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Abstract

The European Court of Justice has developed a body of jurisprudence that regulates issues such as access, capacity, quality, student allowances and labour market needs, and that should be considered at least an even more important contribution to the European Higher Education Area (EHEA) than the Bologna process. The Bressol and Chaverot cases prove that the Court of Justice of the European Union (ECJ) takes national policy demands seriously, without agreeing to many restrictions on the liberty of students to study abroad. Nevertheless, Member States could limit access for reasons of public health, whereas financial reasons seem not a valid excuse for direct or indirect discrimination. Many of those involved in the Bologna Process may be surprised by the work already done by the ECJ. Yet, the genuine involvement of all Member States is crucial for making the EHEA into a lasting success, as today's question is: Is the EHEA at risk and do rulings like those of the Constitutional Court of Belgium (CCB) contribute to this? (HRK / Abstract übernommen)