

Ursula von der Leyen
President of the European Commission

Dear President,

Concerning the Council Implementing Decision (EU) 2022/2506 of 15 December 2022, which excluded 182 thousand students – among them 30 thousand international students – and 18 thousand researchers from the Erasmus+, Horizon Europe and other direct EU-funded programmes from the universities in Hungary that have changed model (universities maintained by a public interest trust established based on the Hungarian Act IX of 2021), we, the rectors of the universities concerned, make the following statement and request your immediate action.

Hungary's 650-year historical tradition in higher education has provided the world with many Nobel Prize-winning researchers, distinguished teachers, and world-famous inventions. In light of this history and tradition, we consider the unprecedented measures taken against the Hungarian higher education sector unacceptable. The Council Decision – promulgated on a European Commission proposal – entered into force immediately without the universities concerned having been consulted or asked for their opinion beforehand. The first official Commission inquiry for information – a consultation with the Commission on 15 February 2023 – occurred a month and a half after the decisions. Commissioner Mariya Gabriel and Commissioner Johannes Hahn received the meeting minutes, summary and our related opinions.

During the 15 February 2023 meeting, we perceived no willingness to review the relevant Council decision. Meanwhile, the damage to Hungarian universities, education and research communities grows more severe. The number of students and researchers unfairly excluded from research and cooperation opportunities continues to swell. We call on behalf of all universities concerned for an immediate resolution of this unjust situation and expeditious reparation for the damages caused. The relevant Council decision restricts the freedom of education and research. It also renders those affected to the rank of second-class citizens within the European Union, a severe breach of the principle of equality between EU citizens.

When asked about the reasons behind the Council's decision, the Commission's representatives accused the public interest trusts of restricting the educational and research autonomy of the Hungarian universities the trusts oversee. The accusation is baseless. Since their inception, public interest trusts have ensured education and research autonomy. The new model has made Hungarian universities more competitive.

We should point out that the change of model has been achieved with the supportive two-third majority decisions of the autonomous bodies of universities, the Senates. According to the law on national higher education, the rights and obligations of the supervisors are the same, regardless of who exercises them. Non-state universities include model-changing universities, ecclesiastical universities and other private universities. The regulation of these does not differ and has been uniform for 12 years.

Hungarian law does not allow the Board of Trustees to take over the Senate's powers in academic matters. The Higher Education Act stipulates that the Board of Trustees may not interfere with the independence of the higher education institution, it is guaranteed in matters relating to the academic subject and teaching and research content. In particular, the Senate decides on the educational and research strategy of the institution concerned and typically elects

the rector, the university's main leader, from among several candidates. Furthermore, the Board of Trustees has no influence in a university's training and research portfolio.

There are 105 trustees in the 21 institutions considered model changers. Until 15 February 2023, all state leaders (10) have resigned from their positions on the Board of Trustees at their discretion. Also, the low involvement demonstrates that there was no political predominance. The Board of Trustees is a body whose members represent sectors related to a university's profile. Most Board of Trustee members come from the academic sector. It has been our experience that the members support the implementation of the university strategies and communicate the needs of society and the economy to our universities.

We can therefore say that the new operating model does not involve political or any kind of pressure from the public interest trusts.

The universities and the public interest trusts which maintain them are classified as part of the government sector, thus ensuring transparent accountability in line with EU institutional counterparts. The 25-year framework agreement and the 6-year public service funding contract are based on student numbers, research staff, infrastructure size and related performance. And this means that funding for our universities has increased by an average of 2.5 times.

The new model is more competitive and more responsive to economic and social needs, and the results are already visible.

- Our universities have made significant progress in the major international rankings, with 7 institutions in the top 5% of the Times Higher Education rankings four years ago, 9 two years ago and 11 this year (of which 9 are maintained by public interest trusts).
- Publications indexed in international databases for model-changing universities have increased by 18% in one year, and the number of publications in the top 50% in 2021 for model-changing universities has increased by 26%.
- The number of foreign students increased by 65% compared to 2013, to nearly 41,730.
- By 2021, the R&D&I expenditure of the model-changing universities increased by nearly 40%; the number of researchers increased by 15%.
- International EU collaborations produce a significant share of Hungarian academic publications (one in every two).

In light of the above, we consider the relevant decision unacceptable and call for its urgent resolution and immediate reparation for the damage to our community's dignity and prosperity.

We remain available for consultations with the European Commission. At the same time, we regret that the European Commission's prejudiced actions have limited and disabled the fundamental rights of our university citizens, thereby undermining the universal values of the European spirit.

06 March, 2023.

Sincerely,

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University of Veterinary Medicine

Prof. Dr. Előd Takáts
Rector
Corvinus University of Budapest

Prof. Dr. Balázs Heidrich
Rector
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Prof. Dr. Zoltán Szilvássy
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