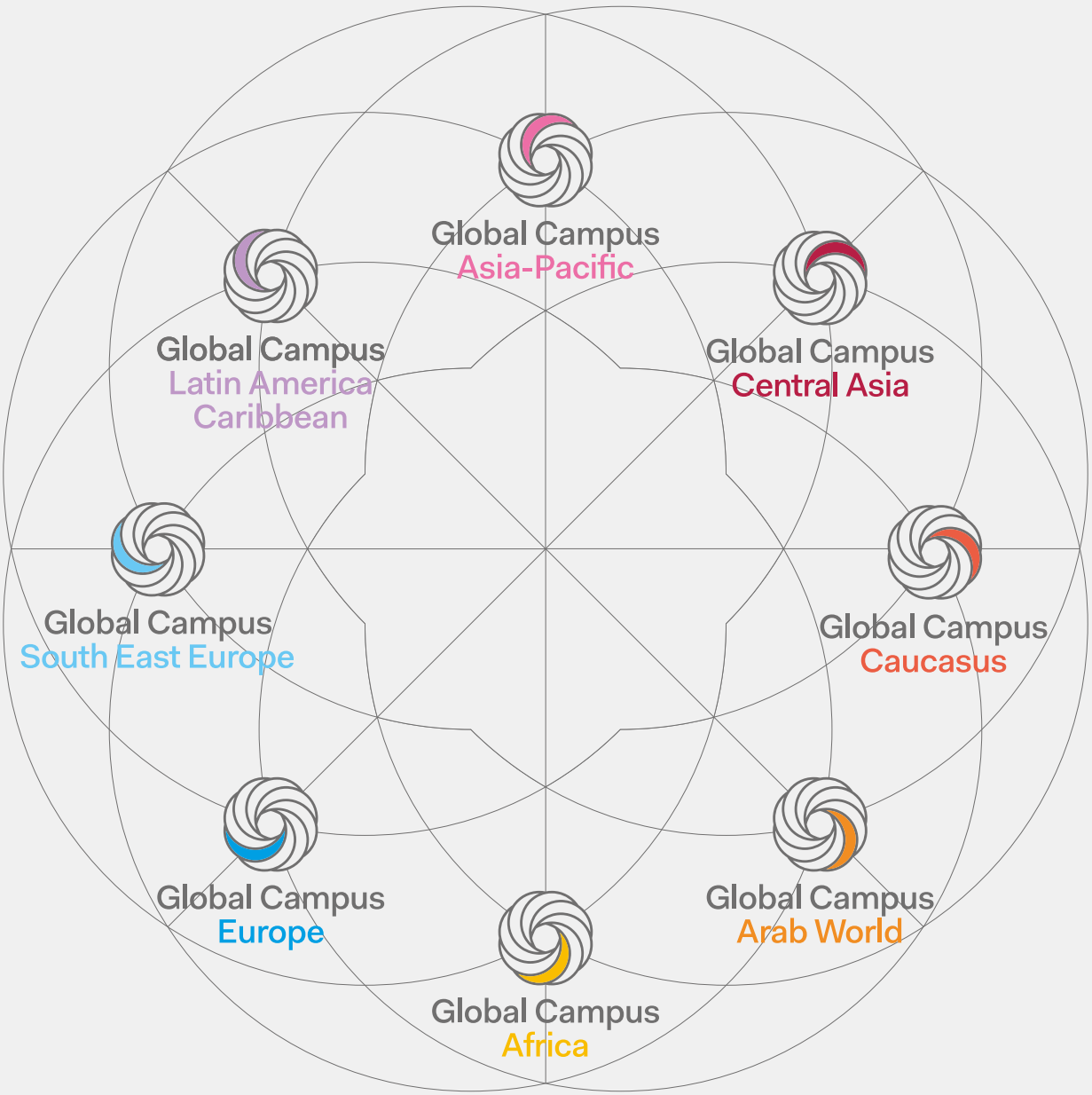
Global Campus Caucasus

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Meline Avagyan

Academic freedom as an individual and institutional right: the case of the South Caucasus

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Executive summary

Based on the Academic Freedom Index Update 2026, academic freedom has declined in 50 countries, and only nine countries have showed an increase. Academic freedom across Europe is under increasing pressure (CoE 2025). Many of the conditions affecting academic freedom therein also appear in the South Caucasus (Maassen et al 2025). This policy brief explores academic freedom promotion and protection practices in Armenia, Azerbaijan and Georgia through a human rights-based approach, looking at the academic freedom as both an individual and institutional right. While these countries to some extent recognise it as part of their primary and secondary laws, there is a gap between laws and practice. For example, Armenia and Georgia are partially in compliance with European and international standards but face challenges related to political influence over university governance, accreditation and funding, leading to self-censorship. In Azerbaijan, there is systemic repression, strong political control and academic expression challenged with imprisonment. Overall, academic institutions, academics and students experience weak institutional autonomy, lack of independent oversight mechanisms and absence of effective remedies for violations. This policy brief recommends aligning national frameworks with international human rights standards, establishing independent monitoring and protection bodies, strengthening institutional autonomy and collegial governance, introducing a tenure system and investing in awareness-raising and capacity-building at universities. Academic freedom should also become a clear benchmark in cooperation agreements, regional funding opportunities, linking these to academic freedom safeguards, with external evaluation and early-warning mechanisms.

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Introduction

Academic freedom is vital for higher education and is grounded in international human rights law in relation to various provisions: in particular, Articles 19, 26 and 27 of the Universal Declaration of Human Rights (UDHR); Article 19 of the International Covenant on Civil and Political Rights (ICCPR) recognising the right to hold opinions without interference and the right to freedom of expression, including freedom to seek, receive and impart information and ideas of all kinds; Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognising that 'education shall enable persons to participate effectively in a free society' and the right to education, including higher education equally accessible to all; and Article 15 of the ICESCR enshrining the right to participate in and benefit from science, also requiring states parties 'to respect the freedom indispensable for scientific research and creative activity'. In this context, in many ways freedom of opinion and expression has been deemed to protect and promote academic freedom (Kaye 2020: paras 15–20). The right to education and the right to science have been deemed to safeguard other key elements underpinning academic freedom (CESCR 1999: paras 38–40; CESCR 2020: paras 13, 22 and 46; Shaheed 2024: paras 30–41). The right to freedom of thought, conscience and religion, the right of peaceful assembly and freedom of association, under Articles 18, 21 and 22 of the ICCPR, play further roles in upholding academic freedom.

Looking at soft-law instruments, UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel highlights their core rights and freedoms and defines academic freedom as 'the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing results thereof, freedom to express opinions about the institution or system in which they work and freedom from institutional censorship and freedom to participate in professional or representative academic bodies' (UNESCO 1997: paras 25–30). Significantly, recent efforts to strengthen the monitoring and protection mechanisms across UN levels have led to the Principles for Implementing the Right to Academic Freedom (WGAF 2024), which can be used to explore different challenges faced by countries in the field. In this regard, academic freedom is specifically defined as 'the human right to acquire, develop, transmit, apply, and engage with a diversity of knowledge and ideas through research, teaching, learning, and discourse' (WGAF 2024: Principle 1).

The Council of Europe (CoE) shapes the regional framework for academic freedom. Article 10 of the European Convention on Human Rights (ECHR) is interpreted to protect freedom to teach, research and disseminate knowledge, while Article 2 of Protocol No 1 safeguards the right to education, supporting educational institutions' independence. The European Court of Human Rights (ECtHR) has recognised that academic freedom includes the right to express dissenting views without fear of dismissal or discrimination, ensuring that it remains a cornerstone of democratic societies (eg, *Sorguç v Turkey* (2010). Moreover, CoE policy instruments elaborate, *inter alia*, on 'appropriate autonomy to individual institutions' (CM/Rec (2019)9); public authorities' responsibility for academic freedom and institutional autonomy (CM/Rec (2012)7); public responsibility for higher education and research (CM/Rec (2007)6); and aspects of academic freedom in academic research (CM/Rec (2000)8).

Armenia, Azerbaijan and Georgia are bound by all these standards and principles. With the Soviet Union collapse, they had to continue, update and renovate their educational systems; in a way, an educational system that was once very similar became divided, including in terms of funding and networks (Usher 2023). This policy brief examines the root causes of their failure to ensure academic freedom, and the impact of restrictions and pressures on professors and students' related rights as enshrined in international law, highlighting possible solutions. The brief is based on qualitative desk research and limited primary data collection. It draws on a review of academic literature, policy reports and relevant legal frameworks. Additionally, six semi-structured interviews with professors and students were conducted using purposive sampling to capture diverse perspectives. Due to the small sample size and reliance on self-reported data, the findings are indicative rather than representative.

This brief investigates what reforms are needed to strengthen academic freedom from a **human rights-based approach**. Arguably this freedom must be recognised and defended first as an individual right to think, research and speak freely in the academy. Many campaigners (eg, Academics for Academic Freedom) see academic freedom as the right of academics (to research, speak, teach and publish) and of students (to study and express ideas freely) (Butcher 2024). Individual freedom is tied to a person's conscience and agency; without this, academic life becomes

constrained by group-norms or organisational values. For some scholars and university bodies (Butcher 2024), academic freedom is a collective right of higher education institutions (eg, departments, unions) which are allowed to decide what views are acceptable or not, for example by banning certain speakers or privileging certain viewpoints.

Nonetheless, emphasising collective freedom may curtail academics or students' freedom, for example by discouraging dissenting views or suppressing controversial research. Collective decisions should not be allowed to silence minority voices, limiting genuine academic debate and inquiry.

Problem description

Armenia

Academic freedom (as related to freedom of education, opinion, expression, research and the right to self-governance) is protected under the Constitution (articles 38, 42 and 43) and the Law on Higher Education and Science (articles 4.6, 4.13 and 23.12). For an Armenian scholar interviewed for the purpose of this brief: 'The main legal gaps in protecting academic freedom stem from the fact that academic freedom is recognized mostly at the institutional level and only in very general terms, rather than as a concrete and enforceable set of individual rights for academics and students. While the Constitution guarantees higher education institutions' academic and research freedom and self-governance within the scope prescribed by law, ordinary legislation does not clearly specify what individual academic freedom means in practice, particularly in teaching, authorship, and public scholarly expression'.

The *de facto* situation in higher education institutions deserves attention. Yerevan State University adopted the Declaration on Academic Freedom (YSU 2019), and the American University of Armenia policies are supposed to protect professors, administrative employees and students (AUA 2001), but whether effective protection is provided is questionable. Academic freedom is particularly affected by challenges regarding **national security issues**, creating additional responsibilities for scientists and researchers (YSU 2023). The Academic Freedom Index measures it as 0.58 out of 1, which has decreased since 2019 when it was 0.84 percent, and from 2024 when it was 0.64 (FAU and V-Dem 2025).

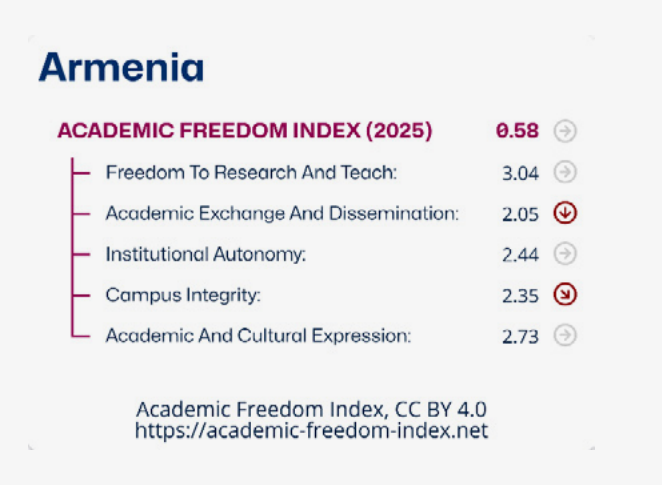


Figure 1. Academic Freedom Index, 2025, Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU) and the V-Dem Institute.

This index shows that Armenia's 'academic exchange and dissemination', 'campus integrity' and 'institutional autonomy' scores are the lowest among the five indicators. The progress made on 'freedom to research and teach' and 'institutional autonomy' is associated with increased university autonomy following the 2018 revolution, reflected in reduced senior government officials on boards of trustees and appointed non-politically affiliated individuals as board chairs in several institutions (CEPACSO 2025). Despite improvement between 2018 and 2021, most indicators declined after. While achieving highest ratings in freedom of teaching and research, the decline of institutional autonomy is linked to the **increased high-ranking officials** on university boards of trustees following the 2020 war, with most board chairs being senior representatives of the ruling party. This raises concerns, as it does not enhance university autonomy as envisaged under the Comprehensive and Enhanced Partnership Agreement (CEPA 2017). Neither the State Program for Education Development nor the 2021–2026 Government Program set measures for such enhancement.

As highlighted by an interviewed scholar, ruling elites in the university decision-making bodies can lead to self-censorship on politically sensitive subjects since institutional protections can be fragile. For another interviewee, universities are not fully protected from **political interference**: 'While direct intervention is rare, indirect influence is exercised through funding mechanisms, accreditation procedures, leadership appointments, and broader political expectations; institutional policies on academic freedom exist, but they are often more symbolic than operational; they tend to lack clear enforcement mechanisms, procedural clarity, and precedents that would build trust among academics and students; as a result, they provide moral affirmation rather than practical protection'. Positively, in 2024 the Law on Higher Education and Science was amended in article 26.7, which would impede university leaders from being political party members and require to be politically neutral (Freedom House 2025). This positive step will hardly solve the issue about university autonomy if academic culture and norms remain the same.

In terms of individual rights, as mentioned by another interviewee, Armenia's copyright legislation (RA 2006) protects scientific, literary and educational works and recognises moral rights such as attribution and protection of the integrity of the work. However, higher education legislation and university-level regulations **don't always include copyright protections** as rules for academic teaching outputs. For example, materials such as syllabi, lecture slides, online course platforms, assessment materials and datasets are treated as institutional property. Teaching materials are often uploaded to university platforms without clear consent or rules on attribution, allowing others to reuse or modify materials without authors' permissions. Such institutional practices weaken the protection for individual academics and students.

For another interviewee, a **major gap concerns remedies and enforcement**. Although constitutional protections exist and individuals may theoretically appeal to courts or the Human Rights Defender, national universities usually lack trusted, independent and specialised internal mechanisms to address academic freedom or authorship disputes. This makes legal protection slow, uncertain and inaccessible in everyday academic conflicts.

Notably, the ECtHR case law concerning Armenia does not yet include judgments addressing academic freedom as a standalone issue. Nonetheless, in *Aghajanyan v Armenia*, the ECtHR found that the interference with the applicant's employment-related freedom of expression was not supported by 'relevant and sufficient' reasons and therefore failed the proportionality test under Article 10 ECHR. It emphasised that disciplinary measures in professional settings can have a chilling effect on scholarly and workplace speech, requiring particularly strong justification from the state.

At the UN level, the Committee on Economic, Social and Cultural Rights' concluding observations (CESCR 2023) highlighted its concerns that Armenia did not provide information regarding guarantees of academic freedom under Articles 13 and 14 of the ICESCR, recommending the indication of what measures it has taken to ensure respect for academic freedom, freedom of thought and opinion in universities and freedom of scientific research and creative activity. The Human Rights Committee only emphasised concerns regarding freedom of expression in universities and few public resources directed to essential services such as education, urging to increase related investments and vulnerable groups' access to education (HRC 2021).

Georgia

Articles 20 and 27 of the Constitution explicitly guarantee 'academic freedom and the autonomy of higher educational institutions', 'freedom of creativity' and 'intellectual property', prohibiting censorship. The Law of Georgia on Higher Education (enacted in 2004 and subsequently amended) recognises the 'academic freedom of academic personnel, scientific personnel and students' in article 16(1)(b). Moreover, article 22.1(5)(e) specifies that the Board of Regents shall exercise their 'other powers determined by the legislation of Georgia and the statute of a higher education institution provided that they do not restrict the academic freedom of the higher education institution'. Additionally, the Law on Freedom of Speech and Expression protects the right to express opinions. The Law on Personal Data Protection can also help protect academic freedom of the university community.

Both the government and higher education institutions have a legitimate interest in safeguarding the public interest and guaranteeing that teaching activities, scientific work and study process are done responsibly and ethically (Bakaradze 2023: 35–37). They may limit academic freedom in certain circumstances. Under article 3 of the cited Law on Higher Education, 'academic freedom may be restricted only in: (a) determining organisational issues and priorities to achieve freedom of scientific research; (b) resolving organisational issues regarding the study process, and the issues concerning the approval of the timetable of lectures and the curricula,

to achieve freedom of teaching; (c) organising the study process and ensuring high-quality studies to achieve freedom of learning; (d) in the cases when the implementation of scientific research and publication of its results is restricted under a labour agreement, or when the results contain a state secret'. However, these limits can be misused to serve authorities' own agenda any time.

Based on an assessment of *de facto* protection, the Academic Freedom Index (FAU and V-Dem 2025), through expert surveys and measurement model, indicate Georgia among the top 30–40 percent of countries where this index increased in 2024 compared to 2012, however it dropped down drastically from 2024 and is 0.58 already in 2025.

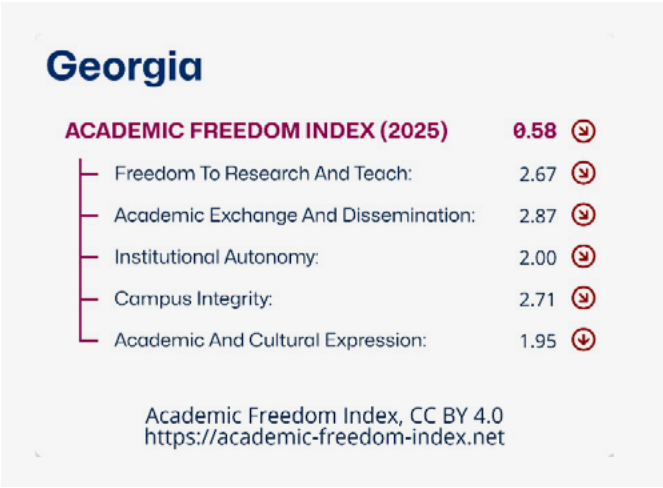


Figure 2. Academic Freedom Index, 2025, Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU) and the V-Dem Institute.

Political developments have increasingly threated academic freedom and international research collaboration. **Legislation targeting organisations with foreign funding** risks undermining the autonomy and credibility of universities and research institutions (FIDH 2026). Simultaneously, a broader shift away from European integration raises concerns about **reduced access to EU research and mobility programmes** (eg, Erasmus+, Horizon Europe). These developments could weaken Georgia's research capacity, limit academic exchange and contribute to the growing isolation of its higher education system (Gogadze 2024).

University student protesters have reportedly faced **violence and intimidation**. For example, in June 2024 assailants beat student activist Niko Managadze near Tbilisi State University, after he protested against a lecture by the Prime Minister. Scholars also face harassment for their academic expression; in 2023 far-right groups did not allow politician and literary scholar Levan Berdzenishvili to hold lectures several times. Additionally, school principals and teachers are under pressure to campaign for the ruling party; or, in 2024 some teachers were fired because they supported opposition leaders, specifically Lado Apkhazava was attacked physically after protesting against the foreign agent law party (Freedom House 2025c).

Emblematically, in 2024 the Ministry of Education decided to not renew the accreditation of Ilia State University which provides an environment for independent thinking. The Highest Collegial Governing Boards' Statement (Ilia State University 2026) strongly criticised such a decision that **limits the university's admissions** to only pedagogy and STEM fields under a 'one city – one faculty' reform approach, arguing that this is unconstitutional, undermines academic freedom and institutional autonomy and severely damages the university's ability to teach and conduct research across diverse disciplines. In March 2025, the Authorization Council officially granted this university full institutional authorization and accreditation for a period of six years without any conditional monitoring periods (Razmadze 2025). Moreover, the latest National Concept for Reforming the Higher Education System (Ministry of Education, Science and Youth of Georgia 2025) does not even mention the concept of academic freedom.

Moreover, studies on post-Soviet higher education, such as Smolentseva, Huisman and Froumin (2018) note that reforms linked to the Bologna Process often amounted to another phase of adopting Western models, frequently without clearly defined aims or tangible benefits. This view is reinforced by Shchepetylnykova and Oleksiyenko (2024), who emphasise how the Soviet legacy hinders substantial transformation across the region, including in Georgia. Their work underscores that **de-Sovietisation in higher education** is a gradual and complex process involving deep structural change rather than simple policy adoption.

Notably, in *Tuskia and Others v Georgia*, concerning a protest against university reforms by a group of academics at Tbilisi State University, nine professors (six of which were members of the Grand Academic Council) applied to the ECtHR which ruled in 2019 that their removal by the police from the rector's office had constituted a justified interference with their right to freedom of assembly. The right to freedom of assembly includes the right to choose the venue, but that choice is subject to the restrictions laid down in Article 11(2) ECHR and for the ECtHR it is permissible to restrict gatherings in areas

designated as special security zones such as the premises of the university administration (paras 86-87). Nonetheless, the ECtHR also held that the forced dispersal of the protest by the police and related administrative proceedings constituted an unlawful and disproportionate interference violating Articles 10 and 11 as well as Article 6(1) ECHR.

Regrettably, the CESCR's concluding observations (2026) did not mention academic freedom while recommended to strengthening equal opportunities, improving access to education and language training, inclusive education policies, resources and teacher training. HRC's concluding observations (2022) mentioned the need to protect freedom of expression only for journalists, human rights and environmental defenders, without considering academics and students.

Azerbaijan

Article 51 of the Constitution recognises everyone's 'right to freedom of creative activity', article 45 stipulates the right to engage in creative activities and in education in any language, article 46 stipulates voluntary consent in scientific experiments and article 42 guarantees the right to education while affirming state control on the education system. The Law on Education (article 5, right to education; articles 3 on autonomy of academic institutions) and university policies provide some protection which is often limited in practice. For some university administrators, likely influenced by the political system, academics should not criticise society, politics or their own institutions; many of them are academics themselves and wrongly think that universities should prioritise supporting the regime rather than advancing knowledge (Huseynli 2021).

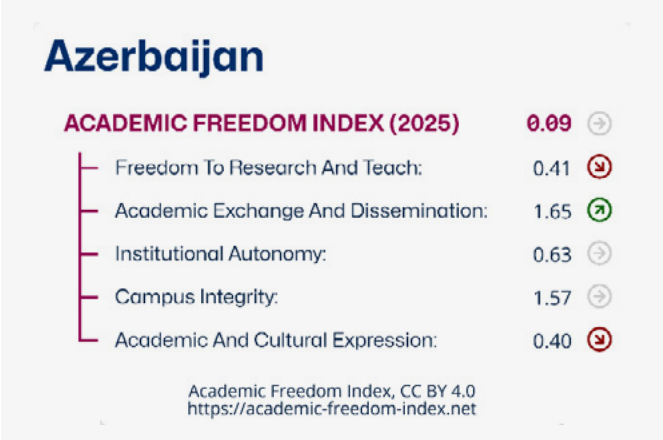


Figure 3. Academic Freedom Index, 2025, Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU) and the V-Dem Institute.

Azerbaijan is considered as a consolidated authoritarian regime, scoring 0 out of 40 for political rights and 7 out of 60 for civil rights (Freedom House 2025). The ruling party has strong influence on **educational content**, which aims at glorifying the elite representatives' policies. In case educators write reports containing criticism and are perceived against the ruling elite, they are either arrested or dismissed (Freedom House 2025). State authorities also control and monitor **student associations** as well as the **educational funding** (Freedom House 2025b).

According to Endangered Scholars Worldwide (2026), **students/scholars have been dismissed** for expressing views opposing to that of the government; they are not allowed to cite those who criticise the government; they have been also pushed to write papers where the government is represented from a positive angle. Emblematically, 50 professors were fired from the Caucasus University for having alleged ties to Turkish exile Fetullah Gülen. There are also cases of **social media accounts hacking** against activists, journalists and scholars via Pegasus spyware, a surveillance software. A recent case of **political persecution of academics** concerns the prosecution of the New University in Exile Consortium member and economist Gubat Ibadoghlu, who was detained in 2023 on counterfeit currency charges which were later changed to 'the preparation, storage, or distribution of religious extremist materials'; after spending 274 days in pre-trial detention in a penitentiary institution, he was released to a house arrest in 2024 with an indefinite duration (Endangered Scholars Worldwide 2026). Moreover, in 2025 UN experts called for the **release of PhD researchers** Igbal Abilov and Bahruz Samadov who have been held in detention for over a year for their academic work (OHCHR 2025). Samadov was charged with high treason and sentenced to 15 years in prison for having expressed criticism about political developments in Azerbaijan and being vocal for peace with Armenia. Abilov was accused in high treason as foreign instructed anti-state appeals used his academic work on ethnic minorities in the South Caucasus. On 2 May 2026, the prosecutor proposed a 19-year prison sentence for Abilov, and on 20 May 2026, the court sentenced Abilov to 18 years in prison; on 11 June 2026, the Supreme Court upheld the decision; Abilov has exhausted domestic appeal mechanisms and intends to file a complaint to the ECtHR (Caucasian Knot 2026).

Notably, apparently no cases before the ECtHR have directly dealt with academic freedom in Azerbaijan so far. However, some landmark cases reflect ongoing struggles against the government's systemic interference and broader attack on dissenting

academics. For example, the case of Gubad Ibadoghlu for which the ECtHR ordered interim measures under Rule 39 requiring the Azerbaijan to provide adequate medical assistance (EHRAC 2024). Another example regards the case *Yunusova and Yunusov v Azerbaijan* (ECtHR 2016; ECtHR 2020).

Regrettably, the government has dedicated **very small amount to the spending on education** from the state budget, which brings to lower salaries for scholars, encouraging them to take bribery for grades and other activities. Nonetheless, an increase of the state budget to education, a total of 5.02 billion manats ($2.95 billion), is projected to be allocated for education expenditures from 2026, which represents an increase of 78.6 million manats ($46.2 million), 1.6 percent compared to 2025 (EDnews 2025).

It is worth also highlighting that neither CESCR's concluding observations (2021) on Azerbaijan's periodic report nor HRC's concluding observations (2016) on the state periodic report mentioned academic freedom. In 2022 the Committee on the Elimination of Racial Discrimination (CERD 2022) was concerned about the lack of detailed information on state measures to combat prejudice and intolerance and integrate human rights principles into university programmes, recommending state measures 'to ensure history is taught in such a way as to prevent a dominant historical narrative and ethnic hierarchizing, while ensuring the effective and meaningful participation of the ethnic minorities' (paras 34– 35).

Rationale for action

Armenia, **Georgia** and **Azerbaijan** have some legislative and policy arrangements which should protect the academic freedom of universities, professors and students, but there are serious gaps between regulations and practices. Strengthening academic freedom in their higher education systems is about fulfilling specific **state obligations** under international human rights law which can generate tangible benefits for universities, scholars, students and society. All three countries are parties to the ICCPR and the ICESCR which enshrine core entitlements requiring respect and protection for academic freedom, especially in light of treaty bodies and special rapporteurs' authoritative interpretations.

These standards have been further reinforced by the Principles for Implementing the Right to Academic Freedom which clarify its content, scope and status (Shaheed 2024: para 21), also with appendix I providing considerations for evaluating its implementation and appendix II offering guidance on its implementation (WGAF 2024). A comparison of the three countries' situations is provided here to highlight the several aspects in which their adherence in practice is needed.

Importantly, **international support** to improve protection and promotion mechanisms for academic freedom as an individual and institutional right, even if at different paces and ways, would strengthen existing democratic governance and hopefully provide a basis for willing actors where it does not exist.
It is worth highlighting that these countries have agreements with the European Union (EU) which envisage an approximation of their policies to the EU, making it imperative for them *inter alia* to respect human rights as enshrined in international law and generate relevant changes. In particular, the EU-Georgia Association Agreement (EUR-Lex 2021); the CEPA between Armenia and the EU (EUR-Lex 2017); the Strategic Agenda for the EU-Armenia Partnership (MFA 2025) and the recently adopted national Law on Initiating the Process of Armenia's Accession to the European Union (CSO Meter 2025); the CPA between Azerbaijan and the EU (EUR-Lex 1999) and the Azerbaijan-EU ongoing negotiation on a new strategic partnership agreement. However, there are not yet explicit references to academic freedom in the related conditionality clauses.

THE 9 WGAF PRINCIPLES: COMPARATIVE OVERVIEW

WGAF PRINCIPLE	ARMENIA	AZERBAIJAN	GEORGIA
1. Academic freedom is the right to develop knowledge and ideas	Political influence and self-censorship, especially in social sciences, limit free development of ideas in practice.	Severely restricted in practice; academics are discouraged from developing or expressing critical ideas, particularly those challenging political narratives.	Harassment and intimidation of scholars and students undermine free development of ideas in sensitive fields.
2. Academic freedom is protected by international human rights law	Armenia ratified ICCPR and ICESCR and has EU-oriented commitments; implementation and enforcement remain weak.	Azerbaijan ratified ICCPR and ICESCR; systematic non-compliance limits the practical protection of academic freedom.	Georgia ratified ICCPR and ICESCR and formally aligns with them; selective application and political pressure weaken protection in practice.
3. Academic freedom requires autonomy of institutions	Institutional autonomy is limited by state-appointed university boards, centralized governance, and accreditation processes influenced by political elites.	Universities lack real autonomy; governance, funding, and curricula are closely controlled by the state.	Government interference through accreditation and monitoring remains a concern.
4. Academic freedom includes intramural and extramural expression	Academics often self-censor on politically sensitive topics; extramural expression is formally protected but not effectively safeguarded.	Extramural and intramural expression critical of the regime can result in dismissal, arrest, or other reprisals.	Intramural expression is generally protected; extramural expression has led to harassment, violence, and public intimidation, particularly for critical voices.
5. Academic freedom requires access to information	Political sensitivities and informal constraints affect research access in certain areas.	Heavily restrictions especially regarding political, historical, and governance-related topics.	Strong access, though national security and political considerations may impose indirect limits.
6. Academic freedom requires freedoms of movement and association	Academic mobility and association are permitted, but funding dependence constrain independent networking.	Freedom of association is tightly controlled; student and academic associations are monitored and state-influenced.	Academic associations function freely, though student activists and educators face intimidation and violence.
7. Academic freedom is essential to all levels of education	Protection focuses on higher education.	Weakness across all levels of education; education serves regime-supporting narratives.	More robust protection at university level; teachers in schools face political pressure to support the ruling party.
8. Students have the right to academic freedom	Students' academic freedom is recognized in institutional policies, but limited protection exists against retaliation for political expression.	Student freedom is highly restricted; student organizations are controlled and monitored by authorities.	Students enjoy formal protections, but student protesters face violence, intimidation, and reprisals.
9. Protection of academic freedom is a shared responsibility	Responsibility is largely symbolic; no independent monitoring or enforcement bodies exist to ensure protection.	The state does not recognize shared responsibility; academic freedom is subordinated to political loyalty.	Legal framework supports shared responsibility, but state actions and lack of effective protection mechanisms undermine trust and implementation.

Note: This overview reflects the situation as described in the provided assessment.

Figure 4. Principles for Implementing the Right to Academic Freedom: a comparative overview

Moreover, academic freedom declines entail a **decrease in the quality and quantity of scientific innovations and discoveries** in the South Caucasus since academic collaboration decline (Chykina et al 2025). Collaboration happens among scientists and among universities; many networks of universities produce greater knowledge and can be damaged when academic freedom is threatened. Additionally, there is a new tendency within regional networks of academics, for example, from BRICS (Brazil, Russia, India, China and South Africa) countries, specifically between China, India and Russia, in the context of geopolitical tensions with the West (Danell 2025). This means **less diversity in terms of scientific approaches** and more focus on areas and specific directions that the governments of these states want to move. The likelihood of impact by the more dominant countries is high, given their political and/or economic leverage in Armenia, Azerbaijan and Georgia.

Global research shows that academic freedom decline poses a substantial threat to the innovation output of countries in terms of both quantity and quality (Audretsch et al 2024). Notably, one of the multiple reasons explaining such decline is the success of anti-pluralist political parties which are against (1) the democratic process as the legal means of gaining and losing power, (2) the legitimacy of political opponents, (3) peaceful resolution of disagreements and rejection of political violence, and (4) unequivocal support for civil liberties of minorities (Kinzelbach et al 2025).

Policy options

This section elaborates on three policy options after considering cases mainly successful in terms of protecting, prompting and monitoring academic freedom at individual and institutional levels.

Case 1: Estonia

Estonia is leading in terms of academic freedom (Kinzelbach et al 2024), partly due to a strong legal protection provided (Männi 2025). Article 38 of the Constitution specifies that science and art and their teachings are free. Nonetheless, this provision

approaches academic freedom from the perspective of an institutional right of universities, faculties and so on, not as an individual right of professors and students (Vrielink 2023). Three out of the six public universities in Estonia have adopted the tenure system, meaning that a researcher or a professor has a permanent academic position in the educational institution (Kindsiko and Niinemets 2024). The tenure aims to protect academic freedom, freedom to conduct independent research and teach and freedom of expression about academic views. Moreover, the Estonian Research, Development, Innovation and Entrepreneurship Strategy sets priorities on academic advancement and focuses on research autonomy, excellence, peer-review-based evaluation and freedom to pursue fundamental research (HTM 2021). This strategy gives freedom to choose academic research content in universities and is a clear message on no government interference. Additionally, independent funding mechanisms for research relies on the Estonian Research Council, which is a government-run foundation operating under the Ministry of Education and Research but has an Evaluation Committee whose members from different universities 'are independent in their work, do not represent the organisation that nominated them or the interests of their employer', keep confidential the information received during their work and adhere to the principles of research ethics (ETAG 2014: chapter 5, part 3, points 5.6-5.7).

Case 2: Czech Republic

The Czech Republic is leading in terms of academic freedom, having a score of 0.98 out of 1 (Kinzelbach et al 2025). Freedom for scientific research and artistic creation is protected by the Constitution and is not subject to any limitation (VOP 2024). Freedom of expression and the right to seek and disseminate information are also constitutionally guaranteed but are subject to limitations to protect the rights of others. The College Act 111/1998 Coll, Section 4, protects (a) freedom of science, research and artistic creation and the publication of their results; (b) freedom of teaching, consisting above all in its openness to different scientific views, scientific and research methods and artistic trends; (c) the right to learn, including the freedom to choose the focus of study within programmes and freedom to express one's own views in teaching; (d) the right of academic community's members to elect representative academic bodies; and (e) the right to use academic insignia and perform academic ceremonies (VOP 2024). All education levels, including academic staff, teachers and students, are constitutionally protected regarding freedoms of expression, research and education, although tertiary education is most self-governed. Colleges and universities legally have a high level of governance, for example they elect management and executive bodies; some supervisory power is granted to the government, for example adding or cutting some study programmes. The Constitution establishes that education should be independent from religion and ideologies, based on the principles of free dissemination of knowledge. It also prohibits censorship. Article 15 of the Constitution's Charter of Fundamental Rights and Basic Freedoms protects freedom of scientific research, and the Constitutional Court's decisions have interpreted article 15 as protecting freedom of scholarly research as an individual human right, preventing undue state interference. There are also security-guidelines to ensure university protection from foreign interference (Remžová and Karásková 2025).

Case 3: Sweden

Sweden has a high rate of academic freedom, 0.93 out of 1 (Kinzelbach et al 2025). Under section 6 of the Swedish Education Act (1992), 'higher education institutions must operate under the general principle that academic freedom must be promoted and protected' and these general principles shall apply: 'a) research problems may be freely selected, b) research methodologies may be freely developed, and c) research results may be freely published'. Most universities are committed to academic freedom in several ways, such as joining various organisations, recommendations, as well as policy documents and strategies (UKÄ 2024). The decentralised organisation of decision-making is also important, as well as collegial forums or advisory bodies focused on academic freedom (UKÄ 2024). Staff training is also highlighted as a component of the work protecting and promoting academic freedom. Some higher education institutions also emphasise the importance of involving students in discussions about the topic. Sweden has a high level of academic freedom in terms of the relationship between individuals and institutions. Under the Higher Education Act the university leadership is responsible to safeguard a culture that allows free search for, and free dissemination of, knowledge. Universities indicate that a decentralised organisation with collegial governance and decision-making processes is important for promoting and protecting academic freedom, which can also be challenging (UKÄ 2024).

Comparison of successful policies

In the Estonian model:

- Constitutional protection of freedom of science and teaching
- Strong institutional autonomy of universities
- Tenure-track system protecting academic independence
- National RDI Strategy (TAIE) ensuring research autonomy and peer-review-based evaluation
- Independent research funding with safeguards against political interference
- Strong political culture of non-interference

In the Czech model:

- Constitutional protection of freedom of scientific research as an individual right
- High level of university self-governance and elected academic bodies
- Strong academic community participation in governance
- Prohibition of censorship and ideological control
- Constitutional Court jurisprudence reinforcing academic freedom
- Security guidelines addressing foreign interference without restricting academic freedom

In the Swedish model:

- Legal obligation for higher education institutions to promote and protect academic freedom
- Freedom to choose research topics, methods and publish results
- Decentralised governance and collegial decision-making
- Advisory bodies and forums on academic freedom
- Training and awareness-raising for staff and students
- Strong seminar culture encouraging open debate
- Overall, Armenia, Georgia and Azerbaijan can draw inspiration from the following policy options, for solutions which better suit to their own contexts.

Option 1: Clarification and strengthening of legal guarantees

This option entails interpretative reforms by governments to issue guidelines clarifying and reinforcing constitutional protections, adopt ministerial codes of conduct on non-interference and require universities to adopt internal charters on academic freedom.

Advantages: low financial cost; politically feasible; rapid implementation.

Limitations: it does not address structural funding dependence or governance capture; impact may remain symbolic without enforcement mechanisms.

Option 2: Governance and funding reform

This option introduces institutional safeguards, including independent research funding councils with transparent peer-review processes, diversified funding streams, merit-based appointment systems and limits on political appointments in university boards.

Advantages: it addresses root causes of political interference, strengthens institutional autonomy and improves research quality and international credibility.

Limitations: it requires legislative change and may face resistance from entrenched political actors.

Option 3: Comprehensive rights-based academic freedom framework

This option explicitly recognises academic freedom as an autonomous right and embeds protection mechanisms at constitutional, legislative, funding and institutional levels. It includes independent oversight bodies, whistleblower protections, transparent governance, regular monitoring mechanisms and alignment with international and European standards.

Advantages: it provides long-term and sustainable protection, strengthens democratic resilience and supports innovation and international cooperation.

Limitations: it requires coordinated reform efforts and sustained political commitment.

Policy recommendations

Actionable and feasible policy recommendations are based on the previous analysis and comparisons.

To the national governments of Armenia, Georgia and Azerbaijan:

- Align higher education reform with the **state obligations** under the ICCPR, ICESCR and ECHR.
- Reform higher education law to explicitly codify **individual academic freedom both in the Constitution and secondary laws** and ensure it becomes a practical and enforceable right of academics and students, rather than only a general principle.
- Narrowly define the legal grounds for **restricting** academic freedom, such as national security and interest (Georgia).
- Recognise academic freedom as **an institutional and individual right** at the constitutional or legislative levels (Azerbaijan and Armenia).
- Explicitly recognise **students' academic freedom** in the national law, by amending article 4 of the Law on Higher Education and Science as well as the definition of academic freedom in point 3.34: 'Academic freedom is the fundamental right of academic staff, researchers and students to educate and teach, to carry out scientific research, to publish research works without any institutional restrictions, censorship, persecution or other sanctions' (Armenia).
- Protect universities from **political retaliation** through accreditation.
- Adopt a binding national framework on **academic authorship** that (1) establishes default rules on ownership and authorship of teaching and non-paper outputs, (2) provides independent enforcement and effective remedies, and (3) limits automatic intellectual property transfers.
- Establish **independent mechanisms** to handle academic freedom **violations**, such as a national or inter-university ombudsperson or unit in the ombudsperson's office, with a mandate to: (1) receive confidential complaints from academics and students; (2) mediate disputes; and (3) publish anonymised reports on systemic problems.
- Strengthen **access to justice** and **judicial remedies** for violations of academic freedom.
- Introduce legal safeguards for **institutional autonomy** and protect universities from political misuse of accreditation or monitoring; for instance, external evaluation committees, including international experts, can further limit domestic political influence on research.
- Reduce the executive control over university boards and accreditation bodies, ensuring **academically elected majorities** and protection from indirect political interference through funding.
- Amend article 26 (University Governing Board) of the Law on Higher Education and Science to increase the **number of governing board members** to 12-16 members, considering the size and specifics of universities in Armenia.
- Empower **collegial governance** and elected academic bodies, keeping to a minimum state influence over curricula and research agendas (Georgia).
- Allow a **genuine university self-governance** at the institutional level and explicitly prohibit censorship and ideological control over curricula (Azerbaijan).
- Adopt a national research strategy guaranteeing **research autonomy** while reducing government control over university boards and increasing **transparency in research funding allocation**.
- Introduce **independent research funding mechanisms**, with pilot peer-review bodies.
- Amend Armenia's policy (Law on Higher Education and Science, article 4) to: (1) define and develop benchmarks to increase the **inclusion of underrepresented groups** in higher education; and (2) support public universities in implementing actions to involve **vulnerable and social disadvantaged groups**, in line with the state benchmarks.
- Address, under clearly defined security guidelines, the **issue of foreign interference** without restricting academic freedom.

- Organise vocational training for university teachers regularly, increase the salary, social security benefits, health and safety for higher-education teaching personnel through an increase of the budget for education.

To universities:

- Legally empower **collegial governance bodies** and introduce safeguards against political misuse of accreditation or dismissal procedures, and against erosion by executive power in Georgia.
- Ensure a high level of **university self-governance** with effective participation of academic communities in decision-making through elected academic bodies, also prohibiting censorship and ideological internal control (Azerbaijan, Georgia and Armenia).
- Strengthen **university safeguards** for controversial or critical research (Georgia).
- Establish a **tenure-track system** to reduce self-censorship and job insecurity (Georgia, Azerbaijan and Armenia).
- Establish mechanisms for **student participation in governance** to promote an environment of open inquiry (Georgia and Azerbaijan).
- Support/establish **collegial advisory bodies on/for academic freedom**.
- Clearly define **academics' rights** to: teach freely within professional and ethical standards; design curricula; choose pedagogical (teaching) methods; publish and share research without fear of retaliation.
- Clearly define **students' rights** to be provided with safe and reliable ways to express disagreement or report violations of academic freedom without fearing negative consequences.
- Create **authorised bodies responsible for monitoring** and initiating **protective actions** when the right to academic freedom is being violated.
- Strengthen the **university trusted monitoring body** to prevent and respond to, harassment, intimidation and any other violence against students and scholars (Georgia).
- Create bodies responsible for **monitoring** academic freedom and initiating **protective actions** when the right is violated (Azerbaijan).
- Support **advisory bodies on academic freedom**, including their role in guidance, early warning and institutional dialogue (Georgia).
- Promote **academic freedom training** for staff and students.
- Support **awareness-raising initiatives** that provide non-confrontational entry points to foster a culture of academic freedom (Georgia and Azerbaijan).
- Adopt **internal institutional codes** of academic ethics (Azerbaijan).
- Enhance the freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system (Azerbaijan).

Focusing on academic authorship and intellectual property, Armenian universities should:

- Introduce clear rules on **academic authorship** for teaching materials, non-research paper outputs and other academic work.
- Establish the default rule that academics retain **moral rights** (eg the right to be recognised as the author) and **economic rights** over original teaching materials, unless a contract clearly states otherwise.
- Limit universities to a **non-exclusive licence** to use original teaching materials (1) only for internal teaching purposes, and (2) only during the period of employment.
- Prohibit or strictly limit broad **intellectual property assignment clauses** in employment contracts, especially those covering: syllabi; lecture recordings; and digital teaching content.
- Create **transparent systems** for recording: consent, attribution and reuse of teaching materials, especially recorded and digital content.

To regional actors (eg, CoE, EU):

- Embed **data-driven indicators** on academic freedom into regional monitoring mechanisms, EU progress reporting and human rights dialogue mechanisms, or EU partnership negotiations, as well as the CoE monitoring framework.

- Embed academic freedom in **regional funding mechanisms**.
- Specify **conditionality** to concrete measures or outcomes on academic freedom in CEPA and other roadmaps, in the EU-Azerbaijan PCA, and within the Georgia-EU Association Agreement, also providing international experts for **external evaluation committees** to further limit domestic political influence on research.
- Promote compliance with the **European Higher Education Area** (EHEA) standards.

To UN treaty bodies:

- The Human Rights Committee should address academic freedom in its concluding observations for Armenia, Georgia and Azerbaijan, especially integrating its analysis under freedom of opinion and expression, the right of peaceful assembly and freedom of association (Articles 19, 21 and 22 of the ICCPR).
- The Committee on Economic, Social and Cultural Rights should explicitly address academic freedom in its concluding observations for Armenia, Georgia and Azerbaijan, especially within its reviews of the right to education and the right to access to, participate in and enjoy science (Articles 13 and 15 of the ICESCR).

Conclusion

Academic freedom in the South Caucasus is not absent in law but is fragile in practice. **Armenia**, **Georgia** and **Azerbaijan** have all formally recognised elements of academic freedom through constitutional provisions, higher education legislation and international commitments. Yet the gap between written guarantees and lived realities remains significant. Political influence over governance structures, funding dependencies, accreditation pressures, self-censorship and weak remedies undermine both institutional autonomy and the individual rights of academics and students. It is argued that academic freedom must be understood first and foremost as a human right – one that belongs to individuals within academic communities, while also requiring institutional autonomy to function meaningfully. When academic freedom is reduced to a symbolic institutional principle, it can be narrowed or selectively applied. When it is anchored as an enforceable individual right, supported by transparent governance and independent oversight, it becomes a foundation for democratic resilience, innovation and public trust. The comparative experiences of Estonia, Czech Republic and Sweden show that strong academic freedom does not emerge from legal texts alone. It depends on political culture, independent funding systems, collegial governance and a shared understanding that dissent and debate are not threats but essential features of a healthy society.

Governments' reforms should focus on limiting the ruling elite's/government's influence over universities, particularly in governance and funding allocation, while establishing independent research funding mechanisms and a dedicated academic freedom ombudsperson or a unit within ombudsperson's office. A binding national framework on academic authorship is needed to clarify ownership rules and remedies. Introducing tenure-track systems and explicitly protecting students' academic freedom would further reduce self-censorship and strengthen institutional resilience. Universities should complement these reforms by reinforcing collegial governance, regulating intellectual property practices and ensuring safe channels for reporting violations. In **Azerbaijan**, more structural reforms are required. Legal recognition of academic freedom must be coupled with effective safeguards against arbitrary dismissals, political interference and misuse of accreditation. Strengthening judicial remedies, increasing transparency and establishing internal and external monitoring mechanisms are critical. Broader measures-such as increasing education funding, removing security-based controls in universities and protecting scholars' professional integrity-are necessary to create minimum conditions for academic freedom. Regionally, all three countries would benefit from independent oversight and international engagement, including external evaluation mechanisms and closer alignment with European standards, especially in the case of **Armenia** and **Georgia**, considering their aspirations to join the EU. Moreover, embedding academic freedom indicators into regional monitoring frameworks can further support implementation. However, the key challenge is not the absence of laws but their enforcement.

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