



LEG-UNIGR: BLUEPRINT FOR A LEGAL ENTITY FOR CROSS-BORDER UNIVERSITY ALLIANCES

UniGR foundations – preliminary outputs





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1. Executive summary

This following output refers to the first specific objective of the Leg-UniGR project with the aim to document and share the experience of the University of the Greater Region (UniGR) in finding a suitable legal structure to operate. UniGR has a sustainable legal structure as a Luxembourgish association since 2015. This introductory document presents a first overview on the UniGR legal legacy and will be followed by an in-depth report on the genesis of the first legal structure and its relevance for the sustainability of the university grouping. Governance discussion and the participation of national, regional, and local authorities will be covered, including the documents which drove the inquiring for a change of legal status.

2. Origin

The University of the Greater (UniGR) was created with the support of a grant from the European Union as part of the Interreg IV A Grande Région programme. Endorsed in September 2008, the "Université de la Grande Région" project began on 15 October 2008 and ended on 14 April 2013. In addition to co-funding from the European Union, the project was supported by the six partner universities, as well as by the federal states and regions of Saarland, Wallonia, Lorraine, and Rhineland-Palatinate.

This strategic project was the first step towards a coordinated association of universities in the Greater Region to foster a higher education and research coordination in this region.

At the end of the Interreg IV A project, one of the key points to address was the continuation of the cross-border collaboration with the two following questions:

- What would be the general objective of UniGR?
- What will be the structure which could home the activities of UniGR if it is maintained?

3. First steps

Through a memorandum of understanding, the partner universities decided to continue to cooperate after the end of the Interreg IV A project.

In 2013, a roadmap was designed with the following items:

1. Define the operational parameters of the future organisation.
2. Choose the legal form and location of the head office.
3. Draw up the articles of association for the new organisation.
4. Draw up the first budget and work programme.
5. Set up the cooperation body.

The Central Office of UniGR was tasked to:

1. Oversee and coordinating the collaborative work of universities in the target areas.
2. Lead the networks that have been set up.





3. Fundraising.
4. Financing high-potential projects.
5. Lobbying.
6. Shared communication and university representation.
7. Support for language learning and the acquisition of intercultural skills.
8. Support for collaboration and project implementation (financial and logistical support for translation services, and expertise in cross-border cooperation issues).
9. Continuing, updating, and evaluating joint activities launched during the Interreg project (website, expert groups, databases, student status, doctoral student label).

The duration of the grouping was seen as being long-term, to maintain education and research collaboration within the Greater Region between Technische Universität Kaiserslautern, University of Liège, Université de Lorraine, University of Luxembourg, Saarland University, and Trier University.

4. First discussion on the creation of a legal status for the grouping - why, how, what.

In 2014, a meeting was set between the legal services of the partner universities and representatives of UniGR to evaluate the option of a legal status for the grouping.

WHY: The general objective was “to establish a permanent university grouping by creating a common legal status. The primary objective of this legal status should be to detach the posts of UniGR Director and UniGR Coordinator, which are currently attached to Saarland University”.

HOW: Draw up a proposal for the attention of the presidents and rectors, with a view to providing the "Université de la Grande Région" consortium with an appropriate legal status. One of the key issues was linked to limitation of liability. At that time, the Rhineland-Palatinate Higher Education Act stipulated that "the university's liability must be limited to a given contribution, adapted to its capacity". For example, the liability of the members of a European Grouping of Territorial Cooperation corresponds to the amount of each member's share. Under certain conditions it is possible to limit their liability, for example when national law provides for limited liability for one of the members. However, this is not the case for German universities, which would therefore have unlimited liability towards the EGTC. In principle, the terms of the Rhineland-Palatinate Higher Education Act are unambiguous: they only authorise participation in bodies with limited liability.

Mid-2014, in view of the difficulties encountered by the universities of Rhineland-Palatinate, the members of the Council decided to abandon the idea of creating a European legal form, and to concentrate on the creation of a legal form under national law corresponding to the missions that the UniGR Grouping has set itself and to the legal criteria of the various members of the Grouping.

End 2014, the presidents and rectors of the partner universities decided to focus future discussions on not-for-profit and international not-for-profit associations (ASBL/AISBL). The Central Office was instructed to clarify the remaining questions, in view of reaching a final decision in June 2015.

WHAT: End 2015, a final decision was taken for the creation of an ASBL under Luxembourgish law, to be established in 2016. The first general assembly of “UniGR a.s.b.l.” took place in June 2016.





5. Conclusion

Since, UniGR has been operating under the status of a not-for-profit association registered in Luxembourg. The Central Office, which ensures the general management of UniGR, is in Saarbrücken, and UniGR Officers are distributed within the respective partner universities. As such, UniGR operates as a full cross-border and European structure fully dedicated to cross-border collaboration in higher education, research, and innovation within the Greater Region.

Even during the pandemic, the distributed management model of UniGR demonstrated its resilience. The main parts of this distributed management are:

- Each task has stakeholders and one person responsible; this may be from the Central Office or the UniGR Officers within the partner universities.
- Related tasks are combined to generate actions and to-dos required to accomplish the task; liability is shared by all actors.
- Task progress reporting is based on completed actions by individuals or group of individuals.

This feature is key in the productive interaction of all members of UniGR. This characteristic may be extended to other grouping of universities, Europe-wide, and serve as a model for Erasmus+ ‘European Universities’ alliances, as it facilitates objective definition, strategy implementation and rollout of results.

