RECOGNITION IN THE EUROPEAN REGION -
RESPONSE TO RECENT CHALLENGES
FROM INSIDE AND OUTSIDE

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The purpose of this article is to give an overview of what should be done and what has already been done by the recognition community in the European region both to ensure a fair recognition in the European Higher Education Area and to respond to the challenges of globalisation.
RESPONSE TO A CHALLENGE FROM INSIDE EUROPE-
European recognition community works towards
creation of the European Higher Education Area

A genuine European higher education area is impossible without a proper recognition of the learning results throughout Europe. Indeed, what kind of European Higher education area can be built and how can "employability of the graduates in the European labour market" be achieved, if the qualifications earned in different parts of the "Bologna Europe" will not be fairly recognised in others?

As it clearly follows from the Bologna declaration itself, as well as from the outcomes of the Academic Convention in Salamanca, March 28-30, 2001 and the Ministerial meeting in Prague on May 18-19, 2001, the role of recognition has changed from a formal procedure of acknowledgement of diplomas (that mainly concerned individuals wishing to continue their studies in other countries or returned after studies in other countries) to an essential pre-condition necessary to ensure reaching the goals of the Bologna process.

The EU enlargement perspectives strengthen the trend: at EU enlargement a fair recognition of qualifications (both in the academic and employment sense) is crucial in order to ensure that the legally stipulated free movement of persons can be exercised in practice with no artificial obstacles.

**Recognition issues to respond challenges of Bologna process**

Following the signature of the Bologna declaration, still in 1999 the ENIC and NARIC networks decided to establish a Working Party on the Recognition Issues in the Bologna Process. The working party came up with a document "Recognition issues in the Bologna process". The recognition issues indicated by the working group were further embedded into the future strategies of the ENIC an NARIC networks.

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1 Bologna declaration was signed by 29 Countries, the Prague Ministerial meeting brought the number of participating countries to 33.
2 It could also be noted that, although Bologna process is an intergovernmental process and not an EU-initiated one, the list of countries that signed the Bologna declaration in 1999 includes all the EU member states, EFTA/EEA countries and EU candidate countries.
3 European Network of National Information Centres on Recognition and Mobility (secretariats provided by Council of Europe and UNESCO)
4 Network of National Academic Recognition Information Centres (Secretariat provided by the EU Commission)
Some of the main considerations are the following.

Taking into account that the legislative framework is largely in place (Lisbon Recognition Convention\(^6\), Recommendations on the Criteria and procedures for assessment of foreign qualifications\(^7\), Code of Good practice in the provision of Transnational education\(^8\), recommendations for the recognition of the qualifications held by refugees, as well as the EU directives for the recognition of professional qualifications\(^9\)), the proper implementation of this legal framework is the main concern.

Since Bologna declaration explicitly mentions "employability of the graduates in the European labour market", creation of European Higher Education space will require more efforts in recognition for the needs of (non-regulated part of) labour market. The Declaration's emphasis on the lifelong learning makes it sure that recognition specialists will be more and more faced with non-traditional qualifications.

Both the non-traditional and transnational qualifications will require a switch from assessment of input-based indicators such as programs and courses studied towards assessment of learning outcomes and competencies acquired.

Some attempts to create "other" or "alternative" methods of recognition are already in place, mainly in different forms of "Accreditation of prior learning" or "Accreditation of prior Experiential learning". Such attempts are received with a great interest and their further development will, no doubt, be one of the main directions for future work.

*Cooperation among recognition and quality assurance bodies is essential*

The recognition networks have discussed the points of common concern and indicated the future ways of co-operation with representatives of ENQA\(^10\). Recognition and quality assurance have much in common - while recognition, in fact, means acknowledgement of one's individual

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\(^6\) see [http://culture.coe.int](http://culture.coe.int) or [http://www.cepes.ro](http://www.cepes.ro)

\(^7\) see e.g. at [http://www.aic.lv/ace](http://www.aic.lv/ace)

\(^8\) see e.g. at [http://www.aic.lv/ace](http://www.aic.lv/ace)

\(^9\) see links to the texts of directives e.g. at [http://www.aic.lv/ace](http://www.aic.lv/ace)

\(^10\) The recently established European Network of Quality Assurance Agencies that currently involves the higher education quality assurance agencies of the EU member states and EEA/EFTA countries. One of the main tasks of ENQA is to establish an European platform for quality assurance that would serve the goals of Bologna process. An extension of ENQA to EU candidate countries is being discussed, which should bring ENQA membership close to participation in the Bologna process.
qualifications, quality assurance leads to acknowledgement of a programme or an institution as a whole. Thus, quality assurance of the national institutions and qualifications becomes a precondition for the recognition of the individual qualifications abroad. Since creation of an European higher Education Area has become a common goal, the need for more co-operation among the recognition and quality assurance networks and bodies in order to establish a common framework, share information and increase mutual trust between educational systems becomes self-evident.

In their co-operation, the recognition and quality assurance networks can mutually enrich each other. On the one hand, the recognition specialists need a reliable information regarding the quality behind the foreign qualification in question in order to establish, if that qualification can be recognised for the purpose for which recognition is sought, or if differences in quality are too substantial.

On the other hand, the recognition networks on their turn can provide the quality assurance specialists with their deep knowledge of the (so very diverse) higher education systems in Europe and beyond, where the qualifications in each country are of different content and duration, at the same time being designed to serve different purposes in further studies and in the labour market.

The cooperation among recognition and quality assurance networks should ensure building a mutual trust and better understanding among the national higher educational systems within the European Higher Education area.

**Recommendations on Recognition Criteria and procedures**

*adapt implementation of Lisbon Convention to the needs of Bologna process*

The work at the draft Recommendations was completed after the signature of the Bologna declaration, which brought many new issues to the recognition. As well, the work of the Council of Europe/UNESCO working group at the research of transnational education phenomenon, and the work of another Council of Europe working party at recognition of qualifications held by the refugees were already at quite advanced stages at that time. This gave a possibility to the group elaborating Recommendations for the Criteria and Procedures to introduce a number of aspects into the final document, namely:
• while the Convention as such is dealing with academic recognition only, the Recommendations take into account that the same principles can be applied for the "de facto" recognition\(^\text{11}\) for the labour market;

• while the Convention itself concerns qualifications awarded within the setting of a national higher education system, the Recommendations allow to extend the recognition to qualifications awarded after completion of such transnational (as well as joint, "international", corporate etc. programmes, which comply with the Code of Good Practice in the Provision of Transnational Education);

• while the Convention as such is more oriented towards the qualifications, awarded after the completion of "regular" higher education programmes, the Recommendation has an emphasis on the output (learning outcomes, competencies) rather than input (curricula, course programmes, duration) characteristics, therefore it also opens doors for recognition of lifelong learning or other non-traditional qualifications,

• while the Convention as such mainly concerns the cases where full information about the qualification in question is available, the Recommendations take into account the findings of the working party that studied recognition possibilities of refugee qualifications, where it is usually not possible to gather a full information.

\textit{Recommendations for the Criteria and procedures codifies the existing best practices}

The basic principles of the recognition of foreign qualifications are set in the Lisbon Convention. The main principle of the Lisbon Convention is that the States Parties of the Convention determine themselves to recognise each others equal level qualifications \textit{unless substantial differences can be demonstrated}.

The Recommendation on Criteria and Procedures is neither bringing something revolutionary or totally remote to the recognition community, nor is it telling that recognition should always be granted. In fact, it rather codifies the established best practice among credential evaluators and builds on this practice in suggesting further improvements.

To ensure a fair and proper recognition in the European Higher Education area, it is crucial, that similar recognition cases will be considered in reasonably similar ways throughout the European region.

\(^{11}\) i.e. the recognition in the cases when the profession is not regulated.
There will always be some differences between the "foreign" and the appropriate "home" qualification.

The differences can be found in

- learning outcomes,
- access to further activities,
- key elements of the programme(s), as well as in
- the quality of the programme and/or institution at which the qualification was awarded.

In order to ensure fair recognition, the most important is to establish, if the differences should be considered as substantial.

The Recommendations urge credential evaluators to look at the differences, keeping in mind the purpose for which the recognition is sought - the relative importance of different issues should be different at seeking employment or seeking admission to further studies (and even among different possible kinds of further studies).

**Recommendation suggests to look for possibilities to grant partial or alternative recognition.**

For the holder of the foreign qualification the non-recognition can have heavy consequences. It is therefore important not to give yes/no type recognition decisions but rather to look if another fair decision is possible that would better suit the applicant.

Even if the substantial differences between the foreign and the appropriate "home" qualification are evident, the Recommendations always suggest, that alternative or partial recognition should be considered, such as

- recognition of the foreign qualification as comparable to a qualification of the host country, but not to that indicated by the applicant;
- partial recognition of the foreign qualification, or
- full or partial recognition of the foreign qualification subject to the applicant successfully taking additional examinations or aptitude tests.
RESPONSE TO A CHALLENGE BROUGHT BY GLOBALISATION:

the European perspective towards transnational education

In the recent years and especially with the development of the modern information technologies, a phenomenon called transnational education becomes more and more widespread.

In the case of transnational education, the students do not move to study in other countries – they study in their home country or even at home, while the credentials are awarded in the name of a foreign institution.

In principle, transnational education is not necessarily rooted in national educational systems. The number of such transnational education providers who are either "international" or are not rooted in national educational systems is growing. New providers of higher education such as transnational companies, publishing houses and Internet companies appear on the field in line with the traditional higher education institutions who don't have the monopoly any more. It is likely, that part of these new providers of transnational education will seek (and already are seeking) state recognition or at least a kind of informal recognition by the universities, employers, officials, finally, public at large in the countries where they operate. Another part, however, are and will remain "unofficial". Regarding the latter, as in the case of any "unofficial" education providers, the issue of recognition can only be solved if recognition is based on measurements of learning outcomes. Information on the real learning outcomes behind a given qualification is equally important and when adapting higher education to the needs of labour market, when developing possibilities to achieve higher education qualifications through lifelong learning, etc.

Transnational education has both its positive and negative aspects. While a fair competition in the emerging borderless global market of higher education should be seen as a driving force for the development of higher education, while it is evident, that in many countries of the World transnational education may be seen as a solution to the problem arising from the explosion of the demand for higher education on the one hand and the lack of capacity in national systems to
absorb it on the other, while diversification of provision is a positive aspect, it is also evident that expansion of transnational education in many cases brings in providers whose quality could be questioned and whose qualifications might not be sufficient.

Recognition of qualifications, including the ones of transnational education, is based upon the trust in the quality of provision and verification of this quality according to agreed and transparent criteria and procedures, often by third parties. One can say that in future recognition of transnational education could be based upon a supranational or even global quality assessment and accreditation of providers. But is a long way to go. In Europe within the process of building of the European Higher Education Space (the Bologna process) an idea of a European platform of quality assurance is being worked at. European Platform will be created as a coordinating body to disseminate good practice, advise accrediting bodies on appropriate procedures and foster the convergence of principles and procedures.\textsuperscript{12,13}

In today's reality the recognition of a foreign qualification requires at least a minimum prerequisite that it has been recognised by the country where it is issued and that the criteria for national recognition of qualifications in that country are quality-based.\textsuperscript{14}

Possible recognition problems of transnational education qualifications are often caused by the fact that transnational education programmes as “foreign” ones are not quality-checked by the receiving country, but, as programmes provided abroad, they are also hidden from the quality assurance system of the sending country. The main concerns reported by the receiving countries are the following: doubts about the proficiency of the staff involved in the provision of transnational education, evidence that sometimes the transnational programmes are very different from those provided in the awarding institution itself, as well as the evidence that transnational education qualifications sometimes are “easy” – i.e. that providers of transnational education either shorten the study time or lower the admission/graduation requirements.

The situation with transnational education was studied by an ENIC network working party\textsuperscript{15} and resulted in a UNESCO/Council of Europe Code of Practice for the Provision of Transnational Education.\textsuperscript{16}

\begin{thebibliography}{9}
\bibitem{12} Prof. Konrad Osterwalder. Conclusions of the Salamanca Convention of the European Higher Education institutions, March 29-30, 2001
\bibitem{13} André Sursock. Towards accreditation schemes for higher education in Europe? Final project report, Geneva: CRE, 2001
\bibitem{14} Cf. Convention on the Recognition of Qualifications Concerning Higher Education in the European Region, see e.g. http://conventions.coe.int/ or http://www.unesco.org/education/educprog/am/conventions/counc-e.htm
\end{thebibliography}
Types of transnational provision and possible recognition problems

Transnational education is defined as all types of higher education study programmes or educational services (including those of distance education) in which the learners are located in a country different from the one where the awarding institution is based.

Transnational education results from the process of merging the interests of both sending and receiving institutions. It is often a response to a demand for higher education, to which the national system is not able (or willing) to respond, e.g.:

- national system does not offer a kind of programmes;
- national system is an *elite* higher education system and a great number of qualified applicants don’t gain admission;
- national system does not provide opportunities for learning in parallel to work;
- national system does not provide HE in minority languages;
- national system restricts women’s access in some way;
- national system is too expensive;
- transnational programmes are more attractive.

Transnational education may involve several kinds of arrangements

Programme articulations result from the co-operation among the higher education institutions of different countries. They can lead to e.g. programme twinning, joint or double degrees. Provided that both higher education institutions are recognised in their own countries, this kind of transnational education should not lead to too many problems.

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15 Working group members: Carolyn Campbell, UK, Fernando Goméz Pérez, Spain (Chair of WP), Nira Gur-Arieh, Israel, Marianne Hildebrand, Sweden, Maria Hrabinska, Slovakia, Erwin Malfroy, Belgium, Vladimir Navodnov, Russian Federation, Marjorie Peace-Lenn, USA, Andrejs Rauhvargers, Latvia. Secretariats: Lazar Vlasceanu, UNESCO CEPES, Leslie Wilson, UNESCO CEPES, Sjur Bergan, Council of Europe, see reports of the group on UNESCO CEPES webpage [http://www.cepes.ro](http://www.cepes.ro)

Higher education institutions can establish **branch campuses** in other countries. In many cases the mother institution is a recognised institution in its own country. However, like in other cases of transnational education, because of a number of reasons described below, it is worth asking if the recognition of the awards of mother institution can be extended to the ones of the branch.

**Franchising** is one of the most common cases of transnational education. At franchising a foreign institution does not establish a branch in the receiving country but, instead, allows some institution in the receiving country to deliver its programmes. The qualifications awarded however are those of the foreign sending institution.

The franchisee can be a recognised or a non-recognised higher education institution of the receiving country, a non-higher education institution, a company running courses, or a company established for the only purpose of running franchised programmes. Franchising usually involves agents, i.e. third parties who recruit students, organise tuition, provide information to students and to sending institution, etc. It has been indicated in many cases that, if there is a problem with transnational education, an agent will most probably be the troublemaker.

**Offshore institutions** claim that they belong to the education system of another country, but they actually lack a mother institution in that country. It is rather difficult to judge if an offshore institution really has the features of the education system it seemingly belongs to.

**International institutions.** Some of transnational education providers claim they are “international” institutions. If an institution is international, the qualifications it awards do not belong to the education system of any particular country. Even more, no particular country is responsible for the quality of education provided, and there is no established procedure for assessing the quality of “international” institutions. It should, however, be noted that some countries whose institutions are major providers of transnational education, in particular the United Kingdom and Australia, have established codes of good practice for their institutions so engaged.

A substantial part of transnational education is provided in the form of **distance education**. Today distance education almost always involves a component of tutoring, consultations, guidance, quite often the examinations and defence of thesis are organised in the country of students' residence. This makes the operation of transnational distance education contact points quite similar to running of franchised programmes.
A number of issues arise when one has to assess a qualification earned transnationally.

Authenticity. Since the programmes delivered through transnational education are often modified compared to those delivered at the sending institution itself, since they are often taught by local staff and in a different language than at the sending institution itself, are the qualifications awarded through transnational education really identical to the ones awarded after completion of studies at the sending institution? And do the students, after all, receive the spirit and culture of the institution (and country) at which they seemingly study?

Quality. Are the same quality assurance bodies that assess the quality at the sending institution, actually assessing the delivery of its programmes abroad? Are the quality assurance bodies of the receiving country aware of the quality of programmes delivered through transnational education?

Staff. The quality issue also includes the quality of staff. One of the observations is that the requirements towards staff proficiency and its involvement in research at the branches/franchised institutions abroad can be quite different from those at the sending institution itself.

All the above observations and concerns lead the credential evaluators to the conclusion that recognition of a qualification from the sending institution can not be automatically transferred to a qualification of the same name, which has been delivered through transnational education. Even more, today’s main instrument for recognition in Europe – the Lisbon convention, is strictly applicable to qualifications “gained in another country” and, in principle, it does not directly apply to transnational education qualifications. This is, however, the strict legal interpretation – there is no practical reason why the provisions of the Convention cannot also be applied to transnational education, even though no recognition authority has a legal obligation to do so. However, the provisions of the Convention represent the best international recognition practice, and this should not be reserved for the cases where the Convention strictly legally applies.

Code of good practice – a tool for problem solving
The present attitude of the national states towards transnational education often is either ignoring it or ruling it out. Transnational education, however, is a rapidly growing phenomenon and any attempt to outlaw it or just ignoring its existence would be a major mistake.

In order to find a solution, the UNESCO/Council of Europe Working party elaborated a Code of Good Practice for the Provision of Transnational Education.

The Code was elaborated with a view to facilitate the recognition of qualifications awarded through transnational arrangements in higher education. Its observation should provide "customer protection" for students, employers and others who may be concerned with qualifications awarded through transnational arrangements. It links recognition of the transnationally awarded qualifications to the quality assurance. Finally, the Code is designed with a view to meet the expectations of both the sending and the receiving countries.

**The main features of the Code of Good Practice.**

**Awarding institution has the main responsibility.** According to the Code, the awarding institution is responsible for the whole provision of transnational education, including the quality of programme delivery at the providing institution, the requirements for admission and graduation as well as actions of the agents and the information they give to the students or receiving country’s officials.

**Transnational education should follow legal provisions.** It is required that provision of transnational education should comply with the national legislation in both receiving and sending countries, the agreements/contracts setting out the rights and obligations of all partners should be written and legally binding.

**Comparable quality and standards.** Academic quality and standards of transnational education programmes as well as requirements regarding staff proficiency should be at least comparable to those of the awarding institution as well as to those of the receiving country. Awarding institution together with providing institution are accountable for quality assurance and control.

The admission of students, the teaching/learning activities, the examination and assessment requirements, academic workload for transnational study programmes should be equivalent to those of the same or comparable programmes delivered by the awarding institution.

**In transnational education transparency is of outmost importance.** Special attention is paid to transparency of the delivery of transnational education and to provision of full and reliable information upon request of the receiving country’s authorities.
Summarising the principles of Code, a full compliance with all the requirements listed in the Code would ensure that the transnationally earned qualifications are in fact of the same quality as the ones awarded after studies in the awarding institution itself. For this reason the final clauses of the Code stipulate that qualifications issued through transnational programmes, complying with the provisions of the Code, should be assessed in accordance with the stipulations of the Lisbon Recognition Convention and using the Recommendation for the Criteria and Procedures for the Assessment of Foreign Qualifications\(^\text{17}\).

The Code was adopted by the Intergovernmental Committee of the Lisbon Recognition Convention that took place on June 6, 2001 in Riga and can now serve as the main legal instrument for recognition of transnational education qualifications. Although the legal instrument is now in place, the recognition specialists will have to develop tools for the practical assessment of the qualifications earned through transnational educational arrangements. Proper assessment of transnational qualifications will require a switch from assessment of input-based indicators such as programmes and courses studied towards assessment of learning outcomes and competencies acquired.

**Conclusions**

European recognition networks have rapidly reacted to the new developments in higher education in Europe as well as to the global challenges. The issues to be specifically addressed in order to ensure proper recognition in the European Higher Education Area have been identified and have started the work at these issues, a number of new useful recognition tools have recently been developed and adopted, including the Code of Good Practice which allows to deal with transnational education within the framework of the Lisbon Recognition Convention. However, establishing new principles and adopting legal tools will not solve all problems.

\(^{17}\) Recommendations for the Criteria and Procedures for the Assessment of Foreign Qualifications, adopted by the Intergovernmental Committee of the Lisbon Recognition Convention, June 6, 2001 in Riga, see Final report of the Convention Committee meeting: http://www.aic.lv/meeting
On European scale it is of an utmost importance at this stage that the wider recognition community - the admissions officers and study departments of the higher education institutions as well as employers and state institutions accept the new tools, properly apply them and disseminate and develop further.

On the international scale it is time to establish better cooperation and information exchange among the World regions - both higher education and economy have become global and we have to deal with them globally.