



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

### **Event "UniGR foundation event and progress towards a new legal entity"**



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## 1. Executive summary

In the context of the Leg-UniGR project, the dissemination of good practices has a high significance. Accordingly, one of the objectives of the project is to document and share the experiences of the University of the Greater Region (UniGR) within the framework of a sustainable legal structure as a Luxembourg not-for-profit association. It represents additionally an opportunity to open the discussion to the transnational higher education community and to exchange ideas in a broader context on the question of a possible European legal status for alliances of higher education institutions.

The first dissemination event of Leg-UniGR took place on 16 October 2023, with the overall aim of presenting the legacy of the UniGR over the last 15 years and the motivation for transforming its current legal status from an association into a European legal status. The event marked the conclusion of Work package 2 - Legacy and builds on the previous reports *D2.1 UniGR foundations - preliminary outputs* and *D2.2 UniGR foundations*. The following document gives an overview of the event and the outcomes that can be drawn from it.

From a generic point of view, legal structures for cross-border operations remain a complex issue: if the establishment of the structure is obviously almost straightforward, its operation and particularly its financial operations is a matter of concern as rules and regulations differ between countries on specific aspects such as financial controlling, auditing, human resources contractualization, social protection or even personal taxation. These legal, regulatory, and administrative obstacles in a cross-border context are clearly to be tackled by the European Cross-border Mechanism (ECBM), as a potential tool to improve cross border cooperation<sup>1</sup>. The proposal should simplify the access to education, also preventing the increase of an unnecessary administrative burden. From a functional point of view, two main measures would be considered:

- promoting the direct involvement of regional and local authorities in the formulation of ad-hoc solutions to cross-border obstacles.
- preventing the increase of an unnecessary administrative burden.

It is very clear that the adoption of the new framework for cross-border cooperation in the EU - Border Regions' Instrument for Development and Growth in the EU (BridgeEU) adopted in the REGI Committee on 19 July 2023 is of considerable interest for transnational cross-border cooperation in higher education. Students are particularly mobile in these "special" regions.

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<sup>1</sup> [Proposal for a Regulation on a Mechanism to resolve legal and administrative obstacles in a cross-border context](#)



## 2. Summary of the event

The event "UniGR foundations and progress towards a new legal entity" aimed to present the first outputs of the Leg-UniGR project and took place on 16 October 2023 in the [Maison de la Grande Région](#) in Esch-sur-Alzette (Luxembourg). The location was chosen to provide a neutral setting outside of the partner universities. At the same time, the location has symbolic value, as it is the home to various actors in cross-border cooperation in the Greater Region (GR).

The event took place in a hybrid format to expand the scope and specially to enable attendees outside of the Greater Region to participate to the event. The primary target groups were:

- 1) Representatives of the European University alliances.
- 2) Higher education stakeholders in the Greater Region and Europe.

However, this session was open to a broader audience, so anyone who wished to learn more about the project could attend.

While 25 people registered on site, there were 45 online registrations prior to the event, reflecting the high interest in this topic. Apart from the project partners, mostly representatives from European University alliances and political representatives from the GR participated. In the end, there were 22 people on site and 30 online (see Annex I).

The event was opened in the morning by Professor Jens KREISEL, Rector of the University of Luxembourg, and Vice-president of the UniGR a.s.b.l., who emphasised the importance of cross-border and transnational cooperation in higher education and research.

It was followed by a project overview by the Leg-UniGR project coordinator (Professor Eric TSCHIRHART), who summarised the progress made so far and gave an outlook on the possible new legal status. The focus in this regard was laid on the complexity of introducing a European legal status for higher education institutions and the obstacles to be overcome.

Janosch NIEDEN, Director of Eucor - The European Campus EGTC, then presented the successful functioning of the cross-border university alliance under a European legal status. Eucor is the first European Grouping of Territorial Cooperation (EGTC) in the field of higher education and was founded in 2015. Its inception was based on the 'Universities of the Upper Rhine' association, originally founded in 1989 by two universities from Germany, two from France, and one from Switzerland. Since then, only two other European higher education alliances have adopted EGTC as their legal status. Janosch NIEDEN focused on the advantages and disadvantages that have emerged after eight years of cooperation under this legal status, within the knowledge square.

In the afternoon, the national EGTC contact point in Luxembourg, Matteo LORITO, legal advisor at the Ministry of Energy and Spatial Planning, presented the process for registering an EGTC in Luxembourg and highlighted the importance of engaging with the competent national or regional authority already in the preparatory phase.

The presentations were followed by a round table with the previous speakers as well as Florence JACQUEY (Director of EGTC Summit Secretariat of the Greater Region) and Daniel CODELLO (Cross-border and European policy coordinator at City of Esch-sur-Alzette) to discuss the EGTC as a legal status for cross-border and



transnational groupings. The focus here was on the current situation of EGTCs in the Greater Region and their societal impact on citizens and policy makers in the region.

The event was concluded by Florence JACQUEY, who highlighted the political importance of UniGR for the cross-border region and the support of the political authorities in the endeavour to change its legal status.

Post-event communication took place via social media, specifically LinkedIn (see Annex II), which was very favourably received, and via a follow-up on the [project website](#). The event was also reported in an online newspaper in Luxembourg (see Annex III), following an interview with the project coordinator on site.



### 3. Outcomes of the event

Three key elements emerged from the discussions.

#### I. Political support

It has become clear that to establish a European legal status, the political support of the Member States concerned is inevitable. Exchanges prior to creation are therefore a key element. Depending on previous experience of setting up an EGTC, however, identifying and communicating with the competent authorities can be difficult and time-consuming.

For example, the Luxembourg national authority indicated that it manages three EGTCs and participates in three others, which gives it solid experience and knowledge of EGTC creation. This has enabled it to set up a well-established support system and provide a high level of support to interested parties. However, this is not self-evident in every Member State or region.

Still, in the long term, this obstacle becomes an advantage. Once the Member States approve the creation of an EGTC and officially recognise it, a large visibility at European level is ensured and funding is mobilised at national and European level.

#### II. A European legal status

A European legal status was referred to explicitly in the Erasmus+ call for proposals: "Pilot institutionalised EU cooperation instruments to explore the feasibility for a **possible European legal status** for alliances of higher education institutions". Already during UniGR's first analysis in 2014 (see [D2.2 UniGR foundations](#)), it became apparent that the EGTC was probably the only European legal form which can be reasonably considered for cross-border collaboration between academic institutions. This factor was also confirmed by the Eucor alliance during its presentation at the Leg-UniGR event. Further, the study of the Committee of the Regions' activities relating to the EGTC also insists of the importance of cross-border collaboration in initial and tertiary education<sup>2</sup>.

In its 8 years of operation as EGTC, Eucor has identified several strengths and weaknesses, which are listed below:

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Strong commitment of member states</li> <li>• Long term perspective</li> <li>• Fundraising</li> <li>• Seed Money funding</li> <li>• Coordination of projects</li> </ul>	<ul style="list-style-type: none"> <li>• No access to Erasmus Charta</li> <li>• Strong dependency on National law, i.e., when hiring staff</li> <li>• Costs for legal and tax advice to be optimized.</li> <li>• Amendments of founding documents may be time consuming.</li> </ul>

<sup>2</sup> [Study on the European Grouping of Territorial Cooperation \(EGTC\)](#).



Although the EGTC provides a solid legal basis, especially regarding the visibility and credibility on national and European level, the legal personality has its limits within the academic field. One of them is that the legal structure *per se*, which coordinates the UniGR alliance, cannot be recognised as a HEI for now, and therefore is limited in European funding calls, especially for Erasmus+ which is the main EU programme to support higher education. All partners of UniGR have been awarded an Erasmus Charter for Higher Education (ECHE), which provides the general quality framework for European and international cooperation activities a higher education. By consolidation, UniGR should be able to fulfil the conditions of the ECHE. This outcome would clearly facilitate the establishment of cross-border cooperation in higher education at a much more interesting and higher level.



### III. European internal market

The European single market, also known as the European internal market or the European common market, is the single market comprising mainly the 27 member states of the European Union (EU). The "Four Freedoms" of the single market are:

- Free movement of goods.
- Free movement of capital.
- Freedom to establish and provide services.
- Free movement of people.

Most importantly for the European universities are obstacles which concern freedom to establish and provide services and free movement of people, including social protection, cross-border taxation avoidance, financial rules, and reporting/auditing to financially supporting organisations. All these currently depend on national law, by subsidiarity, and there is no legal basis to circumvent them.

Internal border regions cover 40 % of the EU's territory, account for 30 % of its population (150 million people) and are home to almost 2 million cross-border workers. In May 2018, the European Commission published a proposal for a regulation on a mechanism to resolve legal and administrative obstacles in a cross-border context (ECBM). Conceptually, the mechanism would enable the application, in a given Member State and in relation to a common cross-border region, of the laws of a neighbouring Member State if the laws of the former are a legal obstacle to the delivery of a joint project. Later, the proposal's compatibility with the Treaties, as well as the choice of legal instrument and its voluntary nature was questioned.

A new framework was elaborated and adopted by REGI Committee in July 2023 (Committee on Regional Development)<sup>3</sup>. It should simplify access to healthcare, education, and business opportunities in the cross-border context. Further, the European parliament adopted the corresponding resolution.<sup>4</sup>

For the time being, there are high expectations for the implementation of such a cross-border mechanism, which will facilitate higher education in Europe.

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<sup>3</sup> [REPORT with recommendations to the Commission on amending the proposed mechanism to resolve legal and administrative obstacles in a cross-border context](#)

<sup>4</sup> [European Parliament resolution of 14 September 2023 with recommendations to the Commission on amending the proposed mechanism to resolve legal and administrative obstacles in a cross-border context](#)





#### 4. Conclusion

The present report has summarised the first Leg-UniGR dissemination event discussing the foundations of UniGR and its progress towards a new legal entity. The event marked the successful conclusion of the second work package.

The outline of the systemic, structural, and sustainable institutional cooperation between the UniGR partner universities was crucial to show that UniGR has been playing a pioneering role in Europe, with a regional, national, and European recognition, as an experienced and sustainable cross-border European university alliance. At the same time, limits have been reached and there is a need to expand the existing framework for cooperation towards a true European university.

The participation of a total of 52 people during the event showed the interest and relevance of the topic of establishing a truly European legal status. In the discussions it became clear that the existing European legal status has limitations and that there is a need for optimisation to achieve the ambitious goals of European cooperation in education and research.

The next phase of the project will focus on finalising the draft EGTC statutes and convention for the UniGR alliance and ensuring that all administrative preparations for the transition to a new legal form are completed.

## ANNEX I: LIST OF PARTICIPANTS

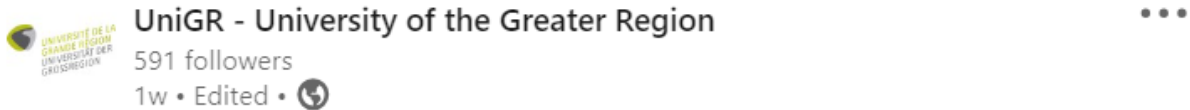
	Name	Institution
<b>ONLINE</b>	CHAUVEL Louis-Marie	Université Savoie Mont Blanc / EGAI - UNITA
	DADE Eva	Ministerium für Wissenschaft, Forschung und Kunst Baden-Württemberg
	DAGOT Benjamin	Haut Conseil de l'évaluation de la recherche et de l'enseignement supérieur
	DOERFLINGER-WITTOR Linda	Ministerium für Wissenschaft und Gesundheit Rheinland-Pfalz
	FENGEL Janina	Hochschule Darmstadt
	FERNANDEZ NIEVES Tina	Universidad Autónoma de Madrid
	FINANCE Jean-Pierre	Université de Lorraine
	GORON Alice	French Embassy in Luxembourg
	GREINER-ODINMA Sandra	Staatskanzlei Saarland
	HAUTEKEER Florence	University of Liège
	HENGSBACH Eva-Maria	Saarland University
	HERRES Kathrin	DAAD
	JAECKEL Michael	Trier University
	JENSEN Stefanie	htw saar
	KORTGEN Ingmar	Trier University
	LINARES Lucia	Universidad Politécnica de Madrid / JEDI LABEL
	MAYER Achim	Région Grand Est / WG Higher Education and Research Greater Region
	MESSINI Sophia	University of Athens
	OSWALD Christina	Staatskanzlei Saarland
	PICART Malika	htw saar
	PIRARD Eric	University of Liège
	POLUS Alexis	Université de Lorraine
	POLZIN-HAUMANN Claudia	Saarland University
	PULIDO Pablo	Arqus European University Alliance
	SEIDEL Frédérique	University of the Greater Region
	SEILER Maximilian	DAAD
	SMARTT	Universidad Autónoma de Madrid / SMARTT
	TOURY Timothée	Université de technologie de Troyes / STYX - Eut+
	VILLEMINOT Anne-Laure Villeminot	University of Liège
	ZIMMER Michael	RPTU Kaiserslautern-Landau
	<b>30</b>	
<b>IN PRESENCE</b>	BANNIER Laura	Virgule.lu
	BIER Lydia	University of Luxembourg
	BUNGARTZ Kurt	/
	CODELLO Daniel	City of Esch-sur-Alzette
	COLO Laura	KU Leuven / ED-Affiche
	ECKKRAMMER Eva Martha	Trier University
	GECIM Hülya	University of Luxembourg
	ISOLANO Christine	University of Luxembourg
	JACQUEY Florence	Summit Secretariat of the Greater Region
	JOBIN Marie-Hélène	University of Luxembourg
	KLOPFENSTEIN Nathalie	University of Luxembourg
	KREISEL Jens	University of Luxembourg
	LEMOINE Fabrice	Université de Lorraine
	LORITO Matteo	Ministry of Energy and Spatial Planning Luxembourg
	NEUFERT Paul	University of the Greater Region
	NIEDEN Janosch	Eucor - The European Campus
	SCHMIDT Isabel	University of the Greater Region
SCHOTT Stéphanie	Ministry of Higher Education and Research Luxembourg	
SHALA Sara	Université de Lorraine	
TSCHIRHART Eric	University of Luxembourg	
VON LEIPZIG Wolf	Interreg Grande Région - Contact Point Luxembourg	
WAGNER Mareike	University of Luxembourg	
	<b>22</b>	
<b>Total participants</b>		<b>52</b>








## ANNEX II: LINKEDIN PUBLICATION

### LINK TO LINKEDIN POST





 **University of Luxembourg** and **UniGR - University of the Greater Region** hosted the first conference of the **#Erasmus+** project "Leg-UniGR: Blueprint for a legal entity for cross-border university alliances".

 Rector **Jens Kreisel** opened the conference, with vice-rector **Marie-Helene Jobin**, insisting on the importance of cross-border cooperation within the Greater Region, for higher education and research.


 Speakers were:


 **Eric Tschirhart** - Leg-UniGR Project Coordinator, **University of Luxembourg**


 **Janosch Nieden** - Director of **Eucor – The European Campus**


 Matteo Lorito – EGTC Contact Point at the **Ministère de l'Énergie et de l'Aménagement du Territoire**


 **Florence Jacquy** - Director of **GECT Secrétariat du Sommet de la Grande Région - EVTZ Gipfelsekretariat der Großregion**


 **Daniel Codello** – Cross-border and European policy coordinator, **Ville d'Esch-sur-Alzette**

 All contributed to the state of the art of the project, addressing subjects such as:


 The choice of legal entity for cross-border university alliances.


 Example of successful creation such as EUCOR.

 Considering societal positive outputs of cross-border higher education.

 Discussing fundraising and applications to European funding by European Universities and cross-border alliances through a dedicated legal entity.



 Proposals have been put forward to significantly optimise the establishment of legal entities such as European Groupings of Territorial Cooperation (EGTCs), an archetypal European legal instrument for cross-border targeted cooperation.

 52 persons took part in the discussion in this hybrid event.

DE [RPTU Kaiserslautern-Landau](#)

BE [University of Liège](#)


FR [Universite de Lorraine](#)

DE [Universität des Saarlandes](#)

DE [Universität Trier](#)

DE [Hochschule für Technik und Wirtschaft des Saarlandes Saarbrücken](#)

are also contributing partners to Leg-UniGR.

 For those who missed the event or wish to revisit the discussions, we encourage you to stay tuned for post-event materials and updates which will be published shortly on the project’s website. The dialogue on the legal status of cross-border and transnational alliances continues, and your input is highly valued.

[#highereducation](#) [#europeanuniversities](#) [#europeancommission](#)



## Leg-UniGR: Blueprint for a legal entity for cross-border university alliances

### "UniGR foundations and progress towards a new legal entity"

16 October 2023 | Maison de la Grande Région, Esch-sur-Alzette (LU)

#### AGENDA

09:30 Welcome & Coffee

10:00 – 10:10 Introduction | Prof. Jens KREISEL, Rector University of Luxembourg & UniGR-Vice President

10:10 – 11:00 Project Presentation | Prof. Eric TSCHIRHART, Leg-UniGR Project Coordinator, University of Luxembourg

11:00 – 11:30 Keynote: First EGTC for transnational university cooperation | Janosch NIEDEN, Director EUCOR – The European Campus EGTC

11:30 – 12:15 Q & A

12:15 – 13:30 LUNCH

13:30 – 14:00 EGTCs in Luxembourg | Matteo LORITO, Legal Affairs, Ministry of Energy and Spatial Planning

14:00 – 14:45 Round table on EGTC as legal status of cross-border and transnational alliances | Moderation: Prof. Eric TSCHIRHART

Participants: Janosch NIEDEN (Director, Eucor – The European Campus) | Matteo LORITO (Attaché, Ministry of Energy and Spatial Planning) | Florence JACQUEY (Director, Summit Secretariat of the Greater Region) | Daniel CODELLO (Cross-border and European policy coordinator, City of Esch-sur-Alzette)

14:45 – 15:00 Closing Words | Florence JACQUEY, Director EGTC Summit Secretariat of the Greater Region



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### Organic engagement

232  
Engagements

13.1%  
Engagement rate

Clicks	186
Click-through rate	10.5%
Reactions	36 →
Comments	0
Reposts	10 →



## ANNEX III: NEWSPAPER ARTICLE VIRGULE.LU

### LINK TO ONLINE ARTICLE

Enseignement supérieur

# L'Université de la Grande Région ambitionne de faciliter les échanges entre ses étudiants

Actuellement constituée en association, l'Université de la Grande Région, qui regroupe l'Université du Luxembourg et six de ses voisines, va prochainement se muer en un groupement européen de coopération territoriale.



Les étudiants du campus de Belval pourront ainsi plus facilement suivre des cours dans un autre campus de l'Université de la Grande Région. © PHOTO: Lex Kleren



**Laura Bannier**  
Journaliste



25/10/2023

Quatre systèmes d'éducation différents, 30 programmes d'études transfrontaliers, mais seulement huit semaines de cours communes par semestre: le paysage composé par les sept établissements d'enseignement supérieur de l'Université de la Grande Région semble pour le moins complexe. Pourtant, cela n'empêche pas l'Université du Luxembourg de collaborer en consortium avec six de ses voisines: les universités de Liège, Lorraine, Sarre, Trèves, la HTW Saar, et la Rheinland-Pfälzische Technische Universität Kaiserslautern-Landau.

**Lire aussi : Une base légale pour l'Université de la Grande Région**

Pour simplifier leurs échanges, ces sept institutions actuellement regroupées en association devraient bientôt se transformer en un groupement européen de coopération territoriale. C'est en tout cas le souhait formulé par le professeur Eric Tschirhart, de l'Université du Luxembourg, qui a permis à l'UniGR de remporter un appel à projets lancé par la Commission européenne.

Pendant un an, le professeur est chargé d'étudier la faisabilité d'un nouveau statut juridique pour les universités européennes. Entamée depuis le mois de mai, cette réflexion a opéré un bilan à mi-parcours, à l'occasion d'un événement le 16 octobre dernier. «Nous avons immédiatement impliqué les services juridiques des différentes universités afin de réfléchir ensemble à la meilleure solution», explique Eric Tschirhart.





## Un compromis positif

«Faire de l'Université de la Grande Région un groupement européen de coopération territoriale, cela équivaut à relancer la machine de la coopération avec une pièce de 200.000 euros, le montant alloué par la Commission européenne», s'enthousiasme le professeur. Si différentes solutions s'offraient au porteur du projet, celle du GECT, une enveloppe juridique utilisée par 85 entités à travers l'Europe, s'est rapidement imposée comme solution idéale.

**Lire aussi : La rentrée des étudiants compliquée par l'inflation**

«Toute structure légale a ses limites, et l'objectif était de trouver le compromis positif, de trouver la solution qui correspond à notre vision», résume Eric Tschirhart. Parmi les avantages de cette solution, il convient de souligner l'accès facilité aux financements européens. De quoi renforcer l'unité des sept établissements d'enseignement supérieurs et de recherche que rassemble l'Université de la Grande Région, disséminés dans quatre pays.

**«L'idée est de pouvoir booster la socialisation des étudiants, qui pourront ainsi créer un lien intense grâce à cette véritable mobilité culturelle.»**

Eric Tschirhart

Professeur à l'Université du Luxembourg

Tandis que la solution s'esquisse, le professeur luxembourgeois peut profiter du soutien du recteur de l'Université du Luxembourg, ainsi que celui des présidents et recteurs des six autres institutions. «La coopération transfrontalière et internationale est essentielle pour apprendre les uns des autres. Nous ne pouvons pas répondre aux plus grands défis d'aujourd'hui si nous ne nous unissons pas», a ainsi encouragé Jens Kreisel, recteur de l'Uni.



## Pas si simple de simplifier

Au-delà de renforcer le projet européen du consortium, la transformation de l'Université de la Grande Région en GECT vise à stimuler la mobilité inter-campus, autant des étudiants que des professeurs. «Plus largement, on entend réconcilier les calendriers académiques afin d'être en mesure de proposer à nos étudiants de prendre des cours proposés sous forme de blocs d'une semaine avec à la fois une partie théorique et des activités. L'idée est de pouvoir booster la socialisation des étudiants, qui pourront ainsi créer un lien intense grâce à cette véritable mobilité culturelle», souligne Eric Tschirhart.



L'UniGR est un consortium qui regroupe sept établissements d'enseignement supérieur et de recherche.  
© PHOTO: Université de la Grande Région



Mais derrière ces ambitions se cache une autre réalité, plus complexe. «Des questions se sont rapidement posées concernant le fonctionnement quotidien du GECT, notamment par rapport au contrat de travail: devra-t-il être établi selon la loi luxembourgeoise, française, allemande ou belge?», illustre ainsi le professeur. L'affiliation à la sécurité sociale, mais également la fiscalité des employés effectuant des missions dans différentes universités, posent également question. «L'idée est de sécuriser une solution qui facilitera la vie des gens.»

**Lire aussi :** [Classement de Shanghai: les universités américaines s'imposent toujours, celle du Luxembourg progresse](#)

Pour trouver ces réponses, les porteurs du projet ont encore un peu de temps devant eux. Au début de l'année 2024, les statuts de cette nouvelle entité juridique devraient être terminés. Mais l'Université de la Grande Région ne deviendra pas un GECT immédiatement. «Il faudra ensuite compter entre 12 et 18 mois pour que tout se mette en route, car il sera important d'avoir un encadrement le plus positif possible pour tout le monde», conclut Eric Tschirhart.

Université de Luxembourg

enseignement supérieur

