EHEA Working group on recognition

REPORT BY THE EHEA WORKING GROUP ON RECOGNITION

**To be submitted to the BFUG in time
for the 2012 ministerial conference**

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The EHEA Working Group on Recognition

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Recognition is and it should be seen as an important policy tool to reinforce the European Higher Education Area (EHEA). If recognition does not work properly across the EHEA several important goals of the Bologna Process such as the Bologna degree system, joint degrees, mobility of students and academics, integrating lifelong learning into higher education and others will become just a lip service.

The EHEA Working group on Recognition therefore suggests that in their Bucharest Communique Ministers should:

1. Ask countries to examine and, where necessary, amend the national legislation for recognition. Ministers should set 2015 ministerial conference as deadline by which all countries should complete this task.
2. Endorse the European Area of Recognition manual as a collection of standards and guidelines for recognition of foreign qualifications and a compendium of good practice.
3. Call on higher education institutions to cover their recognition procedures of foreign qualifications and credits/periods of study gained abroad by their internal quality assurance procedures and ask QAAs to include compliance of the institutional recognition procedures with the legal framework of the Lisbon Recognition Convention into in issues covered by external quality assurance
4. Stimulate regional and global networking to promote recognition between the EHEA and the rest of the world and Encourage HEIs to include recognition in their internationalisation strategies
5. Ensure that competent bodies for recognition are involved in the development and implementation of the national qualifications frameworks involved

Summary of Chapter Conclusions and Recommendations

II.1 Roles of various authorities in recognition

Conclusion

There is a common pattern of the roles of various authorities in recognition used by majority of countries

Recommendation

Those countries where decisions on recognition are taken by national authorities without proper involvement of ENIC[1]/NARIC[2] centres and higher education institutions are recommended to reconsider the roles of authorities in such a way that ENIC/NARIC centres assess the foreign qualification and issue a statement. Where the applicant requests recognition for the purpose of further studies the higher education institution may take the final decision upon recognition based on the specific requirements of the programme the applicant has chosen for further studies.

II.2. Reviewing national legislation

Conclusions

Working group offers considerations for reviewing national legislation with a view to ensuring compliance with the legal framework of the Lisbon Recognition Convention and its subsidiary legal texts, including composition of national working groups for review, issues that should be examined at review national legislation and the main issues to be covered when drafting and adopting the amended national legislation

Recommendation

Ministers in their Bucharest Communique set a deadline of the 2015 Ministerial Conference by which all countries should carry out the legislation changes with regard to recognition in their Bucharest Communiqué.

II.3   Equal treatment of qualifications across the EHEA

Conclusions.

- The Lisbon Recognition Convention[3] and its subsidiary legal texts[4] set standards for procedures and criteria used when assessing foreign qualifications or credits earned abroad with a view of further studies and also for employment purposes where the profession in question is not regulated. These standards are and should be flexible to accommodate the whole variety of different qualifications in the European region and of the national settings. But, as a side-effect, this flexibility unfortunately also opens doors to different understanding of the most important principles[5] of the Convention in different countries. As a result, the real practices of assessment of foreign qualifications

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[1] ENIC – European Network of Information Centres on Recognition, established according to Article X.1 of the ETS No 165 Council of Europe/UNESCO Convention on the Recognition of Qualifications Concerning Higher Education in the European Region (Lisbon Recognition Convention

[2] NARIC – European Union network of National Academic Recognition Centres

[3] ETS No 165 Council of Europe/UNESCO Convention on the Recognition of Qualifications Concerning Higher Education in the European Region

[4] See Annex 1

[5] See Annex 2

are very different in different countries – and that means that the outcome of the assessment of the same qualification could also differ in different countries[6].

- A European Area of Recognition[7] Manual has recently been developed which goes beyond the framework of the Lisbon Recognition Convention legal framework. While the LRTC legal framework itself provides standards for recognition, the Manual adds guidelines to these standards based on codified best practices applied in the countries of the EHEA. The Manual therefore has a potential to genuinely become the EHEA Standards and guidelines for recognition.
- The European Area of Recognition Manual in its current phase is mainly a tool for national ENIC/NARIC centres and it can also be helpful also to all other stakeholders in managing recognition procedures. It is recommended by the Working group and endorsed strongly at the Stakeholders' conference in Riga on Apr 28-29 to go on and develop a second part of the EAR manual which would specifically be addressed to recognition procedures at higher education institutions.

Recommendation of the WG Recognition.

- EHEA Working group on recognition suggest that ministers at their meeting in Bucharest adopt the European Area of Recognition Manual as an EHEA tool and to suggest countries to disseminate widely and implement it.

II.4. Inclusion the institutional recognition procedures among the issues covered by internal and institutional and national quality assurance mechanisms

Conclusion

Ensuring the compliance of the procedures for recognition of foreign qualifications and credits gained abroad with the principles of the Lisbon Recognition Convention and its subsidiary legal texts is a problem in a number of countries due to (interpretation of) autonomy of HEIs. The issue can be solved by including the procedures for recognition at HEIs into the aspects assessed by the internal quality assurance within the HEI and checked by the external QAA. Such a solution avoids prescribing recognition procedures directively but rather allows HEIs themselves find the most appropriate recognition procedures to ensure compliance with the LRC legal framework and maintain autonomy of higher education institutions.

ENQA will foster its full members the need to explicitly include in their evaluation procedures a clear statement about compliance with the LRC both at the institutional and programme level.

Recommendations

- Ministers in Bucharest call on higher education institutions to include their procedures for recognition of foreign qualifications and credits gained abroad in the issues covered by their internal quality assurance procedures and ask QAAs to include compliance of the institutional recognition procedures with the legal framework of the Lisbon Recognition Convention into in issues covered by external quality assurance
- Should a decision be taken to revise the European Standards and Guidelines for Quality Assurance in the European Higher Education Area, quality of recognition procedures at HEIs should be included into the Part 1 *„European standards and guidelines for internal*

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[6] Cf. Rauhvargers A., Rusakova A. Improving recognition in the European Higher Education Area: an analysis of National Action Plans. ISBN 978-92-871-6648-7, Council of Europe Higher Education Series No 12, 2009, p. 4-98

[7] See http://www.eurorecognition.eu/

quality assurance within higher education institutions" of the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG).

II.5.2 Conclusions and recommendations on the role of qualifications frameworks in recognition

Conclusions

- Qualifications frameworks will be important tools to facilitate the recognition of qualifications. They will provide clear indications concerning quality, level and workload whereas the exact profile of a qualification will normally not be extensively described in a national qualifications frameworks.
- In terms of learning outcomes, national qualifications frameworks will most likely give firm indications of generic learning outcomes whereas subject specific learning outcomes will be better described in study programs. Therefore, QFs are transparency tools that will contribute to fair recognition but not imply automatic recognition.
- While qualifications frameworks should facilitate recognition, this should not be taken to mean that it is more difficult or even impossible to assess qualifications from systems that do not have national qualifications frameworks. This is the situation with which credentials evaluators have been faced in almost all cases until now, and it is a situation with which they will be faced in many cases in the future. Qualifications frameworks should be seen as helpful instruments, and they should be used in a way to foster fair recognition where they exist, but where they do not exist, the situation will be no different than it has been so far.

Recommendations

- Links between recognition and QFs authorities should be strengthened to build trust and good cooperation of the two.

Recommendation

- In order to promote fair recognition between the EHEA and the rest of the world, regional and global networking at the level of both practitioners and policy-makers is essential. It requires political commitments at national, regional and international level, and a strong support of UNESCO.

II.5 Recognition between the EHEA and other parts of the world

Recommendation

In order to promote fair recognition between the EHEA and the rest of the world, regional and global networking at the level of both practitioners and policy-makers is essential. It requires political commitments at national, regional and international level, and a strong support of UNESCO.

Dialogue and cooperation between the bureaus of the different regional recognition conventions should be guaranteed

ENQA will promote interregional cooperation among the QA agencies networks within the framework of the International Network of Quality Assurance Agencies for Higher Education (INQAAHE) through its participation in the Board of Directors of the International Network. Furthermore, ENQA will play an active part in the Working Group on Recognition set up in this network. In this context, the progress made in the EHEA on this issue is becoming a matter of interest in other regions.

I. MANDATE AND CONTEXT

Purpose and tasks of the working group

Recognition has been at the heart of the Bologna Process since its inception in the late 90s. If we make the exercise of counting the occurrences of the term "recognition" in the ministerial declarations and communiqués since then, recognition was mentioned more than 60 times. Beyond the textual evidence of the importance given by the European ministers to the recognition topic, many achievements have shown how recognition might be considered both as an operational objective and an instrument to pursue other operational objectives, which would enable the full implementation of the European Higher Education Area (EHEA).

The Convention on the Recognition of Qualifications concerning the ETS No 165 Council of Europe/UNESCO Convention on the Recognition of Qualifications Concerning Higher Education in the European Region, known as the Lisbon Recognition Convention (LRC), and its subsidiary texts is certainly a cornerstone of the EHEA, providing a common and agreed legal basis for recognition in the region but also being the only binding text of the EHEA. In the last two decades, various instruments have been developed, adopted and implemented at the European, national, regional and institutional level aiming at facilitating fair recognition of foreign qualifications and/or study periods abroad. Those instruments are amongst others, the ENIC[8] and NARIC[9] networks, the European Credit Transfer and Accumulation System (ECTS), the Diploma Supplement (DS), the overarching and national qualifications frameworks (QFs), the European Standards and Guidelines for Quality Assurance of Higher Education (ESG), etc.

Despite those many achievements, fair recognition remains a problematic issue that needs further commitment of European countries, governments, institutions and other stakeholders. As showed in the analysis of the 2007 National Action Plans for Recognition (NAPs)[10], despite the signature and/or ratification of the LRC by most of the EHEA countries, *there are still legal problems to implement the principles of the Lisbon Recognition Convention and its subsidiary texts in those countries that have not amended their legislation adopting the above principles.* Basically, the interpretation of the LRC and its subsidiary texts results in a strong variation of the recognition procedures and criteria amongst the countries, impeding fair and transparent recognition amongst the EHEA.

Ministers responsible for higher education in their Leuven / Louvain-la-Neuve Communique[11] asked BFUG of the "To follow-up on the recommendations of analysis of the national action plans on recognition" (Paragraph 26).

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[8] ENIC – European Network of Information Centres on Recognition, established according to Article X.3 of the ETS No 165 Council of Europe/UNESCO Convention on the Recognition of Qualifications Concerning Higher Education in the European Region (Lisbon Recognition Convention)

[9] ENIC – European Network of Information Centres on Recognition, established according to Article X.3 of the ETS No 165 Council of Europe/UNESCO Convention on the Recognition of Qualifications Concerning Higher Education in the European Region (Lisbon Recognition Convention)

[10] The full version of the analysis of the 2007 NAPs for recognition is accessible here:
http://www.ehea.info/Uploads/qualification/Analysis_of_2007_RecognitionNAPs.pdf.

[11] The Bologna Process 2020 -The European Higher Education Area in the new decade. Communiqué of the Conference of European Ministers Responsible for Higher Education, Leuven and Louvain-la-Neuve, 28-29 April 2009

According to the ministerial call BFUG in 2009 established EHEA Working group on recognition whose specific tasks were:

> *"Following up on the recommendations of analysis of the national action plans on recognition:*
>
> 1. *Make recommendations on the respective roles and responsibilities of public authorities responsible for overall higher education policy, higher education institutions, national information centres on recognition and other competent recognition authorities in developing national policies to implement the recommendations of the analysis;*
> 2. *Make recommendations on considerations countries should include in reviewing their recognition legislation, taking account of the LRC and the policies and objectives of the EHEA;*
> 3. *Clarify differences in recognition criteria and procedures among countries of the EHEA and make recommendations with a view to ensuring more equal treatment of applications for recognition throughout the EHEA, with reference to academic as well as de jure and de facto professional recognition;*
> 4. *Explore possible ways to include an assessment of the quality of the recognition procedures of HEIs in the internal quality procedures as well as external quality reviews of HEIs;*
> 5. *Associate the Working Group on qualifications frameworks in any consideration of the role of QFs in implementing the recommendations of the analysis.*
> 6. *Explore possible ways to improve recognition with other parts of the world."*

The final report/ conclusions had to be presented and discussed no later than the BFUG meeting in the second half of 2011.

Working group composition

The composition of the working group was formed with intention to gather policy-makers (more specifically BFUG representatives) with recognition practitioners (ENIC and NARIC national representatives) international organisations in charge of recognition and representatives of other stakeholder organisations of recognition.

Working group was chaired by Prof. Andrejs Rauhvargers (Latvia) and the group members represented the following countries and stakeholder organisations: Armenia, Austria, Belgium/Flemish Community, Belgium/French Community, Denmark, Estonia, Finland, France, Germany, Holy See, Ireland, Montenegro, Netherlands, United Kingdom, European Commission, Council of Europe UNESCO, ENQA[12], ESU[13], EUA[14] and EURASHE[15].

Working group activities. Working group held six meetings (see table 1). Working group has submitted interim reports to BFUG meetings at Alden Biesen, 24-25.08, 2010, Budapest 17-18 Mar; 2010, and Krakow, 13-14 Oct, 2011. Working group also organised a and organised a Stakeholders' Conference on Recognition in the European Higher Education held in Riga,

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[12] European Association for Quality Assurance in Higher Education

[13] European Student Union

[14] European University Association

[15] European Association of Institutions in Higher Education

Latvia on 28-29 April, 2011 in which the suggested recommendations of the working group were discussed with a wider community of stakeholders of recognition.

Activities of the EHEA Working Group on Recognition

Date	Place	Actions
15 Feb 2010	Brussels	Discussion of Terms of Reference of the Working group, setting road map and timetable
10 JUN 2010	Brussels	Brainstorming on possible recommendations
21-22 Jun 2010	ENIC-NARIC meeting Sevres	Discussion of all issues with ENIC and NARIC networks, gathering opinions and information
25-26 Aug 2010	BFUG meeting Alden Biesen	Intermediate reporting to BFUG
25 Oct 2010	Strasbourg	Discussing and revising first draft of recommendations
15 Feb 2011	Brussels	Preparation of stakeholders conference on recognition
17-18 Mar 2011	BFUG meeting Gödölö	Interim reporting to BFUG
27-29 Apr 2011	Riga	Working group meeting and stakeholders' conference discussing recognition issues according to the working group tasks with special attention to draft recommendations
19-21 Jun 2011	ENIC-NARIC meeting Warsaw	
19 Sep 2011	Rome	Working group meeting: Discussion and approval of the working group's final report and recommendations to the ministers
13-14 Oct 2011	BFUG meeting Krakow	Presentation/ Submission of final report and recommendations to be included in Ministerial communique of 2012

II. Working group results by specific tasks set in the working group terms of reference

At the time of drafting of this report the Lisbon Recognition Convention (LRC) was ratified by 51 countries. It had four signatures that were not followed by ratifications namely Canada, San Marino, United States of America and Tajikistan. Regarding the countries participating in the Bologna process/ European Higher Education Area all but one country – Greece have ratified the LRC. The fact that there is still one EU member state that has not ratified the LRC currently hinders the ratification of the LRC by the European Union which can ratify the Convention after all EU member states have done so.

II.1 Roles of various authorities in recognition

II.1.1 The underlying conclusions of the Report on the analysis of the National Action Plans for recognition

The underlying findings of the Report on the analysis of the National Action Plans for recognition are the following.

The most widespread national approach to recognition seems to be the one where the ENIC/NARIC centre assesses the foreign qualification and issue a statement, which is a recommendation to the autonomous higher education institutions. The universities indeed make their autonomous decisions upon recognition but, as being aware of the international legislation and relying upon the professionalism of their national ENIC/NARIC centre[16] they are expected to follow principles of the Lisbon Recognition Convention.

A sample of unacceptable practice is the "hands off" approach where it is considered that due to institutional autonomy it is not possible to request that higher education institutions follow the principles of the Lisbon Recognition Convention in their recognition practices. In a couple of cases this type of interpretation goes even further, claiming that state has even no right to ask information about the actual recognition practices inside higher education institutions or that even advising the higher education institutions upon recognition can be problematic because of autonomy.

Some countries in turn use a centralized approach. There the actions and responsibilities are reversed. A central body: the Ministry, the Minister or another senior ministry official personally, a ministry-approved committee makes decisions upon recognition. Recognition decision may in this case be prepared either by the higher education institutions or ENIC/NARIC centres or ad-hoc committees. A couple of countries consider this type of approach as a solution to the autonomy issue. As an extreme case of this approach in one country higher education institutions have no mandate or say in recognition at all.

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[16] In the EU, EEA and EU candidate countries the recognition centres belong to both ENIC and NARIC networks. The reference to ENIC only is used here because in the Bologna process also covers countries outside the EU and the national recognition centres of such countries belong to ENIC network only.

II.1.2 Roles of various authorities in recognition

The EHEA WG on Recognition carried out a mapping of the roles of various stakeholders in recognition.

Currently in a number of countries recognition is perceived as just a technicality. However, if recognition does not work properly across the EHEA several important goals of the Bologna Process such as the Bologna degree system, joint degrees, mobility of students and academics, integrating lifelong learning into higher education and others will become just a lip service.

When setting the roles of various authorities in recognition it is important to keep in mind that recognition is and it should be seen as an important policy tool to reinforce the European Higher Education Area (EHEA).

National authorities:

- adopt legislation on recognition,
- set recognition policies,
- establish outcomes-based qualifications frameworks
- establish and support a ENIC- NARIC centres according to the Article X.3 of the Lisbon Recognition Convention
- nominate the national contact point for professional recognition in the cases where profession is regulated and individual competent authorities for each regulated profession

   Practice that is not universal and not recommended

- *According to the results of BFUG survey for Bologna implementation report, in 8 countries decisions on recognition are still made by national authorities.* Such a practice may adversely impact on the institutional autonomy of HEIs and restrict their capacity to select and admit students according to their admission criteria. Furthermore this may undermine or ignore the expertise and advice of national ENIC/NARIC
- It is suggested that the recommendations in this report will strengthen internal quality processes and emphasise the role of ENIC/NARIC in providing sound, consistent advice thereby building confidence which will negate the need for decision making by national authorities

Besides the obligations set by the Lisbon Recognition Convention[17] national ENIC/NARIC centres typically:

- Provide information on domestic qualifications abroad
- Provide information on foreign qualifications to HEIs or authorities
- Assess foreign qualifications and draw up recognition statement (recommendation) and forward it to HEIs (or authorities)
- Assess qualifications for the needs of labour market
- Usually do not get involved in recognition of parts of studies (credits)

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[17] LRC article X.3.2: „The ENIC Network shall, in its composition restricted to national information centres of the Parties to this Convention, uphold and assist the practical implementation of the Convention by the competent national authorities. Article X.3.4. The Parties shall cooperate, through the ENIC Network, with the national information centres of other Parties, especially by enabling them to collect all information of use to the national information centres in their activities relating to academic recognition and mobility.

- wherever possible make recognition statements on the basis of learning outcomes and qualifications frameworks
- Provide guidance and consult higher education institutions regarding the good practices of recognition including comparing learning outcomes and using information on qualifications frameworks
- provide, in order to facilitate the recognition of qualifications adequate and clear information on its education system
- In most countries ENIC/NARIC centres are also acting as contact points for information regarding recognition of qualifications leading to regulated professions (like under European Directive 2005/36/EC in the EU and EEA).

Practice that is not universal and is not recommended

- *According to the results of BFUG survey for Bologna implementation report, in 4 countries decisions on recognition are still made by national authorities without involving the ENIC and NARIC Centres and the Higher Education Institutions.* Such a practice may adversely impact on the institutional autonomy of HEIs and restrict their capacity to select and admit students according to their admission criteria. Furthermore this may undermine or ignore the expertise and advice of national ENIC/NARIC

National quality assurance agencies:

- Provide information on quality of programmes and institutions for recognition purposes
- Assess qualifications with a view of their inclusion in the national qualifications framework
- Justify the achieved learning outcomes at programme evaluations
- Include an explicit reference in their evaluation procedures about compliance with the LRC both at the institutional and programme level

Practice that is not yet universal and is recommended to other countries[18]:
- In some countries internal quality assurance mechanisms in HEIs monitor the quality of recognition procedures,
- *According to the results of BFUG survey for Bologna implementation report, in 12 countries* external QA procedures also monitor quality of recognition procedures used HEIs.

HEIs:

- Establish their internal procedures for recognition of foreign qualifications and credits gained abroad;
- Carry out additional assessment of foreign qualifications if necessary;
- Carry out recognition of periods of study/ credits
- Link whole programmes and all courses with learning outcomes,
- Link student assessment with learning outcomes,
- Take final decisions on recognition of both full qualifications and periods of study / credits.
- Take decisions on access to their HE programmes and recognition of periods of study by recognizing prior learning and increasingly also informal and non-formal learning.

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[18] Please also see Part II.4 of the report

Employers and employer organisations
- *take decision upon the recognition of foreign qualifications for professional purposes if profession is not regulated*
- *take part in defining learning outcomes*

Competent authorities in charge of recognition of qualifications in regulated professions
- *take decision upon the recognition of foreign qualifications for professional purposes if profession is regulated*

Conclusions/ recommendations of chapter II.1

1. Those countries, where decisions on recognition for access to higher education are taken by national authorities in the absence of involvement of ENIC/NARIC centres and higher education institutions, are recommended to reconfigure the roles of these authorities in such a way that higher education institutions, in light of the specific requirements of the programme chosen by the applicant and in the spirit of the Lisbon Recognition Convention, makes decisions regarding admission in collaboration with the national ENIC/NARIC centre, where necessary.

2. Likewise, those countries where decisions on recognition for access to unregulated professions in the labour market are taken by national authorities in the absence of involvement of ENIC/NARIC centres, are recommended to reconfigure the roles of these authorities to help ensure that expertise present in ENIC-NARIC Centres concerning foreign educational systems and the Lisbon Recognition Convention is taken into account in the recognition decision.

3. Significant collaboration is recommended between ENIC/NARIC centres and higher education institutions in order to share expertise and resources. Decisions on recognition which are not based on reliable information and full compliance with the principles of the LRC and its subsidiary documents are not considered to be good practice.

II.2   Considerations for reviewing national legislation with a view of compliance with the legal framework of the Lisbon Recognition Convention

The analysis of the National Action Plans for improving recognition in 2009 demonstrated that there are still legal problems to implement the principles of the Lisbon Recognition Convention (LRC) and its Subsidiary texts[19] in those countries that have not amended their legislation adopting the above principles.

Particularly the analysis of NAP indicated the following.

The NAPs demonstrate that there are still legal problems to implement the principles of the Lisbon Recognition Convention and its subsidiary texts in those countries that have not amended their legislation adopting the above principles.

In some countries there are difficulties to implement the principles of the Lisbon Recognition Convention and its subsidiary texts due to interpretation of autonomy of

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[19] See Annex I

higher education institutions. The best way to overcome these difficulties is making recognition process a part of both internal quality assurance of higher education institutions and external quality assurance.

The terminology used in the national legislation of some countries uses terms 'nostrification' and 'equivalence' which are outdated concepts of recognition and not compatible with the principles of the Lisbon Recognition Convention.

The NAPs also clearly demonstrate that the terminology used in different countries with regard to recognition is too diverse and unclear. The same terms have different meanings in different countries and in other cases different terms are used in different countries. It creates misunderstandings and certainly does not improve mutual understanding.

Considerations for reviewing the legislation are the following.

Reviewing national legislation, in line with the LRC principles, is an essential prerequisite in order to allow a real change in the attitudes, approaches and procedures for fair recognition.

National working groups should be established for reviewing the legislation, proposing amendments and should involve representatives of:
- the relevant ministry,
- the national ENIC/NARIC centre,
- higher education institutions,
- students,
- quality assurance agency and
- QF responsible authorities
- it could be also recommended to include employers and foreign experts

A national discussion amongst these stakeholders would build confidence, enhance ownership of the issue and develop more consistent approaches and attitudes towards acceptance of foreign qualifications and especially towards parts of courses (credits) gained abroad.

The appropriate national legislation should be examined regarding several issues:
- Checking whether all the main principles of the LRC have been transposed into the national legislation.
- Comparing the terminology used in the national legislation with the one used in the Lisbon Recognition Convention itself and its subsidiary texts. Special attention should be paid to those terms that actually link legislation to outdated approaches of recognition, such as concepts like "nostrification" and "equivalence".
- Indicating any clauses contradicting with the main principles[20] of the LRC and its subsidiary texts, keeping in mind that there may be contradiction not only between national legislation and the *letter* of the legal framework of the convention, but also with the *spirit* of it;

Amendments to national legislation should be drafted and adopted with a view to
- Introduce the above principles into national legislation.
- Replace outdated terminology and harmonize terminology with the one of the LRC,

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[20] See Annex II

- Eliminate or replace those clauses contradicting to the principles of LRC and its subsidiary texts,
- A particular issue in the amending legislation to in terminology; first of all comparing the terminology used in the Lisbon Recognition Convention itself and its subsidiary texts. Special attention should be paid to those terms that actually link legislation to outdated concepts of recognition, first of all terms like "nostrification" and "equivalence".

The previous experience demonstrates that apart from the shortcoming of legislation the spreading of fair recognition across the EHEA is seriously hindered by conflicting attitudes which may be addressed by sharing national practices and international practice.

II.2.3. Conclusions and Recommendations on reviewing national legislation

Conclusions

Working group offers considerations for reviewing national legislation with a view to ensuring compliance with the legal framework of the Lisbon Recognition Convention and its subsidiary legal texts, including composition of national working groups for review, issues that should be examined at review national legislation and the main issues to be covered when drafting and adopting the amended national legislation

Recommendation

Ministers should consider setting a deadline of 2015 by which all countries should carry out the legislation changes with regard to recognition in their Bucharest Communiqué.

II.3   Working towards equal treatment of qualifications across the EHEA: European Area of Recognition Manual codifying standards and guidelines recognition criteria and procedures

II.3.1 -The underlying conclusions of the Report on the analysis of the National Action Plans for recognition

The National Action Plans show that countries are striving to implement the principles of the Lisbon Recognition Convention. At the same time the National Action Plans also demonstrate that the real practices of recognition of foreign qualifications are very different in different countries – and that means that the outcome of the assessment of the same qualification could also differ in different countries.

The Lisbon Recognition Convention and its subsidiary texts are indeed setting standards for recognition. These standards are and they should be flexible to accommodate the whole variety of different qualifications in the European region and of the national settings. But, as a side-effect, this flexibility unfortunately also opens doors to different understanding of the most important principles of the Convention in different countries:

Applicants should have the right to a fair assessment of their previous qualifications or study periods, but – how is 'fair assessment' understood and how far does the 'right' go in the eyes of different countries?

A qualification should be recognized if there are no substantial differences with the relevant host country's qualification, but how does each country interpret the 'substantial differences'?

To reach the ultimate goal – to ensure more coherent recognition across the EHEA, we have to find an appropriate solution in the 'triangle' of Lisbon Recognition Convention legal framework as international legislation, national laws and regulations concerning recognition and the issue of institutional autonomy in all countries, carry out international discussion of the variety of national recognition practices (including stages therein) and terminology, continue discussion and reach consensus on the understanding of "substantial differences[21]" and follow up by tuning national approaches to recognition, recognition practices and terminology building a genuine European Area of Recognition (EAR).

And the final measure of the success of the will be – a greater coherence in outcome of the assessment – i.e. that assessment of one given qualification in different countries leads to relatively similar result.

II.3.2. A practical tool to foster equal treatment of qualifications across the EHEA

At the time the EHEA WG on Recognition started its work, a consortium of national 8 ENIC/NARIC centres had just started work at the EU supported European Area of Recognition Project (EAR). The project consortium consisted of the ENIC/NARIC centres of The Netherlands, UK, France, Poland, Denmark, Lithuania, Flanders and the Czech Republic. The project team is assisted in her work by a Steering Group consisting of the President of the ENIC Bureau and the President of the Lisbon Recognition Convention Committee thus ensuring a link with the non-EU ENIC centres.

The manual closely follows the principles of the Lisbon Recognition Convention and its subsidiary texts[22]; especially the recently revised *Recommendation on the Criteria and Procedures for Recognition*[23] and in itself constitutes an aggregate of standards and guidelines on all aspects of the recognition of foreign qualifications.

The manual provides the credential evaluators with a hands-on tool to assist them in their daily recognition work. Although the manual is in the first place meant for the ENIC/NARIC networks, the manual makes the recognition procedures transparent to all stakeholders directly or indirectly involved in recognition: credential evaluators, higher education institutions, students and policy officers. A second phase of the project is being considered in the view to extend the manual with specific standards and guidelines for credential evaluation at higher education institutions.

In general the EAR manual aims to create a joint European recognition area of higher education, in which all European countries practice a similar methodology in the recognition of qualifications, based on commonly agreed standards and guidelines. A more harmonized and transparent recognition practice is essential for (the volume and quality of) student

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[21] The issue "substantial difference" is described in the Council of Europe publication which also provides a number of practical cases. See Hunt, S and Bergan, S. (eds). Developing attitudes to recognition: substantial differences in an age of globalisation. Council of Europe higher education series No.13, Strasbourg, 2010, 170 pages.
[22] See Annex 1.
[23] Council of Europe/ UNESCO Recommendation on the Criteria and Procedures for Recognition , 2001 (Rec CP), revised in Sèvres in June 2010

mobility in Europe and plays as such a key role in the European Higher Education Area. This is also true for the global dimension of the Bologna Process, for which the recognition of qualifications has been identified as a key area of co-operation.

Background

The EAR manual builds further on initiatives resulting from major developments in recognition over the last decades. One major development has been the creation of the NARIC network by the European Commission in 1984 and the ENIC network by the Council of Europe and UNESCO, in 1994. The networks have played a key role in keeping alive a continuous dialogue and to work together towards tackling recognition issues on European level in numerous projects, working groups and conferences.

Another major milestone has been the creation of an international 'legal' framework, the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (also referred to as the Lisbon Recognition Convention), established in 1997 by the Council of Europe and UNESCO. . Under this Convention, an Intergovernmental Committee was established with a mandate to make decisions on behalf of the partied to the Convention. Since 1999, this Committee has adopted various recommendations. By now almost all countries of the Council of Europe ratified the convention and the convention is widely considered within the networks as the basis for fair recognition procedures.

Finally, the Bologna Process which started in 1999 played a major role in setting the issue of recognition on the European agenda, since a system of fair recognition was considered essential in creating the European Higher Education Area. This led to many initiatives, including the establishment of the Bologna Working Group on Recognition.

Despite all the work that has been done and the progress that has been made, one of the major obstacles for recognition currently to be tackled is the divergence of recognition practice between the different countries. In other words, while there is general consensus on what should be done; this good practice is not always implemented or implemented in different ways.

The recognition manual itself is a new and innovative tool: there have been various projects, publications and agreements in the past on the different aspects and issues of recognition (including recommendations on good practice), but there has never been one general recognition manual, combining all the efforts of past results and setting clear and uniform standards for recognition.

Aim of the manual

The EAR manual is a recognition tool with multiple uses. The following groups of stakeholders may benefit:

- ENIC/NARIC networks:

> The EAR manual aims to improve the consistency in European recognition practice. The recommendations and examples of good practice may be used to improve the recognition practice of individual ENIC/NARIC centres. Furthermore, the EAR manual may be used to instruct and train ENIC/NARIC staff in providing fair recognition.

- Higher education institutions:

> The EAR manual may be consulted by higher education institutions to establish whether their policy and procedures on recognition of foreign qualifications is in line with European good practice. Admissions officers may use the manual to improve

their knowledge of all aspects of recognition, and to improve their procedures and decisions.

- Students:

Students involved in a recognition process in a European country may use the EAR manual to find out what they may expect from such a procedure.

- Policy makers:

The EAR manual may be used to establish whether any part of national legislation may be an obstacle in achieving a system of fair recognition based on European good practice.

The content of the EAR manual is based on the Criteria and Procedures in the Assessment of Foreign Qualifications and its explanatory memorandum. These are subsidiary text to the Lisbon Recognition Convention. From these texts the topics for the chapters of manual have been identified and they form the foundation for the content of each chapter. The content of each chapter is further based on the recommendations from selected sources, including international recommendations, results of projects, working groups and studies carried out within the ENIC/NARIC networks and studies by recognition experts.

The manual has had various rounds of testing. It has been tried out within the offices of the project team and within the ENIC/NARIC networks, on board meetings, conferences and through an extensive questionnaire. Throughout the EAR project there has been a close cooperation with the experts of the Bologna Working Group on Recognition to seek advice and synergies. External stakeholders (such as the EUA and ESU) have been consulted at the Stakeholders' Conference on Recognition in the European Higher Education Area, organized by the EHEA Working Group on Recognition in Riga in April 2011 and the manual gained wide support.

Structure of the manual

The first chapter is a schematic outline of the recognition procedure[24]. The following 16 chapters each cover a particular recognition topic and follow the order of the recognition procedure outlined in the first chapter. These 16 topics are:

1 – **Transparency and Information Provision** regarding the qualification

2 – **Accreditation and Quality Assurance status** of programme/qualification or HEI

3 –**Checking the authenticity** of documents

4 – **Purpose of Recognition** -further study, access to labour market, or other.

5 – **Diploma Supplement** accompanying the qualification

6 –**Qualification Framework** – the position therein qualification's

7 – **Credits, Grades** – interpretation of foreign credit and grading systems

8 – **Learning Outcomes** linked to qualification in question

9 – **Substantial Differences** - does the qualification enable the applicant to follow a given study programme or to take up a given employment or are the differences too substantial?

10 – **Alternative Recognition Right to Appeal** - possibilities when recognition cannot be granted in accordance to the applicant's request

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[24] Please see outline of the recognition procedure in Annex III.

11 – **Refugees,** displaced persons or others, who for valid reasons cannot document a qualification they claim to have obtained

12 – **Non-Traditional Learning** – assessment of skills, knowledge and competences acquired outside the traditional class-room setting.

13 – **Transnational Education** – assessment of qualifications resulting from types and modes of delivery of education programmes in which the learners are located in a country different from the one where the awarding institution is based

14 – **Qualifications Awarded by Joint Programmes** – assessment of joint, double or multiple degrees resulting of programme offered by two or more higher education institutions, usually located in different countries.

15 – **Non-Recognised but Legitimate Institutions** – possibilities of fair and transparent assessment of qualifications awarded by such institutions

16 – **Diploma and Accreditation Mills** precautions to prevent recognition of qualifications of diploma mills[25].

The

The above16 chapters all follow a similar structure. Each of the chapters starts with a summary of the recommendations in a flow chart, followed by an introduction to the topic. The core of each chapter is the recommendations on how to deal with the topic and these are illustrated with examples where applicable. At the end of each chapter the sources are provided on which the recommendation is based, including the relevant Articles of the Criteria and Procedures of the Lisbon Recognition Convention and for some topics a reference to further reading.

The manual also includes a glossary of terms used and a list of the sources used in the manual.

II.3 Conclusions and recommendations on equal treatment of qualifications across the EHEA

Conclusions.

1. The Lisbon Recognition Convention and its subsidiary legal texts[26] set standards for procedures and criteria used when assessing foreign qualifications or credits earn abroad with a view of further studies. These standards are and they should be flexible to accommodate the whole variety of different qualifications in the European region and of the national settings. But, as a side-effect, this flexibility unfortunately also opens doors to different understanding of the most important principles of the Convention in different countries. As a result, the real practices of assessment of foreign qualifications are very different in different countries – and that means that the outcome of the assessment of the same qualification could also differ in different countries[27].

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[25] Accreditation mill refers to a non-recognised educational accreditation organization providing accreditation and quality assurance without having an authorisation to do so. In many cases accreditation mills are closely associated with diploma mills.

[26] See Annex 1

[27] Cf. Analysis of the …

2. A European Area of Recognition Manual has just been developed which goes beyond the framework of the Lisbon Recognition Convention legal framework. While the LRC legal framework itself provides standards for recognition, the Manual adds guidelines to these standards based on best practices applied in the countries of the EHEA. The Manual therefore has a potential to genuinely become the EHEA Standards and guidelines for recognition.

3. The European Area of Recognition Manual in its current phase is mainly a tool for national ENIC/NARIC centres and it can be helpful also to all other stakeholders in recognition. It is recommended by the Working group and endorsed strongly at the Stakeholders' conference in Riga on Apr 28-29 to go on and develop a second part of the EAR manual which would specifically be addressed to recognition procedures at higher education institutions.

Recommendation of the WG Recognition.

EHEA Working group on recognition suggest that ministers at their meeting in Bucharest adopt the European Area of Recognition Manual as an EHEA tool and to suggest countries to widely disseminate and implement it.

II.4. Assessment of the quality of the recognition procedures of HEIs in the internal quality procedures as well as external quality reviews of HEIs

II.4.1. The underlying conclusions of the Report on the analysis of the National Action Plans for recognition

"In some cases countries report problems to implement the Lisbon Recognition Convention since the recognition decisions are taken by the higher education institutions and as these institutions are autonomous, the state cannot ensure that the principles of the Lisbon Recognition Convention are followed. Thus, these countries, through their "laissez faire" approach, actually do not fulfil the requirements of the Lisbon Recognition Convention to take all possible steps to application of the Lisbon Recognition Convention provisions in higher education institutions.

One good solution to this issue is making the recognition of qualifications in higher education institutions part of quality assurance which will then assess compliance with the Lisbon Recognition Convention. For instance, in some countries already in 2008 all phases of the recognition procedure at higher education institutions were described in detail and are a part of the internal quality assurance system."

II.3.2. Working group discussions and suggestions regarding inclusion of assessment of the quality of the recognition procedures of HEIs in the quality assurance procedures

The issue of how to ensure that the institutional recognition procedures applied by HEIS are in compliance with the legal framework of the Lisbon Recognition Convention theoretically should cause no problems at all. Since the Lisbon Recognition Convention is an international treaty, after a country ratifies it, the Convention becomes superior to national legislation and it should be observed at any level in that country, be it national or institutional.

In reality, however, the National Action Plans for Recognition demonstrated something else. One important type of hindrances to the implementation of the Lisbon Recognition Convention at the level of HEIs is linked to the interpretation (or rather misinterpretation) of institutional autonomy. The autonomy of higher education institutions certainly should not mean that the higher education institutions have the liberty to ignore the laws or international treaties signed by the State – and the Lisbon Recognition Convention is one. In practice, those countries where such type of interpretation takes place, seriously report that because the recognition decisions are taken by the higher education institutions and since these institutions are autonomous, the state cannot ensure that the principles or procedures stipulated in the legal framework of the Lisbon Recognition Convention are followed. While such statements are legally obsolete, it should be noted 14 years after adoption of the Lisbon Recognition Convention these countries have not managed to ensure that the institutional recognition procedures comply with the Convention.

Involvement of quality assurance in solution of this problem, firstly, is logical because the quality of the recognition procedures used within a HEI can be covered by the internal QA system of the HEI as any other academic or administrative procedures. Secondly, HEIs have accepted internal and external quality assurance already since years and therefore introducing the LRC principles through quality assurance, especially the internal quality assurance should be easier than through directive measures.

The initial suggestion that EHEA Working Group on Recognition discussed was inclusion of quality of recognition procedures at HEIs into the Part 1 *„European standards and guidelines for internal quality assurance within higher education institutions"* of the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG). In such a way recognition procedures would become part of the internal quality assurance. That would implicitly mean that external quality assurance which is monitoring the internal quality assurance of the HEI would have an eye on the recognition procedures as well.

The suggestions were supported by WG Recognition group, including the group members from organisations parts of the E4 group (ENQA, ESU, EUA, and EURASHE) which worked out the ESG. However at the time of compiling this report there is still no clarity whether the ESG will be revised in a foreseeable future. For the reasons above the therefore, other options have to be used keeping the suggestion to include the quality of recognition procedures into the ESG should ESG is amended in future.

Inclusion of the quality of the recognition procedures of HEIs in the internal and external quality procedures were also discussed at the Stakeholders' conference on recognition in Riga 28-29 Apr, 2011. Participants made this strong suggestion to include recognition in QA procedures and mechanisms.

Furthermore, the stakeholders' conference reiterated the importance to foster close cooperation between ENIC and NARIC centres and quality assurance/accreditation agencies (QAAs). As part of this fruitful collaboration, the European Consortium for Accreditation (ECA) has run a number of projects focus on mutual recognition of accreditation/quality assurance results among European agencies. These projects developed a very active collaboration among the stakeholders involved on recognition, mainly ENIC and NARIC centres and HEIs.

First project in this series was TEAM[28] and within it Qrossroads[29], the second project was TE@M II[30] followed by third project JOQAR[31] and other joint activities.

At the same time, it was admitted that QAAs have seen their missions broaden - most of the agencies are now asked to also review indicators concerning social dimension, lifelong learning, internationalisation, etc. and probably feel overload because of that.

II.4.3 Conclusions and recommendations on inclusion the institutional recognition procedures among the issues covered by internal and institutional and national quality assurance mechanisms

Conclusion

Ensuring the compliance of the procedures for recognition of foreign qualifications and credits gained abroad with the principles of the Lisbon Recognition Convention and its subsidiary legal texts is a problem in a number of countries due to (interpretation of) autonomy of HEIs. The issue can be solved through inclusion of the recognition procedures at HEIs into the aspects assessed by the internal quality assurance within the higher education institutions. The internal quality procedures of the HEIs, in turn, are being monitored by the external quality assurance – which helps establishing coherence between institutional procedures. Such a solution avoids prescribing recognition procedures directively but rather allows HEIs themselves find the most appropriate recognition procedures to ensure compliance with the LRC legal framework and suits the institution at the same time.

Recommendations

1. Call on higher education institutions to include their procedures for recognition of foreign qualifications and credits gained abroad in the issues covered by their internal and external quality assurance procedures

2. Ask QAAs to include compliance of the institutional recognition procedures with the legal framework of the Lisbon Recognition Convention into in issues covered by external quality assurance

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[28] TEAM - a project conducted by ECA partners in the period from 2006 till 2008. The project was funded with support from the European Commission. The main objectives of the TEAM-project were the implementation of a tool providing information on qualifications from accredited programmes and/or institutions and the dissemination of information regarding mutual recognition of accreditation decisions. Within this project was developed Qrossroads.

[29] Qrossroads is an Information Tool providing information on qualifications from accredited programmes and institutions. The Information Tool is a database driven website. The main aim of the Information Tool is to present the qualifications provided by programmes and institutions accredited by ECA members. These qualifications are presented in the perspective of the higher education system of which it is part ('National Qualifications Framework') together with information on the relevant accreditation organisation and recognition authorities. The Information Tool should provide relevant information for students, employers, recognition authorities and institutions.

[30] TE@M II Project ran between 2009-2010. The conclusions of this project were published in the document "The recognition of qualifications awarded by joint programmes".
(http://www.ecaconsortium.net/main/projects/team-ii-)

[31] JOQAR: "Quality Assurance and Recognition of degrees awarded". The overall purpose of the project is to ensure that Erasmus Mundus programmes (and joint programmes in general) are facilitated in two specific areas: accreditation and recognition. The project partnership consequently includes quality assurance/accreditation agencies (QA/A agencies) and recognition bodies (ENIC-NARICs).

(http://www.ecaconsortium.net/main/projects/joqar)

3. Should a decision be taken to revise the European Standards and Guidelines for Quality Assurance in the European Higher Education Area, quality of recognition procedures at HEIs should be included into the Part 1 *„European standards and guidelines for internal quality assurance within higher education institutions"* of the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG).

II.5   Qualifications Frameworks as Tools to Further Recognition

II.5. 1   Results of the discussions of the EHEA Working groups on Qualifications Frameworks and Recognition

The part of the EHEA WG Recognition mandate on qualifications frameworks has been work at closely together with the EHEA Working Group on Qualifications Frameworks.

Qualifications frameworks may be described as instruments providing a description of the full set of qualifications that make up an education system and the way in which these qualifications interlink to make up a whole. Qualifications describe how learners can move within and between education systems. Hence, they describe various learning paths, since a given qualification may be obtained in different ways, including through non-traditional paths.

Qualifications frameworks have several functions but for recognition purposes the most important function is that of transparency and compatibility instruments. Put simply, qualifications frameworks should make it easier even for someone who is not intimately familiar with a given education system to understand where a specific qualification is placed within that system[32]. To the extent national qualifications frameworks are described in similar terms, comparison across systems should be greatly facilitated. In the context of the European Higher Education Area as well as that of the European Qualifications Framework for lifelong learning (EQF-LLL), this comparison is further facilitated by the existence of overarching frameworks. Put simply, these provide the outer frames within which national frameworks are developed.

Once developed, national frameworks are self-certified as being compatible with the overarching framework of qualifications of the European Higher Education Area (QF-EHEA) and/or the EQF-LLL. For the national frameworks concerned, the self-certification[33] therefore establishes a relationship between national qualifications by describing and justifying their linkage to the overarching framework. Even where no overarching frameworks exist, however, national frameworks described in similar terms provide very helpful indications for recognition purposes, and this is important for recognition of qualifications between systems of the EHEA and other parts of the world. It should also be of interest to note that an exercise comparing a national qualifications framework of a country of the EHEA (Ireland) and one outside of the EHEA (New Zealand)[34] has already been conducted and further exercises of this kind may be expected in the years to come.

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[32] The arguments and partly the text in this part of the report are based on Sjur Bergan: "Qualifications Frameworks: an Instrument to Resolve Substantial Differences?", in E. Stephen Hunt and Sjur Bergan (eds.): *Developing Attitudes to Recognition: Substantial Differences in an Age of Globalisation* (Strasbourg 2010: Council of Europe Publishing. Council of Europe Higher Education Series No. 13), pp. 123 - 137

[33] Called referencing in the case of the EQF.

[34] http://www.nqai.ie/documents/nzqaandnqaiframeworks06.09.10.pdf

From a recognition point of view, it is also important to note that qualifications frameworks emphasize learning outcomes – what a learner knows, understands and is able to do on the basis of a qualification – more than the formal procedure that leads to the qualifications. This is not to say that learning outcomes are yet a common currency or perfectly described nor that procedural or formal aspects of qualifications are irrelevant. However, processes and structures cannot substitute learning outcomes, which is to say that if a learner has demonstrably acquired the learning outcomes expected for a given qualification, it should not matter how (s)he has acquired these learning outcomes.

Broadly, a qualification may be said to be made up of five main components[35]:

- quality
- workload
- level
- profile
- learning outcomes.

All of these relate to qualifications frameworks and all are important in determining whether there are substantial differences between qualifications. It is recalled that "substantial differences" is the key recognition criterion in terms of the Council of Europe/UNESCO (Lisbon) Recognition Convention, which is the only legally binding text of the EHEA.

Quality is a *sine qua non* for a qualification to be viable, and that is why provision for quality assurance is an important part of national qualifications frameworks, to the point where the criteria for self certification specify that the self-certification process shall include the stated agreement of the quality assurance bodies in the country in question. The need for a credential evaluator to have some knowledge of quality of the institution or the programme from which a qualification originates provides a strong link between recognition and quality assurance, and credential evaluators need to make use of the outcomes of quality assessment. Quality has become a particularly pertinent issue with the emergence of increasingly diversified provision of higher education through lifelong learning paths, whereby a qualification may be earned through different combinations of study programmes, other kinds of learning achievements and other experiences, such as work.

Workload and *level* are perhaps the two elements of qualifications where the link to qualifications frameworks is most obvious. If a qualification is assigned a given *level* in a national framework that is a very strong indication that there is no substantial difference if the similar qualification in the country where recognition is sought is assigned a similar level. In cases where the national frameworks concerned do not have the same number of levels, or where the levels are defined differently, the reference of these frameworks to the QF-EHEA and/or the EQF will provide a good indication of comparability.

Workload can give a similar indication, but the workload underpinning a qualification needs to be assessed with some caution. That not all credit systems are similar to the ECTS, so that e.g. US credits are measured differently, is an obvious caveat. Within the EHEA, however, ECTS is now to all intents and purposes the only "common currency" and where countries have different national credit systems, they may be expected to specify – and justify – how these relate to the ECTS. Perhaps less obviously, workload is an expression of the effort

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[35] See Sjur Bergan: *Qualifications. Introduction to a Concept* (Strasbourg 2007: Council of Europe Publishing. Council of Europe Higher Education Series No. 6)

required by an average student starting from a stipulated basis. For learners who have followed alternative learning paths, e.g. through experiential learning, or whose prior knowledge is significantly different from that of the "average" student, an individual assessment may be needed to determine the workload required. Workload is therefore a helpful indicator, but it should be assessed with caution. An insufficient number of credits may be an indicator of a substantial difference, and workload should be controlled against level and learning outcomes.

Profile is an indication of the specific areas in which a qualification has been obtained. This can be a broad area, like history, or a more narrowly defined area, like medieval Russian history. The higher the level of the qualification, the more likely it is that the profile will be a narrow one[36]. At first sight, profile would seem like an obvious criterion for assessing whether a difference is substantial or not. However, in many cases the extent to which the profile of a qualification indicates a substantial difference will be less obvious. It is worth keeping in mind that the difference should be substantial in relation to the purpose for which recognition is sought. Regardless of the academic specialty, higher education at a given level gives learners a number of generic competences, such as communication skills, analytical ability and aptitude for teamwork[37]. For some purposes, generic competences may be as important as subject specific ones, and in this case it would be difficult to argue that a difference in profile is in itself a substantial difference. More frequently, however, the issue may be whether a difference in profile is important enough to be substantial. Unlike for quality, workload and level, profile is a factor for which qualifications frameworks are unlikely to provide most of the answers credentials evaluators may seek in order to recognize a given qualification.

The fifth element, learning outcomes[38], is ultimately what qualifications are about. What do learners know and understand, and what are they able to do? If their learning outcomes are compatible with those stipulated for the corresponding qualification in the country in which they seek recognition, it would be very difficult to argue there is a substantial difference even if there were considerable differences in one or more of the other elements that make up a qualification. The caveat is that learning outcomes are relatively difficult to describe and to verify and that we are still quite far from a situation in which recognition practice can be based on learning outcomes alone. When learning outcomes will be described more fully, qualifications frameworks should be of considerable help in identifying generic the learning outcomes associated with a given qualification, and these again relate to quality, workload

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[36] Profile may also refer to the overall orientation of an institution or a study programme, typically in a binary system that distinguishes between university and non-university programmes. Here, the distinction would generally have to do with the role and prominence of research in the activities of the institution and as an underlying factor in its study programmes and with the extent to which a programme takes a theoretical or applied approach.

[37] The issue of generic and subject specific competences has been explored in detail by the Tuning Project http://tuning.unideusto.org/tuningeu/, see also González, Julia and Wagenaar, Robert (eds.): *Tuning Educational Structures in Europe: Universities' Contribution to the Bologna process. Final Report Pilot Project Phase 2* (Bilbao and Groningen 2005: Publicaciones de la Universidad de Deusto) as well as Competences in Education and Recognition (CORE) project, http://www.core-project.eu/

[38] For good introductions to learning outcomes, see Adam, Stephen: "An introduction to learning outcomes: A consideration of the nature, function and position of learning outcomes in the creation of the European Higher Education Area", article B.2.3-1 in Eric Froment, Jürgen Kohler, Lewis Purser and Lesley Wilson (eds.): EUA Bologna Handbook – Making Bologna Work (Berlin 2006: Raabe Verlag) and Kennedy, Declan: *Writing and Using Learning Outcomes: A Practical Guide* (Cork 2007: University College Cork)

and level. To identify subject specific learning outcomes, however, which relate to profile, credentials evaluators will most likely need to go beyond the nation qualifications framework and look at the description of the study program in question. Learning outcomes as described in study programs should, however, be phrased in ways that are consistent with the national qualifications framework.

II.5.2 Conclusions and recommendations on the role of qualifications frameworks in recognition

Conclusions

1. Qualifications frameworks will be important tools to facilitate the recognition of qualifications. They will provide clear indications as concerns quality, level and workload whereas the exact profile of a qualification will normally not be extensively described in a national qualifications frameworks.
2. In terms of learning outcomes, national qualifications frameworks will most likely give firm indications of generic learning outcomes whereas subject specific learning outcomes will be better described in study programs. Therefore, QFs are transparency tools that will contribute to fair recognition but not imply automatic recognition.
3. Through provision of information of the generic learning outcomes qualifications frameworks can also be useful for access to higher from the vocational sector.
4. While qualifications frameworks should facilitate recognition, this should not be taken to mean imply it is more difficult or even impossible to assess qualifications from systems that do not have national qualifications frameworks. This is the situation with which credentials evaluators have been faced in almost all cases until now, and it is a situation with which they will be faced in many cases in the future. Qualifications frameworks should be seen as helpful instruments, and they should be used with common sense where they exist, but where they do not exist, the situation will be no different than it has been so far.

Recommendations

1. Links between recognition and QFs authorities should be strengthened to build trust and good cooperation of the two.

II.6 Recognition between the EHEA and other parts of the world

The Bologna Process has integrated the openness of the EHEA to the rest of the world as a policy priority since the London Conference in 2007, where ministers adopted the strategy *The European Higher Education Area in a Global Setting*. In this perspective, it has been repeated at many occasions (and also in other fora, such as the ASEM process) that recognition is a central issue that should guarantee brain circulation instead of brain drain and other forms of imbalanced mobility flows. In the same way, the ENIC and NARIC networks and the co-Secretariat (European Commission, Council of Europe and UNESCO) have been very active in the last years to foster closer cooperation with other regions of the world. In its final report, the working group on the external dimension of the ENIC and NARIC networks showed how the networks are increasingly confronted with other parts of the world, and thus have been more and more active in developing information tools, closer contacts with practitioners and cooperation with other regional recognition conventions. However, the report also concluded that a real political commitment is needed if we want to guarantee fair recognition at a global scale.

From the discussions, it appeared that a distinction should be made between "hard" and "soft instruments" in the perspective of fostering fair recognition between the EHEA and other parts of the world. Regional conventions are those "hard" instruments. Under the responsibility of UNESCO, they are powerful instruments that offer an agreed framework for recognition amongst countries and regions of the world. Nevertheless, as we can already see within the European region, legal instruments have their own limitations and do not necessarily imply a real change in attitudes towards fair recognition. Therefore, legal provisions should be accompanied by "soft" instruments, which could create a sphere of trust, information, mutual understanding, etc.

The European Area of Recognition Manual is one of such soft tools. Taking into account that the regional conventions of other parts of the world are currently being revised and that the revisions often lead to principles similar to those of the Lisbon Recognition Convention, the EAR Manual has a potential to be used globally as a collection on good practice.

Furthermore, ENQA will play an active part in the Working Group on Recognition set up in the International Network of Quality Assurance Agencies for Higher Education (INQAAHE). In this context, the progress made in the EHEA on this issue is becoming a matter of interest in other regions. The first example of this collaboration has been the joint organisation by INQAAHE and ENQA of the Seminar Internationalisation and Quality Assurance: Connecting European and Global Experiences, which was held in Brussels on 30th November – 2nd December 2011.

Regional and global networking at the level of both practitioners and policy-makers is therefore essential. But it requires political commitments at national, regional and international level, particularly the support of UNESCO.

II.6 Recognition between the EHEA and other parts of the world

Conclusions

1. In the global cooperation on recognition the 'soft tools' may prove useful, especially while the 'hard tools" such as conventions have not yet been revised
2. The European Area of Recognition manual as a soft tool has a potential for use outside the EHEA as a guideline and collection of good practice.
3. The principles of the Lisbon Recognition Convention should also be equally well applied to the recognition of qualifications issued in other countries than those party to the LRC (Cfr. Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications, 2010).

Recommendations

1. Consider participation in of EHEA countries in the Regional recognition conventions of other world regions thus improving recognition with those parts of the world.
2. Emphasize the role of recognition in the neighbourhood policies
3. Apply principles of the Lisbon Recognition Convention also for recognition applications from outside the EHEA
4. At Global Policy Forum in Bucharest in 2012 discuss potential use of European Area of Recognition Manual as guidelines and collection of good practice for recognition between EHEA and other parts of the world.

Annexes

Annex I Lisbon Convention subsidiary legal texts

Council of Europe/ UNESCO

- Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications (Rec CP), adopted 2001in Riga, revised in Sèvres in June 2010, http://enic-naric.net/documents/FINAL_REVISED_Recomm__for_Rec_Foreign_Qualif_29%2006%2010_(PUBLISHED).pdf

- Council of Europe/ UNESCO Code of Good Practice in the Provision of Transnational Education (Code TNE) , adopted in 2001 in Riga, revised in 2007 in Bucharest; http://enic-naric.net/documents/REVISED_CODE_OF_GOOD_PRACTICE_TNE.pdf

- Council of Europe/ UNESCO Recommendation on the Recognition of Joint Degrees, (Rec JD); adopted in 2004 in Strasbourg, http://enic-naric.net/documents/recommendation-joint-degrees-2004.en.pdf

Annex II List of the most important principles of the Lisbon Recognition convention and its subsidiary texts

1. Applicants have right to fair assessment (LRC),

2. Recognition should be granted if no substantial differences can be proven (LRC),

3. Where recognition is not granted, the competent authority for recognition has to demonstrate the substantial differences, (LRC),

4. Applicants have right to appeal against the recognition decision (LRC),

5. Where full recognition is impossible, the competent authority for recognition should consider whether alternative or partial recognition is possible (Rec CP),

6. Assessment of foreign qualifications should concentrate on learning outcomes rather than on study duration/ workload,

7. If all parts of a joint degree are quality assured and all institutions of the consortium providing the joint programme are recognized HEIs, a joint degree should be assessed applying LRC principles (Rec JD),

8. If all requirements set in the Code of Good Practice in the Provision of Transnational Education are fulfilled, a transnational education qualification should be assess applying LRC principles (Code TNE)

Annex III. Schematic outline of the recognition procedure

The following 16 chapters each cover a particular recognition topic and follow the order of the recognition procedure outlined in the first chapter. These 16 topics are:

1 – Transparency and Information Provision

> Transparency is one of the main principles of the Lisbon Recognition Convention. Competent recognition authorities should provide accurate, clear and reliable information on their recognition procedures and criteria.

2 – Accreditation and Quality Assurance

> In the evaluation of a foreign qualification, the information on the accreditation/recognition status of the programme/institution should always be taken into account.

3 – Authenticity

> Checking the authenticity of documents is an important step in the recognition process, as applicants may sometimes submit forged qualifications.

4 – Purpose of Recognition

> Recognition of foreign qualifications may be sought for different purposes, such as access to further study, access to the labour market, or access to a regulated profession. It is important to take into consideration the purpose of recognition when evaluating a qualification, in order to ensure that the evaluation is accurate and relevant.

5 – Diploma Supplement (and other information tools)

> The Diploma Supplement (or comparable documents containing reliable information on the qualification to be evaluated) should always be taken into account in the evaluation of a foreign qualification.

6 – Qualification Frameworks

> In establishing the level and learning outcomes of a foreign qualification, the competent recognition authority should take into consideration the place of the qualification in the national qualifications framework (as well as the corresponding level of the European Qualifications Framework, if applicable).

7 – Credits, Grades, Credit Accumulation and Credit Transfer

> A competent recognition authority should know how to interpret foreign credit systems and foreign grading systems.

8 – Learning Outcomes

> Evaluations of foreign qualifications should be based on establishing what the applicant knows, understands and is able to demonstrate. Therefore, if adequate information on the learning outcomes of a qualification is available, this should take precedence in the evaluation.

9 – Substantial Differences

> A qualification should be recognized, unless there is a substantial difference that could be a major obstacle for successfully pursuing the desired activity. The essential question to answer is: does the qualification enable the applicant to follow a given study programme or to take up a given employment?

10 – Alternative Recognition and the Right to Appeal

> If full recognition cannot be granted in accordance to the applicant's request, due to substantial differences, the competent recognition authority should try to provide

alternative or partial recognition of the qualification. The applicant's right to a fair assessment includes the right to make an appeal against a recognition decision.

11 – Refugees

Refugees, displaced persons or others, who for valid reasons cannot document a qualification they claim to have obtained, should have a right to have this qualification assessed. This could take the form of creating a background paper (an authoritative description or reconstruction of the academic achievements) followed by some form of assessment of the applicant.

12 – Non-Traditional Learning

Non-traditional learning encompasses all skills, knowledge and competences acquired outside the traditional class-room setting. If a qualification has been awarded by a recognized institution or competent body, which is fully or partly based on non-traditional learning, that qualification should be treated in the same way as a similar qualification awarded upon completion of a traditional programme.

13 – Transnational Education

Transnational education refers to all types and modes of delivery of education programmes in which the learners are located in a country different from the one where the awarding institution is based. Competent recognition authorities should recognize qualifications from transnational providers when these are accredited in the home system, and when the providers are permitted to operate in the host country, because the Bologna Process encourages the creation and use of flexible learning paths and the recognition of prior learning like non-formal and informal learning.

14 – Qualifications Awarded by Joint Programmes

A joint programme is a programme offered by two or more higher education institutions, usually located in different countries. Qualifications awarded by joint programmes are either belonging to more than one national system or not fully belonging to any single national system, requiring additional steps in the evaluation process.

15 – Non-Recognised but Legitimate Institutions

When an institution is not recognized in a national system, it should be investigated whether it is nevertheless a legitimate provider in some way (such as a military education institution), in which case a fair and transparent assessment of qualifications awarded by this institution might still be.

16 – Diploma and Accreditation Mills

A Diploma Mill is an organisation posing as an educational institution, operating without any supervision or lawful accreditation, awarding illegitimate qualifications without any requirements for study, research or examination. Competent recognition authorities should take precautions to prevent recognition of qualifications of diploma mills[39].

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[39] Accreditation mill refers to a non-recognised educational accreditation organization providing accreditation and quality assurance without having an authorisation to do so. In many cases accreditation mills are closely associated with diploma mills.