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Revised Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications

(adopted by the Lisbon Recognition Convention Committee at its fifth meeting, Sèvres)

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

**Revised Recommendation on Criteria and Procedures for
the Assessment of Foreign Qualifications
(adopted by the Lisbon Recognition Convention Committee
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Preamble

The Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region,

Considering that the aim of the Council of Europe and UNESCO is to achieve greater unity between their members, and that this aim can be pursued notably by common action in cultural matters;

Having regard to the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region;

Having regard to the European Cultural Convention;

Having regard to European Conventions Nos. 15 on the Equivalence of Diplomas leading to Admission to Universities, 21 on the Equivalence of Periods of University Study, 32 on the Academic Recognition of University Qualifications, 49 Protocol to the European Convention on the Equivalence of Diplomas leading to Admission to Universities and 138 on the General Equivalence of Periods of University Study as well as European Agreement No. 69 on the portability of student grants;

Having regard to the UNESCO Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region and signatories to the Convention;

Having regard to the two declarations on the application of European Convention No. 15 and to the General Declaration on the European Equivalence Conventions;

Having regard to the Declaration of the European Ministers of Education in Bologna on 19 June 1999, and the subsequent communiqués of the Ministerial meetings;

Having regard to the Diploma Supplement elaborated jointly by the European Commission, the Council of Europe and UNESCO, the UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education, the Recommendation on the Recognition of Joint Degrees, the European Credit Transfer and Accumulation System (ECTS), and to the national and European higher education and lifelong learning qualifications frameworks;

Having regard to the practical action in favour of improving the recognition of qualifications concerning higher education carried out by the Council of Europe/UNESCO European Network of national information centres on academic recognition and mobility ("the ENIC Network");

Considering that the Council of Europe and UNESCO have always encouraged academic mobility as a means for better understanding of the various cultures and languages, and without any form of racial, religious, political or sexual discrimination;

Considering that studying or working in a foreign country is likely to contribute to an individual's cultural and academic enrichment, as well as to improve the individual's career prospects;

Considering that the recognition of qualifications is an essential precondition for both academic and professional mobility;

Recommends the governments of States party to the Convention on the Recognition of Qualifications concerning Higher Education in the European Region¹:

- i. to take into account, in the establishment of their recognition policies, the principles set out in the appendix hereto;
- ii. to draw these principles to the attention of the competent bodies concerned, so that they can be considered and taken into account;
- iii. to promote implementation of these principles by government agencies and local and regional authorities and by higher education institutions within the limits imposed by the autonomy of higher education institutions;
- iv. to ensure that this Recommendation is distributed as widely as possible among all persons and bodies concerned with the recognition of qualifications concerning higher education;

Invites the Secretary General of the Council of Europe and the Director-General of UNESCO, as appropriate, to transmit this Recommendation to the governments of those States which have been invited to the Diplomatic Conference entrusted with the adoption of the Lisbon Recognition Convention but which have not become parties to that Convention.

¹ *In this Recommendation, this Convention will be referred to as "the Lisbon Recognition Convention".*

REVISED RECOMMENDATION ON PROCEDURES AND CRITERIA FOR THE ASSESSMENT OF FOREIGN QUALIFICATIONS AND PERIODS OF STUDY

I. General considerations

1. The present Recommendation is adopted within the framework of the Lisbon Recognition Convention and applies to the Parties of this Convention. The principles and practices described in this Recommendation can, however, also be equally well applied to the recognition of qualifications issued in other countries or under transnational education arrangements, to the recognition of joint degrees and to the recognition of qualifications in countries other than those party to the Lisbon Recognition Convention.

2. The Recommendation codifies established best practice among competent recognition authorities and builds on this practice in suggesting further improvements. The provisions of the Recommendation are in particular directed at recognition cases where a complex assessment is required. It is realised that some cases may be treated in a simpler way.

II. Definitions

3. Terms defined in the Lisbon Recognition Convention are used in the same sense in the present Recommendation, and reference is made to the definition of these terms in Section I of the Convention. The provisions pertaining to the competent recognition authorities shall also be applied, *mutatis mutandis*, to authorities and individuals responsible for the assessment of foreign qualifications and for the provision of information on qualifications and their recognition. Terms that specifically refer to the provision of transnational education are defined in the UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education. Terms that specifically refer to joint degrees are defined in the Recommendation on the Recognition of Joint Degrees.

III. General principles

4. Holders of foreign qualifications shall have adequate access, upon request, to an assessment of their qualifications.

5. The provisions referring to the assessment of foreign qualifications shall apply, *mutatis mutandis*, to the assessment of periods of study.

6. Procedures and criteria for the assessment of foreign qualifications should be transparent, coherent and reliable, and they should periodically be reviewed with a view to increasing transparency, taking account of developments in the education field and eliminating requirements leading to undue complications in the procedure.

7. In the assessment of foreign qualifications concerning higher education, the international and national legal frameworks should be applied in a flexible way with a view to making recognition possible. In cases where existing national laws conflict with

the present Recommendation, States are encouraged carefully to consider whether national laws may be amended.

8. Where, after thorough consideration of the case, the competent recognition authority reaches the conclusion that recognition cannot be granted in accordance with the applicant's request, alternative or partial recognition should be considered, where possible.

9. In all cases where the decision is different from the recognition requested by the applicant, including in cases where no form of recognition is possible, the competent recognition authority should inform the applicant of the reasons for the decision reached and his or her possibilities for appealing against it.

10. The assessment criteria contained in this Recommendation have been drawn up with a view to increasing the consistency of the procedures and use of criteria for the assessment of foreign qualifications, thus assuring that similar recognition cases will be considered in reasonably similar ways by all parties to the Convention. It is nevertheless realised that a margin of flexibility in making recognition decisions is essential, and that decisions will to some extent vary according to national systems of education.

11. The procedural recommendations contained in the present document aim at making assessment procedures more consistent and transparent and at assuring all applicants a fair consideration of their application. The recommendations on procedures and criteria to be followed are equally valid regardless of whether the outcome of the assessment procedure is:

- (i) a recognition decision;
- (ii) advice to the competent recognition authority making the decision;
- (iii) a statement addressed to individual(s), institution(s), potential employer(s) or others.

It is recommended that applicants have access to an assessment relevant to the case.

12. While the aim of assessments should be to assess applicants' foreign qualifications in qualitative terms, it is realised that quantitative criteria will have to be used to a certain extent. Their use should, however, be limited to cases where quantitative criteria are relevant to quality and may supplement qualitative criteria.

13. Where learning outcomes are clearly documented, for example in a the European Commission/Council of Europe/UNESCO Diploma Supplement, or comparable documents, assessment should take these into consideration.

IV. Assessment procedures

Information to applicants

14. The competent recognition authorities should give all applicants an acknowledgement of the receipt of their application.

15. The competent recognition authorities should publish standardised information on the procedures and criteria for the assessment of foreign qualifications concerning higher education. This information should automatically be given to all applicants as well as to persons making preliminary inquiries about the assessment of their foreign qualifications.

16. The time normally required to process recognition applications, counted from such time as all relevant information has been provided by applicants and/or higher education institutions has to be specified to applicants. In the event that the recognition process is delayed, the applicant should be informed of the delay, the reason for it and notified of a date when a decision can be expected. Applications should be processed as promptly as possible, and the time of processing should not exceed four months.

17. Competent recognition authorities should provide advice to individuals enquiring about the possibilities and procedures for submitting formal applications for the recognition or assessment of their foreign qualifications. As appropriate, in the best interests of the individual, advice should also be provided in the course of, as well as after, the formal assessment of the applicants' qualifications, if required.

18. Competent recognition authorities should draw up an inventory of typical recognition cases and/or a comparative overview of other education systems or qualifications in relation to that of their own country as an aid in making recognition decisions consistent. They should consider whether this information could be made available to applicants with the proviso that this information serve only as an indicative guide, and that each application will be assessed on an individual basis.

Information on the qualification for which recognition is sought

19. The responsibility for providing information on the qualification for which recognition is sought is shared by applicants, higher education institutions at which the qualifications in question were awarded and the competent recognition authority undertaking the assessment as specified in the Lisbon Recognition Convention, in particular in its Articles III.3 and III.4. Higher education institutions are strongly encouraged to issue a diploma supplement in order to facilitate the assessment of the qualifications concerned.

20. In cases where refugees, persons in a refugee-like situation or others for good reason cannot document the qualifications they claim, competent recognition authorities are encouraged to create and use a "background paper" giving an overview of the qualifications or periods of study claimed with all available documents and supporting evidence.

Fees

21. The competent recognition authorities should consider whether it is possible to provide for assessment of foreign qualifications as a public service free of charge. Where this is not feasible, fees should be kept as low as possible and should not be so high as to constitute a barrier to the assessment of foreign qualifications.

22. In deciding the size of any fees charged, due account should be taken of the cost of living and the level of salaries and student support in the country concerned. Special measures aimed at low income groups, refugees and displaced persons and other disadvantaged groups should be considered in order to ensure that no applicant is prevented from seeking recognition of his or her foreign qualifications because of the costs involved.

Translation

23. Requirements for the translation of documents should be carefully weighed and clearly specified, especially as concerns the need for authorised translations by sworn translators. It should be considered whether requirements for translation could be limited to key documents, and whether documents in certain foreign languages, to be specified by the competent recognition authorities, could be accepted without translation. The countries concerned are encouraged to revise any current laws preventing the acceptance of documents in non-national languages without translation. The use of the Diploma Supplement (where available) should reduce the need for translation of other key documents.

24. As a rule, titles of foreign qualifications should be provided in the original language, without translation.

Verification of the authenticity of documents

25. In view of the occurrence of falsified documents, verification of their authenticity is important. Such verification seeks to establish:

- (i) whether the documents in question are genuine, i.e. whether they have been issued by the institution indicated in the document and whether they have not subsequently been unlawfully altered by the applicant or others; and,
- (ii) whether the documents in question have in fact been rightfully issued to the applicant.

26. While the need to establish the authenticity of documents as a part of the assessment procedure is therefore very real, this need should nonetheless be balanced against the burdens placed upon applicants. The basic rules of procedure should assume that most applicants are honest, but they should give the competent recognition authorities the opportunity to require stronger evidence of authenticity whenever they suspect that documents may be forged. While certified photocopies of official documents will be sufficient in most cases, the competent recognition authorities should be in a position to require original documents where this is considered necessary for the purpose of detecting or preventing the use of forged documents.

27. States are encouraged to review any national laws requiring overly complicated and costly authentication procedures, such as full legalisation of all documents. Modern communications tools make it easier to verify the authenticity of documents in less cumbersome ways and competent recognition authorities and education institutions of home countries are encouraged to react swiftly and positively to requests for direct information on documents claimed to have been issued by them.

28. In the case of refugees, displaced persons and others who for good reasons, and in spite of their best persistent efforts, are unable to document their claimed qualifications, it should be considered whether alternative ways of recognising these qualifications may be found, for example, by measuring the learning outcomes which could reasonably be expected from the undocumented qualification. Such measures should be adapted to the circumstances of their recognition application and could include ordinary or specially arranged examinations, interviews with staff of higher education institutions and/or the competent recognition authorities and sworn statements before a legally competent authority.

V. Assessment criteria

Status of the institution

29. In view of the wide diversity of higher education institutions and of the developments in transnational education, the status of a qualification cannot be established without taking into account the status of the institution and/or programme through which the qualification was awarded.

30. The competent recognition authorities should seek to establish whether the higher education institution belongs to the higher education system of a State party to the Lisbon Recognition Convention and/or belonging to the European Region. In the case of qualifications awarded by higher education institutions established through transnational arrangements, the competent recognition authorities should analyze these arrangements on the basis of the principles stipulated in the UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education and in the Recommendation on the Recognition of Joint Degrees.

31. Where countries have established a quality assurance system including a system of formal assessment of their higher education institutions and programmes, the competent recognition authorities should take due account of the results of the process when evaluating qualifications from such systems.

Assessment of individual qualifications

32. Recognition of foreign qualifications may be sought for a variety of purposes. The assessment should take due account of the purpose(s) for which recognition is sought, and the recognition statement should make clear the purpose(s) for which the statement is valid.

33. Before undertaking the assessment, the competent recognition authorities should establish which national and international legal texts are relevant to the case, and whether these require any specific decision to be reached or procedure to be followed.

34. The assessment should also take into account past practice in similar recognition cases, in order to ensure consistency in recognition practice. Past practice should be a guide, and any substantial change of practice should be justified.

35. The assessment of a foreign qualification should identify the qualification in the system of the country in which recognition is sought which is most comparable to the

foreign qualification, taking into account the purpose for which recognition is sought. In the case of a qualification belonging to a foreign system of education, the assessment should take into account its relative position and function compared to other qualifications in the same system. Where available, the competent recognition authorities should also refer to the National Qualifications Framework, European Qualifications Frameworks and other similar Qualification Frameworks as part of the assessment process.

36. Qualifications of approximately equal level may show differences in terms of content, profile, workload, quality and learning outcomes. In the assessment of foreign qualifications, these differences should be considered in a flexible way, and only substantial differences in view of the purpose for which recognition is sought (e.g. academic or de facto professional recognition) should lead to partial recognition or non-recognition of the foreign qualifications.

37. Recognition of foreign qualifications should be granted unless a substantial difference can be demonstrated between the qualification for which recognition is requested and the relevant qualification of the State in which recognition is sought. In applying this principle, the assessment should seek to establish whether:

- (a) the differences in learning outcomes between the foreign qualification and the relevant qualification of the country in which recognition is sought are too substantial to allow the recognition of the foreign qualification as requested by the applicant. If so, the assessment should seek to establish whether alternative, partial and/or conditional recognition may be granted;
- (b) the differences in access to further activities (such as further study, research activities, and the exercise of gainful employment) between the foreign qualification and the relevant qualification of the country in which recognition is sought are too substantial to allow the recognition of the foreign qualification as requested by the applicant. If so, the assessment should seek to establish whether alternative, partial and/or conditional recognition may be granted;
- (c) the differences in key elements of the programme(s) leading to the qualification in comparison to the programme(s) leading to the relevant qualification of the country in which recognition is sought are too substantial to allow the recognition of the foreign qualification as requested by the applicant. If so, the assessment should seek to establish whether alternative, partial and/or conditional recognition may be granted. The comparability of programme elements should, however, be analysed only with a view to the comparability of outcomes and access to further activities, and not as a necessary condition for recognition in their own right;
- (d) competent recognition authorities can document that the differences in the quality of the programme and/or institution at which the qualification was awarded in relation to the quality of the programmes and/or institutions granting the similar qualification in terms of which

recognition is sought are too substantial to allow the recognition of the foreign qualification as requested by the applicant. If so, the assessment should seek to establish whether alternative, partial and/or conditional recognition may be granted.

38. Where formal rights attach to a certain foreign qualification in the home country, the qualification should be evaluated with a view to giving the holder comparable formal rights in the host country, in so far as these exist and they arise from the learning outcomes certified by the qualification.

39. The recognition of qualifications issued several years ago and/or under previous higher education structures may present different challenges to the recognition of more recent qualifications. The following should be considered:

- (a) To what extent a qualification is outdated will depend on the field concerned as well as the activities undertaken by the applicant since the qualification was issued;
- (b) Where qualifications were issued under previous structures, the competent recognition authorities should refer to the status of the qualification in the issuing country. If a national qualifications framework exists in the issuing country, it should be established whether previous qualifications are included in it;
- (c) In general, older qualifications should be recognised along the same lines as similar qualifications issued in the country in which recognition is sought, and taking into account the purpose for which recognition is sought. It may be considered whether relevant work experience may compensate for dated qualifications.

40. Competent recognition authorities should be encouraged to focus on the learning outcomes, as well as the quality of the programme and to consider its duration as merely one indication of the level of achievement reached at the end of the programme. The assessment process should acknowledge that recognition of prior learning, credit transfer, different forms of access to higher education, joint degrees and life-long learning will all shorten the duration of some academic qualifications without diminishing the learning outcomes and a decision not to grant recognition should not be motivated by duration alone.

41. The assessment of a foreign qualification should focus on the qualification for which recognition is sought. Previous levels of education should be considered only where these levels have a serious bearing on the outcome of the assessment and should, as far as possible, be limited to qualifications of a level immediately preceding the qualification for which recognition is sought.

42. In undertaking the assessment, the competent recognition authorities should apply their know-how and best professional skills and take note of all relevant published information. Where adequate information on the learning outcomes is available, this should take precedence in the assessment over consideration of the education programme which has led to the qualification.

VI. The outcome of the assessment

43. Depending on national law and practice, the outcome of the assessment of a foreign qualification may take the form of:

- (a) a recognition decision;
- (b) advice to another institution, which will then make the recognition decision;
- (c) a statement to the applicant or to whom it may concern (e.g. current or prospective employers, higher education institutions etc.) providing a comparison of the foreign qualification with similar qualifications in the country in which recognition is sought, without being a formal recognition decision;
- (d) any other advice given to the applicant.

The applicant should be informed of the status of the assessment he/she receives.

44. Where recognition cannot be granted according to an applicant's request, the competent recognition authority should assist the applicant in identifying remedial measures the applicants may undertake in order to obtain recognition at a later stage.

EXPLANATORY MEMORANDUM

Revised Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications

Preamble

The Preamble builds on the existing legal framework for the recognition of qualifications concerning higher education, as elaborated within the frameworks of the Council of Europe and of UNESCO (as far as the latter applies to the Europe Region). Specific attention is drawn to the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, elaborated jointly by both Organisations and adopted on 11 April 1997. This Convention entered into force on 1 February 1999. The Preamble also builds on the most important developments in the international recognition of qualifications over the past years, including in particular the work undertaken by the ENIC/NARIC Working Group on Substantial Differences and the Report to the Bologna Follow-up Group on the Analysis of the 2007 National Actions Plans for Recognition (2008). In the case of qualifications issued through transnational arrangements, the Preamble builds on the provisions of the UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education, as well as the Recommendation on the Recognition of Joint Degrees.

I General Considerations

Paragraphs 1-2

Throughout the Recommendation, the term “competent recognition authorities” is taken to include one or more of the following:

- (i) national information centres;
- (ii) higher education institutions;
- (iii) other bodies, agencies or credential evaluators undertaking the assessment and/or recognition of foreign qualifications

III. General principles

Paragraphs 4 - 11

The Recommendation clearly underlines the right of applicants to having their foreign qualifications assessed according to transparent, coherent and reliable procedures and criteria.

As far as possible, competent recognition authorities should strive to recognise applicants' foreign qualifications. Where this is not possible, the Recommendation urges the competent recognition authorities to consider alternative forms of recognition. Such alternative recognition may include:

- (i) recognition of the foreign qualification as comparable to a qualification of the host country, but not to that indicated by the applicant;
- (ii) partial recognition of the foreign qualification;
- (iii) full or partial recognition of the foreign qualification subject to the applicant successfully taking additional examinations, further study aptitude tests or other compensatory measures;
- (iv) full or partial recognition of the foreign qualification at the end of a probationary period, possibly subject to specified conditions.

The grant of partial recognition or recognition subject to the fulfilment of specific conditions does not, however, imply an automatic right to admission to any courses designed to help applicants remedy deficiencies with a view to obtaining recognition.

Only when the competent recognition authorities find it impossible to grant even an alternative form of recognition should an application be rejected outright. It should be kept in mind that in some cases, the absence of recognition may be "fair recognition" on the evidence of the case.

The conclusions reached by the ENIC/NARIC Working Group on Substantial Differences, and expressed in its subsequent publication on the issue, stressed that substantial differences cannot be normatively defined, but rather that competent recognition authorities should strive wherever possible, in the spirit of the Lisbon Recognition Convention, to identify rationale for the granting of recognition, as opposed to searching for reasons that could be construed as substantial differences.

Where the recognition decision is different from the decision requested by the applicant, the competent recognition authority has a special obligation to stating the reasons for its decision and to inform applicants of their possibilities for making an appeal against the decision. This is important both to allow applicants to make an appeal against the decisions and to enable applicants to undertake remedial measures with a view to obtaining recognition at a later stage. This should in no way prevent competent recognition authorities from stating their reasons for granting recognition.

Paragraph 12

There is an inherent dilemma in specifying criteria for the assessment of foreign qualifications. While the aim of an assessment is to assess the foreign qualification in qualitative terms, the assessment cannot be undertaken without to some extent relying on both qualitative and quantitative criteria. It is, however, important that the criteria used be chosen because of their suitability in indicating the quality of the qualification in question and the applicant's ability to undertake the activity for which recognition is sought (e.g. further study, research, gainful employment). For example, students who have obtained good study results (grades) may be considered to have considerable potential for learning and personal development, even if the qualifications for which they seek recognition have been earned in an education system or at an institution which is considered to be of substantially lower quality than the education system of the host country. In this case, the result of the assessment may depend on whether recognition is sought for the purpose of further study or for the purpose of entry into the labour market. In the former case, it may be easier to recognise the qualifications, since the applicants may be expected to improve their qualifications and reach their true

potential in the course of further study. In the latter case, it may be more difficult to grant recognition, since the qualifications will be the basis for an activity which may have a direct impact on other citizens, and since there is no guarantee that the qualifications will be improved in the course of the exercise of this activity in the labour market. For the latter form of recognition, the duration and content of practice periods may also be of importance.

In no case should a recognition decision be based on only quantitative criteria, such as length of study, without some attempt being made to assess the quality of applicants' learning outcomes and qualifications. Learning outcomes emphasise the results of learning rather than focusing on inputs such as length of study. The time required for the average learner or typical student to achieve the learning outcomes is decided not only by the volume of knowledge and skills to be taught and learned but also by the context in which the process of learning takes place. To an extent, substantial differences according to quantitative criteria may, however, be taken as an indication element of a difference in quality.

IV. Assessment procedures

Paragraph 15

The paragraph concerns the information which should be provided to applicants by national information centres and competent recognition authority upon receipt of the application. The standardised information should deal with at least the following elements:

- (i) the documentation required, including requirements as to the authentication and translation of documents;
- (ii) a description of the assessment process
- (iii) a description of the assessment criteria;
- (iv) the status of recognition statements;
- (v) the time needed to process an application;
- (vi) any fees charged;
- (vii) a reference to the national laws and international conventions and agreements which may be relevant to the assessment of foreign qualifications;
- (viii) the conditions and procedures for appealing against a recognition decision, according to national legislation.

In principle, recognition decisions should be open to appeal, and it is the duty of the competent recognition authority to inform applicants of the modalities of such appeals, including its formal aspects, such as deadlines. It is recommended that information on appeals processes be provided already at the receipt of the application. The competent recognition authorities may consider whether to require applicants to sign an acknowledgement confirming that the information has been received, and that the applicant has acquainted himself or herself with the possibilities and procedures of appeal.

Paragraph 16

The duty of the competent recognition authorities is to specify its normal time limits for processing recognition applications, keeping to these limits and informing applicants in case of delay. It also specifies the "starting point" for counting the time limits; i.e. from the time all relevant information has been received by the competent recognition authority. While all assessment should be undertaken and completed as promptly as possible, it should be pointed out that any assessment taking more than four months could seriously delay applicants' further study, or their gainful employment, or oblige them to undertake additional studies to meet requirements which the assessment may subsequently find that they have already satisfied through their foreign qualifications. Four months should therefore be considered as the maximum time limit for processing recognition applications; uncomplicated cases should, as a rule, be evaluated faster.

Paragraph 18

The consistency of recognition decisions is an important element in assuring transparent and coherent treatment of applications for the recognition of foreign qualifications. It would be unfortunate if similar recognition cases were handled in substantially different ways and substantially different decisions were reached. An overview of typical recognition cases may help in assuring the required consistency.

The question of whether to make information available to applicants is somewhat complicated. On the one hand, such information may give applicants an indication of what they can realistically expect and help them formulate their application. It may also be of help to applicants in considering whether to make an appeal against a decision. On the other hand, applicants may wrongly understand the typical cases to provide a legal precedent for "automatic" recognition of their own qualifications. It is therefore essential that information on typical recognition cases provided to applicants be accompanied by a clear explanation of the function of this information, underlining that in all cases an individual assessment of the application is undertaken.

*Information on the qualification for which recognition is sought**Paragraph 19*

Responsibility for providing information on the qualification for which recognition is sought is shared:

- (a) the applicants bear the main responsibility for providing the information required by the competent recognition authorities;
- (b) education institutions at which the qualifications were earned have a duty to provide applicants and/or the competent recognition authorities with information about their qualifications as well as other relevant information (such as information on the qualifications structure, learning outcomes, course content, etc.). Education institutions should make use of instruments devised to explain the content of foreign qualifications, such as the UNESCO/Council of Europe Diploma Supplement and information on credit accumulation and transfer systems, such as the

ECTS². The duty of higher education institutions may be limited to responding to requests by applicants and/or the competent recognition authority undertaking the assessment;

- (c) the competent recognition authorities are responsible for maintaining a system of information on foreign education systems and qualifications in the area of its competence.

It should be underlined that the competent recognition authorities should provide applicants with a complete overview of the information and documents needed to undertake the assessment. Only in exceptional cases should the competent recognition authority ask for information in addition to what is specified in this overview, and in no case should requests for additional information be used as a means of prolonging or delaying the assessment concerned. Applicants as well as higher education institutions have a duty to provide all information requested within a reasonable deadline specified by the competent recognition authority.

Paragraph 20

The “background paper” is intended to be a tool

- for the competent recognition authorities to reconstruct the educational background of the refugee in order to facilitate the assessment;
- for the refugee to affirm his or her academic achievements towards other evaluating bodies, like universities and employers, in order to gain access to further studies or appropriate employment.

Applications from persons in a refugee-like situation or others who for good reason cannot document their qualifications should be treated in the same way.

The “background paper” itself is not an assessment, but an authoritative description or reconstruction of the academic achievements linked to the available documents and supporting evidence.

The “background paper” is:

1. an overview of the claimed educational background with the available documents and supporting evidence
2. a checklist, based upon the model of the Diploma Supplement, used by the competent recognition authorities to add more relevant information

² *European Credit Transfer and Accumulation System*

Example of overview

Educational Background	
Qualification	Evidence
Secondary education	Diploma
Higher education-first degree	Student ID
	+ transcript of 1st year
Higher education-second degree	No educational documents, but
	teacher statement
	+ employment contract
	+ proof of informal and non-formal learning

Fees

Paragraphs 21 - 22

Fees may constitute an impediment to recognition. If the assessment of foreign qualifications cannot be provided free of charge, fees should therefore be kept as low as possible. It is recalled that any fees charged by the competent recognition authorities will be additional to any costs of translating and/or certifying documents. The provisions of the present Recommendation are especially important in view of the increasing tendency for public bodies to charge user fees.

Fee practices vary considerably throughout the European region. It is hardly possible to give precise indication of acceptable fee levels, as local conditions such as the cost of living and the level of salaries and student support must be taken into account. Nevertheless, in some cases the fees charged must be considered as excessive. It is, for example, unreasonable that the assessment of a foreign qualification should cost a substantial part of an average monthly salary in the public sector.

Translation

Paragraph 23

The requirements for complete information should be carefully weighed against the burdens the fulfilment of this need places upon applicants, specifically as concerns requirements for authentication and translation of documents, which tend to be time-consuming and costly. A consideration of requirements for authentication should weigh the necessity of minimising the risk of fraud against the need to reduce the burden on honest applicants. It is suggested that it may, in most cases, be sufficient to require authentication of key documents, such as qualifications, transcripts and birth certificates. It should also be considered whether certified photocopies, rather than originals, may be required. It is important that all requirements be clearly specified to applicants.

In the case of translation requirements, it should also be considered whether these may be limited to key documents. It may, for example, not be necessary for the applicant to provide detailed translation of curricula or academic papers. It should also be considered whether it is strictly necessary to require translations to be carried out by

certified translators. Where this requirement is maintained, the competent recognition authorities should provide applicants with lists of accepted translators. It should further be considered whether certain documents could be accepted without translation. This could apply to documents issued in widely spoken languages, in languages which are linguistically close to the language(s) of the host country, languages widely understood in the host country, and/or languages in which staff members of the competent recognition authorities have sufficient competence.

Paragraph 24

The reason why titles of foreign qualifications should not be translated is that a translation in this case implies an assessment, and this assessment should only be undertaken by competent recognition authorities. The Diploma Supplement as well as credit accumulation and transfer systems have been devised to explain the content of qualifications without translating or evaluating them. Attention is drawn to the fact that transliteration is distinct from translation. Transliteration implies reproducing the sounds rendered by one alphabet or writing system in another alphabet or writing system, such as rendering a word written in the Cyrillic alphabet or in Japanese characters in the Latin alphabet. Transliteration enables readers unfamiliar with the alphabet or writing system of the original language to identify words or expressions from that language and should be undertaken using standard systems of transliteration where they exist.

Verification of the authenticity of documents

Paragraphs 25 - 28

The problem of falsified documents is becoming increasingly serious. It is therefore necessary to underline the need to verify the authenticity of documents submitted by applicants, as well as the identity of the applicants themselves. At the same time, however, it is necessary to maintain a balance between the need for verification and the need to avoid placing undue burdens on the majority of applicants, who submit authentic documents, and who should be treated according to the basic judicial rule of being "innocent until proven guilty". It is therefore necessary to give competent recognition authorities the possibility to require particularly severe proofs of authenticity, such as the submission of original documents, in cases where forgery is suspected. Another possibility in such cases is to require copies certified by an original signature and/or stamp of the institution having issued the qualifications. Higher education institutions should reply promptly to requests for such certification, which should be issued without fees, if possible, or at any rate at moderate fees.

At the same time, some laws on the verification of documents, such as those which require full legalisation of all documents, date from a time when international communication and verification was difficult. While they may have been justified at the time, today there are better and more efficient ways of verifying the authenticity of documents through direct contact with competent recognition authorities and education institutions from which the documents are claimed to originate. States are therefore encouraged to review their national laws and/or existing practice with a view to simplifying and modernising their rules on the verification of the authenticity of documents.

V. Assessment criteria

Paragraphs 29 - 31

Status of the institution

Qualifications cannot be properly evaluated without taking into account the institution which has issued the qualifications. At the same time, national laws and practices for the assessment and quality assurance of higher education institutions vary. Consequently, the kind of information which may be obtained on higher education institutions also varies. Section VIII of the Lisbon Recognition Convention outlines the kind of information which should be provided by Parties which have established a system of formal assessment of higher education institutions and programmes, as well as the kind of information which should be provided by Parties which have not established such a system. Where countries have established national quality assurance agencies, or cross-national quality assurance bodies, these should be seen as a valuable information resource.

The UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education outlines the principles which should be respected by institutions and organizations involved in the provision of educational services through transnational arrangements and they should be applied in the assessment of qualifications. Similarly the principles described in the Recommendation on the Recognition of Joint Degrees should be applied in the assessment of joint degrees.

Assessment of individual qualifications

Paragraph 32

There is a direct connection between the assessment of foreign qualifications and the purpose(s) for which recognition is sought. For example, a given qualification may be adequate for the purpose of further study, but not for the purpose of employment at a given level. Conversely, a given qualification may be adequate for the purpose of employment, but not for further study, e.g. at doctoral level. This could, for example, be the case if a research component, the writing of an independent thesis or another form of substantial independent work were totally lacking in the foreign qualification and such a component were a requirement for access to doctoral studies in the home country. This implies that a recognition statement should make it clear for which purpose(s) it is valid, and a renewed assessment should be undertaken if recognition is sought for other purpose(s) than those (that) covered by a previous statement.

Qualifications may serve a wide range of purposes, some examples of which are:

- (a) general access to higher education;
- (b) restricted access to higher education (i.e. access restricted to certain parts of the higher education system);
- (c) general access to further studies at a given level (such as doctoral studies or second cycle studies);
- (d) restricted access to further studies;

- (e) access to professional training;
- (f) general access to the labour market (i.e. as a qualification for a wide range of positions at a given level);
- (g) access to a specialised area of the labour market;
- (h) access to a regulated profession.

Paragraph 33

Some examples of national or international legal texts which may apply to applications for the recognition of foreign qualifications are:

- (a) national laws and regulations on qualifications concerning higher education;
- (b) national laws and regulations concerning the exercise of gainful employment, including laws and regulations on regulated professions;
- (c) Council of Europe and UNESCO Convention;
- (d) Council of Europe and UNESCO Recommendations and Codes of Good Practice;
- (e) European Union Directives, including those on professional recognition;
- (f) other European Union rules and regulations, e.g. those governing the recognition of qualifications earned in the framework of EU education programmes such as the Lifelong Learning Programme and Erasmus Mundus;
- (g) international agreements established in the framework of other international organisations, such as the Nordic Council of Ministers;
- (h) bilateral or multilateral agreements between States;
- (i) bilateral or multilateral agreements between higher education institutions.

Not all such texts have the same legal value; their relative legal status must therefore also be taken into account.

Paragraph 36

Differences in the content, learning outcomes and profile of qualifications may concern e.g. the degree of specialisation or general education, requirements for independent written work (such as papers, dissertations, thesis), the inclusion of practice periods, laboratory experience or similar requirements (e.g. in medical or natural sciences), or the inclusion of non-academic elements (such as sports or vocational training) in the qualification.

What may be defined as "substantial differences", which may lead to partial recognition or to non-recognition, will to a large extent depend on the purpose(s) for which recognition is sought, for example recognition for the purpose of pursuing further studies or for access to a non-regulated professional activity. In some contexts, a broadly based education may be desirable, whereas, in other contexts, a considerable degree of specialisation may be required.

Examples of learning outcomes may be one or more of the following:

- (a) broad knowledge of a specific subject;
- (b) understanding of research results in a specific subject;
- (c) ability to analyse and solve problems;
- (d) ability to communicate effectively - orally and in writing - with diverse groups on complex issues;
- (e) ability to apply research results with routine skills and in a fixed domain;
- (f) ability to apply research results and to adapt routine skills to new domains;
- (g) ability to conduct research;
- (h) ability to discern conflicting theories or paradigms;
- (i) ability to pursue a specific occupation or profession at operational, management or technology development level.

Generic descriptors for learning outcomes for the first, second and third cycle qualifications can be found in the Overarching Framework for the Qualifications in the European Higher Education Area.

Paragraph 37

The paragraph underlines that if a competent recognition authority wishes to withhold recognition - entirely or partially - of a foreign qualification, it is the duty of the competent recognition authority to demonstrate that this decision is justified. This is in accordance with the principles of the Lisbon Recognition Convention as well as the European Union Directives on professional recognition. The "relevant qualification of the country in which recognition is sought" may be indicated by the applicant requesting recognition or, if the applicant has given no indication, by the competent recognition authority, taking into account the purpose for which recognition is sought.

Paragraph 38

Formal rights are not totally distinct from, but also not totally identical to, the purpose for which recognition is sought. Formal rights obtained through a qualification may, for example, be the right to access to higher education (i.e. the right to be considered for participation in higher education), the right to access to doctoral studies, the right to use a given title or the right to apply for professional recognition. The latter will in many, perhaps most, cases also be subject to non-educational requirements, such as practice periods (where these are considered as distinct from, rather than as a part of, the education programme leading to the qualification) or nationality, residence or language requirements.

The assessment of foreign qualifications for professional purposes is covered by this recommendation only in so far as the assessment concerns the knowledge and skills certified by the qualification concerned for the purpose of professional recognition for non-regulated professions and the labour market.

In the spirit of mutual trust, the Recommendation suggests that where a qualification gives its holder certain formal rights in the home country, the assessment should seek to assess whether the qualification can give the holder comparable formal rights in the host

country. It is, however, realised that national practices with regard to granting formal rights through educational qualifications may vary. This provision is applicable only to the extent that these formal rights may be obtained through a qualification issued in the home country.

Paragraph 39

A qualification certifies a certain competence obtained at a certain time. The value of a qualification may diminish over time, or be entirely lost, either because the holder of the qualification has not kept up the competence acquired by undertaking activities relevant to the field, or because significant new knowledge has been gained in the field, and the holder is not adequately acquainted with these developments. To what extent a qualification becomes outdated may depend on the field of knowledge concerned.

The recognition of older qualifications can therefore be problematic, and there is no standard solution to the problem. However, the problem is not limited to foreign qualifications. If older qualifications from the country in which recognition is sought are still recognised, similar foreign qualifications of similar age should also be recognised for the same purpose. If, however, qualifications from the country in which recognition is sought are considered outdated and are no longer recognised, similar foreign qualifications should be considered in the same way.

Paragraph 40

Length of study is one of the most frequently used assessment criteria, and experience shows that it is also among the criteria most easily accepted by applicants whose qualifications are recognised only partially or not at all. The concept of "length of study" is somewhat problematical because, while generally expressed in terms of years or semesters of study, there may be differences, between countries and between individual institutions, in the number of weeks which make up a semester or a year of study and in the number of working hours in a week of study as well as in the distribution of those of hours in terms of teaching, self study and other learning activities (practice periods, laboratory work, etc.). Substantial differences in this respect could reduce the difference between two qualifications of seemingly different "length", or they could increase the difference between qualifications of seemingly similar "length". "Length of study" should therefore not be considered a uniform concept, and it should not be used as the sole criterion in the assessment of foreign qualifications.

In general terms, however, length of study may be taken to give an indication of the level of a qualification. The wider the difference in the length of study normally required to obtain various qualifications, the more likely it would seem that these qualifications are not of the same level. The question of what constitutes a substantial difference in the length of study must also be seen in relation to the learning outcomes. It should also be underlined that while the length of study may be different this must not necessarily be considered a substantial difference, nor should other factors necessarily be excluded from the assessment.

Paragraph 41

The paragraph underlines the need to focus any assessment of a foreign qualification on that qualification. Taking account of previous levels of education should be an exception rather than a rule. For example, in the case of someone applying for recognition of a doctoral degree, the applicant's school leaving qualifications should not be a part of the assessment. Previous levels of qualifications should only be considered in exceptional cases, and the assessment should as far as possible be limited to the level immediately preceding the qualification for which recognition is sought.

Paragraph 42

The paragraph concerns the efforts which competent recognition authorities and other assessment agencies can reasonably be expected to undertake in the assessment of individual cases. They should apply all their professional skills and take account of the relevant literature including information on national qualifications frameworks. In evaluating a foreign qualification, more emphasis should be given to the learning outcomes than to the process itself (i.e. the education programme through which the qualification was earned).

VI. The outcome of the assessment*Paragraph 43*

The indications referred to in this paragraph concern additional education applicants may take in order to improve their chances of obtaining recognition at a later stage. The competent recognition authorities should assist these applicants by obtaining as precise indications as possible on measures to be taken or, as appropriate, refer applicants to relevant written information or contact persons at higher education institutions or other relevant bodies.

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SCHEMATIC OUTLINE OF THE RECOMMENDED PROCEDURE FOR THE ASSESSMENT OF FOREIGN QUALIFICATION

In the following, a schematic outline will be given of the recommended procedure for the assessment of foreign qualifications or periods of study. This is intended as a summary checklist. In practice, the sequence of the steps outlined may vary, or several steps may be taken simultaneously.

Step 1

Receipt of the inquiry or application by the competent recognition authority;
Acknowledgement of receipt;
Information to the applicant about procedures and criteria.
Proceed to step 2.

Step 2

Verification of whether all necessary information and documents are supplied.
If no: gather further information from the applicant or higher education institution(s)
If yes: proceed to step 3

Step 3

Verification of whether the applicant's qualification is authentic, and whether the documents submitted have in fact been rightfully issued to the applicant. [In this the competent authority may seek the assistance of the national information centre].
If no: (i.e. the qualification is false): recognition refused.
If yes: proceed to step 4.

Step 4

Verification of whether the institution and/or programme having issued the qualification is recognized as belonging to a system of higher education. In the case of transnational education, verification of whether the awarding institution and/or programme is recognized in its home system and/or complies with the principles stipulated in the UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education.
If no: recognition would normally not be granted.
If yes: proceed to step 5.

Step 5

Assessment of the foreign qualification, taking into account:

- (i) the purpose for which recognition is sought;
- (ii) formal regulations
 - (a) national laws
 - (b) international Conventions, Directives, Recommendations, good practice, etc.
- (iii) past practice in similar cases;

- (iv) the content of the qualification and learning outcomes, to the extent that this completes items (i) - (iii);
- (v) information and advice from other ENICs, higher education institutions or other sources.

The assessment should seek to answer questions such as:

- (a) are the differences in learning outcomes so substantial that the foreign qualification cannot be fully recognised? If so, is it possible to grant alternative or partial recognition?
- (b) are the differences in the further activities for which the foreign and the home country qualifications prepare so substantial that full recognition is not possible? If so, is alternative or partial recognition possible?
- (c) are the differences in key elements of the programme leading to the qualification so substantial in relation to similar programmes in the host country that full recognition cannot be granted in view of the purpose for which recognition is sought? If so, is alternative or partial recognition possible?
- (d) is the quality of the programme or the institution at which the qualification was earned so different from similar programmes or institutions in the host country that full recognition is not possible? If so, is alternative or partial recognition possible?

Step 6

The assessment statement on the foreign qualification is issued (the outcome of the assessment). Depending on national laws and practice, this may take the form of:

- (i) advice to another institution, which will then make the decision;
- (ii) a decision;
- (iii) a statement to the applicant or to whom it may concern (e.g. current or prospective employers, higher education institutions, etc.).

If positive decision by (i) or (ii): recognition granted, applicant satisfied.

If negative decision: the reason(s) for the decision should be clearly stated and the applicant informed of his or her possibilities for appeal.

The applicant may:

- (a) accept the verdict;
- (b) appeal the verdict.