

UNESCO Global Convention on the Recognition of Higher Education Qualifications

[Preliminary Draft Text: 7 July 2017]

PREAMBLE

The Parties to this Convention:

Guided by a common will to strengthen the geographical, cultural, educational and economic ties between Parties and between regions;

Recalling the Constitution of UNESCO, “to contribute to peace and security by promoting collaboration among the nations through education, science, and culture”;

Mindful of the provisions of the Charter of the United Nations of 1945; the United Nations Declaration of Human Rights of 1948; the United Nations International Covenant on Economic Social and Cultural Rights of 1966; the United Nations Convention relating to the Status of Refugees of 1951; the UNESCO Recommendation on the Status of Scientific Researchers of 1974; the UNESCO Recommendation on the Recognition of Studies and Qualifications in Higher Education of 1993; the UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel of 1997; and the UNESCO Convention on Technical and Vocational Education of 1989;

Mindful of the UNESCO Convention against Discrimination in Education of 1960, Article 4a committing Member States to “make higher education equally accessible to all”;

Building on the UNESCO Regional Conventions on the Recognition of Higher Education Qualifications;

Reaffirming their responsibility to promote inclusive education, equitable quality of higher education and lifelong learning opportunities for all;

Conscious of the increasingly inter-regional mobility of students, researchers and academics and the increasingly inter-regional cooperation in higher education and research;

Cognisant of the different modes, developments and innovations in teaching and learning in higher education;

Considering higher education as a public good, provided by public and private institutions, and aware of the need to uphold and protect the principles of academic freedom and autonomy of higher education institutions;

Convinced that the inter-regional recognition of qualifications in higher education will facilitate knowledge circulation via international mobility of learners and learning, researchers, research and labour;

Respecting the cultural diversity, differences in education traditions and values of national and sub-national structures of higher education;

Desirous of the need for a Global Convention on the Recognition of Higher Education Qualifications to complement the UNESCO Regional Recognition Conventions on Higher Education Qualifications and to enhance the cohesion between them;

Convinced that this Convention will promote inter-regional articulation of procedures for recognition and quality assurance at a global level,

Have agreed as follows:

SECTION I. DEFINITION OF TERMS

Article I.

For the purpose of this Convention, the following terms shall apply:

Access (to higher education): the opportunity provided to an individual holding an appropriate qualification to apply and to be considered for admission to higher education;

Admission (to higher education institutions and programmes): the act of, or system for, allowing holders of qualifications to pursue studies in higher education at a given institution and/or a given programme;

Applicant: an individual or a legal person submitting a qualification for assessment to the competent recognition authority for the purpose of recognition;

Assessment: the written evaluation of an applicant's qualifications, of partial studies, or of prior learning by a competent authority;

Competent authority: an individual or organisation that has the legally delegated or invested authority, capacity, or power to perform a designated function;

Competent recognition authority: a body officially charged with making decisions on the recognition of qualifications;

Components of a Party to the Convention: public entities at the national, provincial, federal or regional level;

Displaced person: an individual forced to move from their locality or environment and occupational activities either inside or outside their country of residence;

Formal learning: a learning period that derives from activities within a structured learning setting provided by an education institution authorised to deliver such learning activities;

General requirements: conditions that must in all cases be fulfilled for access to higher education, or to a given level thereof, or for the award of a higher education qualification at a given level;

Higher education: all types of study programmes, training or training for research at the post-secondary level which are recognised by the competent authorities of a Party as belonging to its higher education system;

Higher education institution: an establishment providing higher education and recognised by the competent authority of a Party as belonging to its system of higher education;

Higher education programme: a post-secondary course of study recognised by the competent authority of a Party as belonging to its higher education system, the completion of which provides the student with a higher education qualification;

Informal learning: learning resulting from daily life activities related to work, family or leisure or other informal activities;

Learning outcomes: statements of what a learner is expected to know, understand and be able to demonstrate upon completion of a learning process;

Lifelong learning: all learning activity through formal, non-formal or informal studies covering the entire life span with the aim of improving knowledge, skills and competence;

Mobility: the movement of individuals outside their own country to study, research, teach or work;

Non-formal learning: learning achieved within the framework of an education or training institution not belonging to a formal education system;

Non-traditional learning modes: Mechanisms for the delivery of educational programmes and learning activities not essentially relying on face-to-face interaction between the instructor and the learner;

Partial studies: any homogeneous part of a higher education programme which has been evaluated and, while not a complete programme in itself, represents a significant acquisition of knowledge, skills, and competence;

Prior learning: the knowledge, skills and competence an individual has acquired as a result of formal, informal or non-formal learning, assessed against a given set of learning outcomes or standards;

Qualification:

(a) Higher education qualification: any degree, diploma or other certificate issued by a competent authority attesting to the successful completion of a higher education programme;

(b) Qualification giving access to higher education: any degree, diploma or other certificate issued by a competent authority attesting to the successful completion of an education programme and giving the holder of the qualification the right to be considered for admission to higher education;

Qualifications framework: a system for classification, publication and articulation of quality assured qualifications according to a set of criteria;

Quality assurance: a process by which the quality of a higher education system, institution or programme is assessed to assure stakeholders that acceptable standards are being maintained and enhanced;

Recognition: a formal acknowledgment by a competent authority of the value of a foreign education qualification or of partial studies or of prior learning;

Region: a region as defined by UNESCO classification comprising the following: Africa, Arab States, Asia and the Pacific, Europe, Latin America and the Caribbean;

Regional Recognition Conventions: UNESCO conventions on the recognition of higher education qualifications in each of the UNESCO regions, including their revised versions; and

Specific requirements (for admission to higher education): conditions that must be fulfilled, in addition to the general requirements, in order to gain admission to a particular higher education programme, or for the award of a specific higher education qualification in a particular field of study.

SECTION II. AIMS OF THE CONVENTION

Article II

Building on and enhancing the coordination, revisions and achievements of the Regional Recognition Conventions, the aims of this Convention are to:

1. Promote and strengthen international cooperation in higher education.
2. Facilitate global mobility for the mutual benefit of societies, qualification holders, higher education institutions, employers and other relevant stakeholders of Parties to the Convention.
3. Provide a global framework for the fair, non-discriminatory, transparent, consistent, coherent and reliable recognition of higher education qualifications.
4. Foster trust and confidence in the quality and integrity of qualifications, including through encouraging ethical practices in higher education.
5. Promote and build capacities for reliability and complementarity in quality assurance, qualifications frameworks and the recognition of qualifications to support inter-regional mobility.
6. Support inter-regional developments, policies and innovations for international cooperation in higher education.
7. Promote the development and sharing of accessible, updated, reliable, transparent and relevant information between stakeholders, Parties and regions.
8. Reduce barriers to mobility by understanding and respecting the diversity of education systems globally.
9. Promote, through the recognition of qualifications, inclusive and equitable access to quality higher education and support learning opportunities for all.
10. Foster a better use of human and educational resources globally in view of promoting structural, economic, technological and social development.

SECTION III. BASIC PRINCIPLES FOR THE RECOGNITION OF HIGHER EDUCATION QUALIFICATIONS

Article III

This Convention establishes the following principles for the recognition of higher education qualifications:

1. Individuals have the right to have their qualifications assessed for the purposes of applying for admission to further study or pursuing employment opportunities in another country;
2. Recognition of qualifications is undertaken objectively in a transparent, fair and non-discriminatory manner at all levels in accordance with established rules and regulations of each Party;
3. Recognition decisions based on clear criteria and procedures underline the fundamental importance of equitable access to higher education and employment opportunities;
4. Recognition decisions are based on reliable, accessible and updated information on higher education systems, institutions and programmes provided through established national information centres or similar structures;
5. Recognition decisions are made with due respect to the cultural, social, political, philosophical, religious, and economic diversity of higher education systems worldwide;
6. Entities undertaking recognition assessments, including but not limited to, national or subnational competent authorities and higher education institutions, do so in good faith;
7. Applicants seeking recognition of their qualifications do so in good faith, and have the right to appeal.

SECTION IV. OBLIGATIONS OF THE PARTIES TO THE CONVENTION

Article IV.

Recognition of Qualifications Giving Access to Higher Education

1. Each Party shall recognise the qualifications giving access to higher education issued by other Parties meeting the general requirements for access to higher education in those Parties for the purpose of access to programmes belonging to its higher education system, unless a substantial difference can be shown between the general requirements for access in the Party in which the qualification was obtained and in the Party in which recognition of the qualification is sought.
2. Alternatively, it shall be sufficient for a Party to enable the holder of a qualification issued in another Party to obtain an assessment of that qualification, upon request by the holder, and the provisions of Article IV.1 shall apply *mutatis mutandis* to such a case.
3. Education programmes delivered by non-traditional learning modes that are subject to the same or comparable quality assurance mechanisms of a Party, and where the resulting qualification gives access to the higher education system of that Party, shall be assessed using the same criteria as a similar qualification delivered by traditional learning modes.

4. Where a qualification gives access only to specific types of institutions or programmes of higher education in the Party in which the qualification was obtained, each other Party shall grant holders of such qualifications access to similar specific types of institutions or programmes belonging to its higher education system, unless a substantial difference can be shown between the requirements for access in the Party in which the qualification was obtained and the Party in which recognition of the qualification is sought.

Article V.

Recognition of Higher Education Qualifications

1. Each Party shall recognise the higher education qualification conferred in another Party, unless a substantial difference can be shown between the qualification or learning outcomes (where applicable) for which recognition is sought and the corresponding qualification in the Party in which recognition is sought.
2. Alternatively, it shall be sufficient for a Party to enable the holder of a higher education qualification issued in another Party to obtain an assessment of that qualification, upon request by the holder, and the provisions of Article V.1 shall apply *mutatis mutandis* to such a case.
3. Higher education programmes delivered by non-traditional learning modes that are subject to the same or comparable quality assurance mechanisms of a Party, and that are considered a part of the higher education system of a Party, shall be assessed using the same criteria as a similar qualification delivered by traditional learning modes.
4. Recognition in a Party of a higher education qualification issued in another Party shall have one or both of the following outcomes:
 - (a) Provide an individual the right to apply for admission to further higher education studies, on the same conditions as those applicable to holders of qualifications of the Party in which recognition is sought;
 - (b) Entitle an individual to the use of an academic title, subject to the laws and regulations of the Party or a jurisdiction thereof, in which recognition is sought.

In addition, recognition may facilitate access to the labour market subject to the laws and regulations of the Party, or a jurisdiction thereof, in which recognition is sought.

Article VI.

Recognition of Partial Studies

1. Each Party shall recognise, where appropriate, the learning outcomes achieved through partial studies within the framework of a higher education programme in another Party. This recognition shall consist of taking such partial studies into account for the purpose of the completion of a higher education programme in the Party where recognition is sought, unless substantial difference can be shown between the partial studies completed and the part of the higher education programme they would replace in the Party in which recognition is sought.
2. Alternatively, it shall be sufficient for a Party to enable a person who has undertaken partial studies within the framework of a higher education programme in another Party to obtain

an assessment of these partial studies, upon request by the person concerned, and the provisions of Article VI.1 shall apply *mutatis mutandis* to such a case.

3. With respect to the partial completion of higher education programmes delivered by non-traditional learning modes that are subject to the same or comparable quality assurance mechanisms of a Party, and that are considered to be part of the higher education system of a Party, those studies shall be assessed using the same criteria as a similar qualification delivered by traditional learning modes.

Article VII.

Recognition of Partial Studies and Qualifications held by Refugees, Displaced Persons and Persons in a Refugee-Like Situation

Each Party shall take all necessary and feasible steps within the framework of its education system and in conformity with its constitutional, legal, and regulatory provisions to develop procedures designed to assess fairly and expeditiously whether refugees, displaced persons and persons in a refugee-like situation fulfill the relevant requirements for access to higher education, to further higher education programmes or to employment opportunities, including in cases where the partial studies or qualifications obtained in one of the Parties cannot be proven through documentary evidence.

Article VIII.

Information for Assessment and Recognition

1. Each Party shall establish transparent systems for the complete description of the qualifications and learning outcomes obtained in its territory.
2. Each Party shall put in place a robust and ethical system of approval, recognition and quality assurance of their higher educational institutions in order to promote confidence and trust in their higher education system.
3. Each Party shall establish or maintain a national information centre or similar structure and encourage the use of technology to facilitate access to relevant, accurate and up-to-date information about its higher education system.
4. In each Party, the national information centre or similar structure shall:
 - (a) Provide access to authoritative and accurate information on the higher education system and qualifications of the Party;
 - (b) Facilitate access to and the dissemination of information on the higher education systems and qualifications of the other Parties;
 - (c) Give advice and information on recognition matters, including criteria and procedures for the assessment of qualifications, and the development of materials for good recognition practices, in accordance with laws and regulations of the Party; and
 - (d) Ensure the provision of adequate information on any institution belonging to its higher education system, and on any programme operated by these institutions, with a view to enabling the competent authorities of other Parties to ascertain

whether the quality of the qualifications issued by these institutions justifies recognition in the Party in which recognition is sought.

Article IX.

Assessment of an Application

1. Each Party shall ensure that the body undertaking assessment for the purposes of recognition demonstrates when an application does not fulfill the appropriate requirements or where substantial differences are identified.
2. Each Party shall ensure that institutions belonging to their education systems provide, upon request and within a reasonable timeframe, relevant information to the holder of qualifications or to the institution or the competent recognition authorities of the Party in which recognition is sought.

Article X.

Information on the Competent Recognition Authorities

1. Each Party shall provide the depository of this Convention with official notification of the authorities that are competent to make decisions in recognition matters in its territory.
2. Where central authorities of a Party are competent to make decisions in recognition, they shall immediately be bound by the provisions of this Convention and shall take measures necessary to ensure implementation of the provisions of this Convention in its territory.
3. Where the competence to make decisions in recognition matters lies with components of a Party, the Party shall furnish the depository with a brief statement of its constitutional situation or structure at the time of signature or when depositing its instrument of ratification, acceptance, approval, or accession, and of any changes thereafter. In such cases, the competent recognition authorities of the components of the Party so designated shall take the necessary measures to ensure implementation of the provisions of this Convention within the Party's territory.
4. Where the competence to make decisions in recognition matters lies with individual higher education institutions or other entities, each Party according to its constitutional situation or structure, shall transmit the text of this Convention to these institutions or entities and shall take all necessary steps to encourage the favourable consideration and application of its provisions.
5. The provisions of paragraphs 2, 3, and 4 of this article shall apply, *mutatis mutandis*, to the obligations of the Parties under this Convention.

Article XI.

Additional Requirements for Admission to Higher Education Programmes

1. Where admission to particular higher education programmes is dependent on the fulfillment of specific requirements in addition to the general requirements for access, the competent authorities of the Party concerned may impose the specific requirements equally on holders of qualifications obtained in other Parties or assess whether applicants with qualifications obtained in other Parties fulfill such equivalent requirements.

2. Where, in a Party in which they have been obtained, qualifications giving access to higher education are issued only in combination with additional qualifying examinations as a prerequisite for access, the other Parties may make access conditional on these requirements or offer an alternative for satisfying such additional requirements within their own education systems.
3. Without prejudice to the provisions of Article III, admission to a given higher education institution, or to a given programme within such an institution, may be restricted or selective.
4. With respect to paragraph 3 of this article, admission procedures should be designed with a view to ensuring that the assessment of foreign qualifications is carried out according to the principles of transparency, fairness and non-discrimination described in Article III.
5. Without prejudice to the provisions of Article III, admission to a given higher education institution may be based on the condition of demonstrated sufficient skills in the language or languages of instruction of the institution concerned, or in other specific languages.
6. For the purpose of admission to higher education programmes, each Party may recognize qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation and regulation or specific agreements concluded with the Party of origin of such institutions.
7. Each Party may make the recognition of higher education qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation and regulations of the Party, a jurisdiction thereof, or specific agreements concluded with the Party of origin of such institutions.

SECTION V. IMPLEMENTATION STRUCTURES AND COOPERATION

Article XII.

Implementation Structures

The Parties agree to implement the present Convention through, or in cooperation with:

1. National implementation structures;
2. Networks of national implementation structures;
3. The Global Recognition Committee.

Article XIII.

National Implementation Structures

1. In order to facilitate the recognition of higher education qualifications, the Parties undertake to implement this Convention through relevant organisations including national information centres or similar structures.
2. Each Party will notify the Secretariat of the Global Recognition Committee about their national implementation structures and of any modification in this regard.
3. National implementation structures may form networks.

Article XIV.

Networks of National Implementation Structures

1. The Networks may be composed of national implementation structures of the Parties.
2. The Networks may provide information exchange, capacity building and technical support to the Parties upon request.
3. The Networks seek to strengthen the inter-regional co-operation under this Convention and uphold links to the Global Recognition Committee.
4. Parties may participate in existing regional networks established through the Regional Recognition Conventions or create their own networks. Participation in existing regional networks is subject to the agreement of the relevant Regional Recognition Convention Committees.

Article XV.

The Global Recognition Committee

1. A Global Recognition Committee, hereinafter referred to as “the Committee”, shall be established.
2. The Committee shall be composed of representatives of the Parties to the Convention.
3. The States that are not Parties to this Convention, and the Heads of the Regional Recognition Conventions Committees may participate in the meetings of the Committee as observers.
4. Representatives of relevant international organisations as well as representatives of governmental and non-governmental organizations active in the field of recognition may also be invited to attend meetings of The Committee as observers.
5. The Committee shall meet in ordinary session at least every two years. The Committee shall have an interim work programme concerning activities between sessions. The Committee shall submit a report at each of the ordinary sessions of the General Conference of UNESCO.
6. The Committee shall meet for the first time within two years of the entry into force of this Convention and shall adopt its Rules of Procedure.
7. The Committee shall promote the application of this Convention and shall oversee its implementation. To this end, it may adopt recommendations, declarations, and models of good practice to guide the competent authorities of the Parties in their implementation of this Convention. Such texts should have a global or as a minimum inter-regional importance and relevance. While they shall not be bound by such texts, the Parties shall use their best endeavours to bring the texts to the attention of the competent authorities and to encourage their application.
8. The Committee may adopt operational guidelines to the Parties to this Convention, in consultation with Regional Recognition Conventions Committees.
9. The Committee shall decide on the monitoring and reporting activities concerning the implementation of the Convention.

10. The Committee shall maintain links with the Regional Recognition Conventions Committees..
11. The Committee shall assure that there is the necessary information exchange between the Committee and the Regional Recognition Conventions Committees.
12. The Committee shall examine for adoption the draft amendments to this Convention as described in Article XXIII.
13. The Secretariat of the Committee shall be provided by the Director-General of UNESCO. The Secretariat shall prepare the documentation of the Committee, as well as the draft agenda of its meetings, and shall ensure the implementation of its decisions.

SECTION VI. FINAL CLAUSES

Article XVI.

Ratification, Acceptance, Approval or Accession by Member States

1. This Convention shall be subject to ratification, acceptance, approval or accession by Member States of UNESCO and the Holy See in accordance with their respective constitutional procedures.
2. The instruments of ratification, acceptance, approval or accession shall be deposited with the Director-General of UNESCO.

Article XVII.

Accession

1. This Convention shall be open to accession by all States not Members of UNESCO but which are members of the United Nations, or of any of its specialized agencies, that are invited by the General Conference of UNESCO to accede to it.
2. This Convention shall also be open to accession by territories which enjoy full internal self-government recognized as such by the United Nations, but which have not attained full independence in accordance with General Assembly resolution 1514 (XV), and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of such matters.
3. The instrument of accession shall be deposited with the Director-General of UNESCO.

Article XVIII

Entry into Force

1. This Convention shall enter into force three months after the date of deposit of the twentieth instrument of ratification, acceptance, approval or accession, but only with respect to those that have deposited their respective instruments of ratification, acceptance, approval, or accession on or before that date.
2. This Convention shall enter into force with respect to any other Party three months after the deposit of its instrument of ratification, acceptance, approval or accession.

Article XIX.

Relationship of the Parties to the Convention and Parties to the Regional Recognition Conventions and other Treaties

1. The ratification, acceptance, approval or accession of any of the Regional Recognition Conventions shall not be a prerequisite for the ratification, acceptance, approval or accession of this Convention.
2. Parties to this Convention shall,
 - (a) foster mutual supportiveness between this Convention and the other treaties to which they are parties, particularly the Regional Recognition Conventions; and
 - (b) take into account the relevant provisions of this Convention when interpreting and applying the Regional Recognition Conventions to which they are parties or when entering into other international obligations.
3. Nothing in this Convention shall be interpreted as modifying rights and obligations of the Parties under the Regional Recognition Conventions and any other treaties to which they are parties.
4. To ensure a coherent interaction between this Convention, the Regional Recognition Conventions, any other relevant bilateral or multilateral agreements, and any other existing or future treaty or convention to which a Party to this Convention may be or may become a party, nothing in this Convention shall be deemed to derogate from any provisions more favourable to recognition.

Article XX.

Federal or Non-Unitary Constitutional Systems

Recognizing that international agreements are equally binding on Parties regardless of their constitutional systems, the following provisions shall apply to Parties which have a federal or non-unitary constitutional system:

- (a) With regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those Parties which are not federal States;
- (b) With regard to the provisions of the Convention, the implementation of which comes under the jurisdiction of individual constituent units such as States, counties, provinces, or cantons which are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform, as necessary, the competent authorities of constituent units such as States, counties, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article XXI.

Denunciation

1. Any Party to this Convention may denounce this Convention.
2. The denunciation shall be notified by an instrument in writing deposited with the Director-General of UNESCO.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall in no way affect the obligations of the Party denouncing the Convention until the date on which the withdrawal takes effect.

Article XXII.

Depositary Functions

The Director-General of UNESCO, as the depositary of this Convention, shall inform the Member States of the Organization, the States not members of the Organization referred to in Article XVII, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, approval or accession provided for in Articles XVI, and of the denunciations provided for in Article XXI.

Article XXIII.

Amendments

1. A Party to this Convention may, by written communication addressed to the Director-General, propose amendments to this Convention. The Director-General shall circulate such communication to all Parties. If, within six months from the date of dispatch of the communication, no less than one half of the Parties reply favourably to the request, the Director-General shall present such proposal to the next session of the Global Recognition Committee for discussion and possible adoption.
2. Amendments shall be adopted by a two-thirds majority of Parties present and voting.
3. Once adopted, amendments to this Convention shall be submitted to the Parties for ratification, acceptance, approval or accession.
4. For Parties that have ratified, accepted, approved or acceded to them, amendments to this Convention shall enter into force three months after the deposit of the instruments referred to in paragraph 3 of this Article by two-thirds of the Parties. Thereafter, for each Party that ratifies, accepts, approves or accedes to an amendment, the said amendment shall enter into force three months after the date of deposit by that Party of its instrument of ratification, acceptance, approval or accession.
5. A State, which becomes a Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention, be considered to be:
 - (a) A Party to this Convention as so amended; and,
 - (b) A Party to the unamended Convention in relation to any Party not bound by the amendments.

Article XXIV.

Registration with the United Nations

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.

Article XXV.

Authoritative Texts

This Convention has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, all six texts being equally authoritative.