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DRAFT GUIDELINES FOR NATIONAL ACTION PLANS FOR RECOGNITION

elaborated by the ENIC Bureau, the NARIC Advisory Board and the Bureau of the
Lisbon Recognition Convention Committee

INTRODUCTION

In the Bergen Communiqué, Ministers committed themselves to

draw up national action plans to improve the quality of the process associated with the recognition of foreign qualifications. These plans will form part of each country's national report for the next Ministerial Conference.

On this background, the ENIC Bureau, the NARIC Advisory Board and the Bureau of the Lisbon Recognition Convention Committee have drawn up draft guidelines for the national reports and hereby submit the draft to the Bologna Follow Up Group.

The draft Guidelines will be found in Appendix 1.

An explanatory note will be found in Appendix 2. This note also provides a number of useful references.

APPENDIX 1

NATIONAL ACTION PLANS FOR RECOGNITION

Guidelines for national action plans to be elaborated under the Bologna Process, proposed by the ENIC Bureau, the NARIC Advisory Board and the Bureau of the Lisbon Recognition Convention Committee

1. Legislation

1.1 *Lisbon Recognition Convention*

- a. Plan and timetable for ratification if not yet accomplished

1.2 *Review of national legislation*

Should include:

- a. The timetable and organization of the review of national legislation (including secondary legislation);
- b. Steps envisaged as a result of the review, e.g. as regards amending national legislation where needed and an indicative timetable for such amendments.

Could also include:

- c. When and how the outcomes of this review will be published;
- d. How partners in the European Higher Education Area will be informed of the outcomes

1.3 *Bilateral or regional recognition agreements*

- a. Conformity with the principles of the Lisboa Recognition Convention

2. Recognition practice

2.1 *Criteria and procedures*

- a. Overview of the practice of competent recognition authorities in applying the Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study.
- b. Measures to improve implementation.

2.2 *Joint degrees*

- a. Overview of the legal provisions concerning the recognition of joint degrees.
- b. Amendments to remove legal obstacles or to establish legal provision favouring the recognition of joint degrees.
- c. Beyond legal provision, suggestion of policy measures to ensure the recognition of joint degrees.

2.3 *Overview of institutional practice*

Consider what measures have been or should be taken to allow national authorities to know

- a. whether higher education institutions and other competent recognition authorities comply with the Lisboa Recognition Convention and with national laws;

- b. what measures could be taken if given institutions or authorities were shown consistently not to apply the Convention and/or relevant national laws.

2.4 *Borderless/transnational education*

- a. National and/or institutional policies concerning the assessment of borderless/transnational education.

3. Information provision

3.1 *Provision of information on recognition*

- a. Measures taken or envisaged to improve the provision of information on recognition criteria and procedures and on the national education system;
- b. The time table envisaged for such measure;
- c. The bodies or institutions responsible for the measures;
- d. The state of electronic provision of information on recognition;
- e. Whether the national information centres establish and maintain their own web pages, linked to the ENIC-NARIC Web site.

3.2 *Information package for applicants*

- The extent to which information packages are provided for applicants by higher education institutions and other competent recognition authorities and,
- if needed, how practice could be improved.

4. Structures

4.1 *National information centre*

Outline the functioning of the national information centre (ENIC/NARIC), e.g. with regard to:

- a. the formal status of the centre;
- b. legal competence (e.g. advisory or decision making; academic, *de jure* professional, *de facto* professional recognition);
- c. staff and budget;
- d. capacity building in terms of expertise and service to the public;
- e. networking and cooperation at national level and internationally.

4.2 *Cooperation recognition/quality assurance bodies*

- a. Information exchange between the bodies responsible for recognition and quality assurance;
- b. Discussion of and agreement on working methods between these bodies;
- c. Use of information on the outcomes of quality assessments in the recognition of qualifications;
- d. Use of membership of international networks and associations in recognition (e.g. ENIC and NARIC Networks) and quality assurance (e.g. ENQA) for the mutual benefits of both bodies.

APPENDIX 2

NATIONAL ACTION PLANS FOR RECOGNITION

Explanatory note to the Guidelines

INTRODUCTION

In their Bergen Communiqué, adopted on May 20, 2005, the Ministers responsible for higher education of the Bologna Process reviewed progress and objectives with regard to the recognition of qualifications and committed to elaborating national action plans for recognition to improve the recognition of qualifications.

The part of the Bergen Communiqué related to recognition reads:

We note that 36 of the 45 participating countries have now ratified the Lisbon Recognition Convention. We urge those that have not already done so to ratify the Convention without delay. We commit ourselves to ensuring the full implementation of its principles, and to incorporating them in national legislation as appropriate. We call on all participating countries to address recognition problems identified by the ENIC/NARIC networks. We will draw up national action plans to improve the quality of the process associated with the recognition of foreign qualifications. These plans will form part of each country's national report for the next Ministerial Conference. We express support for the subsidiary texts to the Lisbon Recognition Convention and call upon all national authorities and other stakeholders to recognise joint degrees awarded in two or more countries in the EHEA.

We see the development of national and European frameworks for qualifications as an opportunity to further embed lifelong learning in higher education. We will work with higher education institutions and others to improve recognition of prior learning including, where possible, non-formal and informal learning for access to, and as elements in, higher education programmes.

The Bergen Communiqué further underlines the importance of recognition policy in establishing the European Higher Education Area, and Ministers have undertaken further commitments in this area. Due reference is also made to the Council of Europe/UNESCO Convention and to the role of the ENIC and NARIC Networks.

In this context, the Bologna Follow Up Group has expressed the desire – and indeed the expectations – that the ENIC and NARIC Networks put forward a proposal for guidelines for the national action plans for recognition that should be elaborated in time for the

London Conference of “Bologna Ministers” in May 2007. With the present proposal, the ENIC Bureau and the NARIC Advisory Board, acting on behalf of both Networks, as well as the Bureau of the Lisbon Recognition Convention Committee, put forward suggested guidelines for the National Plans.

PURPOSE AND SCOPE

As stated in the Bergen Communiqué, the national action plans should improve the quality of the recognition process. This should be interpreted to mean that recognition practice should facilitate the fair recognition of learners’ qualification, so that learners can move between higher education systems as easily and flexibly as possible without losing the real value of their qualifications through unreasonable procedures and practice. This again relates to recognition practice, which in the worst case may discourage learners from applying for recognition or from completing their application procedure, and to content, where unreasonable assessments could grant learners with foreign qualifications less than the real value of their foreign qualifications as expressed in terms of the education system of their host country¹.

The Bologna Process acknowledges a number of texts that provide guidance with respect to recognition practice, and that also entail obligations for parties. Thus is above all true with regard to the Council of Europe/UNESCO Recognition Convention, which was adopted in 1997 and which entered into force in 1999. As of February 24, 2006, 37 of the 45 members of the Bologna Process had ratified this Convention, while a further 5 members of the Bologna Process² had signed but not ratified the Convention and 3³ had neither signed nor ratified.

In addition, the four subsidiary texts to the Convention, adopted by the Convention Committee, offer guidance. These are:

- Recommendation on International Access Qualifications (1999)
- Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study (2001);
- Code of Good Practice in the provision of Transnational Education (2001);
- Recommendation on the Recognition of Joint Degrees (2004).

All the above texts, as well as the Joint ENIC/NARIC Charter of Activities and Services, are available in a joint publication⁴ and on the web. Web references will be given in the relevant parts of this explanatory note..

¹ Which can be the learners’ home country if they have obtained their qualifications abroad and then return to their country of origin.

² Belgium, Germany, Italy, Netherlands and Turkey

³ Andorra, Greece and Spain.

⁴ *Standards for Recognition: the Lisbon Recognition Convention and its Subsidiary Texts* (Strasbourg 2005: Council of Europe Publishing – Council of Europe Higher Education Series no. 3).

The National Action Plans should identify what, in the view of the Minister responsible for higher education, needs to be done in each country in order to ensure fair recognition. The precise actions and measures will of course depend on the situation of each country, but it is entirely possible to offer guidelines as to what major areas of policy and practice might be considered in elaborating the national action plans and what kind of measures might be envisaged.

It should be noted that since Ministers committed to issuing the Diploma Supplement automatically, free of charge and in a widely spoken European language by the end of 2005, and since the implementation of this commitment will be a part of the stock taking report for 2007, the Diploma Supplement is not included in the outline for the National Action Plans.

OUTLINES OF AN ACTION PLAN

The components of an action plan are outlined below, organized around four major categories:

1. Legislation
2. Recognition practice
3. Information provision
4. Structures

1. Legislation

1.1 Council of Europe/UNESCO Convention

The action plan should

- specify whether the Convention has been ratified and,
- if it has not, what the plans for ratification are.

It should be borne in mind that for the purposes of the Convention, “ratification” means that the instrument of ratification has been deposited with one of the depositories of the Convention, i.e. the Secretary General of the Council of Europe or the Director-General of UNESCO. This follows after completion of the ratification procedures at national level⁵.

⁵ An updated overview of ratifications and signatures may be found at <http://conventions.coe.int>; search for ETS 165.

1.2 *Review of national legislation*

In the Bergen Communiqué, Ministers committed themselves to “ensuring the full implementation of its principles [i.e. the principles of the Lisboa Recognition Convention], and to incorporating them in national legislation as appropriate”. This cannot be ensured without a review of national legislation to verify that it is fully compatible with and promotes the implementation of the Convention and its subsidiary texts.

The action plan *should* outline

- The timetable and organization of the review of national legislation (including secondary legislation);
- What steps are envisaged as a result of the review, e.g. as regards amending national legislation where needed and an indicative timetable for such amendments.

In addition, the action plan *could* outline

- When and how the outcomes of this review will be published;
- How partners in the European Higher Education Area will be informed of the outcomes;

It should be underlined that even countries that consider that their legislation in general complies with the Lisbon Recognition Convention and takes on board the subsidiary texts may wish to review its legislation since legislation may still contain clauses that – perhaps unexpectedly – hinder recognition.

Reference documents

The Lisbon Recognition Convention
Subsidiary texts, cf. above

1.3 *Bilateral or regional recognition agreements*

Many countries are party to bilateral and/or regional recognition agreements. The national action plan could assess whether these are in conformity with the principles of the Lisboa Recognition Convention and, to the extent they are not, consider what measures could be taken to bring them to conformity.

2. Recognition practice

2.1 *Criteria and procedures*

The Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study, adopted in 2001, outlines the main steps involved in processing an application for recognition as well as the main considerations of substance and form.

The Action Plans should consider

- to what extent the practice of competent recognition authorities in the country implements the Recommendation
- what measures could be taken to improve implementation.

Reference document

Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study⁶

2.2 *Joint Degrees*

Joint degrees is an important instrument for developing student mobility as well as the Europe dimension of higher education. A part of the discussions within the Bologna Process have focused on how to develop further joint degree programmes, but the recognition of qualifications granted within such arrangements is also a key policy measure.

The National Action Plans should

- provide an overview of the legal provisions concerning the recognition of joint degrees;
- suggest amendments to remove legal obstacles or to establish legal provision favouring the recognition of joint degrees;
- beyond legal provision, suggest policy measures to ensure the recognition of joint degrees.

⁶ Available in the publication referred to and at http://www.coe.int/T/DG4/HigherEducation/Recognition/Criteria%20and%20procedures_EN.asp#TopOfPage

Reference document

Recommendation on the Recognition of Joint Degrees⁷

2.3 *Overview of institutional practice*

In most countries, many recognition decisions are made by higher education institutions or other competent authorities that are not part of Ministries or agencies of the government. The principle of institutional autonomy is also one of the basic principles of the European Higher Education Area. The Convention, in Section II, recognizes that the legal framework of parties varies in this regard. Nevertheless, even if national authorities may have limited legal competence in recognition cases, they would have an interest in obtaining and providing information on the practice of competent recognition authorities and to encourage these to follow international best practice. They will of course also need to follow national laws, where applicable. Possibly, national Bologna groups made up of both Ministry and academic representatives may play a role in this regard.

The National Action Plans may wish to consider what measures have been or should be taken to allow national authorities to know

- whether higher education institutions and other competent recognition authorities comply with the Lisboa Recognition Convention and with national laws;
- what measures could be taken if given institutions or authorities were shown consistently not to apply the Convention and/or relevant national laws.

2.4 *Borderless/transnational education*

The emergence of higher education provision not linked to national systems and often also without a clear geographical location is an important development over the past decade. The Lisbon Recognition Convention applies to programmes and institutions that are a part of the national education systems of parties, yet its provisions can be adapted to other provision, whether from the national systems of non-parties or to provision not linked to national systems. A major concern with borderless or transnational provision is that it is often difficult to assess its quality, and that opportunities for providers to undergo quality assessment may be lacking.

⁷ Available in the publication referred to and at <http://wcd.coe.int/ViewDoc.jsp?id=836481&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75>

The national action plans could outline

- whether there are national and/or institutional policies concerning the assessment and recognition of qualifications awarded under borderless/transnational education provision,
- what the main points of such policies are or, alternatively,
- whether such qualifications are turned down for formal reasons, without further consideration of their content.

Reference document

Code of Good Practice in the Provision of Transnational Education⁸

3. Information provision

3.1 Provision of information on recognition

Provision of information on the procedures and criteria for recognition and on the education system of the country are of key importance to the mobility of students, staff and holders of qualifications. Information will often need to be adapted to specific target groups and be provided through a variety of means, including electronic means. The ENIC and NARIC Networks have established a joint Web site⁹, which is currently managed by the Canadian ENIC and an ENIC/NARIC Working Party. Links to the web sites of national information centres as well as other relevant pages are provided from this site.

The National Action Plans could describe

- what measures have been taken or are envisaged to improve the provision of information on recognition criteria and procedures and on the national education system;;
- what time table is envisaged for such measure;
- what bodies or institutions are responsible for the measures;
- the state of electronic provision of information on recognition;
- whether the national information centres establish and maintain their own web pages, linked to the ENIC-NARIC Web site.

⁸ Available in the publication referred to and at http://www.coe.int/T/DG4/HigherEducation/Recognition/Code%20of%20good%20practice_EN.asp#TopOfPage

⁹ <http://www.enic-naric.net/>

Reference document

ENIC/NARIC Code of Good Practice on Information Provision¹⁰

3.2 Information package for applicants

A particular point in the Recommendation on Criteria and Procedures concerns the provision of information on the rights of applicants and the criteria and procedures for recognition to all applicants, where the Recommendation suggests applicants should be provided with an information package at the same time that receipt of the application is acknowledged.

The National Action Plans could consider

- to what extent information packages are provided and,
- if needed, how practice could be improved.

Reference document

Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study, paragraphs 13 – 16 and the Explanatory Memorandum

4. Structures**4.1 National information centre**

The action plan should outline the functioning of the national information centre (ENIC/NARIC) and set goals for improving the functioning of the centre. This could comprise considerations of:

- the formal status of the centre;
- legal competence (e.g. advisory or decision making; academic, *de jure* professional, *de facto* professional recognition);
- staff and budget;
- capacity building in terms of expertise and service to the public;
- networking and cooperation at national level and internationally.

¹⁰ Available at

http://www.coe.int/T/DG4/HigherEducation/Recognition/ENIC%20NARIC%20Code%20information%20provision_EN.asp#TopOfPage

Reference document

Joint ENIC/NARIC Charter of Activities and Services¹¹

4.2 Cooperation recognition/quality assurance bodies

The action plan should outline how the national information centre cooperates with the body responsible for quality assurance and, if required, how this cooperation could be improved. Regardless of whether the national information centre and the QA body are located within the same organization or in different organizations, this could comprise considerations of how

- information is exchanged between these bodies;
- working methods are discussed and agreed;
- information on the outcomes of quality assessments are used in the recognition of qualifications;
- membership of international networks and associations in recognition (e.g. ENIC and NARIC Networks) and quality assurance (e.g. ENQA) are used for the mutual benefits of both bodies.

Reference documents

Lisbon Recognition Convention, Section VIII
 Joint ENIC/NARIC Charter of Activities and Services
 European Quality Assurance Standards¹²

¹¹ Available at <http://wcd.coe.int/com.instranet.InstraServlet?Command=com.instranet.CmdBlobGet&DocId=822012&SecMode=1&Admin=0&Usage=4&InstranetImage=43867> as well as in the publication mentioned in above.

¹² Available at http://www.bologna-bergen2005.no/EN/BASIC/050520_European_Quality_Assurance_Standards.pdf