

Executive summary of the publication

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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, 204 pages.

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Legislation

Ratification of the Lisbon Recognition Convention

Out of 46 %Bologna+ countries 38 had ratified the Convention on the Recognition of Qualifications Concerning Higher Education in the European Region (Lisbon Recognition Convention) at the time when the national action plans for recognition were prepared. Andorra, Germany, Turkey and the Netherlands added their ratifications later. Belgium and Italy have signed the Lisbon Recognition Convention but not ratified it and Greece and Spain have not yet signed it.

Legislation review

Quite a number of countries have not provided any timetable or details of the organisation of the review of national legislation. A significant number of countries state that their legislation is already in compliance with the Lisbon Recognition Convention even if it has not been amended after joining the convention. In reality, while there may be no explicit contradiction between national legislation and the *letter* of the legal framework of the convention, a doubt remains as to whether there is also no contradiction with the *spirit* of the Lisbon Recognition Convention and its subsidiary texts.

Some countries use outdated terminology which is linked to concepts that are not compatible with the Lisbon Recognition Convention. Thus, at least five countries still use term %nostrification+, which is linked to a recognition concept seeking full identity of the foreign qualification, or the term %equivalence+. Neither of these is used in the Lisbon Recognition Convention or its subsidiary texts because they are linked with the outdated principle where



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the main focus of assessment was on detailed comparison of curricula and lists of material studied.

Legal and autonomy-related implementation difficulties

In some cases countries report problems in implementing the Lisbon Recognition Convention because the national legislation is in contradiction with the legal framework of the convention. This indicates that the country should either amend its legislation or ensure that the international legislation is given priority.

Some countries report that since the recognition decisions are taken by the higher education institutions and since these institutions are autonomous, the state cannot ensure that the principles of the Lisbon Recognition Convention are followed. This is clearly not acceptable practice and these countries, through their *laissez faire* approach, actually do not fulfil the requirements of the convention in that they should take all possible steps to apply the Lisbon Recognition Convention provisions in higher education institutions.

One good solution to this issue is to make the recognition of qualifications in higher education institutions part of quality assurance so that compliance with the Lisbon Recognition Convention can be assessed. Another solution is for the state bodies that monitor the observation of national law by higher education institutions to also monitor their observation of the convention principles. A less favourable solution mentioned by some countries is that recognition decisions are made by a central body . the minister or somebody in his/her name . and not by higher education institutions.

Follow-up measures

In most countries the follow-up procedures planned do not involve amendments to legislation but rather information and dissemination measures.

Bilateral agreements

Not all countries have bilateral recognition agreements. The number of bilateral agreements is typically 5-10 per country. Bilateral recognition agreements are often concluded either among countries which are geographically/historically close or with countries which are not part of the European region and are therefore not covered by the Lisbon Recognition Convention.

It is worth considering the proposal not to conclude further bilateral agreements among parties to the Lisbon Recognition Convention in order to support the implementation of the convention in the countries involved in the Bologna Process.

Recognition practice

Nearly all the countries declare that the recognition criteria and procedures they use are in compliance with the Council of Europe/UNESCO Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study.

Procedures

Authenticity and translations

Practice in some countries still seems to be exaggerated. Requesting that all documents presented are officially translated and have an apostille is burdensome to the applicants while the verbatim official translations may appear misleading from a recognition point of view. A good practice would be not to require translations if the documents are in widely spoken languages. Countries replying to this point mention, for example, English, German, French, Spanish and also Latin.

Comparing qualifications with the relevant host country's qualification

With few exceptions the recognition procedures include comparing the foreign qualification in question with the relevant qualification in the host country.

Some countries have invented a procedure whereby it is possible to recognise a foreign degree as a general degree or as corresponding to a certain Bologna cycle without comparing it to a particular host country's qualification. It is not clear, however, whether this recognition procedure, which is claimed to be less time-consuming and simpler, gives the holder full rights in acceding to further studies and the labour market or whether it is just a pro forma statement with few or no legal consequences. Some examples of unacceptable practice include instances where some countries tend to assess the foreign institution and programme using quite formal criteria rather than relying on the information on the status of institution and programme provided by the country of origin, something mentioned as an important principle by a number of other countries.

A clearly positive development is the move away from seeking that the foreign qualification could replace the relevant home qualification in all aspects towards comparing only those aspects relevant to the right or function which the holder of the qualification is trying to exercise. In some countries there are separate avenues for different kinds of qualifications, so assessment can be done using different procedures or by different bodies depending on the profile (academic or applied/professional) or level (postgraduate, doctoral and master degrees). Degrees can be treated separately from bachelor degrees, Bologna degrees separately from pre-Bologna and finally depending on whether the master degree has been obtained in the same field (and institution) which awarded the bachelor degree.

Partial recognition

In many countries partial recognition is possible if there is a substantial difference between the qualification for which recognition is sought and the corresponding qualification in the host country. Looking at the recognition criteria mentioned in the national action plans the question still remains as to whether granting partial recognition in each particular case is a good or a bad practice. Has it been applied because some important learning outcomes of the foreign qualification were missing which would prevent the applicant from being able to pursue the intended learning or professional activities? Or is partial recognition granted more because the content of studies was not identical?

Links between procedures of academic and professional recognition

Many countries report that academic recognition often has consequences for the non-regulated part of the labour market. An alarming finding, however, is that some countries require full academic recognition (including comparison of programmes carried out by higher education institutions) if the applicant intends to enter a regulated profession. There seems to be a growing number of countries that attempt to assess qualifications even in cases where evidence is incomplete or lacking.

Recognition procedure in two stages

In many cases the first stage ends with the issue of a statement that serves as a recommendation to the competent authority which takes the decision. This often is a higher education institution, but it is not the only possibility. In different countries there are various two-stage procedures that are not compatible with each other. For instance, recognition for further studies and establishing equivalence can be the result of the second stage of recognition in some countries, but are the result of the first stage in others. In the latter case it looks as if in some countries the second stage rather resembles the nostrification of an earlier age. A discussion is needed at European level to clarify the terminology used and the stages of the recognition procedure with a view to agreeing upon coherent and mutually understandable procedures across Europe.

Recognition criteria

The criteria used and the relative importance of different criteria vary significantly from country to country. Criteria may vary from comparing learning outcomes to attempting to assess the teaching staff of an institution in another country. Approaches indicated in the replies include, for example, taking into account differences in the education systems, counting on quality and trusting quality assurance in other countries, assessing learning outcomes wherever possible, attempting to take into account prior learning and taking into account previous recognition practices in similar cases. Giving consideration also to the purposes for which recognition is sought and study workload seems to constitute an up-to-date approach to recognition.

However, a number of countries mention such criteria as the content of the curriculum and the length/duration of the programme instead of, for example, learning outcomes. These seem quite backward-looking approaches.

Attempts to improve recognition criteria and procedures

Not all countries are planning any measures to improve recognition practices as a result of the review of legislation and procedure. The main measures countries are planning for the improvement of procedures and criteria are: ensuring possibilities for applicants to appeal, the dissemination of information on recognition criteria and procedures among all stakeholders, updating of the criteria for recognition according to the latest developments in the Bologna Process, establishing databases of recognition decisions, assisting higher education institutions and monitoring the drawing up and implementation of institutional regulations. It should be noted that the countries that already demonstrate the best recognition practices also plan most measures for improvement.

Time required for recognition

In most cases applications for recognition are processed within a three-month limit and the time needed is even being reduced.

Joint degrees

In the 2005-2007 period a number of countries changed their legislation with regard to joint degrees. Another group of countries states that while the law does not specifically mention joint degrees, there are no legal obstacles for their establishment either. However, the lack of mention of joint degrees in the legislation does not necessarily mean that there are no legal obstacles to awarding them. Obstacles to joint degrees often arise from various regulations that have been prepared without regard to the possibility of offering joint degrees.

A number of countries still have no possibility of awarding state-recognised joint degrees and therefore they use joint programmes as a way out. The graduates would then receive one degree from their home institution.

In several countries the ministry, the rectors' conference, the ENIC/NARICs¹ or these organisations in co-operation have prepared guidelines for establishing joint programmes.

Most countries state that their legislation allows recognition of joint degrees (meaning joint degrees from abroad that are submitted for recognition). In the majority of cases, countries mention the criteria listed in the Recommendation on the Recognition of Joint Degrees² as the criteria they use for recognition of joint degrees.

Institutional practices

A number of countries either do not answer this part or just state that they do not have any information on institutional practices and just describe the measures that the ENIC/NARIC takes in order to assist institutions. Only a few countries have actually carried out institutional reviews but not all of them describe the results in their national action plans. There are only a couple of countries that can report that the institutions follow common guidelines or use common recognition procedures. The institutional practices seem to be better co-ordinated in cases where recognition of qualifications at higher education institutions is included in the quality assurance system. In some cases the institutional reviews have indicated that higher education institutions still have difficulties with recognition of study periods/credits and therefore need more information and training.

The institutional procedures in recognition of credits may range from comparing learning outcomes to looking for full compliance with their own curricula.

Diploma Supplement

Many countries made the issuing of the Diploma Supplement³ compulsory between 2002 and 2005. In 2007, in more than half the countries, all graduates receive this automatically, free

¹. For more information on the ENIC and NARIC networks as well as on the national information centres that constitute the two networks, see: <http://www.enic-naric.net/>

². The recommendation was adopted by the Lisbon Recognition Convention Committee in 2004 as a subsidiary text to the convention. The text of the recommendation may be found at: <http://www.enic-naric.net/documents/recommendation-joint-degrees-2004.en.pdf>; while the explanatory memorandum is available at: <http://www.enic-naric.net/documents/recommendation-joint-degrees-2004-expl.en.pdf>

³. Details of the Diploma Supplement are available at: http://www.enic-naric.net/documents/the_Diploma_Supplement.pdf

of charge and in a widely spoken language. If countries that issue a Diploma Supplement upon request are also included, in 2007 graduates received these in two thirds of the countries. There are, however, several countries that seem to issue the diploma supplements to the graduates of the ~~new style~~+ bachelor and master degrees but do not issue it to graduates from the ~~old style~~+long one-tier study programmes.

It should nevertheless be recalled that in the Berlin Communiqué (2003), ministers set the objective that every graduating student should receive the Diploma Supplement automatically, free of charge and in a widely spoken language by 2005. The national action plans show that even at the end of 2006, half of the Bologna member states had yet to comply with the ministers' commitment.

Some countries have created national versions of the Diploma Supplement but it is not clear from the national action plans if the ~~national~~+ diploma supplements fully follow the EU/Council of Europe/UNESCO Diploma Supplement format and to what extent they are customised. Most countries issue the Diploma Supplement in both the national language and a widely spoken European language (most often English), but there are also countries where it is available in a widely spoken European language only on request.

Implementation of ECTS⁴

While the implementation of ECTS as a credit transfer and accumulation system is indeed progressing, there are a number of issues to be noted:

In quite a number of countries credit systems are used for both transfer and accumulation.

Not all countries, however, use ECTS itself; there are a number of cases where an ECTS-compatible national credit system is used.

ECTS key features should be further discussed and fine-tuned so that all countries can adhere to the definitions therein.

There are some countries where a credit system is implemented but it does not yet apply to all higher education.

In most countries implementation of ECTS so far has not concerned linking credits with learning outcomes. There is a growing understanding that linking credits with learning outcomes is an important component of the credit system. However, implementation of this feature of ECTS will still take time.

A good practice seems to be using quality assurance as a tool for implementation of ECTS, that is, setting implementation of ECTS as a quality requirement.

Transnational/borderless education

Countries express their good will to give the green light to bona fide transnational/borderless education, but they also express concern about possibilities to access reliable information on the quality of transnational education, possibilities to check whether transnational e-learning has been properly assessed and whether allocation of credits for work experience has been properly done. These issues have often been discussed but proper solutions have yet to be found.

⁴. For further information on the European Credit Transfer and Accumulation System, see: http://ec.europa.eu/education/lifelong-learning-policy/doc48_en.htm

Information provision

The quality of information provision seems to vary between countries, and the spectrum seems to be quite broad. It ranges from countries that have excellent information for applicants in their national language and in English (or other widely spoken European languages) available online, in printed and possibly in other forms, to countries where only a minimum of information is provided in the national language only and this information may be available at the ENIC/NARIC. An example of good practice is that provision of recognition information is co-ordinated between ENIC/NARICs and the higher education institutions so that the specific information from higher education institutions adds to the general information provided by the ENIC/NARICs.

Information on education systems is well established in some countries, but some countries only provide general information on their education systems that contains too little information of the kind that is actually needed for credential evaluation.

Structures

National information centres

The European Network of Information Centres (ENIC) and the network of National Academic Recognition Information Centres (NARIC) have an important role in academic and professional recognition. The most typical case is that the national information centre (ENIC/NARIC) is an advisory body for both academic and professional recognition, while the decisions are taken:

- for academic recognition . by higher education institutions;
- for de facto professional recognition in non-regulated professions . by employers;
- and for regulated professions (de jure professional recognition) . by the competent authorities of each profession.

There are several other possibilities, including:

- the ENIC/NARIC is the decision-making body for all cases of recognition;
- the ENIC/NARIC makes a decision in the name of the minister; or
- decisions are taken by a minister/vice-minister/ministry based on advice from:
 - ó the ENIC/NARIC;
 - ó higher education institutions; or
 - ó committees of academics/scientists.

In a number of countries the ENIC/NARIC makes recognition decisions with a view to employment in non-regulated professions.

In most cases the de jure professional recognition for employment in regulated professions is carried out by competent authorities (often professional organisations) nominated by the government, but in some countries the specific ministries are in charge.

Capacity development

Competence development is underlined as an important aspect by a number of ENIC/NARICs. The main kinds of capacity-building measures inside the ENIC/NARICs are staff training and regular updating of information and competences, participation in the joint ENIC/NARIC meetings, study visits, organising national or regional training and dissemination events (Nordic and Baltic countries, among others), preparing detailed manuals for staff, recruiting staff with specific knowledge of education and/or language skills relevant to different world regions. Another important aspect of capacity building is organising different dissemination and training events for the recognition staff of higher education institutions and providing guidance to higher education institutions.

Again, many of these important measures seem to be present in a number of the most well-supported and developed national information centres while a number of others mainly mention study visits or have not given any notion of capacity-building measures at all.

Co-operation between recognition and quality assurance bodies

Information on quality assurance is used in the daily work of credentials evaluation. In a number of countries the ENIC/NARICs widely use information on quality assurance when assessing foreign qualifications. They also provide other ENIC/NARICs with information on the quality assurance status of programmes and institutions in their countries. As the information on quality assurance is often accessible online, the above does not necessarily mean that ENIC/NARICs have intensive daily contact with their own country's quality assurance body.

The most far-reaching agreement between ENIC/NARICs and quality assurance bodies is the joint declaration made by some of the countries participating in the European Consortium for Accreditation in Higher Education.⁵ Its final goal . the eventual automatic recognition of qualifications . can, however, only be reached through long-term bilateral work. It has been noted that recognition and quality assurance bodies often discuss the relevant issues and work together at various national working groups or during workshops, especially in those devoted to the establishment of national qualifications frameworks. Quality assurance is a powerful implementation tool in the framework of the Lisbon Recognition Convention in higher education institutions if the assessment of recognition practices becomes part of the quality assurance system of institutions and programmes.

⁵. The Joint Declaration concerning the Automatic Recognition of Qualifications can be accessed through the European Consortium for Accreditation (ECA) website:
<http://www.eaconsortium.net/index.php?section=content&id=1>

Conclusions and recommendations

CONCLUSIONS

1. Four Bologna countries remain that had not ratified the Lisbon Recognition Convention as of 12 May 2008: Belgium and Italy have signed the convention but have not ratified it, and Greece and Spain have not signed it.
2. The national action plans demonstrate that there are still legal problems in implementing the principles of the Lisbon Recognition Convention and its subsidiary texts in the countries that have not amended their legislation to adopt the principles of the convention.
3. In some countries there are difficulties in implementing the principles of the Lisbon Recognition Convention and its subsidiary texts due to the interpretation of the autonomy of higher education institutions. The best way to overcome these difficulties is to make the recognition process a part of both internal quality assurance of higher education institutions and external quality assurance.
4. The national action plans 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.
5. The terminology used in the national legislation of some countries includes the terms *nostrification* and *equivalence*, which are outdated concepts of recognition and not compatible with the principles of the Lisbon Recognition Convention.
6. Some countries that have bilateral recognition agreements with other countries have not updated these agreements according to the principles of the Lisbon Recognition Convention.
7. To support implementation of the Lisbon Recognition Convention new bilateral agreements among parties to the convention should not be concluded. If applicable, bilateral recommendations could be developed by these countries.
8. In some countries the requirements for translation and legalisation of documents are exaggerated. Countries should look for possibilities to reduce the number of documents that need to be translated.
9. In most countries the recognition procedure includes comparison of the foreign qualification with the relevant qualification in the host country. Some countries have started an *easier* recognition procedure recognising the general level of the qualification without comparing it to a particular host country's qualification. While the overall development seems positive, it should be clarified what rights that kind of recognition gives to the holder of the qualification in question.
10. In most countries the recognition procedure involves two steps, but these steps can differ. The first step varies and may be a recognition statement, which is advice to the competent authority making the decision on recognition for further studies, or an *equivalence* statement. The second step in turn varies from a decision on recognition for further studies to *full comparability* with the issuing of the diploma of

the host country. The steps of the procedure must be discussed at European level and steps should be taken to make procedures more coherent.

11. The ENIC/NARIC can have a different role in the diverse national recognition procedures. Its statement on recognition can be advice to higher education institutions or advice to the minister or another central body taking the decision, or the ENIC/NARIC itself may be the competent authority making decisions. This is yet another issue where European practices are different and it should be part of the European discussions to be initiated in order to come up with proposals for more coherent procedures and criteria across the EHEA.
12. The criteria used and their relative importance vary from country to country. The contemporary approaches use quality assurance status, learning outcomes and level as the main criteria; some others first look at content of the curriculum and the length/duration of studies.
13. The time used for the recognition procedure seems not to deviate much from the recommended three months and is much shorter in some cases. Therefore, the time required for processing applications for recognition generally does not seem to be an issue.
14. A number of countries have amended their legislation to allow for the establishment of joint degrees, whereas others state that there are no legal obstacles for establishment of joint degrees, as the law does not specifically mention them. However, the national action plans demonstrate that lack of mention of joint degrees in the legislation does not necessarily mean that there are no legal obstacles to awarding them.
15. In many countries ENIC/NARICs have a very limited knowledge regarding institutional recognition practices and outcomes of assessment at the higher education institutions. It also means that these countries cannot guarantee the application of internationally approved principles in their higher education institutions. A more intensive co-operation should be established between the national ENIC/NARICs and higher education institutions both for better support and guidance to higher education institutions and for better information on the recognition procedures and decisions at higher education institutions.
16. The Diploma Supplement is issued automatically, free of charge and in a widely spoken language in many countries. In some countries it is issued in just part of the higher education system. It is not always clear whether the Diploma Supplement is issued to graduates of all levels of qualifications and whether the national diploma supplements fully follow the European Diploma Supplement format.
17. Implementation of ECTS or compatible national credit systems is progressing. However, credits are not yet linked with learning outcomes. In some countries ECTS is implemented only for the new bachelor and master programmes. Using quality assurance as a tool for ECTS implementation might help the process.
18. While there is the good will to respect the bona fide borderless education provision in some countries, in a small number of countries qualifications earned through transnational arrangements are not recognised at all. The main principles for recognition of transnational qualifications quoted in the national action plans are those outlined in the Code of Good Practice in the Provision of Transnational Education.

19. The quality of information provision both on one's own higher education system and on the recognition procedures and criteria varies greatly between different countries. Providing information being one of the main tasks of the ENIC/NARICs, there is a clear need to improve information provision in some of them.
20. There is close co-operation between recognition and quality assurance bodies, since the recognition bodies intensively use quality assurance information. Due to the fact that quality assurance information is often available online and that ENIC/NARICs successfully obtain the necessary information from abroad through the ENIC/NARIC channels, the co-operation between the national recognition and quality assurance bodies may not be very visible. The co-operation between the two bodies becomes closer because of work on national qualifications frameworks and because quality assurance can be used as a tool for the proper implementation of the Lisbon Recognition Convention.

RECOMMENDATIONS

To the ministers

1. Ministers of those ~~to~~ Bologna+ countries that still have not become parties to the Lisbon Recognition Convention are recommended to sign and/or ratify the convention without further delay.
2. Ministers of those countries that have not amended their legislation to adopt the principles of the Lisbon Recognition Convention and its subsidiary texts are recommended to assist their ministries in preparation of the amendments in line with the principles of the legal framework of the Lisbon Recognition Convention.
3. Ministers of those countries that have not amended their legislation to allow and encourage establishment and recognition of joint degrees are recommended to do so.
4. Ministers of all countries are recommended to include the quality of institutional recognition procedures in the internal quality procedures of the higher education institutions and also to include it in the external quality reviews.

To the ENIC and NARIC networks

1. The ENIC and NARIC networks should work to clarify the differences in terminology used in the recognition legislation and practices of different countries and take steps to move towards a coherent terminology across the EHEA.
2. The networks should organise discussions between the national ENIC/NARICs to clarify the differences in the recognition criteria and procedures among the countries. On the basis of these discussions, taking into account new developments in the EHEA and the results of the Working Party on Substantial Differences, a revised Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study should be drafted by the bureau of the Lisbon Recognition Convention Committee.
3. This revised draft recommendation should be submitted to the Lisbon Recognition Convention Committee for adoption in 2010.

To national ENIC/NARICs

1. ENIC/NARICs of those countries that have not amended their legislation to adopt the principles of the Lisbon Recognition Convention and its subsidiary texts are recommended to assist their ministries in the preparation of the amendments.
2. With a view to improving mutual recognition with countries outside the EHEA, the ENIC/NARICs are encouraged to apply the principles of the Lisbon Recognition Convention also to the assessment of qualifications from countries that are not parties to the convention.
3. ENIC/NARICs should provide information, guidance and counselling to the higher education institutions in order to help them establish and maintain recognition procedures based on the principles of the legal framework of the Lisbon Recognition Convention.

To higher education institutions

1. Higher education institutions should make the recognition of qualifications a part of their internal quality assurance.
2. They should draw up institutional guidelines and recommendations for recognition ensuring implementation of the principles of the Lisbon Recognition Convention across the institution.
3. They should ensure implementation of the Lisbon Recognition Convention at the level of faculties and departments.
4. They should co-operate with other higher education institutions and the national ENIC/NARIC with a view to ensuring coherent recognition across the country.