

ENIC NETWORK (COUNCIL OF EUROPE/UNESCO) NARIC NETWORK (EUROPEAN COMMISSION)

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RECOGNITION ISSUES IN THE BOLOGNA PROCESS – OVERVIEW OF ISSUES FOR DISCUSSION

Directorate General IV: Education, Culture and Heritage, Youth and Sport (Directorate of School, Out-of-School and Higher Education - Higher Education and Research Division) of the Council of Europe

ITEM 4

Distribution: meeting
<http://culture.coe.int/restricted/ccher/eng/ecesu.ses.html>
<http://www.cepes.ro/hed/recogn/networks>
<http://www.um.edu.mt/noticeboard/enindex.html>

INTRODUCTION

The purpose of this document is to raise a number of issues for discussion at the 2002 ENIC/NARIC meeting in the context of the Bologna Process towards a European Higher Education Area. The background documents for this discussion is the ENIC report on Recognition Issues in the Bologna Process, issued in January 2001, and the report from the Council of Europe conference on Recognition Issues in the Bologna Process, held in Lisboa on 11 – 12 April 2002. The discussion of each issue should focus on content but also on how the ENIC and NARIC networks should address the issue, and in which order of priority. In this sense, the discussion will also contribute to the discussion on strategic planning under item 11 of the agenda.

A number of the issues identified in the 2001 ENIC report were addressed at the Lisboa conference in 2002. These include:

- information on recognition;
- recognition and quality assurance;
- recognition for the labour market;
- recognition of non-traditional qualifications and learning outcomes;
- recognition of transnational education.

In addition, it is clear that the issue of trade in higher education in the context of GATS is emerging strongly as an issue related to the external dimension of the Bologna Process. In recognition terms, the issue is above all how the Council of Europe/UNESCO Convention and other recognition instruments can serve as standards against which to measure the quality of “trade offers” in higher education.

INFORMATION

This topic is a separate item on the agenda of the Network meeting, but it may be worth recalling that the rapporteur of the Lisboa seminar made two recommendations on this issue:

- (1) Examine the feasibility of supplying standard guidance to prospective students (e.g. in the form of a fact sheet on recognition issues and a list of basic questions which they should take into consideration), to assist students regarding what to look for and which questions to ask when choosing institutions and dealing with recognition issues;
- (2) Examine the feasibility of creating an international working group to develop a European code of good practice for the provision of recognition information.

Under the relevant item, the Networks could consider how these recommendations could be implemented as well as whether there are other issues to be raised concerning information.

COOPERATION WITH THE QUALITY ASSURANCE COMMUNITY

This is also the subject of a separate item on the agenda, and one that should be discussed on the basis of the document for this time. At this point, it is simply recalled that the rapporteur of the Lisboa seminar recommended that the ENIC and NARIC Networks “develop cooperation and exchange with national and European quality assurance bodies, to ensure that recognition issues are also covered by quality assurance procedures”. In the discussions between the ENIC Bureau, the NARIC Advisory Board and representatives of ENQA, joint information channels and joint action on the issue of non-formal recognized education, including transnational education, have been mentioned as possible areas of cooperation.

OTHER RECOGNITION ISSUES

Recognition for the labour market, the recognition of non-traditional qualifications, the recognition of learning outcomes and the recognition of qualifications obtained under transnational education arrangements¹ are generally presented as separate issues and there are differences between them. However, there are also many points in common, and for the purpose of the discussion, it may be useful to consider them together.

One could even argue that the definition of learning outcomes and – perhaps less ambitiously – competencies – is an important step, even if not an absolute prerequisite, for facilitating at least the recognition of non-traditional qualifications, but most likely also the recognition of qualifications for the non-regulated part of the labour market and the recognition of transnational education.

Some questions that could guide the discussion are:

- What is the current state of work on developing descriptions of learning outcomes? Could any examples of good practice in a specific field be adapted to other fields or be used for more general purposes?
- How can learning outcomes be described in terms that would facilitate their assessment?
- How can non-traditional qualifications best be described? Could an adapted version of the Diploma Supplement be elaborated?
- How can ENICs and NARICs best establish contact with employers and their representatives both as Networks and at national level? How can they inform employers about their services, and how can qualifications best be described to facilitate the work of employers?

¹ For the sake of brevity, this will be referred to as “transnational education”.

TRADE IN HIGHER EDUCATION/GATS

Appendices 1 and 2, both written by the Chair of the CD-ESR, Dr. Per Nyborg, outline some of the recognition issues in the GATS context. Among the issue the ENIC and NARIC Networks could consider, are:

- What role could the recognition of qualifications play in the trade with higher education?
- What is the right balance between avoiding that recognition procedures and requirements be construed as “impediments to free trade” in GATS terminology and ensuring that qualifications can still be assessed with due reference to their quality?
- How can the Council of Europe/UNESCO Convention and other international instruments, such as the Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications, be brought into the GATS context as standards for the quality of higher education?

WAYS AND MEANS

The above questions are intended as a guide to the discussion and the list should in no way be seen as complete or preemptive. Other questions and issues may well be raised by members of the Network.

The Networks are also invited to consider how the issues could be addressed, and in which order. If one study or working party could be launched in autumn 2002, what should be the priority topic? If a second working party or study could be launched in 2003, what should the topic be? Should the topics outlined above be listed separately, or is there scope for combining two or more topics?

APPENDIX 1

*Dr. Per Nyborg,
Chairman, Committee for Higher Education and Research
Council of Europe, 16 April 2002*

The Lisbon Convention and a possible relation to GATS in higher education

The Convention on the Recognition of Qualifications concerning Higher Education in the European Region was developed by the Council of Europe and UNESCO and adopted by national representatives meeting in Lisbon on 8 - 11 April 1997. This Council of Europe/ UNESCO Convention – usually referred to as the Lisbon Convention – has since been ratified by 27 countries and signed by 14 more. (The full text and a continually updated list of signatures and ratifications may be found at <http://conventions.coe.int>; search for ETS 165.)

Among the main points of the Council of Europe/UNESCO Convention are the following:

- Holders of qualifications issued in one country shall have adequate access to an assessment of these qualifications in another country.
- Each country shall recognise qualifications – whether for access to higher education, periods of study or higher education degrees – as similar to the corresponding qualifications in its own system unless it can show that there are substantial differences between its own qualifications and the qualifications for which recognition is sought.
- Recognition of a higher education qualification issued in another country shall have one or both of the following consequences:
 - a. access to further higher education studies, including relevant examinations and preparations for the doctorate, on the same conditions as candidates from the country in which recognition is sought;
 - b. The use of an academic title, subject to the laws and regulations of the country in which recognition is sought.

In addition, recognition may facilitate access to the labour market.

- All countries shall provide information on the institutions and programmes that belong to their higher education systems.
- All countries shall appoint a national information centre, one important task of which is to offer advice on the recognition of foreign qualifications to students,

graduates, employers, higher education institutions and other interested parties or persons.

- All countries shall encourage their higher education institutions to issue the Diploma Supplement to their students in order to facilitate recognition. (The Diploma Supplement is an instrument developed jointly by the European Commission, the Council of Europe and UNESCO that aims to describe the qualification in an easily understandable way and by relating it to the higher education system within which it was issued.)

The General Agreement on Trade in Services (GATS) is a multilateral agreement, which also includes education. Little is yet known about the consequences of GATS for quality, access, and equity of higher education. There is in the university sector a fear that GATS may influence the national authority to regulate higher education systems, and have unforeseen consequences on public subsidies for higher education.

It is important that Ministers of Education are active in the national decision making process relating to GATS. Ministers should not forget that in their Prague Communiqué of May 2001, they supported the idea that higher education should be considered a public good and that it is and will remain a public responsibility.

Even so, both the European University Association (EUA) and the National Unions of Students in Europe (ESIB) have taken a critical stand on trade in educational services. This critical stand is also related to the lack of recognition of academic qualifications or concerns over the quality of educational providers.

To be accepted in the higher education sector, it is essential that GATS respects existing mechanisms in international higher education, among them, the Lisbon Convention. This Convention has been signed by 41 states, including the four leading exporters of educational services: The United States, the United Kingdom, Australia and Canada, and they are now in the process of ratifying the Convention. Committing to and abiding by the Lisbon Convention – with the full implication of national accreditation, recognition and information centres and the recognition of the Council of Europe/ UNESCO Code of Good Practice in Transnational Education, should be a precondition for any trade agreement relating to higher education.

In the Lisbon Convention, a national quality assessment system is an option, not a formal requirement. However, *importers* of higher education should require the effective operation of a national quality assessment system in *exporting* countries as a prerequisite for a trade agreement. Then, according to article VIII.1a in the Lisbon Convention, information on the methods and results of this assessment, and on the standards of quality specific to each type of higher education institution, should be available. This would take care of quality in a trade in higher education by using the national assessment systems in the *exporting* countries.

It has been argued that national quality assurance systems in importing countries could be used as barriers against import of higher education. However, countries that have ratified the Lisbon Convention, are bound to recognise qualifications from other parties to the Convention as similar to the corresponding qualifications in its own system. This implies that they should *not* build barriers against higher education from

such countries. Of course, all countries should have a quality assurance system and authorities in importing countries should put their foot down if there are significant and negative differences in quality.

Thus, the Lisbon Convention, building on national systems, may secure quality and at the same time hinder the building of barriers against trade in higher education. If GATS should decide to build on the Lisbon Convention, it could enforce quality assessment and free trade between signatory parties at the same time by enforcing a practice in accordance with the Lisbon Convention – albeit through mechanisms external to the Convention. Neither UNESCO nor the Council of Europe have any power for sanctions.

On the other hand, if GATS should mean free trade *without* quality assurance, the worst fears of ESIB and EUA may come true.

An additional challenge that has to be met in transnational education is multinational providers. This has been used as an argument for the development of an international accreditation system. However, all efforts up to now have shown this to be a tricky matter.

Education, including higher education is an important element in national politics, and should remain so. Multinational providers should respect this, seeking national recognition in the country where their main office is located and follow the conventions and agreements for international co-operation and trade.

APPENDIX 2

*Dr. Per Nyborg,
Chairman, Committee for Higher Education and Research
Council of Europe, 23 April 2002*

GATS in higher education

The General Agreement on Trade in Services (GATS) is a multilateral agreement under the World Trade Organization (WTO), which also includes education. Little is yet known about the consequences of GATS for quality, access, and equity of higher education. There is in the university sector a fear that GATS may influence the national authority to regulate higher education systems, and have unforeseen consequences on public subsidies for higher education. Both the European University Association (EUA) and the National Unions of Students in Europe (ESIB) have taken a critical stand on trade in educational services. Many governments may want to remove barriers against trade in educational services, however, only a few have yet taken a formal stand. This they have to do before 30 June 2002.

The European Ministers of Education being responsible for the Bologna Process to create a European Higher Education Area by 2010, in their Prague Communiqué of May 2001 supported the idea that higher education should be considered a public good and that it is and will remain a public responsibility. As the Bologna Process aims at building down national barriers while at the same time promoting quality, it is important that the GATS negotiations relating to higher education take due account of the Bologna Process.

The purpose of this note is to give a brief overview of the situation, in particular to see

- to what extent national proposals to WTO comments on the need for governments to retain their sovereign right to determine their own domestic educational policies,
- if measures are envisaged to maintain and improve the quality of education.

The Australian proposal recognises that governments across the globe play a significant role in the financing, delivery and regulation of education, alone or in partnership with private and non-governmental organisations. This reflects the importance of education in the preparation for life as a citizen, the transmission of values and culture, and development of national well being. Accordingly, Australia believes that governments must retain their sovereign right to determine their own domestic funding and regulatory policies and measures. However, Australia wants to liberalize trade in higher education and lists a number of obstacles that should be removed. Quality is not mentioned in the Australian proposal.

The proposal from New Zealand states that the education sector is vitally important to all Members, given the critical role of education in economic and social development. Governments may need to strike a balance between pursuing domestic education priorities and exploring ways in which trade in education services can be further

liberalised. New Zealand considers that there is scope to find such a balance. The proposal claims that the reduction of barriers to trade in education does not equate to an erosion of core public education systems and standards. However, quality measures are not mentioned.

The proposal of the United States recognizes that education to a large extent is a government function, but that most countries permit private education to coexist with public education. The proposal, therefore, envisions that private education and training will continue to supplement, not displace, public education systems. As the Australian proposal, the US proposal lists a number of obstacles to trade in higher education that should be removed.

Quality is not mentioned.

The proposal from Japan, on the other hand, states that it has become extremely important for each country to improve the quality of education and research, responding flexibly to the rapidly changing needs of the society. Japan recognizes that, in order to pursue these policy objectives, it is effective to promote a certain level of liberalization, while taking various governmental policy measures. Japan recognizes the importance of government's role in education. In the course of liberalizing the education sector it is necessary to take into consideration aspects of government policy objectives and the specificity of this sector. Any measures in the education services sector should be considered with primary interest in maintaining and improving the quality of the service. Due consideration needs to be taken to

- maintenance and improvement of the quality of education activities in each country,
- protection of consumers (learners) to ensure that they are not damaged by services of low quality,
- measures to ensure international equivalence of degrees and diplomas.

The Japanese proposal points out that the educational system varies from country to country, due to different social background and varied course of development of system. The roles of governments vary from country to country due to the difference in their administrative structures. Therefore, while seeking the liberalization of education services, these differences should be carefully taken into consideration.

Japan also refers to the fact that the development of globalization and information technology has given rise to the question of how to maintain the quality of higher education supplied across borders. There are cases where the quality of a service supplied by a "university" in one country is not necessarily of the same level as that supplied by a university of another country, due to the difference in higher education system of the two countries. It has also emerged that the quality of education services fails to be correctly judged, in cases where the service is supplied by a "degree mill" of one country by means of e-learning.

From the viewpoint of protecting consumers (learners), Japan makes it clear that countries should recognize the significance and necessity of an information network on the higher education supplied across borders.

Seen from the higher education sector, the Japanese proposal may be the starting-point for a constructive discussion, especially as the sector itself already has established an international code for quality assurance and for national information centres and international information networks. This is taken up in a separate note dated 16 April 2002 on The Lisbon Convention and a possible relation to GATS in higher education.