

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RECOMMENDATION No. R (85) 21

OF THE COMMITTEE OF MINISTERS TO MEMBER STATES

ON MOBILITY OF ACADEMIC STAFF

*(Adopted by the Committee of Ministers on 25 October 1985
at the 389th meeting of the Ministers' Deputies)*

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

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

Having regard to the European Cultural Convention;

Having regard to the European Convention on the Academic Recognition of University Qualifications;

Having regard to the political declaration and the Resolution on mobility of researchers in Europe adopted by the European Ministers responsible for Research (Paris, 17 September 1984);

Considering that the Council of Europe has always encouraged academic mobility without any form of racial, religious, political or sexual discrimination;

Considering that the political, economic, social, cultural, educational and scientific interdependence between the states parties to the European Cultural Convention, and between those states and others, is getting closer and more intensive;

Considering that mobility of academic staff should contribute to the quality of scientific research, the renewal of teaching and its contribution to European integration, first in the universities, then in the educative systems as a whole, and lastly in all regional and national cultural activities;

Considering that for the purpose of this recommendation the term "university" shall be understood in its broadest sense, that is to say implying:

- i. universities; and
- ii. those other institutions of higher education and research not having the title of university but regarded as undertaking work of a generally equal nature by the competent authorities of the state in whose territory they are situated,

I. Recommends the governments of member states:

a. to take account, in the establishment of their policies affecting universities, of the principles set out at the appendix hereto or to draw them to the attention of the competent bodies concerned, so that they can be considered and, where practicable and appropriate, taken into account;

b. to ensure that this recommendation is distributed as widely as possible among all persons and bodies concerned with matters of academic staff mobility;

II. Instructs the Secretary General of the Council of Europe to transmit this recommendation to the governments of those states parties to the European Cultural Convention which are not members of the Council of Europe.

*Principles for the formulation of policies
regarding mobility of academic staff*

1. Throughout Europe it should be possible in principle to fill the posts occupied by professors and other academic staff members at universities with foreigners, without requiring the latter to give up their nationality. In such cases formal controls and measures under the laws governing aliens (for example, extension of the residence permits for a limited period of time only) should be eased. Furthermore, access to a university position should not be hindered by pension scheme problems.
2. To encourage teaching and research the universities should have the right to recruit foreign academics as visiting professors or visiting lecturers for fixed periods (say, three to twelve months) in the appropriate disciplines and subjects. Moreover, it should be possible to recruit foreign academics for from one week to several months to hold paid lectures and series of lectures and for research. Such staff may also, if it is appropriate for the local audience and if the respective departments agree, use their mother tongue for teaching purposes.
3. Universities should be in a position to make sure that resources are available to support visiting professors or visiting lecturers and for other research, teaching and lecturing activities carried out by foreign academics. It should be ensured that the necessity for expenditure on guest academics is recognised in principle and that the supervising authorities make serious efforts to make available the necessary funds.
4. In each country academic staff should be entitled to paid study leave or research leave abroad after a specific number of years of teaching.
5. Where practicable, professors and other (particularly younger) academics should be able to take leave for limited periods of time (in general for a maximum of two years) without pay or with part-pay for teaching and research activities at universities.

Regarding salary levels, seniority and pension rights, it should be possible to retain membership in the national pension scheme during the periods of leave for activities abroad, although it may be necessary for the academic concerned to pay the full contributions himself.
6. To the extent that unpaid leave is not possible for legal reasons, in specific cases it should be possible to give younger academics an assurance that they will be allowed to return to their former or to a comparable position in their home country on the conclusion of a fixed period of academic activity abroad.
7. To the extent that specific additional costs occurring during the stay of professors and academics at foreign universities (travelling expenses, removal expenses, insurance contributions among other expenses) cannot be met from normal university funds or other funds (private foundations, etc.), the provision of the necessary resources for instance from central national funds would be helpful and effective.
8. It should be examined whether essentially uniform principles can be applied in each country concerning the tax treatment of fellowships and other payments rendering periods of work abroad possible (for example, travel expenses).