



Third Mission of Universities: Regulatory Frameworks in a Comparative Perspective

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Abstract. *This contribution focuses on the EU, national and institutional practices of HEIs' third mission regulation with a particular attention to the experiences of Ukrainian HEIs, which they developed in response to the challenges caused by the ongoing Russian aggression against Ukraine. It is argued that currently the regulatory frameworks for the third mission are more established at the intra-institutional level about ensuring the entrepreneurial aspects of the HEIs engagement, whereas the third mission social engagement models still remain on margins of the university life.*

Key words: higher education, third mission, engaged universities, entrepreneurial universities.

The higher education sector experiences changes caused by the understanding that educational institutions play a pivotal role in society's development. Education and research are widely accepted as two main missions of HEIs, which shape the profile of universities worldwide. Being established as centres of transmission of knowledge in the XI century, universities experienced the first big shift in the XIX century, where the link between education and research was established as an eminent part of university life. The research has an impact on development and progress. In XX century, the next big step in shaping the university life and profiles has been done, since HEIs faced in XX century the need to manage the research outputs and discover the impact of their research activities on diverse aspects of human life. Thus, the links between teaching, research and engagement of HEIs were established and the term "third mission of HEIs" has been coined to address the HEIs engagement beyond the teaching and research. Such HEIs engagement also requires regulatory frameworks at international, national, and institutional levels, enabling the universities to act beyond the traditional areas of their activities.

The third mission of HEIs seems to be a buzzword to describe a bunch of activities universities and other HEIs conduct beyond the traditional areas of education and research. Thematically, the third mission of universities is related to such issues as commercialization of research (knowledge and technology transfer, innovation and research, intellectual property), communication with stakeholders (quality of education and adaptation to the labour market), solving social problems (lifelong learning, inclusion, social responsibility) and influence on the regulation of public life in the country (professional expertise in public policy development and influence on the formation of public opinion on socially important issues). Such a wide range of thematic issues demonstrates the multilevel nature of regulatory practices, where the issues of the third mission of universities can be regulated. This versatility of the third mission activities leads to the assumption that the regulatory frameworks will be diverse. Thus, the main research question to be dealt with in this publication addresses the practices of the third mission regulation in Czechia, Germany, Italy, Latvia and Sweden, as compared to the practices of Ukrainian HEIs, which are influenced by European standards and trends in higher education and EU educational policy.

The research methodology in this case is based upon the desk-top research, the study visits and surveying. The desk-top research included: the analysis of national legislation on the third mission of universities in Czechia, Germany, Italy, Latvia, Sweden and Ukraine; the political and regulatory documents of the EU about the HEI sector; academic publications concerning the third mission of HEIs. The study visits to the UNICOM partner universities – University of Genoa (Italy), Lund University (Sweden), University of Latvia (Latvia), Czech University of Life Sciences in Prague (Czechia) and Fachhochschule des Mittelstandes (Germany) offered the possibility to communicate with HEIs administration and teaching staff on the third mission activities and study the institutional practices of the third mission embedding and implementation. The survey was used to analyse the practices of Ukrainian HEIs-partners to the UNICOM project. The survey was conducted in May-September 2023 at the Dragomanov Ukrainian State University, Ivan Franko National University of Lviv, Donetsk State University of Internal Affairs, Sumy National Agrarian University, Kharkiv National University of Radio Electronic, National Pirogov Memorial Medical University, Bogdan Khmelnytsky Melitopol State Pedagogical University and the Institute of Higher Education of the National Academy of Educational Sciences of Ukraine. The survey aimed to get systematized information about the institutional approaches towards the realization of the third mission in Ukraine. The term “university” is used in this publication in abroad sense as referring to all types of higher education institutions offering tertiary education.

The first part of this contributions addresses the EU approach towards the HEIs’ third mission and available regulatory standards in the HE. The second part deals with analysing the national provision, regulating the HE in Czechia, Germany, Italy, Latvia, Sweden and Ukraine, focusing on the third mission activities. Legal and regulatory landscape around the universities’ third mission remains multifaceted and diverse. The

legal and regulatory support for their mission at HEIs is characterized by fragmentation with no unified approach either through regions or the countries. This fragmentation poses challenges to universities seeking to establish a systematic approach towards the fulfilment of their third mission. The entrepreneurial aspects of the third mission appear to become more clear guidelines and frameworks if related to the research valorisation, especially technology transfer, innovation and commercialization of research results. While national standards specifically addressing the HEIs' third mission may not be universally present, efforts to regulate it persist on the international and national levels. Balancing entrepreneurial endeavours, societal impact and institutional autonomy in the university life remains a dynamic process in the contemporary higher education landscape.

1. Introduction

The socially oriented actions of universities related to its educational and research activities, but which are inherently neither teaching nor research, are defined as the "third mission of universities" (Graf et al., 2021). Even though universities have long been active in the public space, such activities have only recently been the subject of research and institutionalization. Researchers of universities' activities have noted the intensification of their public activities since the mid-twentieth century, noting mainly the economic motivation for these processes, when universities, in search of additional sources of funding for their activities, focused on the possibility of commercializing scientific activities (Graf et, 2021). In the scientific discourse, the term "third mission of universities" still lacks a clear definition, and the socially oriented activities of universities are rapidly developing around the idea of creating, using, applying and exploiting knowledge and other university capacities outside the academic environment (Molas-Gallart, 2002). In general, research on the third mission of universities is centered around several important factors:

- the conceptualization of the third mission of universities is based on two factors: the focus of university activities on either economic or social projects and the university's approach to institutionalizing and structuring the third mission - linking and implementing the third mission of the university as a third component to its educational and research activities or redefining the role of the university and fundamentally restructuring strategic objectives, values and activities by formulating new tasks and priorities (Henke et, 2017: 34-35);
- the definition of the third mission of universities is of practical importance for distinguishing the types of their socially oriented activities from related activities and defining the boundaries and activities that do not fall under the concept of the third mission of higher education institutions (Compagnucci, Spigarelli, 2020);
- being a global trend in education, the third mission of universities is implemented mainly in local and regional contexts, which is due to the need

to link the social needs and market demand with the university life in the realm of the socio-economic context (Pinto et, 2016);

- socially oriented activities of universities at the present stage are very diverse, and therefore, along with the conceptualization of the third mission, the issue of indicators of its implementation is actively discussed and the palette of such indicators is based on various indicators of university performance (García-Gutiérrez et, 2012);
- the implementation of the third mission by universities at the present stage raises the issue of conceptualizing public policy in this area in the context of regulating the education sector (Berghaeuser, Hoelscher, 2020) and taking into account the four dimensions of their third mission at the present stage (Salomaa, Charles, 2021: 353). These four dimensions of the third mission of universities relate to the identification of indicators to understand whether a university centers its third mission around the ideas of an entrepreneurial university (Clark, 1998; Shattok, 2010), a socially responsible university or an engaged university (Breznitz and Feldman, 2010), a civic university (Goddard, 2009), or whether it implements the third mission activities according to the triple helix model (Etzkowitz and Leydesdorff, 1995; Ranga, Etzkowitz, 2013).

The regulatory and legal frameworks for the HEIs third mission are developing at three levels: the international, national and institutional. At the international level the international governmental organizations dealing either specifically with the interstate cooperation in education (f.e. UNESCO) or in economic matters (f.e. OECD, EU) developed their own approaches towards the standards of cooperation in education and research and try to follow the trends in HE sectors, including the increasing role of out-of teaching and research activities of HEIs in modern world. At the same time at the national level domestic policymakers try to elaborate the national mechanisms and practices for achieving the best standards in HE and follow the global trends in HE, which nowadays can be seen in directing the teaching and research towards offering solutions for dealing with societal needs and global challenges. At the institutional level the HEIs being players to the global HE market fill the need to comply with best practices in HE and align their structures and activities towards the modern trends. Thus, at the institutional level, the HEIs tend to develop their regulatory frameworks for dealing with the third mission of HEIs based on domestic requirements and best practices. However, the institutionalization of the HEI's third mission in practical terms is based on numerous approaches which HEIs.

The legal support of universities' third mission at the national level is actually determined by four thematic areas dealing with national provisions on higher education, national frameworks on policymaking, national priorities for social and economic development and provisions determining the economic activities of HEIs. However, the third mission of HEIs is also in focus of the attention of international institutions, which deal with the cooperation in the areas of education

and research, the EU being one with the most developed educational policy.

2. Regulation of the Third Mission of Universities in the European Union in the Context of the EU Education Policy

Despite the fact that the activity of universities in the public sphere is developing rapidly, the legal aspects of these processes are not sufficiently regulated. At the level of the European Union, the peculiarities of regulating this area are determined by the following factors:

- The EU's powers to regulate the education sector are subsidiary to its member states, and its competence in this area is auxiliary.³
- The EU's education policy is one of its most effective policies due to the established instruments and programs to support jointly identified priority areas.
- The EU supports and complements the actions of EU Member States in accordance with Articles 165 and 166 of the Treaty on the Functioning of the European Union (hereafter – TFEU). However, the harmonization of the national legislation in the area of education is excluded (TFEU: Art.165 (4)) and the EU is entitled to act using the ordinary legislative procedure to adopt incentive measures and recommendations. The same approach to the EU's regulatory involvement applies to vocational training (TFEU: Art.166).
- The priorities of the EU education policy are formulated in Article 169(2) of TFEU and include support for the European dimension of education, in particular by promoting the teaching and dissemination of the languages of the Member States, promoting the mobility of students and teachers, especially through support for the academic recognition of diplomas and periods of study; supporting cooperation between educational institutions; organizing the exchange of information and experience of the functioning of the educational systems of the EU Member States; supporting youth exchanges and exchanges of youth workers, etc.

Thus, the EU possesses in education and research rather limited powers and develops its policy based on the supremacy of the Member States. However, the instruments with the EU elaborated to support and supplement the joint activities include the recommendatory acts and financial instruments, which make it quite effective in general terms. The most active institution in terms of the priority-setting for the EU educational policy is the European Council, which, through its conclusion, defines areas of joint effort at the EU level and sets the priorities for the development of national educational policies in the Member States. Due to the fact that the EU Educational Policy has the interstate character inside the EU, the

³According to Article 6(e) of the Treaty on the Functioning of the European Union, it is authorized to complement, support and coordinate the activities of Member States in the fields of education, vocational training, youth and sport. According to Art. 9, the TFEU EU must consider the need to ensure a high level of education when formulating its policies and carrying out its activities.

EU's efforts in the area of education concentrate merely on supporting the international cooperation with focus on ensuring Member States interests both in internal and external dimensions and on the mechanisms of the cooperation in the educational sectors, focusing merely on the mechanisms of interaction of national educational systems and ensuring their coherent functioning in the areas, which are detrimental to the EU goals. As an example of the first type of activities serves the Bologna Process and the EU efforts in supporting recognition of studies performed abroad. As an example of second type of the activities is internal EU efforts aimed to create the single educational area, where the European Education Area (hereafter – EEA), the European Higher Education Area (hereafter – EHEA), the European Research Area (hereafter – ERA), the single EU Student Card initiative, European Semester initiative etc. reflect the nature of the EU supplementary actions.

The conceptual basis for the formation and development of the EU educational policy in the field of higher education is the provisions of the Bologna Process, which began in 1999 with the signing of the Bologna Declaration. According to the Bologna Process, European governments are involved in discussions on higher education policy reforms and seek to overcome obstacles to the creation of the EHEA. The Bologna reform is the key to creating the necessary trust for successful academic mobility, cross-border academic cooperation and mutual recognition of periods of study and qualifications obtained abroad. Improving the quality and relevance of learning and teaching is also a core mission of the Bologna Process. However, the implementation of these reforms is uneven across the 48 participating countries (EU official cite on Education, Training and Youth, accessed on 22.04.2024).

The Bologna Declaration does not deny the differences between education systems but rather envisages modernization in the context of their interaction to improve academic mobility and achieve quality through combining science and education with fruitful cooperation (Tsytko, 2010). The Bologna Process does not require abandoning the traditions of national education, national achievements of higher education that shape the worldview of a young person and a future specialist. As part of the Bologna Process, the parties declare the continuation of cooperation in higher education (Krayevska, 2013) .

The third mission of universities is routed also in the Bologna Process' backgorunds and reflected in Sorbonna Declaration (Sorbonna Declaration, 1998) and Bologna Declaration (Bologna Declaration, 1999), which established the political cooperation framework for the educational sector far beyond the circle of the EU members and directed the EU Educational Policy towards ensuring common goals in educational sector both for the EU and its Member States and directing HEIs' activities towards linking teaching, research and participation in society life as university goals.

It is worth noting that for the first time, the new mission of universities in social development was formulated in the most generalized form at the University of Bologna during its 900th anniversary celebration in 1988. During the celebrations,

the participants representing 430 universities, in the presence of representatives of the public, government officials and clergy, signed a joint document known as the Magna Charta (Magna Charta, 1988). The Magna Charta Universitatum, which broadened the Magna Charta principles and linked the new role of modern higher education in Europe to the idea “... to strengthen the role of universities in the preservation of the planet and promoting health, prosperity, and enlightenment around the world” (Magna Charta Universitatum, 2020). The members of Bologna process intensely address the focus on enhancing the social dimension of higher education. The Yerevan Declaration of European Ministers of Higher Education included the idea of ensuring inclusion through education to HE priorities in 2015 (Yerevan Declaration, 2015) and thus opened the door for debating the impact of the social role and engagement of HEIs on development and progress.

The Paris Communiqué 2018 highlighted the need for HEIs to enhance their social responsibility practices (Paris Communiqué, 2018). The HEIs’ social engagement is also addressed by the Rome Communiqué in 2020 (Rome Communiqué, 2020), which includes also a special annex devoted to principles and guidelines for strengthening the universities’ social role and recommends putting the social dimension into the centre of the HEIs’ development strategies (Annex II to Rome Communiqué, 2020).

European universities have always played and continue to play a key role in shaping the continent's future by fulfilling a threefold mission: teaching, research and societal engagement. While the first two missions, teaching and research, are well known and widely understood, the third mission is gaining in importance as an essential component of the EU education policy and the formation of the EHEA. The third mission contains the idea that universities have to actively engage with society and contribute to its development and well-being. As a proof of this, we can cite the report of the SPHERE (Supporting and Promoting Higher Education Reform Experts) representative during the Annual Conference of National Higher Education Reform Experts, “Capacity Building for Higher Education Reform: Impact of Joint International Projects”, which took place in December 2018 at the University of Rome (La Sapienza), Rome, Italy, with the support of SPHERE and EACEA. The report was devoted to the analysis of the implementation of long-term commitments and new goals and challenges of the EHEA. In particular, based on the 2018 report, while analysing the achievements in the implementation of the Bologna Process, the SPHERE representatives demonstrated the progress in achieving the goals set by the 1998 Lisbon Convention, as well as the unevenness of their implementation both between individual policy areas and between member states. In particular, among the areas, which require more attention by society and policymakers are mentioned such issues as ensuring inclusivity in a broad sense at all levels, from higher education institutions to the EHEA as a whole; taking into account the third mission of universities, in particular their global responsibility, in line with the Sustainable Development Goals; assessing risks to educational systems; developing flexible educational pathways and student support services; risks of

stigmatization and biased preferences or discrimination against certain groups; the balance between selection and open access to higher education; the use of digital technologies, etc. (Annual Conference of National Experts on Higher Education Reform, 2018).

Thus, the third mission is linked to activities of universities outside of the traditional role of teaching and research and focus their activities towards enhancing their impact on solving societal problems. This involvement takes many forms, including knowledge transfer, community outreach, and collaboration with industry, government, and nonprofit organizations. Universities act as catalysts for social progress, using their expertise to positively impact the communities they serve.

One aspect of the third mission is to promote the transfer of knowledge from academia to society. Universities are encouraged to collaborate with businesses, start-ups, and other organizations to translate research findings into practical applications. This knowledge transfer contributes to the economic development, innovation and entrepreneurship. European universities, as centres of intellectual capital, play an important role in developing regional and national innovation ecosystems.

Another important element of the third mission is community outreach and social responsibility. Universities are expected to actively engage with local communities, addressing social issues, promoting cultural exchange, and supporting sustainable development. This may include organizing public lectures, seminars, and events that bring academia and the general public together and promote a culture of mutual learning and understanding.

The third mission is not limited to local and national engagement but extends globally. European universities are encouraged to cooperate in international partnerships, contributing to global knowledge networks. By fostering international cooperation, universities increase their ability to address complex global challenges and prepare students to navigate an interconnected world.

The Bologna Process, being in the nature a comprehensive and ongoing reform initiative aimed at creating the EHEA with harmonized and compatible higher education systems in the participating countries, leads to the recognition of the importance of social responsibility in higher education. Many of its key principles, such as promoting student and staff mobility, supporting diverse learning pathways, and improving the quality of education, are consistent with the broader goals of the third mission.

The Bologna Process, focusing on research-based learning and competence development, promotes an environment conducive to knowledge transfer and innovation. The third mission activities of HEIs also focus on the impact on social development through research and innovation.

Both the Bologna Process and the HEIs' third mission are dependent on international cooperation and encourage the internationalization processes at HEIs. The Bologna Process emphasizes the compatibility of academic systems to facilitate mobility and cooperation, while the third mission encourages universities to work

globally, creating partnerships and contributing to global challenges.

Thus, the Bologna Process and the third mission of universities share the common goals of improving the quality of higher education, promoting social responsibility, and fostering international cooperation. The Bologna Process provides a framework for structural reforms, while the third mission complements these efforts by emphasizing the broader role of universities in society, including engagement, knowledge transfer and innovation. Together, they contribute to the development of European higher education in a globally interconnected landscape.

It should also be noted that the realization of the third mission faces challenges, including resource constraints, different institutional capacities, and the need for cultural change in the academic environment. However, the reaching beyond education and research offers to HEIs unique opportunities to enrich their educational portfolios, strengthen their social impact, and position themselves as key players in regional and global development.

The third mission of universities in the EU education policy emphasizes the changing role of higher education institutions as active participants in social development. By focusing on community engagement, knowledge transfer and international cooperation, the third mission reflects the desire to foster innovation, solve societal problems and prepare students for a dynamic and interconnected world. As European universities continue to evolve, integrating the third mission into their core activities will be essential to building sustainable, inclusive and globally competitive societies.

The developments which take place within the Bologna process also shape the EU Educational Policy as such. Empowered to supplement the Member States' action in education, the EU focuses its efforts on assisting the national educational systems and overcoming common challenges, developing joint initiatives to facilitate the interaction between the national educational systems and fostering the internationalization of HEIs, as well as international cooperation in education and research.

In 2012, the EU actually recognized that universities have an impact on socio-economic development and can be entrepreneurial (Communication, 2012), on the one hand through the transfer of technology and research results to the business sector, and on the other hand through the strengthening of entrepreneurial education and educational initiatives to promote entrepreneurship.

In January 2021, the European Commission submitted the European Strategy for Universities (to the European Parliament, the Council and the Committee of the Regions for consideration. In 2022 the European Strategy for Universities was adopted highlighting that the EU considers that universities have “a unique position at the crossroads of education, research, innovation, serving society and economy” (European Strategy for Universities, 2022) and tailors its efforts in higher education is to support and strengthen the capacity of universities to adapt to change, to resist and to contribute to the reconstruction of Europe and its resilience. In order to achieve this goal, the EU aims to transform European universities into powerful

centres of excellence and research for social development.

Thus, in February 2021, the EU Council adopted a Resolution on strategic priorities for cooperation for the period 2021-2030 in the formation of the European Education Area (EU Council Resolution, 2021). The quality, equality, inclusion and success in education and training; mobility and lifelong learning; teachers and students; ; and green and digital transformations in higher education are key topics addressed by the EU. Although the term "third mission" is not mentioned in the context of this document, the specific objectives of the strategic priority "higher education" are to strengthen the role of universities as "knowledge parks" with four components - teaching, research, innovation and service to society, as well as to promote the importance of universities for the labour market and society as a whole, combined with the task of shaping curricula in accordance with market needs, strengthening the autonomy of higher education institutions and cooperation with employers.

The EU Council Conclusions of April 6, 2022 identified four main areas for increasing the potential and institutional capacity-building in the area of higher education in the EU: strengthening the European dimension in education, science and innovation and the synergies between these components, enhancing Europe's role as a global leader, contributing to the recovery of Europe and responding to digital and green transformations as well as well as developing shared European visions for future of the higher education rooted in common values (EU Council Conclusions, 2022).

In addition to these regulatory efforts, the EU actively started to support a number of projects and initiatives aimed at increasing the social engagement of universities with the EU outreach. One example is the creation in 2017 and its transformation into a pan-European network of the European Observatory of Service Learning in Higher Education (EOSLHE, accessed on 08.01.2024), which aims to introduce service-learning-oriented practices as an educational approach that increases student engagement in public life. In July 2023, the European Executive Agency for Education and Culture (EACEA) announced a tender for the establishment of the European Higher Education Sector Observatory (EU official portal, 2023), which will monitor the implementation of the European Strategy for Universities, namely EU educational programs and initiatives such as the European Student Card, educational mobility, etc.

The ERA was launched by the EU in 2000 as a policy initiative aimed to incentivize research cooperation in the EU within its initial consideration to boost the innovation potential. Since 2018, the EU has tried to revitalize the ERA, ensuring open science, open innovation and openness to the world as the main strategic goals of the EU Research and Innovation Policy (ERA, EU official site, assessed 10.01.2024). The EU efforts in the area of research and innovation support are detrimental for the development of the entrepreneurial dimension of the third mission, and thus will determine the national practices on knowledge, technology and innovation transfer.

Thus, at the level of the European Union, the ideas of strengthening the public role of universities are reflected primarily in legal and regulatory acts related to supplementing Member States' efforts in creation of the European Higher Education Area (EHEA) as the main goal of the Bologna Process and the European Research Area (ERA). The principles and priorities of cooperation in education and science in the EU are formed on the basis of acts of the EU Council, which outline the goals and objectives of EU policy on higher education institutions. At the level of the European Union, the legal regulation of the third mission of universities is fragmentary and unsystematic, but its main components: social engagement, entrepreneurial dimension of science, innovation and public engagement determine the main directions of EU support for higher education institutions. However, the EU instruments for supporting the higher education sector have an impact on the formation of national practices in the field of higher education, particularly if attached to those HEI's activities focused on overcoming societal challenges.

3. Legal Aspects of Implementation of the Third Mission of Universities in the EU Member States: Practice of Italy, Germany, Czech Republic, Latvia, Sweden and Ukraine

It should be noted that, given the fact that within the EU, the competence to regulate the education sector is vested in the member states, they remain the key players in regulating education and research. Accelerating the processes of alignment and interaction between national educational systems is one of the EU's important priorities (EU Council Recommendation, 2022). However, national educational systems in the EU Member States and their legislation regulating the activities of higher education institutions have specific features in each country, and therefore, national approaches to regulating the third mission of universities differ.

Italy

Regulation of the higher education sector in Italy has a long tradition, with the most recent reform of the higher education sector taking place in 2010. It is in the Italian Law No. 240 of 2010 (Law 240, 2010) that universities are recognized as institutions providing public services. It was this law that modified the system of evaluation of higher education institutions and the Presidential Decree of 2010 and Law No. 232/2016 (ANWUR, accessed on 10.01.2024) on the structure and functioning of the National Agency for the Evaluation of Universities and Research Institutions that actually created it. The experience of implementing the third mission by higher education institutions in Italy is quite specific because, since 2010, Italy has been conducting systematic and consistent monitoring of its implementation by universities. In Italy, the third mission of universities is defined as "a measure of the openness of higher education institutions to the socio-economic environment through commercialization and knowledge transfer. The third mission is a process of knowledge exchange that is not only related to technology, but also includes social and cultural benefits" (Blasi et, 2023; accessed 08.01.2024). Given this level of

institutionalization of the third mission of universities at the state level, internal regulations of universities reflect it not only at the level of strategic documents but also in detailed regulation of the management of the third mission within universities.

Internally, the third mission of universities in Italy is two-part and covers issues related to the valorisation of research (setting the value price of research) and the formation of public goods:

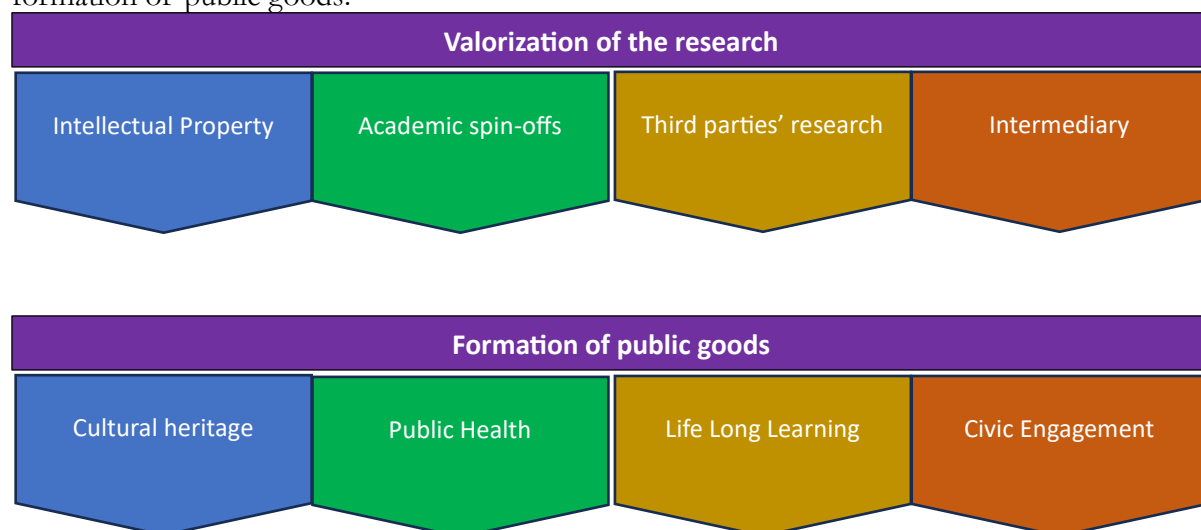


Figure 1. The internal structure of the third mission of universities in Italy, according to Blasi et al., (2023).

These two components have an internal system of indicators. For example, for the valorisation of research, the availability of patents, revenues from the commercialization of patents, revenues from external sources for research funding, the availability of science parks and incubators, spin-off companies, and their total income are taken into account. Such indicators for the public goods sector include university museums and archaeological expeditions, lifelong learning courses, clinical research centres and biobanks, and university involvement in public life.

The peculiarity of the regulation of the third mission of universities in Italy is that its assessment has been an integral part of the accreditation procedures for educational activities since 2013, so this situation contributes to the institutionalization of the third mission in universities and the formation of well-established management mechanisms aimed at ensuring the implementation of the third mission. Institutionally, as of 2019, 85% of Italian universities had systems for monitoring the implementation of the third mission, 74% of universities had a management position responsible for the implementation of the third mission, and 53% had functions for the implementation of the third mission closely integrated into the activities of universities (Romangiosi, Blasi, 2019; OECD/EU, 2019).

Germany

In Germany, the legal regulation of the education sector is the responsibility of the federal states, so virtually all 16 federal states have their own legislative regulation of the higher education sector. In general, in Germany, the third mission of universities is defined as "the activities of universities in the context of education and research, without being either education or research" (Berghäuser, 2021). The characteristic features of the third mission of universities in Germany are that such socially oriented activities go beyond educational and scientific activities, the resources of the HEI (knowledge, technology, personnel) are used in its implementation; the circle of addressees and participants of such activities goes beyond the academic community and such activities relate to various aspects of socio-economic development (Berghäuser, 2021). All socially oriented activities of universities in any are grouped into three categories: knowledge and technology transfer (research cooperation with the external environment, transfer of knowledge and technology through commissioned research and consulting activities, commercialization of knowledge and research through spin-offs and protection of intellectual property and transfer of personnel through internships or dual training), professional development (programs for deepening and continuing education, professional development and non-formal education initiatives) (Berghäuser and Hoelscher, 2020).

According to a study by H.Berghäuser (Berghäuser, 2021), the laws of the federal states on higher education reflect the norms governing technology and knowledge transfer and professional development, while social engagement is poorly regulated. Moreover, among all aspects of the social component third mission implementation at universities, such issues as open access and open science, professional qualifications, work with migrants, pupils and social assistance are regulated by law. This state of legislative regulation has an impact on the formation of practices for the implementation of the third mission of universities, which traditionally gives preference to the first component – knowledge and technology transfer in their internal acts and direct educational activities, while socially oriented activities are actually developing very spontaneous and marginalized. At the institutional level in Germany, the third mission is sufficiently institutionalized at the management level of universities, but its components are differently placed within the HEI's internal structure:

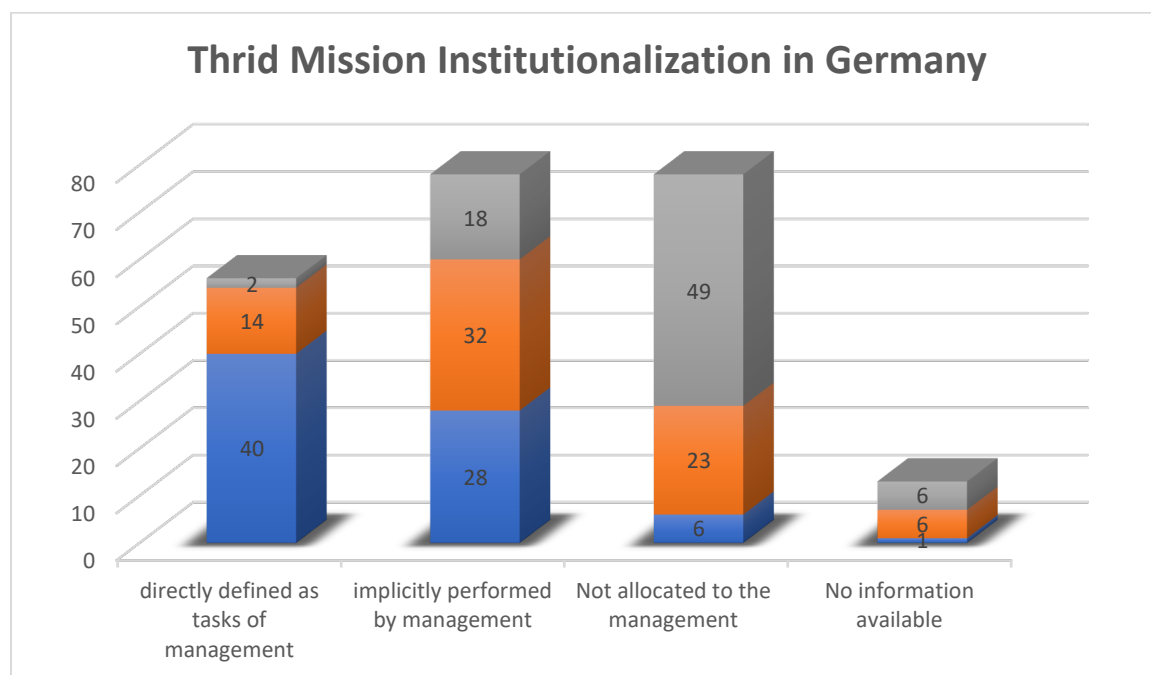


Figure 2. Institutionalization of the third mission in the management of higher education institutions in Germany based on the Berghäuser study (Berghäuser, H., 2021).

Thus, the third mission of universities is regulated in the national legislation of the federal states and institutionalized as one of the fundamental activities of universities alongside education and science. There is a general tendency to normalize the entrepreneurial-oriented component of the third mission of universities both at the level of internal acts and in university management by creating either a special management unit or empowering existing structural units with competencies aimed at the third mission implementation while the socially oriented dimension remains relatively poorly institutionalized within universities. In the context of the development and formation of German policy on the third mission of universities, Researchers (Berghäuser and Hoelscher, 2020) draw attention to the issue of balancing its various components, in particular, strengthening the social involvement of universities in public life and point out that these issues largely depend on funding, and in particular the availability of funding from the EU and access to funding from the private sector, as well as the level of commercialization of educational and research activities.

Czechia

In the Czech Republic, the legal regulation of the status of higher education institutions is based on the Czech Act No. 111 of 1998 on Higher Education Institutions (Act No.111, 1998) and Government Decree No. 274/2016 on Standards for Accreditation of Higher Education Institutions (Decree No, 274, 2016). According to Section 1 of the Czech Higher Education Institutions Act,

higher education institutions are centres of education, independent knowledge and creative activity that play an important role in the educational, academic, scientific, cultural, social and economic development of society. The Government Decree No. 274/2016 on accreditation standards stipulates that higher education institutions in general must have missions' strategies for the development and conduct of educational, scientific, creative and support activities, and the strategic documents of universities and other higher education institutions must reflect the international, national and regional dimensions of its impact and ensure equal opportunities. A separate requirement for higher education institutions is that they have documents regulating their social corporate responsibility. A separate law regulates the research activities of the Czech HEIs – the Act No. 130/2002 Coll "On the support of research and development from public funds and on the amendment to some related acts", the Act No. 341/2005 Call "On public research institutions" with well-developed national strategic documents on support of research and innovations. Thus, in a general format, the third mission of HEIs is reflected in the national legislation at the level of the law, which states that HEIs carry out their activities by generating knowledge and conducting educational, scientific, innovative and other creative activities in accordance with the type of HEI, promoting lifelong learning, influencing public debate on social and ethical issues, supporting cultural diversity, civil society ideas and engaging young people in civil society ideas, as well as developing cooperation with public authorities and local communities. According to J. Krčmarová, in the Czech Republic the term "third mission" for HEIs was used in policy documents on the basis of state policy in the field of higher education in 2006-2010, and an understanding of the three-component composition of the third mission was formed as a set of measures aimed at strengthening the entrepreneurial capacity of HEIs, innovation and social engagement (Krčmarová, 2011). Each of the components of the third mission has a number of indicators: for example, for the "entrepreneurial component" these indicators are the attraction of private resources for education and research, contractual and joint research projects, consulting activities, contract training, commercial use of material resources, and a system for managing intellectual property rights. For the "innovation" component, the indicators are the OECD definition of innovation and work with HEI stakeholders, and for the "social" component, the indicators are support for public and social initiatives, problem-based and service-oriented education and research, focus on developing countries, and focus on cultural and leisure enrichment. Thus, in Czechia, the third mission of HEIs is institutionalized in the framework of national legislation, and its regulation in each case takes place in the strategic documents of HEIs. An important point is that the elements of the third mission are mandatory components of the HEI activities, but when assessing the activities of the HEI in general, their importance is difficult to define, especially when it comes to the social involvement of universities in public life. Czechia follows also a pattern of adopting specialized legislation on research and innovations, however the social aspects still remain unstructured and marginally addressed.

Latvia

In Latvia, the legal regulation of the status of higher education institutions, and universities in particular, the principles of their establishment, operation and termination of activities is based on the Law of Latvia of 1995 "On Higher Education Institutions" and national documentary support conceptualizing the strategies for the development of higher education (Summary of National Concept, 2020). The peculiarity of a higher education institution in Latvia is that, as defined by law, it is an institution where academic and professional educational programs are implemented, and which carries out activities in the fields of education, science and culture (Law of Latvia on Higher Education Institutions, 1995). A separate section of this law regulates cooperation of higher education institutions with state and local authorities, but in fact it deals with the creation of specialized institutions in the field of higher education and their powers - the Council of Rectors, the Association of Colleges of Latvia, the Students' Union of Latvia. The powers of the Council of Higher Education, a specialized body responsible for forming the national concept of higher education and its development in Latvia, developing long-term goals and plans for the development of science and education, formulating proposals for changing the structure of higher education institutions, forecasting the number of students required for the development of countries, proposing funding from the state budget for student education, proposing measures to improve the quality of education, submitting proposals to the Cabinet of Ministers of Latvia on the budget for the education sector, etc. are regulated separately. The scientific activities of higher education institutions are regulated by a separate law "On Scientific Activities" of 2005. Even though the educational and research activities of higher education institutions in Latvia are regulated, the actions in the field of the "third mission" are not formally regulated.

Nevertheless, Latvian higher education institutions, which have cultural activities among their tasks, are actively developing this area as a separate line of business. In the context of the implementation of the third mission in Latvia, the triple helix model is likely to be applied, where the issues of innovation in social development play an important role. In fact, the practices of regulating universities' third mission and consolidation are traditionally reflected in the strategic documents of universities and other higher education institutions (OECD, 2019; Šavrina, 2023).

Sweden

In Sweden, the activities of higher education institutions are regulated by the Higher Education Act 1992 as amended and supplemented by the relevant government regulations (Swedish Higher Education Act, 1992). Section 5 of Part 1 of the Swedish Higher Education Act states that the country's higher education institutions are obliged to support sustainable development in their activities to ensure a healthy and preserved environment, economic and social well-being, and justice for present and future generations. In addition, equality between men and women and lifelong

learning should be ensured in the activities of higher education institutions, and sustainable development goals should be at the centre of attention in the international activities of higher education institutions (Swedish Higher Education Act, 1992). Particular attention should be paid to the fact that the status of a researcher and integrity in research is important for the activities of universities: the issues of integrity standards, deviations from integrity standards, and personal data protection are separately regulated in the Higher Education Ordinance as amended in 2023 (Higher Education Ordinance, 2023). The Swedish Agency for Higher Education is authorized to evaluate the activities of higher education institutions in the field of education and science, as well as to provide them with legal support and monitor the effectiveness of the educational system. Despite the focus of the Swedish higher education system on sustainable development, the third mission of HEIs is poorly institutionalized (Benneworth et al., 2015; Schnurbus, Edvardsson, 2022), there is no systematic approach to its evaluation as an element of accreditation procedures, despite the high level of involvement of universities in public life at various levels. Different aspects of the third mission of universities are reflected in the strategic documents of the HEIs. The activities of higher education institutions are actually focused on different aspects of the third mission, but there is a clear tendency to strengthen the research component and the role of science in society (UNICOM site, accessed 08.01.2024).

Ukraine

Within this analysis, it needs to be mentioned that Ukraine, being not an EU member, currently bases its cooperation with the EU and its Member States in the educational area on the Association Agreement (hereafter - AA), which was signed in 2014 and fully entered into force in 2017. Ukraine has been active in reforming its educational legislative and regulatory framework basically from three main reasons: 1) after Ukraine gained independence in 1991, it became a player on international educational market and faced the need to modernize its educational system following global trends in education; 2) it became active in Bologna Process since 2005, and thus follows the common developments within this initiative and 3) due to the AA Ukraine committed itself to the wide-reaching agenda of alignment of its legal and regulatory frameworks to the EU acquis through the approximation obligation, which covers also the cooperation in educational sector. Ukraine already introduced the numerous reforms in the educational sector, however nowadays its national educational system adapts to work in the condition of war, which Russia started in February 2022. Since the war outbreak the cooperation between the EU and Ukraine in educational sector shifts to ensuring the needs to stabilize the educational process and preservation of the HEIs' activities during the war (Krayevska, 2023).

In Ukraine, the legal regulation of the third mission of universities is also rather framework-based and is reflected in the legal acts that regulate the activities of the education sector and higher education institutions. According to the Law of Ukraine

"On Higher Education" (Ukrainian Higher Education Act, No. 1556-VII 2014), the tasks of higher education institutions include conducting educational activities at certain levels of higher education, conducting scientific, scientific and technical, innovative and/or methodological activities, ensuring the organization of the educational process and the provision of higher education and postgraduate education to individuals, taking into account their vocations, interests and abilities. In the context of the third mission, the Law of Ukraine stipulates:

"... (1) promoting sustainable development of society by training competitive human capital and creating conditions for lifelong learning;

1¹) promoting the establishment of Ukrainian national and civic identity, fostering patriotism, forming defence consciousness; harmonious interaction of national systems of education, science, art, business and state" (Ukrainian Higher Education Act No. 1556-VII: Article 3 of Section I, 2014)

And the implementation of state policy in the field of higher education should actually take place in close cooperation with stakeholders. Starting in 2020, the President of Ukraine established the Council for the Development of Higher Education in Ukraine as an advisory body (Decree 210, 2020), which is hardly active during the war. In 2022, on the eve of Russia's full-scale invasion, the Strategy for the Development of Higher Education in Ukraine for 2022-2032 was adopted (Order No. 286-p; 2022). This document addresses certain aspects of orientation of the higher education sector of Ukraine towards increasing the role of HEIs in public life and solving social problems, although major strategic goals for the higher education sector and strategic goals for state policy in this area reflect internal issues. In the external context they focus generally on the problems of Ukraine's integration into the European educational and research areas. That is why the priorities include the efficiency of higher education management, including support for research universities, strengthening the trust of citizens, the state and business in the activities of higher education institutions, ensuring quality and competitive education, internationalization of higher education and increasing the attractiveness of academic careers. In addition to the Law of Ukraine No. 1556-VII "On Higher Education" and the aforementioned Presidential Decree "On Improving Higher Education in Ukraine", certain aspects of the third mission are regulated in the following legal acts:

☞ The Law of Ukraine No. 2145-VIII "On Education" of September 5, 2015;

☞ The Law of Ukraine No. 848-VIII "On Scientific and Scientific-Technical Activities" of November 26, 2015;

☞ The Law of Ukraine "On Amendments to Certain Laws of Ukraine on the Activation of Science Parks" of September 7, 2021;

☞ Concept of the State Target Program for the Development of Research Infrastructures in Ukraine for the period up to 2026, approved by the Order of the Cabinet of Ministers of Ukraine of April 14, 2021, No. 322-p;

⌚ Decree of the President of Ukraine "On the Sustainable Development Goals of Ukraine for the period up to 2030" (September 30, 2019, No. 722/2019);

⌚ Regulations on Accreditation of Educational Programs for the Training of Higher Education Applicants, approved by Order of the Ministry of Education and Science of Ukraine No. 977 of July 11, 2019;

⌚ Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Developing Regional Development Strategies and Action Plans for their Implementation, as well as Monitoring and Evaluation of the Effectiveness of the Implementation of the said Regional Strategies and Action Plans" (11.11.2015, No. 932, as amended);

⌚ Order of the Ministry of Education and Science of Ukraine of November 20, 2017, No. 1507 "On Approval of the Procedure for Registration of International Scientific and Technical Programs and Projects Implemented within the Framework of International Scientific and Technical Cooperation by Ukrainian Scientists, as well as Grants Provided within the Framework of Such Cooperation";

⌚ Concept of the State Target Program for the Development of Research Infrastructures in Ukraine for the period up to 2026, approved by the Order of the Cabinet of Ministers of Ukraine of April 14, 2021, No. 322-p.

These legal acts actually show a tendency to normalize the entrepreneurial dimension of the third mission of universities, while its social dimension is beyond the state regulatory influence. In addition, there is no assessment of the third mission of universities as an element of accreditation procedures in Ukraine, but certain elements of the assessment of the interaction between universities and society are carried out through mechanisms involving university stakeholders in the organization of educational activities. However, as in the countries studied, global trends in the development of the higher education sector in Ukraine are reflected in its own strategic documents, including those on the third mission. However, in general, the level of institutionalization of the third mission of universities in Ukraine only starts to evolve.

4. Conclusions

The provided overview highlights the complexity and diversity of legal and regulatory frameworks related to the third mission of universities. While there isn't a unified approach across the EU or its Member States, several key points emerge, which mark the European discussions on the third mission. Firstly, the legislative gap needs to be mentioned, since the comprehensive and systematic approach addressing specifically the third mission of universities is lacking both at the EU level and within individual member states. Secondly, due to the lack of the legislative authority in education and research matters, the EU focuses its efforts mainly on

assisting joint actions taken by Member States and reinforcing universities' roles as agents of change and providers of solutions to global, regional, and national challenges. Thirdly, the EU emphasizes on strengthening the universities as knowledge parks and prioritizes activities in this direction especially when they are focused on ensuring high-quality education and knowledge dissemination, advancing role of science in the society and innovation, facilitating technology transfer, enhancing entrepreneurship in higher education and focusing on universities' responsibility for enhancement of societal well-being. Finally, the EU aims to transform the university profiles by defining service to society as a core task and core function of the university. In a nutshell, while the challenges exist, the EU's approach towards universities as multifaceted knowledge hubs underscores their critical role as agents of changes in addressing complex global issues and driving positive developments and progress. In fact, the legislative frameworks for the third mission of HEIs cover numerous areas, as reflected in Figure 3. Thus, the creation of specialized rules and practices emerges more sporadically in university life, where the universities, as main players in the global education market, face the need to adjust to trends in this sector.

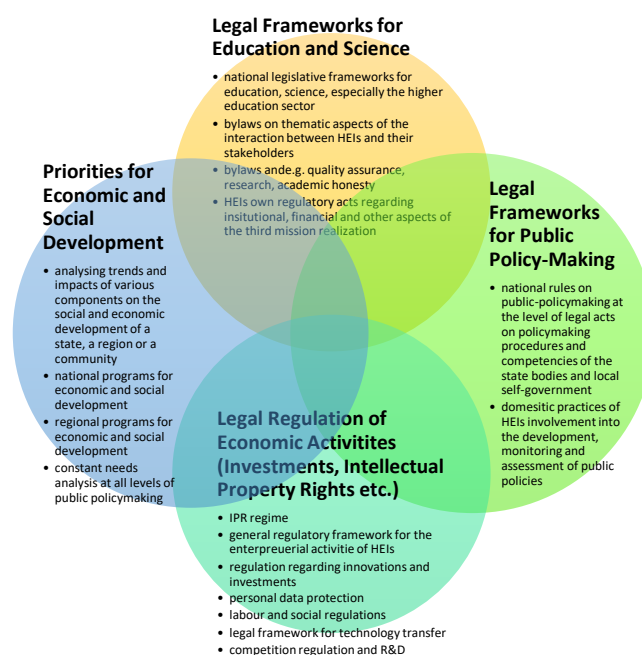


Figure 3. Levels of regulation of the third mission of universities according to Holovko-Havrysheva et al., 2024 (not published).

Thus, the legal support of the third mission of universities at the present stage is very fragmented in the studied countries. Based on the analysis of the domestic legislative frameworks in Italy, Germany, Czechia, Latvia, Sweden and Ukraine, as well as the institutional practices, the comparative table presents the differences in

national approaches towards its regulation.

	Italy	Germany	Czechia	Latvia	Sweden	Ukraine
National level	Institutionalized presidential decree, part of the accreditation procedures	Institutionalized in the higher education legislation of the federal states	Institutionalized in a framework nature	Not actually institutionalized, but activities in the field of culture	Institutionalized in a framework nature	Institutionalized in the higher education development strategy
Institutions level	missions and strategies	missions and strategies	missions and strategies	missions and strategies	missions and strategies	missions and strategies
Components of the third mission	valorisation of research; creation of public goods	technology and knowledge transfer; professional development; social engagement	entrepreneurship; innovations; social engagement	transfer of technology, knowledge and innovation; growth of democracy and culture; economic growth	research and innovation; cooperation to solve social problems; communication	education; science

Table 1. Comparative table of the third mission institutionalization in the UNICOM project partner countries according to Holovko-Havrysheva et al, 2024 (not published).

In Germany and Italy, the third mission of universities is quite well institutionalized in the system of educational processes management - in Italy, the assessment of the third mission of universities is a mandatory element of state accreditation of higher education institutions, which necessitates the creation of institutional mechanisms within universities to ensure it; in Germany, the third mission is institutionalized mainly in the context of one of its components - technology and knowledge transfer reflecting the role the universities played and play in boosting economic development. In Czechia and Sweden, the legal framework for the third mission is generally formed at the level of goals and objectives of the HEI, while in Latvia and Ukraine, implementing the third mission is not regulated at the state level. However,

at the university level, their third mission is reflected in strategic documents and communicated to the outside world. This state of affairs is caused by higher education development trends, where, since the 70s of the XX century, a tendency to involve universities in public life beyond the framework of educational and research activities as the two core activities of in higher education is persistent. As of today, only Italy has a systematic practice of assessing the third mission of universities as an element of accreditation procedures. In fact, in all countries, the priority component of the third mission of universities is the commercialization of scientific activities and innovations, through which universities can solve both global problems of mankind and contribute to the socio-economic development of their countries, regions and communities.

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