016/2017	4801/3291	1155/813	2126/1487	866/337	495/618	159/36
2017/2018	4692/3539	1136/896	2176/1650	852/327	312/561	216/105
2018/2019	5733/3848	1160/962	2207/1437	824/375	783/937	759/137

Source: GeoStat Yearbooks 2014 and 2018¹⁰¹

As the Georgian economy grew, there were changes in the share of the GDP for higher education showing steady though still modest and obviously insufficient growth during the last several years.

In 2017, public spending on education as a share of the GDP for Georgia was 3.8 %. Though Georgian public spending on education as a share of the GDP fluctuated substantially in the recent years, it tended to slowly increase in the 1999 - 2017 period arriving at 3.8 % in 2017.

Since 2013, the government spending on higher education doubled by 2017 and amounted to 137 million lari (ca. 44 million euros), which includes study grants, students' social grants, state scholarships, undergraduate educational priority areas for infrastructure development

¹⁰⁰ <http://forbes.ge/news/3553/ramdeni-universiteti-da-studentia-saqarTveloSi>

¹⁰¹ https://www.geostat.ge/media/13862/Yearbook_2018.pdf; https://www.geostat.ge/media/13617/Yearbook_2014.pdf

and financing of higher education institutions. Even though the public expenditure on higher education doubled in 2013 to 2017, Georgia spends less than 0.36% percent of the GDP (in 2017, 13,472 million euros) on higher education, or 0.5% if investment in research and development is considered. About 75 percent of the resources spent on higher education actually come from tuition fees paid by individuals or their families. In comparison, in 2012, the government spending on higher education and research was also ca. 0.5% of the GDP and 1.8% of the budget, which means that although the government spending has doubled in quantity since 2013, the actual GDP share remains unchanged while the respective budget share has even fallen.¹⁰²

Democratic learning environment

2. Academic freedom

2.1. Academic freedom in higher education is strengthened by the fact that the term “Academic Freedom” is extensively used in the national legislation, and explicitly used in: Article 27 of the Constitution of Georgia: “Right of Education and Academic Freedom.”¹⁰³

2.2. During the last decade, there have been some changes in the legislation concerning the expansion of academic freedom, although defined in rather general terms. Although the right to freedom of teaching and discussion, freedom to conduct research, disseminate and publish its results, free expression of opinion regarding the institution or system in which persons work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies (UNESCO recommendations).

The first important step after the recommendations “Recommendation concerning the Status of Higher-Education Teaching Personnel”) proposed by the UNESCO in 1997¹⁰⁴ was the concept of the development in higher education elaborated in 2012 by the special commission chaired by Professor Gia Dvali which asserted the main purpose of reforming the higher education system in Georgia through creating guarantees of academic freedom. As a result, the amendment focusing on academic freedom was introduced by the Constitutional Commission in November 2017, when to paragraph 3 of Article 27 was added to the para on university autonomy according to which the law guarantees academic freedom and autonomy of higher education institutions.¹⁰⁵

The majority of university professors work under fixed-term contracts with just a few under an open-ended contract, although comprehensive data is not easily accessible. According to some expert opinion (which may need additional checking) such practice is currently observed only at Ivane Javakhishvili Tbilisi State University, as several of the professors (two of them as of

¹⁰² <http://documents.worldbank.org/curated/en/895021551184190719/Report-on-Georgia-Higher-Education-Funding-Reform.docx>; <http://www.mes.gov.ge/uploads/%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%90%E1%83%A2%E1%83%94%E1%83%92%E1%83%98%E1%83%90/%E1%83%92%E1%83%90%E1%83%9C%E1%83%90%E1%83%97%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%90%20%E1%83%93%E1%83%90%20%E1%83%9B%E1%83%94%E1%83%9A%E1%83%9C%E1%83%98%E1%83%94%E1%83%A0%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%90%E1%83%A2%E1%83%94%E1%83%92%E1%83%98%E1%83%90.pdf>

¹⁰³ <http://www.parliament.ge/ge/kanonmdebloba/constitution-of-georgia-68>

⁶ Recommendation concerning the Status of Higher-Education Teaching Personnel. 1997 http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html

¹⁰⁴ <https://matsne.gov.ge/en/document/view/30346?publication=35>; <http://www.parliament.ge/ge/kanonmdebloba/constitution-of-georgia-68>

¹⁰⁵ <https://matsne.gov.ge/en/document/view/30346?publication=35>; <http://www.parliament.ge/ge/kanonmdebloba/constitution-of-georgia-68>

today) have such an open-end contract. The rest work based on the contracts where the terms of employment are regulated by the Labour Code of Georgia. This fact cannot be found reflected in official statistics, and the information was obtained from the Department of Quality and Staff Management of Tbilisi State University's administration. This does not include the number of professors emeritus - the title awarded to some elderly and merited professors. (So, as an illustration - there are as many as 17 professors emeritus at the Humanitarian Department of Tbilisi State University).

2.3. The university administration has the right to terminate or change the terms of the open-end or another contract but this right is restricted to cases when if the principal values of the university are violated, or if the respective professor violates any of the paragraphs of the University regulations and/or ethical norms.

2.4. In 2005, Georgia joined the Bologna process after which the country has undertaken certain obligations and responsibilities. With the aim of providing education quality, engaging students in directing the process of education is seen as essential. Students at the higher education institutions are elected to the department/faculty councils and university senates. The representation of students in the Senate is proportional to students' numbers at the faculty/department. For instance, Tbilisi State University's Senate has three students from the Department of Law, one from the Medical Department, three from the Department of Economics, among others. Only the students who are members of the self-governing body of higher education institution have the right to enter the department board.

2.4. The proportion of students in the collegiate governing bodies of universities should exceed 30% and should not be lower than the number of members of the respective administrative structures. The law requires students' involvement in governance, but the form of their participation is defined by the internal charter/bylaws of the respective higher education institution. So, university charters regulate the forms and procedures of students' engagement.

3. Institutional autonomy

3.1. Organisational autonomy

3.1.1. The procedure for electing the executive head of the university (rector) is rather democratic. At state universities, the rector is commonly elected in accordance with the Article 22 of the Higher Education Law of Georgia independently,¹⁰⁶ by a special body representing various groups of the university community (academic staff, students, other university staff) which constitute the Academic Council with all members having an equal vote. The situation is different at private institutions where the owners of the institution influence the relevant decisions.

3.1.2. The requirements and conditions for the candidate for the rector's position are established directly by law, and by the university charter with its content, in its turn, regulated by the same Higher Education Law.

3.1.3. The rules for dismissal of a university rector are established by law and by the charter that is also regulated by the law. Such dismissal does not require any confirmation or approval by any government agency or structure.

¹⁰⁶ <https://matsne.gov.ge/ka/document/view/32830%23?publication=75>; <https://ege.ge/res/docs/20180702141554untitled.pdf>

3.1.4. The terms of tenure as the head/rector of a university are established by law and reflected in university charters.

3.1.5. According to Article 15 of the Higher Education Law, the governing bodies (governing agencies) of a legal entity of public law (state university) shall be: the Academic Council, Board of Representatives (Senate), Rector, Chancellor and the Quality Assurance Service. The university charter defines the division of powers between these bodies. According to the Law, “The highest representative body of a legal entity of public law – higher education institution – shall be the Academic Council the members of which shall be elected by all the members of the academic staff of the basic education units of the higher education institution and the representatives of students' self-governance – members of the basic education unit by direct, free and equal election by secret ballot.” The collegiate managerial structure is therefore an asymmetric dual body comprised of the Academic Council and Senate. The Academic Council is authorized to pass strategic resolutions while the Senate passes resolutions regarding ongoing administrative and financial issues.

3.1.6. Inclusion / election of external members to the university governing bodies other than the Council of Regents is not allowed by the Law other than to the Council of Regents established by the government as a supervising body.

3.1.7. Universities have the right to make decisions concerning their academic structure (i.e. the right to open or close departments, to create faculties etc.), however, all educational programmes should undergo the accreditation and authorization process at the Ministry of Education and Science.

3.1.8. Universities have the right to independently create (only) non-commercial legal entities.

3.2. Financial autonomy

3.2.1. The duration of the government budget period is one year. Two types of budgeting are usually used in case of state education institutions – there exists the annual (one-year) approved budget with funds allocated by the state but universities still have the right to receive block grants or take credit as well as other types of state financing, although they have to use the government funding in accordance with the attached conditionality.

3.2.2. Universities are free to budgetary residues and transfer them from the current year budget to the next year budget.

3.2.3. Universities are not restricted in their right to borrow money in financial markets.

3.2.4. According to Article 85 of the Higher Education Law, state universities are entitled to use buildings and other real estate objects for education and research purposes but will need the government's (Council of Regents') approval for selling them or using for any other purposes.

Private higher education institutions are able to independently charge tuition fees for national or international students. However, in the case of the state HEIs the amount of tuition payment for national students (but not international ones) is determined as a result of negotiations between the government agencies and the university, i.e. the tuition fee is set up in agreement with the Ministries of Education and Science and of Culture and Sport. There are different tuition fees in case of undergraduate, master and doctoral programmes

3.3 Staffing autonomy

3.3.1. While private HEIs have more freedom in this case, the state universities also possess a certain degree of independence and ability to decide on procedures for hiring senior academic and senior administrative staff, with decisions made by authorized university department or faculty decision-making bodies. However, there are general instructions at the legislative level regarding the selection procedures, basic qualifications of senior academic staff, mandatory publication of information about vacancies and the composition of competitive commissions, limiting the authority of universities. The Number of academic staff needed is determined by universities themselves

3.3.2. Both state and private HEIs are able to independently make decisions regarding the salary of senior academic and senior administrative staff

3.3.3. The possibilities to dismiss an employee are regulated by the national legislation. Actually, there are two kinds of situations in which university employees may lose their jobs: a. failing to win the contest for the job after the end of the existing contract if open contest for the position takes place, and b) violation of university norms of ethics and regulations.

3.3.4. On the other hand, within the framework of the national labour law, state university employees in high positions are dismissed from their job by elective bodies such as faculty boards/councils, or the senate - in case of chancellor.

3.3.5. The principles and conditions for the promotion of academic staff (participation in open competition, external certification, age limits, etc.) are set by the external (governmental) authority. However, state universities have the right to freely promote senior academic staff, based on the achievements and achievements of teachers, within the framework of existing regulations, and in particular award the status of Professor of Emeritus.

3.3.6. At the same time, universities independently establish the conditions for promotion of senior administrative staff, in the case of existing vacancy. Universities can also create administrative vacancies; with the exception of administrative positions which are elective. (i.e. Dean of a faculty is elective position)

3.4. Academic autonomy

3.4.1. The numbers of students to be admitted each year is decided by the university, but it cannot determine the content of exams which is done by the National Assessment and Examinations Centre (NAEC).¹⁰⁷

The university has the right to require the entrants to pass only the exams prepared by the NAEC.

3.4.2. The principles and criteria for admission of students to a university are established by the university jointly with the relevant government agencies.

3.4.3. All new education programmes should be accredited or authorized by an external (governmental) authority before launching. However, programmes can be closed without external permission if there are no students willing to attend, although the relevant government agencies should be informed about the fact and the reason. Permission or approval from the external authority is required otherwise.

3.4.4. According to the law, the language of higher education in all of the country is Georgian,

¹⁰⁷<https://geonaec.com/>

3.4.5. while in the Abkhazian Autonomous Republic – also Abkhazian, however, universities can choose any other language for certain specialised programmes (e.g. engaging international students¹⁰⁸, most often this is English. Still, such programmes, the same as any others, need to be approved by the government authorities.

3.4.6. HEIs possess limited ability to choose quality control procedures and their provider. In accordance with the Higher Education Law, all universities should have the Quality Assurance Service as a part of the university management system, and universities have the right, after passing institutional accreditation, to choose internal quality assurance mechanisms. However, universities are not entitled to hire an external agency to assess the quality of education process while they can bring financial audit or HR audit services selected at their discretion.

3.4.7. Universities have the ability to design the content of education programmes leading to graduation or a diploma; however, there are framework rules and conditions regulating the curriculum design. Additional curriculum may be introduced but it should be subject to the same framework conditions or regulations.

3.4.8. As described above, there have been significant changes introduced at the level of organizational, financial, personnel and academic autonomy since 2009, mainly related to adjusting to the Bologna process and following the UNESCO recommendations, especially during 2012-2016.

4. Academic integrity

In accordance with the definition by the Centre for Academic Integrity (CAI), academic integrity is understood as commitment to six fundamental values: honesty, trust, fairness, respect, responsibility and courage by which teachers, researchers and students in academic practice should be guided while carrying out education and research tasks. However, in practice academic honesty is more often understood as decent behaviour in dealing with written tests, essays, research, exams, and presentations.

4.1. While there have been general comparative assessments of the perception of corruption in the country (latest by Transparency International¹⁰⁹, demonstrating certain progress in Georgia (the 41st place out of 168 countries, slight improvement compared to previous years) there have not been conducted any opinion polls focusing on higher education any time recently. Therefore, there exist no reliable empirical data to reflect the existing situation specifically in higher education.

4.2. HEIs struggle to deal with widespread plagiarism. However, while no statistics data is available based on general observation anti-plagiarism tools are used only occasionally, both because there exist no clearly regulated requirements to use these, and the technical obstacles to obtaining effective plagiarism checkers in Georgian further hindered by the use of different (at least two) coding types in texts available on the internet, and the possibility to translate from sources in other languages (mainly English and Russian). As a result, it is often just Google used to look for the original sources in case of suspicion, with moderate

¹⁰⁸ According to GeoStat, in 2018-19 ca. 12,200 foreign students studied in Georgia, which is 21.4% more than in the previous

¹⁰⁹ <https://www.transparency.org/cpi2018>

4.3. While plagiarism is universally criticised by all stakeholders in higher education (Ministry of Education and Science, Council of University Rectors etc.), there are limited instruments to fight it. In case of copyright violations these are considered from the perspective of civil laws¹¹¹, while plagiarism in dissertations and publications is usually punished under administrative decisions, although actual cases are rather rare -notwithstanding widespread presence of plagiarism in practice.

5. Corruption in higher education

Corruption is defined as the systematic misuse of public office for private benefit that results in a reduction in the quality or availability of education services. Corruption distorts access to education, inflicts monetary damage, and affects the quality of education.

5.1. As there is very limited statistical information regarding corruption in higher education, we have to restrict ourselves to predominantly qualitative assessments and observations, while quantitative assessment of monetary damage is impossible at this stage. There are three main areas in higher education where corruption-related risks are relatively high: these are the areas of financing; management; and admissions/exams, although there are also other less important (petty) corruption risks as well, such as, e.g., obliging students to purchase certain textbooks authored by the lecturer.

5.2. No statistics is available on the number of crimes detected and registered by law enforcement agencies for corruption in higher education from 2009 to the present, or on the sampling results (opinion polls). In general, the level of petty corruption has dropped significantly since the reforms which started in 2004, including the above reforms in the university admission system and student-tied state funding to universities.¹¹²

5.3. Regarding the main forms of corruption in higher education:

No officials have been reported to be convicted for bribing officials in licensing the accreditation of higher education institutions or educational programs in the recent years, although this would not exclude the possibility of such things occasionally happening.

There are opportunities for misuse of budget funds by university administrations, and in particular surplus (residual) funds left by the end of the year, although again no respective court cases have taken place, and the issue remains at the level of inconclusive rumours and anecdotal evidence.

Sale of diplomas of different levels of education is less probable due to relatively strict control over student admission and graduation. However, relatively lax issue of graduation diplomas without due control of the graduate's knowledge and skills is more of an issue, especially at some provincial and private universities.

The current admission system would not allow any regular corruption within the university

¹¹⁰ See e.g.: Madona Giorgadze, Nino Kereselidze. Ambiguities and Embeddedness in Academic Plagiarism: The Case of Higher Education in Georgia. Ilia State University, 2017

https://www.academia.edu/34142593/Kereselidze_Nino_and_Madona_Giorgadze_Ambiguities_and_Embeddedness_in_Academic_Plagiarism_The_Case_of_Higher_Education_in_Georgia_Conference_of_the_European_Association_for_Teaching_Academic_Writing_Lighting_Talk_and_Poster_Royal_Holloway_University_of_London_2017

¹¹¹ Law of Georgia on Copyright and Related Rights, June 22, 1999 - №2112-IIS

<https://matsne.gov.ge/en/document/download/16198/8/en/pdf>

¹¹² See: The State of Corruption: Armenia, Azerbaijan, Georgia, Moldova and Ukraine. Transparency International, 2015

admission process.

No court cases are reported during the recent years concerning extortion of reward by lecturers at exams, and the practice is non-existent in the majority of universities, although there are rumours regarding some education institutions.

Such practice as forcing a teacher to pay for consultations, forcing students to buy books, textbooks etc. seems to still exist but is considered to be quite rare.

No reliable data exists on imposing a bribe by students or any other forms of corruption in higher education, although there is anecdotal evidence that, e.g., as the state pays universities for students engaged in the education process, often universities delay reporting when students discontinue or suspend their studies, so that universities may continue receiving respective funds.

5.4. Regarding main anti-corruption tools there are some of these introduced during the last decade:

There exist the Single National Examinations conducted by the National Assessment and Examination Centre (NAEC). Currently, the Ministry of Education prepares reforms regarding the system, so that exams will be conducted in three compulsory subjects instead of four from 2020 onward.

There are specific legislative and administrative tools to combat corruption in higher education, inscribed in the legislation on higher education focussing mostly on admission and funding of education. However, there are no specific laws against corruption in higher education, or regular and obligatory monitoring of corruption levels. However, there exists more general Conflict of Interests and Corruption in Public Service Law of Georgia ((27/03/2009, N. 1157), and the General Rules of Ethics and Behaviour at Public Institutions adopted by the Government in April 2017 that is particularly relevant for the public higher education institutions.

At the same time, no anti-corruption awareness campaigns specific for the higher education institutions have been reported.

As students are involved in the self-governance structures of the higher education institutions, they are entitled to independent student control and to raise corruption-related issues, however, this seldom happens, if at all.

5.5 Unfortunately, no sociological surveys focusing on corruption in higher education have been conducted during the last decade, thus it is impossible to know how often students do encounter corruption at universities or what are attitudes of students towards corruption in higher education.

6. Inclusiveness in higher education

6.1 There is no one specific national programme to increase the accessibility of higher education for applicants from socially vulnerable and underrepresented groups of the population, although there are certain financial and other tools used to improve the situation here.¹¹³

As mentioned above, funds are allocated only to students who qualify for public funding as a result of SNE scores, who are awarded study grants based on SNE scores in the amount of 100%,

¹¹³See, e.g.: Maia Chankseliani. Higher Education Access in Post-Soviet Georgia: Overcoming a Legacy of Corruption. In: Heinz-Dieter Meyer, Edward P. St. John, Maia Chankseliani, Lina Uribe (eds.) Fairness in Access to Higher Education in a Global Perspective: Reconciling Excellence, Efficiency, and Justice. Sense Publications, 2013

7%, 50%, 30% or 0% of the maximum public university tuition (2,250 GEL). Only about 30% of all admitted students are currently receiving grants, and only about 5% receive grants at 100%. This implies that the overwhelming share of the higher education funding costs is borne by students and their families, putting members of poor households at significant disadvantage.

As the overall government funding for the higher education is very modest, even more so are the funds to support socially vulnerable and underrepresented groups of the population, although such national programmes do exist. Between 2013 and 2017, funding to support tuition expenses for students from vulnerable population groups grew three times but only reached 4.5 million lari, while the scale of the stipends programme for high achievers also increased and reached 4.1 million lari. Obviously, such scale is too modest to secure accessibility of higher education and high level of inclusion of vulnerable students, although the government promises to significantly increase the respective funding.

6.2. It is important to analyse the dynamics of the rate of enrolment in HEIs of students of the age range of 18–34 years, however, the national statistics agency (GeoStat) or the Ministry of Education do not provide the age structure of students at higher education institution, only general numbers and break-down by the types of education institutions and by educational programmes.¹¹⁴

6.3. Neither is available any data on the dynamics of the share of students from socially vulnerable (not to say about that compared with their share among high school graduates for the same period). Still, the statistics analysis of the Georgian Single National Examinations data shows that in the test score-based admissions system – rural applicants, males, language minorities, and public-school graduates are significantly less likely to gain admission to higher education institutions than urban applicants, females, Georgian speakers, and private school graduates. With other variables equal, an urban school graduate is almost 22% more likely to be admitted to a higher education institution than a rural school graduate.¹¹⁵

Table 2. Gender structure of the students in the range of 2009/2010-2018/2019

Academic year	Female students	Male students	F. students admitted to doctoral programmes	M. students admitted to doctoral programmes
2008/2009	51,352	42,285	682	391
2009/2010	51,352	42,285	682	391
2010/2011	--	--	--	--
2011/2012	53,079	42,031	2,494	1,772
2012/2013	61,256	48,277	1,673	1,367
2013/2014	--	--	--	--
2014/2015	67,088	57,135	614	589
2015/2016	--	--	--	--
2016/2017	71,593	68,688	673	632

Source: Man and Woman in Georgia. GeoStat, 2018; 2016; 2014; 2012; 2010

¹¹⁴ See e.g, statistical yearbook for 2018 - https://www.geostat.ge/media/13862/Yearbook_2018.pdf

¹¹⁵ See, e.g. Lela Chakhaia and Tamar Bregvadze. Georgia: Higher Education System Dynamics and Institutional Diversity. In: Jeroen Huisman, Anna Smolentseva, Isak Froumin (eds.) 25 Years of Transformations of Higher Education Systems in Post- Soviet Countries. Springer International Publishing, 2018

6.4. There is a higher proportion of women in the tertiary education (56% women versus 44% men), and more women than men with higher education (55% vs. 45% as of 2014), however no comprehensive statistics is available by years or broken down by the level of education. Below the available numbers of students by gender (f/m), and admission to doctoral programmes – f/m – for some years are presented:

Gender balance in training profiles (the share of the female student population by the education profile) such as the dynamics of the share of women among engineering and technical students is not available for all education levels. Below are presented numbers of admissions to the doctoral programmes by gender in: fundamental sciences; and, engineering & technologies (f/m, % of women) for some years:

Table 3. Gender balance in training profiles (share of female students by education profile)

Academic year	students in fundamental sciences	students in fundamental sciences	Female/male students in engineering & technologies	% of female students in engineering & technologies
2011/2012	328 / 236	58.2%	138 / 247	35.8%
2012/2013	313 / 294	51.6%	116 / 228	33.7%
2013/2014	--	--	--	--
2014/2015	61 / 71	46.2%	36 / 118	23.4
2015/2016	--	--	--	--
2016/2017	67 / 96	41.1%	47 / 120	28.1%

Source: Man and Woman in Georgia. GeoStat, 2012, 2015, 2017

6.5. Below the gender structure of the teaching staff by positions (lecturer / assistant, associate professor, professor, other) is also presented although the respective data by administrative positions (head of chair, dean, vice-rector, rector) is not available. The statistics on administrative positions is not available. The available numbers for the teaching staff are presented below.

Table 4. Gender structure of the teaching staff by positions

Acad. year	Full prof. - f/m, f%	Assoc. prof.-f/m, f%	Assist. prof.-f/m, f%	Lecturer-f/m, f%	Other -f/m, f%	Overall.-f/m, f%
2012/2013	476 / 1,039 -31.4%;	1,406 / 1,246 - 53.0%	741 / 543 - 57.7%;	335 / 203 - 62.3%	196 / 102 - 65.8%;	3,154 / 3,039 - 50.2%
2014/2015	660 / 1324 - 33.3%	1979 / 1528 - 56.4%	801 / 483 - 52.3%;	848 / 442 - 65.7%;	377 / 241 - 61.0%;	4,711 / 4,021 - 54.0%
2016/2017	729 / 1,256 - 36.7%;	2,057 / 1560 - 56.9%;	729 / 495 - 59.6%	493 / 495 - 49.9%;	129 / 76 - 62.9%	4,286 / 3,806 - 53.0%

Source: Man and Woman in Georgia. GeoStat, 2012, 2015, 2017

7. Conclusions and Recommendations

While higher education in Georgia has undergone important reforms on the way of integrating into the Bologna process and eliminating corruption in the admission process, still the main function of higher education institutions is providing high quality education which is essentially meritocratic and accessible to all layers of the society.

The current system of HEIs includes a few leading universities predominantly based in the capital of Tbilisi, and a number of state and private universities and colleges which poorer quality of offered services. It also lacks equal access to high-quality higher education, discriminating rural youth, and those from poor and vulnerable families who find higher education difficult to afford

Another key component of improving the quality of higher education is improving the quality of general education so that future students are better prepared to study under the demanding conditions of the contemporary university programmes. This means that higher education cannot be considered a separate entity less dependent on the general situation in education and society, and the input of human resources.

One of the important issues hindering professional growth of university teachers is their extremely high teaching load, lack of professional mobility opportunities, including geographic mobility, and insufficient involvement in high-quality (international) research projects.

One of the plagues of higher education is widespread plagiarism both among the students and the teachers alike. Developing efficient anti-plagiarism tools in the Georgian environment is only one aspect of the solution which requires more attention of stakeholders and effective regulation which would help curb the problem, including the name-and-shame approach and other forms of punishment.

Brain drain is considered one of the greatest challenges to sustainability of high-quality higher education and research, which it definitely is. Many Georgian students who study abroad remain to pursue their career there¹⁸. On the other hand, emigration can be seen as a legitimate option for many bright students and graduates unable to fully realise their potential at home, and therefore should be also seen as the positive development. The government, however, should apply efforts and resources to maintain contact with Georgian professionals and students abroad engaging them in academic activities in their home country and benefiting from the knowledge and skills these young people were able to acquire abroad.

While there is lip service on the part of the government to support scientific and technological advancement in the country, including creating 'technology parks' (in Tbilisi, Zugdidi, and elsewhere) which were never fully operational and productive being also weakly connected to any leading higher education or research institutions, there is need to pay more attention to supporting education and research in such cutting-edge areas as artificial intelligence and robotics, 'big data' research, creating and employing new materials, nanotechnologies or genetic engineering and biotechnology.

¹⁸In 2018, 673 students left Georgia for other countries on various programmes – this is 91 more than in 2017.

¹⁹<https://www.mes.gov.ge/content.php?id=1855&lang=geo>

Higher Education System of Moldova: Country Report

Victor Gotisan

1. Overview of the national system of higher education

At the beginning of the 2018/19 academic year, 60.6 thousand students were studying at higher education institutions (HEIs) of the Republic of Moldova (with the exception of foreign students). This is approximately 5 thousand students fewer as compared to the 2017/18 academic year. In 2019, 45.5 thousand students were enrolled for bachelor studies; 10.9 thousand students were enrolled for master studies; 4.1 thousand students for integrated higher studies (bachelor and master combined); and almost 1.5 thousand students were enrolled for doctoral studies. According to the National Bureau of Statistics' (NBS) data, in the recent ten years – in 2009 to 2019 – the number of students in the Republic of Moldova nearly halved: in 2009, around 115 thousand students were studying at the HEIs all over the country.

In 2019, the number of students at the public education institutions was 50.6 thousand persons (in 2009, it was 90.6 thousand accounting for 82.4%) or 83.5% of the total number of students. The remaining 10 thousand (16.5%) are students studying at private institutions (in 2009, their number was almost 20 thousand accounting for 17.6%). Thus, in 2019, there are 171 students of higher education institutions per 10 thousand inhabitants on average, with a decrease of 14 students as compared to the 2017/18 academic year.

The HEI network consists of 29 institutions, including 19 state-owned and 10 private ones. A majority of the universities (25) are situated in Chisinau, the country capital. In the 2018-2019 academic year, 4.5 thousand teachers were employed at the higher education institutions, 6.1% less as compared to the 2017/18 academic year. Of this staff, 2.5 thousand persons have an academic degree out of which 86.5% are doctors of science and 13.5% are honoured doctors. The share of women is 54.7% out of the total number of teachers.¹¹⁶

While in 2016 the budget of the education sector was 8.96 billion Moldovan lei (MDL) (0.42 billion EUR) which amounted to 6.72% of the GDP; in 2019, this figure was 12.68 billion MDL (0.60 billion EUR) amounting to 6.8% of the GDP.¹¹⁷ Over the past 5 years – starting from 2015, – the budget of the education sector varied between 6.5 and 7% of the GDP increasing by approx. 15% in the monetary terms. In 2013 and 2014, the expenditures for the education sector were around 12% of the GDP.

As compared to ten years ago, today the number of students at the HEIs is two times lower. The perspectives are even more disturbing as according to a World Bank report the Republic of Moldova will lose around 10 thousand students more in the following two years. This means that, by 2021, one university in the country will be attended by 1,7 thousand students on average, too small a number for the 29 HEIs currently existing.¹¹⁸

¹¹⁶ The National Bureau of Statistics, Activity of higher education institutions in the academic year 2018/19, available in Romanian at <http://statistica.gov.md/newsview.php?!=ro&idc=168&id=6217&parent=0>.

¹¹⁷ Law of the state budget for 2019, available in Romanian and Russian at <http://lex.justice.md/md/378600/>.

¹¹⁸ Diez.md, Since 2011, the number of students studying at universities in Moldova has decreased by 42%, available in Romanian at <http://diez.md/2018/12/23/din-2011-numarul-studentilor-care-invata-universitatile-din-moldova-scazut-cu-42/>.

2. Academic freedom

At the end of 2014, a new Code of Education was adopted, it aimed to replace the old one of 1995. The new code has several main objectives: promotion of lifelong learning, establishing links to the employment market, establishing an efficient system of ensuring, monitoring and assessment of quality in education, development, support and motivation of academic staff to ensure high-quality education and reassessment of the education system in the light of quality and cost-efficient educational services.

The Code of Education as well as other regulatory and legislative acts drafted and adopted in the last 4 years point to the fact that the teachers of the higher education system *”are guaranteed the right to academic freedom in line with the provisions of the University Charter”*.¹¹⁹ Among the prerogatives on the academic freedom, it is also mentioned that the staff of the higher education system has rights and duties deriving from the University Charter, individual employment contract and laws in force. Besides, the laws protect the rights of employees and intellectual property rights concerning the results of academic, cultural, and artistic work guaranteed and ensured in conformity with the provisions of the University Chart and the laws in force.

Every HEI establishes its own number of teachers with whom it may sign short term or long-term contracts. However, according to Art. 131 (5) of the Code of Education, *”at higher education institutions, at least 50% of the academic teaching positions shall be occupied by teachers holding a degree”*.¹²⁰ Execution or termination of contracts with the teachers is done based on the provisions of:

- The Code of Education of the Republic of Moldova No. 152 of 17/07/2014;
- The Code of Labour of the Republic of Moldova No. 154 of 28/03/2003;
- The Regulations on employment of teachers at the HEIs, Government Resolution No. 854 of 21/09/2010.

In the case of HEIs, the Senate is the supreme body to prepare and pass resolutions. This body is composed of elected representatives of faculties' councils, rector, vice rector, chairs of teachers and students' representative committees and selected students. The rules concerning representation in the Senate are established based on the number of positions occupied by teachers holding a degree.⁵ The share of students at collegiate bodies of the HEIs is established by the laws. Hence, the Code of Education in Art. 135 (3) notes that: *”The students are represented in the Senate and in the faculty council in the proportion of 1/4 of the overall number of the members of these bodies”*.¹²¹ At the same time, according to the laws, the members of the Senates of the HEIs are elected for a 5-year period with the exception of students whose representatives lose this position in a year with the possibility of renewing the mandate.¹²²

3. Institutional autonomy

3.1. Organizational autonomy

The governance of the HEIs is ensured by the rector assisted by vice rectors with the support of

¹¹⁹ Code of Education of the Republic of Moldova, available in Romanian and Russian at <http://lex.justice.md/md/355156/>.

¹²⁰ Ibid

¹²¹ Ibid

¹²² Ibid

the Governing Board. The rector is elected by the general assembly of teachers, teachers with academic degrees and students' representatives from the Senate and faculties' councils by a majority vote of the members. The rector's election is initiated by the Council for Institutional Strategic Development (CISD) by publication of the announcement two months prior to the expiration of the mandate of the incumbent rector. Candidates holding academic or academic and teaching degrees, having the experience of at least 5 years in the higher education and research system are eligible for the position of the rector. The files of candidates for the position of the rector are submitted to the CISD. The election of the rector can take place only if the files of at least 2 eligible candidates have been registered. The list of the eligible candidates is made public and the election process for the position of the rector is organised by the general assembly of teachers, teachers with academic degrees and students' representatives from the Senate and faculties' councils. The elections take place by direct, secret and freely expressed universal suffrage. The rector's election is governed by a guideline developed by the Ministry of Education, Culture and Research (MECR). The rector is elected by the 50% +1 vote and approved for the position by the MECR based on the results of the elections three months after the election at the latest. The rector may be dismissed before the mandate expires at the discretion of the majority of the Senate members or of the CISD, of the founder, by a resolution of the general assembly of teachers, teachers with academic degrees and students' representatives of the Senate and faculties' councils, by a majority of the members in case of improper compliance with the terms set forth in the individual employment contract and in the University Charter and non-compliance with public responsibility obligations. The rector's office can be held by the same person for two consecutive periods maximum, 5 years each.

The system of the management bodies of the HEIs is composed of: the Senate; the CISD; the Academic Council, the Faculty Council; the Governing Board and the Rector of the institution who is also the chair of the Senate. The Senate of an HEI is the supreme governing collegiate body composed of academic and teaching staff, as well as non-teaching and auxiliary staff.

The members of the Senate are elected by secret suffrage of the academic and teaching staff, students, representatives of employees' bodies in line with the institutional regulations prepared on the basis of the framework regulations approved by the MECR. Rectors, vice rectors, and deans are permanent and non-elected members of the Senate. The term of the mandate is 5 years and is usually synchronized with that of the rector. The term of the mandate of the Senate members from among students is one year with the possibility of renewing it. The Senate is elected in line with the framework Regulations of Organisation and Operation of the Governing Bodies of HEIs implemented by Resolution of the MECR No. 10 of 14/01/2015. The overall number of members of the Senate is set forth based on the principle of proportionate representation by the University Charter, however it should not exceed 101 persons.¹²³ Inclusion and/or election of external members of the Senate is not regulated, neither it is referred to in the national laws or in internal regulations.

To implement the university autonomy and ensure HEIs' public responsibility, the Code of Education provides for the dual governance at the HEIs by creating the CISD which is to ensure the objectivity of decision-making and appropriate allocating resources according to the

¹²³ Framework Regulations on Organization and Operation of the Governing Bodies of the Higher Education Institutions of the Republic of Moldova, available in Romanian at http://edu.asm.md/sites/default/files/20_ordinul_nr.10_din_14.01.15_regulamentul-cadru_privind_organizarea_si_functionarea_organelor_de_conducere_ale_institutiilor_de_invat_superior_din_republica.

institution's strategic development plan. The CISD is a council-type body with a limited number of members (nine members usually) which has a strategic role and, namely, of monitoring financial and staff-related matters, besides the role it plays in the election of the rector. An important aspect is also the fact that external actors may be included in the CISD who take part in decision-making. The CISD Chair is elected by its members and the person elected should not be the rector or vice rector of the institution. The CISD is elected for the period of five years.¹²⁴

The university autonomy provides the HEI community with the right to organisation, self-governing and exercise of academic freedoms without any ideological, political or religious interference. The HEIs may assume powers and duties in line with the national policies and strategies of higher education development. At the same time, they may organise, carry out, and improve the education and research by creating their own academic structures including: independent establishment of new specialties; creation and or/shutting-down of new departments, faculties, laboratories, research centres etc.

The HEIs may establish, independently or in partnership, public research and innovation centres, experimental and training centres, university clinics, university hospitals, teaching station, business incubators, sports clubs and creative studios as well as commercial and non-commercial institutions by which they may carry out their mission and make use of their own results of implemented research and innovation. Any profit gained as a result of these activities is considered the income of the HEI and is to be mandatorily invested to carry out the mission assumed by the University Charter.¹²⁵

3.2. Financial autonomy

The state budget of the Republic of Moldova is the total of all revenues, expenditures, and financing sources for the implementation of the central public authorities' functions, except for functions specific to the public social security system and compulsory health care insurance system, as well as for establishing relations with other budgets. The state budget is managed by the Ministry of Finance in charge of preparing the budget with contribution of ministries and other agencies.¹²⁶ The budgetary period is similar to the calendar year. However, there are certain budget chapters (of the annual law on state budget) which are extended for a calendar period exceeding one year. The state budget consists of budgetary chapters but there are situations (years) when the budgeting per budget areas is applied.

Back in 2012, the Government issued a Resolution (GR No. 983 of 2012) which aimed at granting financial autonomy to the HEIs. The Government Resolution entered into force on 1 January 2013, with a two-year transition period, and was subsequently amended for a transition period of seven financial years.¹²⁷ Granting financial autonomy to the HEIs resulted in a series of benefits. Currently, these institutions have the right and freedom to accumulate, transfer from one to another and distribute financial resources at the internal level according to their responsibility to

¹²⁴ Erasmus+ Office in Moldova, Trends in the Higher Education System from Moldova, Chisinau 2016, p. 7, available in Romanian at http://www.erasmusplus.md/sites/default/files/pdf/revista_tendintele_actuale_2016_2_web.pdf

¹²⁵ Code of Education of the Republic of Moldova, Art. 106, p. 8.

¹²⁶ Ministry of Finance of the Republic of Moldova, About the State Budget, available in Romanian at <https://mf.gov.md/ro/buget/bugetul-public-na%C8%9Bional/bugetul-de-stat>.

¹²⁷ Government Resolution No. 983 of 22/12/2012 on operation of the state higher education institutions in the conditions of financial autonomy, available in Romanian and Russian at <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=346068>.

ensure the quality of education in line with the statutory principles. Over the last years, the financial sources for the higher education system (HES) were diversified, thus reducing the dependence on public financing. Besides, the universities were allowed to open bank accounts so that the management of financial resources is done using bank accounts and not via Treasury.¹²⁸ Since 2013, the HEIs obtained the right to carry forward the unused funds of one financial year to the other. Moreover, the HEIs have the right to deposit available financial resources in commercial banks and obtain interest, considered a revenue source. However, the HEIs do not have the legal right to be financed in the capital market.

The public higher education is financed from public and own sources. Financing from the state budget is done based on a state order (number of subsidized places for students from the 1st cycle, bachelor degree and 2nd cycle, master degree).

Public and private HEIs have their own assets which they manage according to the laws. Buildings and properties in/on which the public higher education institutions carry out their activities are part of the state public domain and cannot be transferred, as for the other assets, they are the property of education institutions. However, the public HEIs have the right to buy using their own resources or other legal resources immovable and movable assets, properties or any other assets necessary for their work. Once bought, they become the property of the public HEIs. The assets of the public HEIs can be leased, rented out or can be sold provided that the revenues obtained will be used for the development of the institution.

The HEIs have the right to establish together with the founder (in this case the MECR) the tuition fees both for the national and international students.¹²⁹

The financial autonomy of the HEIs is still at an early stage. The obvious achievements in this respect are the depositing of funds with commercial banks and possibility of obtaining interest as well as keeping the balance from one year to another.

3.3 Staffing autonomy

The teaching staff can be hired in the HES based on Art. 297 (1) of the Code of Labour and the Regulations on Employment in Teaching Positions at HEIs approved by Government Resolution No. 854 of 21/09/2010. According to these regulations, the teaching positions (assistant professor; university lecturer; senior university lecturer; associate professor; university professor) are filled through competition. The decision of employment and filling of teaching positions is made by open vote by the Senate of the education institution and is announced publicly. For every teaching position, certain requirements are laid down (a holder of the bachelor or master degree, academic degree, teaching and academic degree; a holder of research, methodical, and educational publications, teaching and research length of service etc.). The person who sat the test is employed in the respective position based on an individual employment contract for the period of 5 years. The responsibilities of the teaching staff are set in the job description approved by the rector of the institution and attached to the individual employment contract. All academic and teaching positions at the HEIs are filled in based on

¹²⁸ Romeo Turcan, Larisa Bugaian, Institutional University Autonomy in the Republic of Moldova, available in Romanian at http://www.euniam.aau.dk/fileadmin/user_upload/Autonomia_Ro_complet_edited.pdf.

¹²⁹ ¹⁴ Government Resolution No. 983 of 22/12/2012 on operation of the state higher education institutions in the conditions of financial autonomy, available in Romanian and Russian at <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=346068>.

individual fixed-term employment contracts executed following the results of the competition. The regulations on filling in nominated positions are approved by the Government.¹³⁰

The positions of deans and heads of departments are elective and can be filled in by competition for the 5-year period. The rector appoints vice rectors for the period of his mandate not later than six months after his/her appointment. Besides, the rector is the one to initiate, via competition committees approved by the Senate, the competition for the position of a dean and head of a department/faculty according to institutional regulations within the maximum of six months as of the date the respective position becoming vacant.

With regard to the rector's payroll procedure, the founder of the institution (the MECR in the case of the public ones) executes an individual employment contract with the rector regulating, among others, this aspect. The emoluments are determined by the founder upon the proposal of the institution Senate. The rector, in his/her turn, executes individual employment contracts with vice rectors, deans and heads of departments.

All categories of the staff are hired and managed by the HEIs within of the legal framework and the list of positions. The list of positions is prepared annually and can be changed in the course of the academic year. Until 1 January 2013, the list of positions of the HEIs would be submitted to the MECR for approval. Currently, these are submitted only to the HEI Senate and to the District Labour Inspectorate. Submitting the list of positions to the District Labour Inspectorate is mandatory for all institutions. Teaching positions and their number are established considering the curricula, study groups, and university rules. The list of positions is prepared at the level of faculties, departments, services being afterwards inspected by the authorized departments, approved by the governing bodies of the institution and coordinated by the MECR. The structure of the staff is the right of the university and is not validated by an external quality assurance agency.

Remuneration of the teaching staff at the HEIs is done in line with the laws in force.¹³¹ The employees of the HEIs receive their salaries on the monthly basis for the work done based on their tasks and responsibilities laid down in the job description. The emoluments of the university teaching staff consist of:

- **The fixed part** made up of the position salary and salary increments, e.g. the length of service calculated in percentage compared to the position salary; an increment for the academic degree or academic and teaching degree; an increment for honorary titles etc.)
- **The variable part** made up of the increment to the base salary for high efficiency in work; an increment for performance; a supplement for execution of some services additionally to the main work; etc.¹³²

¹³⁰ Romeo Turcan, Larisa Bugaian, Institutional University Autonomy in the Republic of Moldova, available in Romanian at http://www.euniam.aau.dk/fileadmin/user_upload/Autonomia_Ro_complet_edited.pdf

¹³¹ The Labour Code of the Republic of Moldova No. 154-XV of 28/03/2003, Art. 20-21 of Law on Labour Remuneration No. 847-XV of 14/02/2002, Law on Remuneration System in the Budgetary Sector No. 355-XVI of 23/12/2005, Resolution of Government of the Republic of Moldova regarding the conditions of remuneration of the staff of the state higher education institutions with financial autonomy No. 195 of 13/03/2013, Resolution of the Government of the Republic of Moldova for Approval of the Regulations on the Organisation of Benchmarking of Labour in the Areas of the National Economy No. 98 of 04/02/2013 and other legal acts in force defining economic, legal and organisational principles of labour remuneration.

¹³² The Labour Code of the Republic of Moldova No. 154-XV of 28/03/2003, Art. 20-21 of Law on Labour Remuneration No. 847-XV of 14/02/2002, Law on Remuneration System in the Budgetary Sector No. 355-XVI of 23/12/2005, Resolution of Government of the Republic of Moldova regarding the conditions of remuneration of the staff of the state higher education institutions with financial autonomy No. 195 of 13/03/2013, Resolution of the Government of the Republic of Moldova for Approval of the Regulations on the Organisation of Benchmarking of Labour in the Areas of the National Economy No. 98 of 04/02/2013 and other legal acts in force defining economic, legal and organisational principles of labour remuneration.

The remuneration procedure in the case of the administrative staff (rectors, deans, heads of departments etc.) is also legally regulated. The dean and head of faculty functions are viewed as additional work to the basic teaching positions. In this respect, persons exercising executive management will get an increment to the salary in the amount of 25% for deans and, respectively 10-20% for heads of departments.¹³³

To a large extent, the HEIs enjoy a relative financial autonomy. A base (position) salary is in place, still the head of the institution (the rector) has the right to set different increments and supplements to position salaries, including for certain credits and considering the performance of each employee. The institutions are free to adopt their own internal rules of the remuneration system. According to the Regulations on Filling In Teaching Positions at the HEIs approved by Government Resolution No. 854 of 21/09/2010, the person who did not pass the competition is dismissed in line with the laws in force. In practice, however, the Labour Code, in Art. 86, regulates dismissal as termination of the individual employment contract indefinitely at the discretion of the employer as well as for a fixed period, sets out the concrete grounds for the firing of an employee. Besides, the Labour Code in Art. 301, sets the number of additional grounds for the termination of individual employment contracts entered into with the teaching staff, these include: a serious infringement of the statute of the education institution repeated over the course of one year; using, even once, physical or psychological violence against students; or award of a retirement pension; losing the competition or failing attestation. Same provisions, as in the case of the academic teaching staff, are applied to the academic administrative staff (deans, vice deans, heads of faculties etc.).

To fill in teaching positions, a competition is organised. The possibility of promoting the teaching and academic staff is the internal prerogative of the HEI. However, promotion of the teaching staff to teaching positions is defined by meeting certain requirements stipulated in the Regulations on Filling In Teaching Positions pertaining to the candidate's teaching performance. This is also valid in the case of the academic administrative staff: promotion – or election in some cases – of the person is an internal matter of the HEI, observing certain provisions stipulated in the laws and regulations.

3.4. Academic autonomy

There are two types of the HES: public and private. The studies can be organised as full-time, part-time or distance. The HES is open in nature, ensuring the possibility of transfer from one type to another under the conditions set in the respective regulations adopted by the MECR.

The HEIs benefit from quite a great degree of academic autonomy in terms of initiation or completion of bachelor, master or doctorate programmes; decisions regarding the type and form of examination as well as in terms of the admission criteria; concerning execution of agreements on transfer and mobility of students; in establishing needs and structure of students' occupational guidance programmes; in planning the content and organisation of educational process.

The Government establishes annually the enrolment plans which include the places subsidised from the state budget for all cycles of studies, and the maximum number of enrolment for

¹³³ ¹⁸Government Resolution No. 854 of 21/09/2010 on the approval of the Regulations on the Occupation of Teaching Staff at Higher Education Institutions, available in Romanian and Russian at <http://lex.justice.md/md/336112/>.

commercial places.¹³⁴ However, the number of places for enrolment is proposed by each HEI beginning with the capacity of the institution which is further modified to a certain extent following the examination done by the Government. Subsequently, the HEIs based on their regulations determine their own requirements for enrolment to each programme per study cycle. Based on their regulations, the enrolment conditions, terms and organisation of admission exams are defined.

The admission to each cycle of the HES is organised by competition based on the methods and criteria of the HEI within the limit of the enrolment capacity established by accreditation or authorization of temporary functioning. The criteria of organising the admission competition are set by the framework Regulations of Organisation of Admission to Higher Education Institutions approved by the MECR. Enrolment to the higher education programmes is organised based on the Register of Areas of Professional Training and of Specialties. The monitoring of enrolment in the HEIs is carried out by the MECR.

For cycle 1 (bachelor), introduction of new specialties and/or programmes is proposed by the HEIs based on the necessities as required by the labour market. These proposals are examined and approved by the Government. For cycle 2 (master), universities are free to design and introduce in their own right master programmes for each training field. The MECR just records the existence of the mandatory documents. The authorised programme will be carried out on the provisional basis until it gets accreditation. The accreditation will be requested after the first graduation of students of this programme. The doctoral programmes (cycle 3) are introduced at the request of the HEIs. To open a new doctoral programme, it is required to give justification on the capacities (research in the given field, managers trained in the given field). A certain education programme is closed at the discretion of the HEI but the industry ministry could also act as the initiator of shutting down an education programme.

The education process in the HES is carried out in Romanian and in one of the main international languages or in the languages of national minorities within the limits of possibilities of the education system. Study of Romanian is compulsory at all education institutions of any level and is regulated by the national education standards. The government ensures the necessary conditions for the study of Romanian at all education institutions. For foreigners, the studies are also carried out in Romanian, or, upon request, they can be organised in one of the main international languages depending on the possibilities of the education institution. The HEIs enjoy the autonomy in organising academic groups with English, French as teaching language or other languages as necessary.

The quality management in the higher education system is ensured:

- At the national level – by the MECR and the National Quality Assurance Agency in Education and Research;
- At the institutional level – by internal quality assurance structures.

Internal quality self-assessment and assessment in the HES are performed by the responsible internal quality assurance institutional structures in conformity with the relevant national standards. External quality assessment in higher education is made by the National Quality Assurance Agency in Education and Research or other quality assessment agency registered in the European Quality Assurance Register.

¹³⁴ The Code of Education of the Republic of Moldova, Art.79 and 80, available in Romanian and Russian at <http://lex.justice.md/md/355156/>.

Curricula at the HEIs developed for each cycle, field of professional training, specialty and education organisation form (full-time, part-time, distance), are approved by the HEI Senates in agreement with the MECR in line with the national education standards. The content of the curriculum is developed by the HEI departments and includes the description of a course unit and of content itself. Based on the positive opinion of the faculty council, these programmes are approved by the University Senate.

4. Academic integrity

There are no studies or surveys to establish or examine the extent of plagiarism; intellectual theft; lack of indication/cited sources; illegal use of information, data or content in theses or at exams at the HEIs. However, these phenomena are very widespread at the HEIs.

To stop this kind of improper practice, an Ethics and University Management Council was established in 2015¹³⁵ at the level of the MECR which is entitled to determine infringements, investigate and propose methods of penalties in this respect. Still, the efficiency of this Council, at least until present, has been low.

To prevent plagiarism, most HEIs have bought and use anti-plagiarism software. Besides, almost every HEI has adopted internal regulations on the prevention of plagiarism among students, evaluation during exam sessions with the use of IT, checking of the bachelor and master thesis and signing by the students of declarations of own responsibility regarding the authenticity of thesis over the last four years. At the same time, every university has developed codes of ethical conduct for students which expressly denounce plagiarism and intellectual theft.

A major problem for the HES is posed by the practice of selling and buying of bachelor, master theses, and even doctoral dissertations. According to the laws, those who sell theses may bear administrative liability. The sanction in this case is a penalty of approximately 50 USD. Persons buying theses can be found guilty of plagiarism and of infringement of the intellectual property right with cancellation of their theses and credits offered to them afterwards.

5. Corruption in higher education

Besides low salaries/revenues, corruption remains one of the biggest issues which the society in the Republic of Moldova faces. According to some estimations, the total losses of the country as a result of corruption could be estimated at the level of 8-13% of the GDP.¹³⁶

It is quite difficult to assess currently the losses caused by corruption in the education system as no conclusive data exists in this respect. Nevertheless, the education system together with the medical one is one of the most corrupt. A subject survey conducted back in 2016 indicates that seven out of ten parents are prepared to send their children to study abroad because of the poor education conditions; high corruption in the education system; lack of new education programmes in demand in the labour market in our country as well as abroad; a higher education diploma which has no value. At the same time, the most sensitive indicator of this

¹³⁵ Ministry of Education, Culture and Research, Regulation for the organization and functioning of the Council of Ethics and Management, available in Romanian and Russian at <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=362874&lang=1>.

¹³⁶ Expert-Group, The cost of corruption in the Republic of Moldova and who supports it, available in Romanian, Russian and English at <https://www.expert-grup.org/ro/biblioteca/item/1526-costul-coruptiei-in-republica-moldova-si-cine-%C3%AEI-suporta>

survey is that approx. 45% of students are prepared to give bribes to get the bachelor degree. And 95% of the students' parents believe that there is corruption in the education system.¹³⁷ Students view corruption as the most serious problem of the education: 22.6% of the respondents mention this along other issues such as lack of the qualified teaching staff (11.3%), students' indifference (7.6%) and financing issues in the given field (~4%). Besides, the students' parents point to three main issues in the education system: a too complicated programme/curriculum – 41%; corruption – 37%; and lack of well-trained staff – 32%.¹³⁸

In the lower-secondary and upper-secondary education, the most “popular” forms of corruption include: informal payments (bribe); individual lessons and consultations imposed often directly and indirectly by the teaching staff; and gifts to the teaching staff.¹³⁹ In the case of the HES, the most widely used forms of corruption include: bribes at examinations and submission of bachelor or master theses; and influence peddling at enrolment at the HEIs.

According to the National Anticorruption Centre's (NAC) data, 52 corruption cases in the education system were filed in 2010, 30 in 2011, 42 in 2012, 41 in 2013, and 24 cases in 2015.¹⁴⁰ In the last four years (2016-2019), cumulatively, 54 penal cases for corruption offences in the field of education and studies were filed. 18 out of these were finalized and rulings were passed in this respect, 12 cases were dismissed and 17 are examined in court. The majority of cases of corruption are identified in the lower-secondary and upper-secondary sector followed by the university one – 14 criminal cases; and the primary education sector with 4 cases.

The bribe in the HES starts from 200 MDL (10 EUR) and can reach 1,500 EUR. The most recent case of corruption in the HES took place at the beginning of July 2018 when 60 teachers from the Academy of Economic Studies of Moldova (ASEM) were caught at accepting money for passing examinations, submitting theses and practical work. According to the information, the average price for an examination was 50 EUR, for the practical examination 75 EUR, and the most expensive corruption 'service' was defence of the bachelor or master thesis: between 400 and 600 EUR.¹⁴¹

Even if a slightly declining trend was registered lately in terms of corruption in the education sector, it continues to be perceived as one of the greatest challenges of the field. In 2018, an IRI survey showed that over 22% of respondents stated that teachers, doctors and policemen are the most corrupt civil servants.¹⁴²

¹³⁷ Moldova.eu, Education in the Republic of Moldova is on the brink. Pupils cannot read, diplomas are being bought, and teachers are corrupt, available in Romanian at <http://moldova.eu/ro/educatia-din-republica-moldova-este-pe-branci-elevii-nu-pot-citi-diplomele-se-cumpara-iar-profesorii-sunt-corupti-3442.html/>; Jurnal de Chisinau, Moldovan education is broken and does not respond to the labour market necessities, available in Romanian at <http://www.jc.md/invatamantul-moldovenesc-este-rupt-de-realitatile-de-pe-piata-muncii/>.

¹³⁸ Ibid.

¹³⁹ Anatol Gremalschi, Ion Jigau, Vasile Cantarji, Equality and Academic Integrity in General Education. Informal payments in schools. Sociological study, Chisinau 2018, available in Romanian at <http://soros.md/files/publications/documents/7.-Etica-si-integritatea-academica-compressed.pdf>.

¹⁴⁰ Allmoldova.com, Corruption suffocates the education system, available in Romanian at <http://www.allmoldova.com/ru/news/coruptia-sufoca-sistemul-educational-invatatorii-colecteaza-in-continuare-fortat-si-prinsantaj-bani-de-la-parinti>

¹⁴¹ Agora.md, Instead of vegetables or fruit, buy notes: Student testimonials and directors' arguments when it comes to corruption in Education system, available in Romanian at <https://agora.md/stiri/53329/in-loc-de-legume-sau-fructe-cumpara-note-marturiile-elevilor-si-argumentele-directorilor-cand-vine-vorba-de-coruptia-in-educatie-video>.

¹⁴² International Republican Institute, Public Opinion Survey: Residents of Moldova, February-March 2018, available in English at http://www.iri.org/sites/default/files/2018-3-29_moldova_poll_presentation.pdf.

Over the last five years, several legislative and regulatory acts were approved to prevent and combat corruption in the education system as well as strategies and mechanisms were developed for this purpose and systems of managing internal and external risks in this respect.¹⁴³ The HEIs and state institutions (MECR; NAC) have carried out information and awareness raising campaigns among the university community on the corruption issue and on encouraging its members to expose such contraventions.¹⁴⁴

Even if the students acknowledge the existence of a high level of corruption at the HEIs and characterise corruption as the greatest issue of the given field, they are equally responsible for this plague as they, together with the teaching and academic and administrative staff, are the “agents and promoters” of corruption. For instance, the data of a survey indicates that 56% of respondents consider that giving money or a present to a teacher should not be considered an act of corruption; and over 40% do not believe that plagiarism, copying or buying a bachelor or master thesis is an issue. In other words, the issue is a matter of personal integrity and corruption is perceived as a way to solve certain problems or deal with certain situations.

6. Inclusiveness in higher education

Inclusiveness was qualified as one of the main priorities in the education system of the Republic of Moldova.¹⁴⁵ However, inclusiveness is more oriented towards primary, lower-secondary, and upper-secondary education, rather than the HES.¹⁴⁶

Currently, there are no programmes and/or strategies at the national level to regulate and/or promote increasing access to the higher education for persons from socially vulnerable groups or national minorities. In each academic year, the MECR establishes via the Framework Regulations for Enrolment of a Fixed Quota of Students to Be Enrolled Based on the Criterion of Social Vulnerability, Disability, Ethnic Minority (Roma People), Families with Four or More Children etc. In 2014-2019, this quota amounted to 15% of the total number of places (for each specialty) set forth in the enrolment plan with state financing.¹⁴⁷

The data for the 2009-2019 period on the modification of students' age structure and its dynamics at enrolment as well as in the process of studies does not exist and/or is not available.

Over the last ten years, the gender structure of the students' quota has remained practically unchanged. In 2009, out of the total number of students, men amounted to 48.5 thousand (~43%) and women to 66.4 thousand (~57%). In 2018, out of the total number of students, men amounted to 25.5 thousand (42%), and women to 35.1 thousand (~58%).¹⁴⁸ In the 2018/19

¹⁴³ Ministry of Education, Culture and Research, Preventing and Combating Corruption in Education, available in Romanian <https://mecc.gov.md/ro/content/prevenirea-si-combaterea-coruptiei-invatamint>.

¹⁴⁴ An example of info and awareness anti-corruption campaign conducted by the State University of Medicine and Pharmacy “Nicolae Testemitanu” could be found at the following link available in Romanian <https://usmf.md/ro/noutati/coruptia-contamineaza-fii-imun-si-actiunea>

¹⁴⁵ Comments and joint recommendations of civil society sector on the pre-final version of the National Development Strategy 'Moldova 2030', Chisinau 2018, <http://incluziune.md/ro/wp-content/uploads/2017/02/Recomandari-comune-la-SND-Moldova-2030.pdf>.

¹⁴⁶ Government Decision No. 944 from 14.11.2014 on the approval of the Education Development Strategy for the years 2014-2020 'Education-2020', available in Romanian at https://mecc.gov.md/sites/default/files/1_strategia_educatia-2020_3.pdf

¹⁴⁷ Ministry of Education, Culture and Research, Admission Regulations to Higher Education Institutions 2014-2019, available in Romanian at <https://mecc.gov.md/ro/content/admiterea-0>.

¹⁴⁸ National Bureau of Statistics, Activity of higher education institutions in the academic year 2018/19, available in Romanian at <http://statistica.gov.md/newsview.php?!=ro&idc=168&id=6217&parent=0>.

academic year, 45.4 thousand students studied in cycle 1 (bachelor); 10.9 thousand students in cycle 2 (master); 4.2 thousand in the integrated cycle (bachelor + master). 1.57 thousand (54.7% of women; 45.3% of men) studied in the doctoral and postdoctoral cycles.¹⁴⁹

In terms of the gender structure per area of studies, the female students prevail in the field of humanities: education (85%), philology (85%), arts (80%), journalism and communication sciences (85%). While the male students prevail in the field of science: architecture and construction (~70%), engineering (~80%), information and communication technologies (~85%).¹⁵⁰ It is impossible to make a comparative analysis with 2009 as there is no aggregated data in this respect.

At the beginning of the 2018/19 academic year, 4.5 thousand persons were employed in the higher education institutions (key staff). The share of women in the total staff number was 54.7%. Only in the case of the university lecturer position, the number of women is much higher than that of men: 61.7%. In all other teaching and academic positions: associate professor, university professor etc., men are a majority. The administrative and governing positions in the HES are occupied by men most often. For instance, out of 30 rectors of the higher education institutions, only seven are women, the other 23 are men.¹⁵¹

7. Conclusions

In the last decade, the HES of the Republic of Moldova faces some major challenges and issues. The most important issues include the human resources factor, and namely: a drastic decrease in the number of students as well as of the teaching staff. According to the official statistics, in 2009-2019, the number of the both categories has halved. The reasons behind this are: a) massive migration of the citizens of the Republic of Moldova; b) poor quality of education leading to more and more students choosing to study at universities abroad; c) low salaries in the education system leading to more and more teachers leaving the system and the pedagogy area becoming more and more unpopular; d) corruption in the HES; e) and, last but not least, slow and poor reforms in the field.

Despite the reforms made to improve the situation and also to modernize the system (the most important being the adoption of the new Code of Education at the late 2014), we can affirm that: harmonization of the national system with the European one has not been finalised yet; academic mobility and freedom is more or less formal; institutional autonomy and integrity has not been fully consolidated yet.

The HES still remains closed and adapts slowly to the requirements and norms of a modern education system. An indicator in this respect is the limited interaction of the higher education institutions with the research and development field, with the business environment and, in general, with the labour market of the country.

¹⁴⁹ National Bureau of Statistics, Data on doctoral studies and students, available in Romanian at <http://www.statistica.md/newsview.php?l=ro&idc=168&id=6353>.

National Bureau of Statistics, Students in higher education institutions by general study areas and cycles, 2017/18-2018/19, available in Romanian at http://statbank.statistica.md/pxweb/pxweb/ro/30%20Statistica%20sociala/30%20Statistica%20sociala_07%20INV INVo60/IN_Vo60o60.px/table/tableViewLayout1/?rxid=9a62a0d7-86c4-45da-b7e4-fecc26003802

¹⁵⁰ National Bureau of Statistics, Students in higher education institutions by general study areas and cycles, 2017/18-2018/19, available in Romanian at

http://statbank.statistica.md/pxweb/pxweb/ro/30%20Statistica%20sociala/30%20Statistica%20sociala_07%20INV INVo60/IN_Vo60o60.px/table/tableViewLayout1/?rxid=9a62a0d7-86c4-45da-b7e4-fecc26003802

¹⁵¹ Ministry of Education, Culture and Research, Higher education institutions in the Republic of Moldova, available in Romanian and Russian at <https://mecc.gov.md/ro/content/institutiile-de-invataman-t-superior>

The state (Government/MECR), using various mechanisms, continues to maintain a relatively extensive control over the education sector, including the higher education one (e.g. funding mechanism for public institutions, rectors' approval etc.).

Even though there is a national and internal quality assurance system of the HES, it can be noticed that the quality of higher education is still very low, and inefficient evaluation, monitoring and reporting mechanisms concerning quality management explain the low quality of this system (HES).

The HEIs are not sufficiently adapted either to modern learning or to responding to the demands of people with special education needs. The technical and material basis does not allow for implementation of new teaching technologies and realisation of the relevant research. Higher education is still the one where the teacher (staff) is the main actor and where the student has little interaction and importance. Thus, solutions and reforms are needed to promote a higher education model with the focus on the students. This would ensure both, the development of flexible and innovative models in education as well as promotion of participatory capacities in the decision-making process of young people and students, particularly.

8. Recommendations

1. Government/Ministry of Education, Culture and Research to enhance and strengthen cooperation and collaboration with other actors in the field (civil society, business, research centres, media etc.) using advisory structures/platforms to implement and continue the reforms started back in 2014-2015;
2. Government/Ministry of Education, Culture and Research to finalise and adapt the regulatory and legislative framework for the education sector in general and for the HES in particular (e.g. a new Education Strategy for 2020-2024);
3. Government/Ministry of Education, Culture and Research to develop policies and strategies to motivate both students and academic staff, to apply for and work at higher education institutions (e.g. higher salaries; internships and international experience exchanges; modern and performing work conditions and technical equipment; etc.);
4. The HEIs should put more emphasis on the quality management aspect of the provided studies to stop the migration process of those who choose to go and study abroad, and opting for not returning to the Republic of Moldova after completing their studies or internships (in case of the academic staff);
5. Students should be actively involved in the process of remodeling the educational system, a fact which would result in improving the quality of education and studies.

Higher Education System of Ukraine: Country Report

Sergiy Kurbatov

1 Overview of the national system of higher education

According to the State Statistics Service¹⁵², in the 2018/2019 academic year there were 199,926 students of colleges, technical and vocational schools and 1,322,334 students of universities, academies, and institutes. The number of postgraduate students (PhD) in 2018 was 22,829 and the number of doctoral students (PhD with Habilitation) was 1,145 persons.

In the case of Ukraine, it would be interesting to compare 2012/2013 (last year before Euromaidan, annexation of the Crimea by Russia and the beginning of the conflict in the east of Ukraine) and 2017/2018 (the last academic year before the presidential election in Ukraine). According to the report of the State Statistics Service of Ukraine “Higher Education in Ukraine in 2018” downloadable from the web site of the State Statistics Service of Ukraine, in 2012/2013 Ukraine had 1,153,791 students at the BA level; 445,122 students at the MA level; 35,454 at the PhD level. In 2017/2018, the number of students decreased to 774,076 students at the BA level; 365,768 students at the MA level; 26,432 students at the PhD level. The reasons for the decrease are: 1) annexation of the Crimea by Russia; 2) control of parts of Donetsk and Luhansk Regions by pro-Russian separatists; 3) a growing number of Ukrainian students who study abroad, especially in Poland, etc.

The general dynamics of the number of students during last academic years can be seen from table 1.

Table 1. Official statistics of the number of BA, MA and PhD students in Ukraine in 2010-2018

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
BA	1,433,590	1,270,327	1,153,791	1,072,194	890,277	855,683	800,450	774,076
MA	491,504	473,858	445,122	413,471	346,657	322,116	377,572	365,768
PhD	36,214	35,823	35,454	33,313	30,031	30,308	27,755	26,432

At the beginning of the 2018/2019 academic year, in Ukraine there were 370 colleges, technical and vocational schools (among them, 320 state or municipal and 50 private ones) and 282 universities, academies and institutes (among them, 209 state or municipal and 73 private ones). In 2012/2013, in Ukraine there were 469 colleges, technical and vocational schools (among them, 399 state or municipal and 70 private ones) and 316 universities, academies and institutes (among them, 220 state or municipal and 96 private ones). The general number of colleges, technical and vocational schools as well as universities, academies and institutes with the number of students in each group of higher education institutions can be seen from tables 2 and 3:

¹⁵² State Statistics Service of Ukraine. – URL: <http://www.ukrstat.gov.ua/>

Table 2. Official statistics of the number of colleges, technical and vocational schools and of the number of students at them

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Number of HEIs	483	479	469	458	387	371	370	372	370
State	406	406	399	391	323	317	318	321	320
Private	77	73	70	67	64	54	52	51	50
Number of students	351,444	347,225	335,863	319,595	251,271	230,110	217,322	208,601	199,926
State	125,124	102,225	96,710	90,936	69,463	63,160	60,639	59,129	53,473
Private	107,416	94,001	89,831	88,664	79,090	73,390	67,987	61,230	55,499

Table 3. Official statistics of the number of universities, academies and institutes and of the number of students at them

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Number of HEIs	330	326	316	309	277	288	287	289	282
State	231	227	220	218	197	208	209	212	209
Private	99	99	96	91	80	80	78	77	73
Number of students	2,066,667	1,899,138	1,770,311	1,637,287	1,437,955	1,375,160	1,369,432	1,329,964	1,322,324

According to the data¹⁵³ in the 2017/2018 academic year, in Ukraine there were 26,954 teachers and researchers at the college level and 129,383 teachers and researchers at the university level. In 2018/2019, the number of teachers and researchers at the college level decreased to 25,943 and at university level to 127,034.

The expenditures for higher education in 2010-2017, according to the Major Indicators of Higher Education in Ukraine (2017)¹⁵⁴ and Higher Education in Ukraine: Statistical Data¹⁵⁵, are provided in table 4:

Table 4. Expenditures for higher education from the state budget of Ukraine in 2010-2017

Year	Total amount (mln hryvnas)	% of general budget expenditures	% of GDP	% of general expenditures on education
2010	24,998.4	6.6	2.3	31.3
2014	28,340.5	5.4	1.8	28.3
2015	30,981.8	4.6	1.6	27.1
2016	35,233.6	4.2	1.5	27.2
2017	38681.1	3.7	-	21.8

¹⁵³ Higher Education in Ukraine in 2017: Statistical Data. – URL: http://www.ukrstat.gov.ua/druk/publicat/kat_u/publosvita_u.htm

¹⁵⁴ Major Indicators of Higher Education in Ukraine (2017). –URL: http://www.ukrstat.gov.ua/druk/publicat/kat_u/2017/bl/01/BL_VNZ_16.zip

¹⁵⁵ Higher Education in Ukraine in 2017: Statistic Data. – URL: http://www.ukrstat.gov.ua/druk/publicat/kat_u/publosvita_u.htm

1. Academic freedom

The term “academic freedom” is presented in the system of legal regulations of Ukraine and its fundamental laws – the Higher Education Law (01/07/2014)¹⁵⁶ and the Education Law (05/09/2017)¹⁵⁷. The Education Law (05/09/2017) states that: “academic freedom is independence and self-determination of participants of the education process during education, academic and research or innovation activities which are based on the principles of freedom of speech, thought and creativity, spreading knowledge and information, free disclosure and use of the results of academic research with the restrictions which are legally regulated” (article 1)¹⁵⁸. According to article 54-1 of the Education Law (05/09/2017), all education, education and academic and academic staff have the right to academic freedom, including “the freedom of teaching, freedom from interference into education, education and academic as well as academic activities, free choice of goals, methods and means of teaching corresponding to education programs.”¹⁵⁹

The typical practice for Ukraine for recruiting faculty members is a contract for a certain period of time. According to article 55-6 of the Higher Education Law, they are appointed and dismissed by the decision of the head of higher education institution and expect to pass through the process of attestation every 5 years. The reason for dismissal of faculty members could be the violation of the conditions of the contract.

According to the Higher Education Law (01/07/2014), representatives of students shall have at least 10% of places at the academic board – the collegiate body of governance at the higher educational institution (article 36 of the Higher Education Law (01/07/2014)). According to article 39, a general meeting or conference is the highest body of self-governance at the higher education institution and students shall have at least 15% among the members of this body. Article 40 of this Law states that student self-governance and its body are an essential part of the system of self-governance at the higher education institution and protect the rights and interests of students.

2. Institutional autonomy

2.1 Organisational autonomy

According to article 42 of the Higher Education Law (01/07/2014), the founders of a higher education institution shall announce an open call for the position of rector and then to select the candidates for this position. Faculty members (at least 75%), representatives of the supporting staff (at least 10%) and students (at least 15%) elect the rector. Each candidate to

¹⁵⁶ Higher Education Law. – URL: <https://zakon.rada.gov.ua/laws/show/1556-18>

¹⁵⁷ Education Law. – URL: <https://zakon.rada.gov.ua/laws/show/2145->

¹⁵⁸ Education Law. – URL: <https://zakon.rada.gov.ua/laws/show/2145-19#n8>

¹⁵⁹ Education Law. – URL: <https://zakon.rada.gov.ua/laws/show/2145-19>

the rector's position shall know the national language, have a teaching and academic degree and the working experience as a faculty member of at least 10 years. As the results of the election, the founders shall sign a contract with the rector elect for five years. It is impossible

Analyses & Roadmap mentioned: “While it is positive that the Ministry cannot interfere in the rector's elections anymore and that universities obtained the right to create legal entities, the impact of the prescribed term of office of the rector on the score is slightly negative”¹⁶⁰

The rector of a higher education institution may be dismissed by the founders or by the highest body of civil self-governance for violation of the Labour Code, the statute of the higher education institution or the contractual requirements. The appeal for resignation of the rector should be approved by a majority of the members of the highest body of civil self-governance (article 42 of the Higher Education Law (01/07/2014)).

The highest collegiate body of governance at the higher education institution is the academic board, which is responsible for strategic decisions. The representatives of the employees could be members of the academic board upon the relevant resolution of the academic board (article 36-4 of the Higher Education Law (01/07/2014)). The academic board of the higher education institution is responsible for establishing, reorganisation and liquidation of units upon the relevant application of the rector (article 36-2 of the Higher Education Law (01/07/2014)).

Besides, the higher education institution shall have a supervisory board for control of property issues and commitment to the goals of the higher education institution (article 37 of the Higher Education Law (01/07/2014)). The establishment of the supervisory board is governed by the statute of the higher education institution. The representative of the higher education institution may not be a member of the supervisory board (article 37 of the Higher Education Law (01/07/2014)).

The higher education institution may be the founder or co-founder of other legal entities operating in the area of teaching, research, production, and innovation and/or activities described in the statute of the higher education institution (article 27-3 of the Higher Education Law (01/07/2014)).

2.2. Financial autonomy

According to the Budget Code of Ukraine (2010),¹⁶¹ the budget period is one year starting on 1 January and ending on 31 December of each year. The line-item method of budgeting continues to be used in Ukraine. It is prohibited to use the surplus for state higher education institutions (Budget Code of Ukraine (2010)). Thus, the recommendations of the authors of ATHENA University Autonomy in Ukraine: Analyses & Roadmap (2015) state that: “line-item budgets should be removed and replaced with block grants which can be freely allocated internally by universities” and “all institutions should be permitted to keep a surplus and borrow money on the financial markets”¹⁶² have not been complied with yet.

Private higher education institutions have no restrictions for borrowing money in the financial

¹⁶⁰ ATHENA University Autonomy in Ukraine: Analyses & Roadmap. – URL: <https://www.athena-tempus.eu/images/ATHENA%20analysis%20and%20roadmap%20for%20UKRAINE.pdf>

¹⁶¹ Budget Code of Ukraine. – URL: <https://zakon.rada.gov.ua/laws/show/2456-17>

¹⁶² ATHENA University Autonomy in Ukraine: Analyses & Roadmap. – URL: <https://www.athena-tempus.eu/images/ATHENA%20analysis%20and%20roadmap%20for%20UKRAINE.pdf>

market. At the same time, state higher education institutions are prohibited from borrowing money in the financial market.

According to article 70-1 of the Higher Education Law (01/07/2014), the founder (founders) may assign use or ownership of buildings and other materials and technical items to higher education institutions. According to article 70-2 of the Higher Education Law (01/07/2014), the property is in use of state and communal higher education institutions.

The tuition fee is mentioned in the contract the typical form of which is approved by the Cabinet of Ministers of Ukraine. The order of calculating the tuition fee is approved by the governmental agencies (article 73-6 of the Higher Education Law (01/07/2014)).

2.3. Staffing autonomy

In Ukraine, the academic board of the higher education institution has the right to elect associate professors and professors on the competitive basis. Other responsibilities of the academic board include election of deans, chairs and other administrative staff on the competitive basis (article 36-7 of the Higher Education Law (01/07/2014)). The basic salary is restricted by the staff schedule which is approved by the governmental agencies.

Dismissal of the academic personal could be possible due to the conditions of the contract. For the administrative personal, the process of dismissal is regulated by article 43 of the Higher Education Law (01/07/2014) and may be possible in case of violation of the provisions of the statute of the higher education institution and the contractual terms. The university may have its own conditions for carrier development of its staff but they are restricted by the possibility to have an open position.

The authors of ATHENA University Autonomy in Ukraine (2015): Analyses & Roadmap (2015) stated that: “While recruitment and dismissal of university employees is clearly a responsibility of the university leadership, the law continues to include various related provisions for the top executives at the different level of institutions. A positive evolution would be for these elements to be incorporated in the university statutes, removing the high level of detail regarding internal staffing structures out of primary regulation (notably arts. 55-58). It also appears that promotion possibilities are still heavily constrained. Similarly, the law contains many details regarding the pay increments (art. 59). However, this is nothing that can be measured with the scorecard and therefore the new provisions with regard to staffing do not have any impact on the previous scoring.”¹⁶³

2.4. Academic autonomy

Each year, the academic board of the higher education institution approves the general rules for admission for teaching. These general rules shall comply with the Terms for Admission for Teaching at Higher Education Institutions approved by the Ministry of Education and Science of Ukraine prior to 15 October of each year. Higher education institutions approve the criteria for admission. These criteria should comply with the Terms for Admission for Teaching at Higher Education Institutions approved by the Ministry of Education and Science of Ukraine (article 44 of the Higher Education Law (01/07/2014)).

Ukrainian higher education institutions may design and implement education programs in the framework of the licencing area of teaching. Higher education institutions may terminate

¹⁶³ ATHENA University Autonomy in Ukraine: Analyses & Roadmap. – URL: <https://www.athena-tempus.eu/images/ATHENA%20analysis%20and%20roadmap%20for%20UKRAINE.pdf>

education programs (article 32-2 of the Higher Education Law (01/07/2014)). The language of teaching at higher education institutions is the national language – Ukrainian. Higher education institution may resolve to teach one or several subjects in English or other foreign languages (article 48 of the Higher Education Law (01/07/2014)). In the 2018/2019 academic years, 99.8% of students of colleges, technical and vocational schools studied in Ukrainian and 0.2% in Russian. At the level of universities, academies, and institutes, 99% of students studied in Ukrainian, 0.6% in Russian, 0.3% in English, and 0.1% in Hungarian.¹⁶⁴

The mechanisms of quality assurance are incorporated in the processes of licencing and accreditation. According to article 17 of the Higher Education Law (01/07/2014), the National Agency for Quality Assurance in Higher Education is expected to be the key agent in this area but due to different reasons it started to work in 2019 only.

Education programs should comply with the standards approved by the governmental agencies. Analysing the new system of legal regulation at Ukrainian higher education, the authors of ATHENA University Autonomy in Ukraine (2015): Analyses & Roadmap (2015) mentioned that: “There still seems to be a high level of state involvement in the selection of students, with the detailed modalities for the selection process provided in the law (art. 44). Also, ...the Ministry continues to decide on state-funded places, but the law offers a number of minimal guarantees to institutions as the minimum and distribution modalities of these state-funded places... One of the main evolutions in the field of academic autonomy appears to be the setting up of an independent National Agency for Higher Education Quality Assurance which once established will be in charge of accreditation and external quality assurance previously undertaken by Ministry... A very positive development is the removal of obligatory course content. The new law provides universities with greater freedom to design their curricula.”¹⁶⁵

3. Academic integrity

According to the results of the Academic Culture of Ukrainian Students: the Main Factors of Shaping and Development Project (2015),¹⁶⁵ over 90% of the respondents among the Ukrainian students (n = 1,928) use plagiarism in different forms. Among the main practices of plagiarism, the respondents mentioned: 49% – rewriting the sources in their own words without reference; 37% – downloading essays and other works from various online sources; 31% – using (in part or in full) texts of other authors without reference; 28% – using texts of other authors while changing the order of words without reference; 26% – using texts with false references; 18% – translating texts in foreign languages into Ukrainian and using them without reference; 12% – joining the group work without participation in producing text. 32% of students think that irrelevance of knowledge and the grade is the result of buying course works, diploma theses, and other written assignments. According to the OECD Review of Integrity in Education: Ukraine 2017, “34% of students and 24% of educators listed the buying of finalized papers from companies, who specialized in this market among the methods used by students who do not complete their written assignments independently (IED, 2015)”. The main reason for academic dishonesty is tolerance toward plagiarism among students and faculty members.

It is important that the Education Law (05/09/2017) has a special article 42 which provides the definition of academic integrity as well as the main forms of its violation with the relevant sanctions for the first time in the Ukrainian history.

¹⁶⁴ <http://www.ukrstat.gov.ua/>

¹⁶⁵ <https://www.athena-tempus.eu/images/ATHENA%20analysis%20and%20roadmap%20for%20UKRAINE.pdf>

During the recent years, use of anti-plagiarism software became widespread in Ukraine. This approach is supported by the Ministry of Education and Science of Ukraine the official representatives of which signed several agreements with the relevant companies – e.g., with the Polish Plagiat.pl and Unicheck in 2018.

4. Corruption in higher education

Several interviews with experts which I had demonstrate that distribution of the budget funds in the Ukrainian higher education is not a transparent process and has no clear mechanism of regulation. Thus, unfortunately, we have powerful prerequisites for corruption in this area. There is a limited number of attempts to calculate the damage from corruption in higher education – one such attempt is presented here.¹⁶⁶

During the opinion poll conducted by the Institute of Social and Political Psychology, the National Academy of Education Sciences of Ukraine on request of the Institute of Leadership, Innovations, and Development NGO on 7-13 October 2016, bribery and corruption were identified by the respondents as the greatest issue of the Ukrainian higher education (39.2%). Next, the respondents mentioned a low level of motivation among the students (26.1%); non-compliance of professional training with modern requirements (21.1%); insufficient funding and technical infrastructure (18.3%); lack of basic knowledge among entrants (17.2%); a low level of professors' salaries (13.4%), and academic dishonesty (11.4%).¹⁶⁷

According to the opinion poll among the students conducted by Democratic Initiatives together with the Ukrainian Sociology Service in March 2015,²¹ 33.7% of the respondents faced corruption in higher education (in 2011, 33.2%); 26.1% heard about such cases from the people who faced it (in 2011, 29.1%); 40.3% did not face corruption (in 2011, 37.7%). Regarding the forms of corruption, 28.5% mentioned that they made gifts to faculty members (in 2011, 31.5%); 22.4% provided various services to faculty members (including buying of their textbooks) while in 2011 there were 26.8% of such cases; 19.4% bought written assignments, course or diploma work (in 2011, 21.4%); 18.4% paid for passing examinations (in 2011, 24.4%); 44.6% never did any such things (in 2011, 31.5%). Regarding the causes of corruption, 47.1% of the respondents mentioned laziness of students and low motivation to study (in 2011, 45.6%); 43.7% mentioned decreasing value of higher education and necessity to receive the degree only (in 2011, 35.6%); 32.1% noted low salaries among faculty members (in 2011, 28.5%); 23.7% mentioned moral degradation (in 2011, 29.9%); 23.1% mentioned lack of time for students who need to combine work and study (in 2011, 22.6%) and 18.1% noted absence of efficient methods to combat corruption (in 2011, 20.8%). Regarding the attitude of students towards corruption at higher education institutions and necessity to combat it, in 2015, 55.9% of the respondents agreed with the statement that it is important because corruption destroys the system of education; 32.3% that such combat is useful but there is low probability that it would be successful and 3.7% mentioned that corruption is something normal.

¹⁶⁶ <https://ideas.repec.org/p/unm/unumer/2018021.html>

¹⁶⁷ Evaluation of the Potential of the Society for Reform of the Education System in Ukraine. – K.: Priority, 2017. – 96 p.

5. Inclusiveness in higher education

The Ukrainian state provides education for persons with special needs at all education levels and prepares specialists for such a type of work (article 19 of the Education Law (05/09/2017)). The specific features of inclusive education are governed by article 20 of this Law.

Regarding the age distribution, among 1,586,754 students in the 2016/2017 academic year, there were 20,437 students who were 26 years old; 17,453 who were 27 years old; 15,391 who were 28 years old; 14,799 who were 29 years old; 45,099 who were 30-34 years old, and 54,621 who were 35 and older¹⁶⁸. On 1 January 2019, there were 20,799 students who were 26 years old; 17,680 who were 27 years old; 15,156 who were 28 years old; 13,176 who were 29 years old; 43,941 who were 30-34 years old; 64,412 who were 35 years old and older¹⁶⁹.

The official Ukrainian statistic presents the number of orphans or students without parental care. In the 2018/2019 academic year, there were 3,080 such students at colleges, technical and vocational schools and 4,838 at universities, academies and institutes¹⁷⁰. In the 2017/2018 academic year there were 3,048 such students at colleges, technical and vocational schools and 4,927 at universities, academies and institutes¹⁷¹. In the 2016/2017 academic year, there were 2,846 such students at colleges, technical and vocational schools and 4,607 at universities, academies and institutes¹⁷². As we see, this category of students has the tendency to increase, maybe due to the violent conflict with the pro-Russian separatists in the Donbas region.

According to A. V. Shevchuk¹⁷³, there were 19,573 students with special needs (0.95%) among the Ukrainian students in the 2013/2014 academic year; 16,417 (0.97%) in 2014/2015 and 16,090 (1%) in 2015/2016.

The information on gender balance among the Ukrainian students according to the data ¹⁷⁴ and ¹⁷⁵ is provided in table 5:

Table 5. Index of gender balance among Ukrainian students

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
BA level	1,166	1,130	1,121	1,093	1,083	1,074	1,081
MA level	1,396	1,385	1,366	1,290	1,296	1,278	1,243
PhD level	1,478	1,498	1,481	1,510	1,469	1,145	1,099

The general information about gender distribution according to the area of study in 2016/2017¹⁷⁶ is presented in table 6:

¹⁶⁸ http://www.ukrstat.gov.ua/druk/publicat/kat_u/2017/bl/01/BL_VNZ_16.zip

¹⁶⁹ Higher Education in Ukraine in 2018: Statistic Data. – URL: <http://www.ukrstat.gov.ua/>

¹⁷⁰ Ibid.

¹⁷¹ http://www.ukrstat.gov.ua/druk/publicat/kat_u/publosvita_u.htm

¹⁷² Ibid.

¹⁷³ <http://molodyvcheny.in.ua/files/journal/2018/1/194.pdf>

¹⁷⁴ Male and Female in Ukraine: Statistic Data. - URL: http://www.ukrstat.gov.ua/druk/publicat/kat_u/publzahist_u.htm

¹⁷⁵ Higher Education in Ukraine in 2017: Statistic Data. – URL: http://www.ukrstat.gov.ua/druk/publicat/kat_u/publosvita_u.htm

¹⁷⁶ Male and Female in Ukraine: Statistic Data. - URL: http://www.ukrstat.gov.ua/druk/publicat/kat_u/publzahist_u.htm

Table 6. Gender distribution according to the area of study among Ukrainian students in 2016/2017

Area	Female %	Male%
Humanities	80.5	19.5
Theology	17.3	82.7
Biology	80.7	19.3
Mathematics And Statistics	44.9	55.1
Military And Security	3.9	96.1

According to Iryna Kohut¹⁷⁷, in 2014, among the 234 rectors of universities, academies and institutes there were only 20 females (9%), among vice rectors 228 females and 763 males (17 higher education institutions in this category had no information about vice rectors on their web sites). There was a regression of the percentage of women with the increase of the level of the academic degree: there were 76% of women among teachers with the BA degree; 69% with the MA degree; 43% with the PhD degree and 33% with the PhD with Habilitation degree.

6. Conclusion and recommendations

1. In 2014-2018, legal regulation of higher education in Ukraine was improved according to the European standards and approaches. First of all, this is reflected in two fundamental laws: Higher Education Law (2014) and Education Law (2017). Among other numerous innovations of the Higher Education Law (2014), we need to mention the idea of establishing a new institution – the National Agency for Quality Assurance in Higher Education – which means transfer of power in this area from the governmental agencies to independent institutions with representation of the interests of main stakeholders. In the Education Law (2017), a special article about academic integrity and forms of its violation and protection was presented for the first time in the Ukrainian history, as far as special stress on inclusiveness in higher education was made. It is important to spread information about these and other progressive legal innovations among the representatives of the main target audiences with explanation of their rights and possibilities in this new legal context.

2. Although the legal background of regulating the relations in the area of higher education improved and became much more compliant with the European standards and approaches than it was 10 years ago, some of these progressive norms are not implemented in practice and continue to exist in writing only. First of all, this happened due to financial reasons and resistance of the rectors a majority of which are the representatives of the old generation of education managers. The recommendation here is to work actively with implementation of the progressive norms in everyday practice and to encourage engagement of the representatives of faculty members and, especially, students in the processes of governance at the level of higher education institutions and at the national level (through different professional unions, trade

¹⁷⁷ Kohut, Iryna What is the Difference between Man and Woman: about Gender (In)equality in Higher Education. – URL: <https://cedos.org.ua/uk/articles/chym-vidrizniaiutsia-zhinky-i-choloviky-pro-hendernu-ne-rivnist-u-vyshchii-osviti>

unions, and other non-governmental organisations). Also, it would be good to establish a database with the information regarding the rectors and other leaders of the Ukrainian higher education institutions with the relevant statistical data about them.

3. It is crucial to improve the situation with financial autonomy at state higher education institutions which operation is currently restricted, first of all, due to the current Budget Code. It would be important to make changes to this document to increase the level of financial autonomy among state higher education institutions. This would enforce them to be much more active actors in the economic market and stimulate their operation in the financial area.

4. It would be good to improve the situation with the statistical data regarding inclusiveness in higher education at the national level. E.g., the web site of the Ministry of Education and Science of Ukraine presents numerous materials regarding inclusiveness in secondary education; it would be good to add the relevant data on higher education to these records. Besides, the statistical data regarding the faculty and administrative personnel of higher education institutions presented in open sources needs to be expanded in terms of presentation of gender balance and other issues

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Victor Gotisan starting with 2016 is the country expert for the Eastern Partnership Index (EaP Index), researching education, media and cultural issues of the Republic of Moldova. From 2016 he is the author of the Moldova's `Nations in Transit` report by Freedom House. He provides consultancy on media issues for Baltic Centre for Media Excellence (Riga, Latvia), Open Society European Policy Institute (Brussels, Belgium), Deutsche Welle Academy (Bonn, Germany), Soros Foundation Moldova (Chisinau, Moldova) and Independent Journalism Center from Moldova (Chisinau, Moldova). Mr. Gotisan graduated with a BA in philosophy (2006) and earned his MA studies in anthropology (2007) at the Moldova State University (Republic of Moldova); and history (2013) at the University of Warsaw (Poland).

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