

National action plan for recognition

1. Legislation

1.1 Lisbon Recognition Convention

The convention, signed by Belgium on 7 March 2005, has not been ratified yet but is in the process of being so.

All of the principles contained in the convention are applied in the regulations concerning equivalence (the demander's right to an equitable equivalence, granting recognition of a qualification if no substantial difference can be proved, justification of substantial differences when a request for recognition is refused, information provided to the public about study programmes and higher educational institutions, the existence of a ENIC-NARIC centre).

1.2 Review of national legislation relevant to recognition

* The legislation in force is the following:

- law of 19 March 1971 on the equivalence of foreign diplomas and study certificates;
- decree of 31 March 2004 defining higher education, favouring its integration within the European Economic Area of higher education and refinancing the universities;
- Royal decree of 20 July 1971 defining the conditions and procedure for the granting of equivalence of foreign diplomas and study certificates;
- Royal decree of 4 September 1972 defining, as far as artistic education is concerned, the conditions and procedure for the granting of equivalence of foreign diplomas and study certificates;
- decree of the government of the French Community of 28 August 1996 defining the conditions and procedure for the granting of equivalence of foreign diplomas and study certificates with academic degrees;
- decree of the government of the French Community of 19 March 1997, defining the operation of the Equivalence Commission as detailed in articles 3 and 4 of the decree of the government of the French Community of 28 August 1996 defining the conditions and procedure for the granting of equivalence of foreign diplomas and study certificates with academic degrees;
- decree of the government of the French Community of 30 September 1997 defining the conditions and procedure for the granting of equivalence of foreign diplomas and study certificates with certificates and diplomas from short and long types of higher education;
- decree of the government of the French Community of 14 April 2004 executing the decree of 31 March 2004 defining higher education, favouring its integration within the European Economic Area of higher education and refinancing the universities.

* As far as higher education is concerned, the existing legislation, in particular that which has been adopted since 1997, conforms to the principles of the Lisbon Convention. A representative of the Belgian French Community was indeed a member of the group that drafted this convention.

However, one point has yet to be dealt with concerning the recognition of the qualifications of refugees, displaced persons, and those assimilated with refugees (section 7, article 7). Whereas these people can benefit from the existing legislation as regards access to higher education (examining boards, entrance examinations) and the validation of previous studies for access to the second cycle of higher education, there is no specific provision for them.

To the extent that the legislation conforms and has been revised in 2004 (equivalence of level), no modification to it is planned in the short term. Modifications will nevertheless be made if necessary.

1.3 Bilateral or regional recognition agreements

At the university level, the Belgian French Community does not have bilateral or regional agreements concerning the automatic recognition of foreign degrees. However, as far as secondary education is concerned, there is an automatic recognition (without an equivalence procedure) of secondary school examination certificates (baccalaureates) awarded by the European school, the International Baccalaureate Organization (Geneva), and by SHAPE's international school.

2. Recognition practice

2.1 Criteria and procedures

The general principles of the "Recommendations on Criteria and Procedures for the Assessment of Foreign Qualifications" adopted in Riga on 6 June 2006 are respected by the authorities responsible for the recognition of foreign qualifications, i.e. the Ministry of the French Community and the higher education institutions. If complete equivalence cannot be granted, it is possible to have partial equivalence.

The principle criteria considered for granting academic recognition are: the conditions for access to the programme, the length of the programme, the number of study hours covered by the programme, the content of the programme including traineeships, practical exercises, dissertations and theses, the examination results obtained, the accreditation or recognition by the foreign authorities responsible for the institution that awarded the diploma and the effects of the diploma as recognised by the responsible foreign authorities (decree of the government of the French Community of 28 August 1996 defining the conditions and procedure for the granting of equivalence of foreign diplomas and study certificates with academic degrees and decree of the government of the French Community of 30 September 1997 defining the conditions and procedure for the granting of equivalence of foreign diplomas and study certificates with certificates and degrees from short and long types of higher education).

The decree of 31 March 2004 introduced the concept of equivalence of level with generic academic degrees of Bachelor and Master. This type of equivalence is awarded when it is obvious that the studies undertaken abroad are at the Bachelor or Master level but do not correspond, as far as content is concerned, to any programme in the Belgian French Community.

The criteria taken into account for granting the equivalence of level are identical to those used for academic equivalence except that relating to the subject studied.

Standardised documentation is available for users on the Internet. This can also be requested by electronic or surface mail, by telephone, or by visiting the NARIC's offices.

The translation of some documents that make up the application for the recognition of a diploma is essential, and this is requested of the users. An official translation of the main documents is required.

The cost of the procedure is 124 euros.

The duration of the equivalence procedure is four months and forty days maximum.

This information is provided in the standardised documentation for the users.

Appeal procedures are in place: either the re-examination by the Equivalence Commission on the basis of new information, or recourse to the jurisdiction of the Council of State.

2.2 Joint degrees

In the Belgian French Community, the legislation allows universities and “Hautes Écoles” (non-university higher education institutes) to award joint degrees in the framework of the cooperation conventions for the organisation of studies between several institutes. The legal reference texts are the following:

- article 44 of the decree of 5 August 1995 defining the general organisation of higher education in the “Hautes Écoles”;
- article 29§2 of the decree of 31 March 2004 defining higher education, favouring its integration within the European Economic Area of higher education and refinancing the universities;
- the decree of 16 June 2006 relating to the cooperation conventions for the organisation of studies between university institutes and introducing various provisions as regards higher education;
- the decree of 30 June 2006 modernising the operation and financing of the “Hautes Écoles”;
- The decree of the government of the French Community of 20 July 2005 defining the standard degrees and degree supplements awarded by the university institutes and the higher education examination boards of the French community.

2.3 Overview of institutional practice

As the legislation is recent, there is no information available yet about institutional practices on the subject.

2.4 Transparency tools for recognition

* The decree of 31 March 2004 (defining higher education, favouring its integration within the European Economic Area of higher education and refinancing the universities) as well as the related pieces of legislation confirm the usage of the European Credit Transfer and Accumulation System (ECTS) for the various components of higher education. The study year nevertheless remains the benchmark, corresponding to 60 credits (see article 26 of the decree of 31 March 2004 mentioned above). The notion of a credit is defined in article 6, § 1 of the decree as “the unit corresponding to the time dedicated by the student, within a study programme, to a learning activity in a given subject”. These credits are awarded to a student after successful evaluation of the knowledge and skills acquired.

In practice, we note that for the academic year 2006/2007, all university institutes present all their study programmes in ECTS credits as well as their time value.

For architectural education, a decree of the government of the French community of 14 April 2004 provides that minimal timetables be expressed in credits.

In the “Hautes Écoles”, the use of ECTS is starting to become generalised and the transposition of programmes in ECTS is currently being finalised.

Lastly, in the higher schools of art, the notion of credit appears in the various legal texts but the timetables are still expressed in hours.

* Since 2004/2005, the adoption of the degree supplement has been generalised in all types of higher education institutes. In practice, some universities already award, on their own initiative, degree supplements since 2002. As far the “Hautes Écoles” are concerned, some of them award supplements since 2003/2004.

The degree supplement is provided freely, in French and, on the student’s request, also in English.

The reference legislation is the following:

- decree of 31 March 2004 defining higher education, favouring its integration within the European Economic Area of higher education and refinancing the universities;
- decree of the government of the French Community of 18 June 2003 defining the forms and contents of degrees and supplements awarded by the higher schools of art;
- decree of the government of the French Community of 3 July 2003 defining the standard degrees and supplements awarded by the “Hautes Écoles” and higher education examination boards of the French community;
- decree of the government of the French Community of 2 June 2004 defining the forms and contents of degrees and supplements awarded by the higher institutes of architecture and the higher education examination board of the French community;
- decree of the government of the French Community of 20 July 2005 defining the standard degrees and supplements awarded by the university institutes and the higher education examination boards of the French community.
- As far as the higher schools of art and the “Hautes Écoles” are concerned, the terminology used should be modified in 2007 to match that of the decree of 31 March 2004.

* The EUROPASS Centre for French speaking Belgium was created in 2005 within the European Social Fund Agency (FSE) in order to ensure the implementation of the European Directive. This Centre is made up of a Monitoring Committee (decision-making body), a Support Committee and working groups, of which there are currently four; one of these is dedicated to the degree supplement.

2.5 Borderless/transnational education

There is no specific legislation concerning the recognition of transnational higher education qualifications.

To be recognised by the Belgian French Community, the diplomas awarded by a franchised institute need to be awarded by a higher education institute recognised as such by the responsible authorities in the country where the institute is located.

Moreover, they should also be recognised by the responsible authorities in the country where the franchised institute is located, if it is not in Belgium. This implies that the diploma must be a foreign diploma issuing from a national system. One of the major difficulties affecting the recognition of diplomas awarded by such institutes is that the Belgian French Community does not recognise diplomas awarded by “private” institutes.

3. Information provision

3.1 Provision of information on recognition

A section of the French community’s website is dedicated to the equivalence of degrees.

This can be accessed by the link <http://www.equivalences.cfwb.be> .

Some information as well as useful links for users can be found there.

A project to completely revise the section dedicated to higher education is currently being studied.

Questions concerning the equivalence of diplomas can be sent to the responsible body using a unique address equi.sup@cfwb.be .

The creation of a one-stop office dealing with all demands for the equivalence of diplomas from secondary and higher education is currently being studied. This would allow applicants to be guided more efficiently.

A working group has been created to intensify relations with the universities, since these are responsible in a certain number of cases when it comes to recognition of degrees (complete academic recognition of the bachelor and doctor degrees and partial academic recognition of all degrees awarded by the universities).

The pilot group might be extended to non-university higher education.

This initiative should allow better exchanges between the various parties responsible for the recognition of diplomas, for the benefit of users.

3.2 Information package for applicants

At the Ministry of the French Community, the office in charge of equivalence of higher education diplomas is accessible to users – for general information as well as specific cases – by surface and electronic mail, as well as by telephone. The office is also open to the public two afternoons a week.

Standard documentation exists and is sent to users on request.

A project to revise the part of the website dedicated to the equivalence of higher education diplomas is currently being studied, with the objective of providing a better service to requesters. As far as the higher education institutes are concerned, the admission services advise foreign students about the admission conditions for higher education.

4. Structure

4.1 National information centre

Within the Ministry of the Belgian French Community, The Belgian French Community's NARIC centre is part of the Directorate General for non-compulsory education (higher education) and scientific research.

The decisions taken, in the form of decrees, are in the name of the government of the French Community of Belgium and therefore have a legal status. Thus, a favourable decision on the equivalence of a foreign diploma to a diploma awarded in the Belgian French Community provides the same legal effects as the diploma awarded in the French community to which it is considered equivalent.

These decisions aim at the academic recognition of complete second cycle degrees (university education), the complete and partial academic recognition of long and short type diplomas (non-university higher education), and the equivalence of level of second cycle degrees. This academic recognition has a professional outcome ("de facto" recognition) insofar as no other official body treats requests for professional recognition aiming at the exercise of non-regulated professions. The responsibility for "de jure" professional recognition relating to programmes leading to regulated professions is vested with the relevant Ministry and/or the professional organisations. For example, the Ministry of the French Community is responsible when it comes to teaching diplomas awarded by members of the European Economic Area.

The NARIC centre actively collaborates with the activities of the EURYDICE unit, which is also part of the Ministry of the French Community. It currently employs five people who are mainly assigned to the concrete treatment of decisions.

It does not have a specific budget and falls under the budget of the Directorate General for non-compulsory education (higher education) and scientific research.

The NARIC centre is the contact point for the application of European Directives on the subject of recognition. It is a member of the ENIC-NARIC network and, in the future, plans to be more active in events related to mobility and the recognition of diplomas and qualifications (NAFSA, EAIE, student exhibitions...).

4.2 Cooperation recognition/quality assurance bodies

Within the Ministry of the Belgian French Community, NARIC and the Agency for the evaluation of the quality of higher education (AEQES) are part of the Directorate General for non-compulsory education (higher education) and scientific research. They are directed by the same person. Therefore, information circulates between the two units. Nevertheless, information about the quality of foreign institutes that award diplomas for which recognition is requested is not taken into account in the criteria for awarding equivalence. The AEQES is a candidate member of the ENQA network.