

**Ninth Session of the Regional Committee Meeting for the  
Regional Convention on the Recognition of Studies, Diplomas and  
Degrees in Higher Education in Asia and the Pacific**

*in conjunction with the*

**Regional Seminar on Regional Harmonization: Establishing  
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**Discussion Document  
on the Review of the Regional Convention  
on the Recognition of Studies, Diplomas  
and Degrees in Higher Education in Asia  
and the Pacific**

*- Tony Davies*



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**Higher Education**

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## 1. Introduction

The Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific (the Regional Convention) was developed in the late 1970s and adopted in Bangkok on 16 December 1983 (UN Series No. 32021).

There are now twenty States and/or Parties to the Convention: Armenia, Azerbaijan, Australia, the People's Republic of China, the Holy See, Kazakhstan, Kyrgyzstan, India, Lao PDR, the Maldives, Mongolia, Nepal, Philippines, the People's Democratic Republic of Korea, the Republic of Korea, the Russian Federation, Sri Lanka, Tajikistan, Turkey and Turkmenistan. The Regional Convention will be 24 years old in December.

Over the last 24 years there have been some significant changes in higher education. During this period there has been considerable growth in transnational education as well as an exponential growth in movement of labour across borders. This has resulted in greater pressure to ensure that qualifications acquired in one country are recognised in other countries. Therefore, it is considered timely to review the Asia Pacific Regional Convention. At the last session of the 8<sup>th</sup> Regional Convention in Kuning in 24-25 May 2005, it was agreed that:

*A working group comprising the Bureau of the Regional Committee and a few co-opted members like New Zealand, Malaysia, Philippines and China will work on the revisions needed in the Regional Convention and the legal implications of the same.*

## 2 Background

### **UNESCO Conventions on the Recognition of Qualifications**

The six conventions on the recognition of higher education studies and qualifications adopted under the aegis of UNESCO date from the late seventies and early eighties. Six normative instruments to regulate mutual recognition of higher education studies and degrees were adopted, starting with the regional convention on the recognition of studies, diplomas and degrees in higher education in Latin America and the Caribbean (June 1975). This was followed over the next ten years by five similar conventions covering all regions of the world: the International Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the Arab and European states bordering on the Mediterranean (the Mediterranean Convention) (1976), the Arab States (1978), Europe (1979), Africa (1981), Asia and the Pacific (1983).

To respond to new changes in higher education in Europe, the Europe Convention was the first one to be revised in the nineties, producing new joint Council of Europe/UNESCO Convention on the Recognition of Qualifications in the European Region (Lisbon Recognition Convention) in 1997, which will gradually replace the 1979 Europe Region Convention. The Lisbon Recognition Convention marked a shift of focus of recognition issues from technical to policy level, especially within the Bologna Process, and put forward basic principles that gave more significant rights to applicants. In addition, through input from the ENIC-NARIC networks, it contributed to a professional approach to developing criteria and procedures for the assessment of a diverse range of qualifications. It also linked qualifications recognition to quality assurance and accreditation procedures.

At present, the UNESCO Recognition Conventions represent a unique legal framework that has ratification from 116 Member States of UNESCO. These Conventions oblige ratifying parties to endorse and promote recognition of qualifications in higher education. In this context, the six regional conventions are put forward as educational agreements that could provide international standards of qualifications recognition and quality assurance, based on the needs and principles put forward by the ratifying states.

The UNESCO regional offices/units in Bangkok, Beirut, Bucharest, Caracas, Dakar, Paris and the Council of Europe in Strasbourg oversee the implementation of the conventions through: regional intergovernmental committees that meet every two years to review progress made and obstacles encountered.

### **Common elements and regional specificities**

The Lisbon Recognition Convention is an example of a 'new generation' of recognition conventions. It includes the principle that 'recognition should be granted unless substantial differences can be shown' and tools for transparency (e.g. the Diploma Supplement). It also emphasizes the crucial importance of information exchange and networking centres as a Lisbon initiative. EU directives for professional

recognition, restricting the EU labour market, the Bologna Process which promotes the competitiveness of the European Higher Education system and within which recognition has a prominent role and are important elements of this Convention. The forces of globalization and its reflection on the strengthening of the external dimension of the Bologna Process acknowledged the fact of an accrued internationalisation of higher education calling for enhanced inter-regional networking and co-operation.

In three regions – Africa, Arab States and Asia-Pacific - there is a clear tendency to review the conventions to respond to new developments in higher education. Some principles and tools of good practice from European models are clearly identified as relevant models. The regional convention committee for Latin America has not met for a number of years.

In addition, developments in higher education: private providers, trans-national providers, qualifications earned through distance learning feature as issues that should be included and covered by the reviewed conventions. Quality assurance, accreditation and the development of national qualification frameworks are key areas linked to these processes and the need to build national capacity is one of the prerogatives of the sustainable developments of robust national higher education systems. In addition, lifelong learning and the assessment of learning outcomes is a clear tendency in all regions of the world.

Finally, the significance of information sharing and regional networking comes out as a prominent area in need of reinforcing.

### 3 DISCUSSION ISSUES

#### **Rationale for a Regional Convention**

It is important that the Regional Convention be used as an active and useful tool for the recognition of qualifications to achieve greater mobility and employment in the region. It is also important that more countries in the Asia Pacific ratify and implement the Convention. This may necessitate the development of legislative frameworks, quality assurance standards, national qualification frameworks and action plans in individual countries.

#### **A Parameters for a Regional Convention**

A Regional Convention is about establishing agreed principles and processes for the recognition of qualifications in higher education, embodying consistency, transparency. It is not about the automatic recognition of degrees, diplomas and certificates. A Regional Convention is about establishing a system for the recognition of qualifications in higher education. The revised Europe Regional Convention focused more on policy rather than technical issues. It is important that each country is able to maintain the academic independence of its higher education institutions. A Regional Convention is about establishing a system for the recognition of qualifications and quality assurance mechanisms which could include the following:

- competencies and readiness of the central authorities (Ministries of Education and relevant quality assurance agencies) to make decisions in regard to recognition of qualifications;
- basic principles and a common framework for the assessment of qualifications;
- recognition of qualifications requirements to obtain entry into higher education;
- recognition of periods of study completed within a common framework for the duration of studies in higher education programmes (including life-long learning);
- recognition of qualifications held by refugees, displaced persons and persons in a refugee like situation;
- information on the assessment of higher education institutions and programmes, systems and standards for assessment which may include accreditation requirements;
- information on recognition matters, national qualification frameworks which may include national listing of recognised and approved universities, colleges and institutions providing higher education;
- implementation matters.

1. Should the Regional Convention include all these parameters?
2. Should life-long learning for all be included as a separate part of the Regional Convention?
3. Are there parameters which should not be included? If so why?
4. What additional parameters should be included?

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#### **B. Principles for a Regional Convention**

Concern has been expressed that so few countries were signatories to the Regional Convention. It is likely that if a revised Regional Convention included broad parameters and key principles underpinning the recognition of qualifications, then this could lead to the multi-recognition of systems with a greater number of countries participating. Progressively this could lead to a point where wide-coverage multi-lateral recognition agreements are feasible. The sort of high-level principles could include, for example:

- individuals should have access to an appropriate organisation or body for an assessment of their qualifications;
- that countries agree there should not be discrimination on any grounds in processes for the assessment of qualifications;
- that all education institutions belonging to education systems agree to co-operate with any reasonable request for information for the purpose of assessing qualifications; and
- countries agree to provide adequate and clear information on its education system
- countries agree to provide adequate and clear information on its education system.

5. Should the Regional Convention include these principles?
6. Are there principles which should not be included? If so why?
7. What additional principles should be included?

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### C **Linkages between Qualifications and Quality Assurance Processes**

A number of countries have suggested that there should be a strong link between recognition of qualifications and quality assurance mechanisms. This could include specific mention of existing organisations such as Asia Pacific Quality Network (APQN). In addition it could include:

- the need to encourage the development of higher education institutions to foster vibrant intellectual and educational achievement;
- the provision of assistance, guidance and information to higher education institutions and relevant agencies in developing appropriate quality assurance processes; and
- the provision of information to higher education institutions, students, employers and other stakeholders about the processes and outcomes of higher education.

8. Should the Regional Convention include reference to the linkages between qualifications and quality assurance?

9. If yes, what should be included?

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### D. **Requirements to have Qualifications Frameworks and Quality Assurance**

Quality and recognition of qualifications obtained through cross-border higher education programmes including distance learning programmes is very pertinent. Much work has been done in this area under the aegis of UNESCO-OECD, which has resulted in the promulgation of the UNESCO-OECD Guidelines for Cross Border Higher Education. The Lisbon Convention has a whole section on “Codes of Practice on the provision of Cross Border Higher Education.

National Qualifications Frameworks (NQF) are an essential first step toward qualification recognition. Some countries have established NQFs, some are in the development phase and others have yet to commence developing one. NQFs will assist member states to accurately map the standard of education and institutions in the region for better recognition of degrees and diplomas. This will facilitate institutional comparisons and lead toward better portability of credentials.

At present some Party States lack the policy and quality assurance mechanisms for giving recognition of degrees and academic credentials obtained through cross-border education and distance and blended learning modes.

There should be scope for signatory countries to apply the principles of the Regional Convention as appropriate to their national education, quality assurance and qualifications systems, and other particular national circumstances. Qualification recognition should be considered for all modes of delivery and all education and training qualifications.

A significant number of countries in the Asia Pacific region have now developed their quality assurance systems and have a qualifications framework or system in place for higher education qualifications.

10. Should a copy of the UNESCO-OECD Guidelines on Cross Border Higher Education be attached as a subsidiary to the Regional Convention?

11. How important is it for the Regional Convention to provide sufficient scope for signatory countries to apply the principles to their national education, quality assurance and qualifications systems?

12. Should it be a prerequisite for signatory countries to have quality assurance and qualification frameworks in place for higher education?

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## E. Alignment with other UNESCO Regional Conventions

It is also important to look at other Regional Conventions developed either before or since the drafting of the Asia Pacific Regional Convention. It has been suggested that as far as practicable it is useful to align regional conventions, in terms of structure, content and language use/terminology. This will help facilitate inter-regional transparency and portability.

The Table below sets out the key headings in each of the other five Regional Conventions. The Europe Regional Convention was revised in 1996. It should be noted that all the other Regional Conventions have not been revised for over 25 years. As the European Convention has been revised in light of developments in education, it is suggested that this is the most suitable convention to use as a model when revising the Asia Pacific Regional Convention.

ARTICLE	AFRICA Date of Adoption 5 December 1981	ARAB STATES Date of Adoption 22 December 1978	EUROPE Date of Adoption 11 April 1997	LATIN AMERICA Date of Adoption 19 July 1974	MEDITERRANEAN Date of Adoption 17 December 1976	ASIA-PACIFIC Date of Adoption 16 December 1983
1	Definition	Definition	Definitions	Definitions	Definitions	Definitions
2	Aims	Aims	Competencies of Authorities	Objectives	Aims	Aims
3	Undertakings for Immediate Application	Undertakings for Immediate Application	Basic principles Related to the Assessment of Qualifications	Commitments for immediate implementation	Undertakings for immediate application	Undertakings for Immediate Application
4	Machinery for Implementation	Machinery for Implementation	Recognition of Qualifications Giving Access to higher education	Agencies and machinery for implementation	Machinery for implementation	Machinery for implementation
5	Documentation	Documentation	Recognition of periods of study	Co-operation with international organisations	Documentation	Documentation
6	Co-operation with International Organisations	Cooperation with international organisations	Recognition of higher education qualifications	Ratification, accession and entry into force	Cooperation with international organisations	Cooperation with international organisations
7	Institutions of higher education under the authority of a contracting state but situated outside its territory	Institutions of higher education under the authority of a contracting state but situated outside its territory	Recognition of qualifications held by refugees, displaced persons and persons in a refugee like situation		Ratification, accession and entry into force	Institutions of Higher Education Under Authority of more than One State
8	Ratification, Accession and Entry into Force	Ratification, Accession and Entry into Force	Information on the assessment of higher education institutions and programmes			Ratification, Approval, Acceptance, Access and Entry into Force
9			Information on recognition matters			
10			Implementation mechanisms			
11			Final clauses			

13. How important is it for the Asia Pacific Regional Convention to be aligned to the other regional conventions?

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## F. Establishment of a Virtual Regional National Information Centre

The Eighth Session of the Regional Convention held in Kuning recommended that *All signatories to the Regional Convention and the Networks will convince the governments towards establishing the following to facilitate the implementation of the Regional Convention:*

- a. National Qualifications Framework
- b. National Quality Assurance Mechanism

### c. National Information System

Some Party States require voluminous papers and certification documents before recognition of degrees, studies and diplomas could take place. This process could be improved through the explicit information sharing on country requirements, validation and certification standards and procedures.

The establishment of a network of National Information Centres in the Asia Pacific region could be considered based on something like the European ENICs. The network could consist of nominated individuals in each country through whom questions related to qualifications recognition could be directed and responded to with authority. These centres could use a list server to exchange information on education systems and qualifications (APARNET). It would also be very useful for recognition bodies in the region to meet on a regular basis.

There is also a very active Asia-Pacific Quality Network (APQN), consisting of a group of professionals and practitioners in the field of quality assurance and recognition of qualifications. APQN meets annually. It is possible that this could be also used as a possible vehicle to assist in the proposed network of national information centres.

- ▲ 14. Should the Regional Convention establish guidelines for Party States in determining the parameters and criteria requirements for the recognition of studies in higher education?
15. Should the establishment of a national information system across the Asia Pacific region be considered as part of this Regional Convention?
16. If such a system was established, should it be conducted under the aegis of UNESCO or under another organisation such as APQN?
17. If such a system was established, how often should it meet?

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### G. Complementarity with Other Initiatives

The Brisbane Process is a major initiative being led by Australia and including fifty-two countries in the Asia-Pacific region. A key goal of the Brisbane Process is *to remove barriers to student and academic mobility*, and it represents a push for major reform of quality assurance, credit transfer and qualifications recognition across the region. Australia is pursuing the goal of an Asia-Pacific environment in which students can travel freely across the region, and professionals can work in different countries with their qualifications recognised. The development of the Brisbane Process and the review of the Regional Convention have the capacity to complement each other. The review of the Regional Convention presents an ideal opportunity to develop a contemporary and effective legal framework which provides standards for the recognition of foreign qualifications.

The Asia-Pacific Regional Skills Network of the International Labour Organisation (ILO) has commissioned the development of a document on all national qualifications frameworks in the Asia-Pacific region, which could be a useful resource for countries in the region considering establishing their own national qualifications framework

- ▲ 18. Should linkages to other aligned initiatives in higher education within the Asia Pacific be mentioned in the Regional Convention?
19. If so, what linkages should be mentioned?

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## H. Quality and Recognition of Qualifications through Distance Learning and On-line programmes.

Quality and recognition of qualifications through cross-border higher education and on-line ODL programmes is a big concern for most policy makers, jurisdictions and higher education institutions. A number of countries and regions have introduced guidelines to assist in this growing and complex area.

**20.** Should a chapter or section be included in the Regional Convention on the quality of higher education distance, on-line and blended programmes?

**21.** If yes, what are the key issues that should be included?

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## I. Other Options for making Changes to the Regional Convention

Many countries have been required to get formal Government approval for them to become a signatory to the Regional Convention. It is possible, that a totally revised Regional Convention would mean that some countries may have to go through that very long process again. One other possibility is to consider using the current Regional Convention, with some very minor modifications and include some protocols or subsidiary (i.e. a type of an addendum to the convention).

**22.** Could the current Regional Convention be retained and enhanced by the use of addendum and protocols?

**23.** If yes, what should be included in the addendum and protocols?

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## J Other Comments

**24.** What other issues would you like to see included in the Regional Convention?

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#### **4 Draft Regional Convention**

A draft Asia Pacific Regional Convention based on the Lisbon Regional Convention has been prepared and is attached in the appendix. This is only intended to show member countries and observers what a possible revised Regional Convention could look like. It does require further input from countries within the Asia Pacific region. It is expected that the Working Group will complete this task after the 9<sup>th</sup> Regional Convention in Seoul.

#### **5 Discussion Paper**

This discussion paper has been prepared following an online discussion with the Working Group established from the last Regional Convention session at Kuming. It is important that member countries and observers provide input to the discussion paper. There will be an opportunity to discuss this paper at the 9<sup>th</sup> Regional Convention in Seoul. Countries are also welcome to provide written comments prior to the Seoul Regional Convention session. These could be sent to the UNESCO secretariat at Bangkok.

## Appendix 1 – Discussion Questions

1. Should the Regional Convention include all these parameters?
2. Should life-long learning for all be included as a separate part of the Regional Convention?
3. Are there parameters which should not be included? If so why?
4. What additional parameters should be included?
5. Should the Regional Convention include these principles?
6. Are there principles which should not be included? If so why?
7. What additional principles should be included?
8. Should the Regional Convention include reference to the linkages between qualifications and quality assurance?
9. If yes, what should be included?
10. Should a copy of the UNESCO-OECD Guidelines on Cross Border Higher Education be attached as a subsidiary to the Regional Convention?
11. How important is it for the Regional Convention to provide sufficient scope for signatory countries to apply the principles to their national education, quality assurance and qualifications systems?
12. Should it be a prerequisite for signatory countries to have quality assurance and qualification frameworks in place for higher education?
13. How important is it for the Asia Pacific Regional Convention to be aligned to the other regional conventions?
14. Should the Regional Convention establish guidelines for Party States in determining the parameters and criteria requirements for the recognition of studies in higher education?
15. Should the establishment of a national information system across the Asia Pacific region be considered as part of this Regional Convention?
16. If such a system was established, should it be conducted under the aegis of UNESCO or under another organisation such as APQN?
17. If such a system was established, how often should it meet?
18. Should linkages to other aligned initiatives in higher education within the Asia Pacific be mentioned in the Regional Convention?
19. If so, what linkages should be mentioned?
20. Should a chapter or section be included in the Regional Convention on the quality of higher education distance, on-line and blended programmes?
21. If yes, what are the key issues that should be included?
22. Could the current Regional Convention be retained and enhanced by the use of addendum and protocols?
23. If yes, what should be included in the addendum and protocols?

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24. What other issues would you like to see included in the Regional Convention?

The Regional Convention  
on the Recognition of Studies,  
Diplomas and Degrees  
in Higher Education  
in Asia and the Pacific



UNESCO PRINCIPAL REGIONAL OFFICE  
FOR ASIA AND THE PACIFIC  
Bangkok

## Preamble

The Parties to this Convention,

**Conscious** of the fact that the right to education is a human right, and that higher education, which is instrumental in the pursuit and advancement of knowledge, constitutes an exceptionally rich cultural and scientific asset for both individuals and society;

**Considering** that higher education should play a vital role in promoting peace, mutual understanding and tolerance, and in creating mutual confidence among peoples and nations;

**Considering** that the great diversity of education systems in the Asia-Pacific region reflects its cultural, social, political, philosophical, religious and economic diversity, an exceptional asset which should be fully respected;

**Desiring** to enable all people of the region to benefit fully from this rich asset of diversity by facilitating access by the inhabitants of each State and by the students of each Party's educational institutions to the educational resources of the other Parties, more specifically by facilitating their efforts to continue their education or to complete a period of studies in higher education institutions in those other Parties;

**Considering** that the recognition of studies, certificates, diplomas and degrees obtained in another country of the Asia-Pacific region represents an important measure for promoting academic mobility between the Parties;

**Attaching** great importance to the principle of institutional autonomy, and conscious of the need to uphold and protect this principle;

**Convinced** that a fair recognition of qualifications is a key element of the right to education and a responsibility of society;

**Mindful** that this Convention should also be considered in the context of the UNESCO conventions and the international recommendation covering other Regions of the world, and of the need for an improved exchange of information between these Regions;

**Conscious** of the wide ranging changes in higher education in the Asia-Pacific region since these conventions were adopted, resulting in considerably increased diversification within and between national higher education systems, and of the need to adapt the legal instruments and practice to reflect these developments;

**Conscious** of the need to find common solutions to practical recognition problems in the Asia-Pacific region;

**Conscious** of the need to improve current recognition practice and to make it more transparent and better adapted to the current situation of higher education in the Asia-Pacific region;

**Conscious** of the importance of providing permanent implementation mechanisms in order to put the principles and provisions of the current Convention into practice,

Have agreed as follows:

## **SECTION I – DEFINITIONS**

### **Article I**

For the purposes of this Convention, the following terms shall have the following meaning:

#### **Access (to higher education)**

The right of qualified candidates 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 qualified applicants to pursue studies in higher education at a given institution and/or a given programme.

#### **Assessment (of institutions or programmes)**

The process for establishing the educational quality of a higher education institution or programme.

#### **Assessment (of individual qualifications)**

The written appraisal or evaluation of an individual's foreign qualifications by a competent body.

#### **Competent recognition authority**

A body officially charged with making binding decisions and/or recommendations on the recognition of foreign qualifications.

#### **Higher education**

All types of courses of study, or sets of courses of study, training or training for research at the post secondary level which are recognised by the relevant 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 course of study recognised by the competent authority of a Party as belonging to its system of higher education, and the completion of which provides the student with a higher education qualification.

#### **Period of study**

Any component of a higher education programme which has been evaluated and documented and, while not a complete programme of study in itself, represents a significant acquisition of knowledge or skill.

#### **Qualification**

##### **A. Higher education qualification**

Any degree, diploma or other certificate issued by a competent authority attesting the successful completion of a higher education programme.

##### **B. Qualification giving access to higher education**

Any diploma or other certificate issued by a competent authority attesting the successful completion of an education programme and giving the holder of the qualification the right to be considered for admission to higher education (cf. the definition of access).

#### **Recognition**

A formal acknowledgment by a competent authority of the value of a foreign educational qualification with a view to giving access to educational and/or employment activities.

#### **Requirements**

##### **A. 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.

**B. Specific requirements**

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 - THE COMPETENCIES OF AUTHORITIES**

### **Article II.1**

1. Where central authorities of a Party are competent to make decisions in recognition cases, that Party shall be immediately bound by the provisions of this Convention and shall take the necessary measures to ensure the implementation of its provisions on its territory.

Where the competence to make decisions in recognition matters lies with components of the Party, the Party shall furnish one of the depositaries 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, or any time thereafter. In such cases, the competent authorities of the components of the Parties so designated shall take the necessary measures to ensure implementation of the provisions of this Convention on their territory.

2. 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 possible steps to encourage the favourable consideration and application of its provisions.

3. The provisions of paragraphs 1 and 2 of this article shall apply, *mutatis mutandis*, to the obligations of the Parties under subsequent articles of this Convention.

### **Article II.2**

At the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, or at any time thereafter, each State, the Holy See or the Asia-Pacific Region shall inform either depository of the present Convention of the authorities which are competent to make different categories of decisions in recognition cases.

### **Article II.3**

Nothing in this Convention shall be deemed to derogate from any more favourable provisions concerning the recognition of qualifications issued in one of the Parties contained in or stemming from an existing or a future treaty to which a Party to this Convention may be or may become a party.

## **SECTION III - BASIC PRINCIPLES RELATED TO THE ASSESSMENT OF QUALIFICATIONS**

### **Article III.1**

1. Holders of qualifications issued in one of the Parties shall have adequate access, upon request to the appropriate body, to an assessment of these qualifications.

2. No discrimination shall be made in this respect on any ground such as the applicant's gender, race, colour, disability, language, religion, political or other opinion, national, ethnic or social origin, association with a national minority, property, birth or other status, or on the grounds of any other circumstance not related to the merits of the qualification for which recognition is sought. In order to assure this right, each Party undertakes to make appropriate arrangements for the assessment of an application for recognition of qualifications solely on the basis of the knowledge and skills achieved.

### **Article III.2**

Each Party shall ensure that the procedures and criteria used in the assessment and recognition of qualifications are transparent, coherent and reliable.

### **Article III.3**

1. Decisions on recognition shall be made on the basis of appropriate information on the qualifications for which recognition is sought.

2. In the first instance, the responsibility for providing adequate information rests with the applicant, who shall provide such information in good faith.

3. Notwithstanding the responsibility of the applicant, the institutions having issued the qualifications in question shall have a duty to provide, upon request of the applicant and within reasonable limits, relevant information to the holder of the qualification, to the institution, or to the competent authorities of the country in which recognition is sought.

4. The Parties shall instruct or encourage, as appropriate, all education institutions belonging to their education systems to comply with any reasonable request for information for the purpose of assessing qualifications earned at the said institutions.

5. The responsibility to demonstrate that an application does not fulfil the relevant requirements lies with the body undertaking the assessment.

#### **Article III.4**

Each Party shall ensure, in order to facilitate the recognition of qualifications, that adequate and clear information on its education system is provided.

#### **Article III.5**

Decisions on recognition shall be made within a reasonable time limit specified beforehand by the competent recognition authority and calculated from the time all necessary information in the case has been provided. If recognition is withheld, the reasons for the refusal to grant recognition shall be stated, and information shall be given concerning possible measures the applicant may take in order to obtain recognition at a later stage. If recognition is withheld, or if no decision is taken, the applicant shall be able to make an appeal within a reasonable time limit.

### **SECTION IV - RECOGNITION OF QUALIFICATIONS GIVING ACCESS TO HIGHER EDUCATION**

#### **Article IV.1**

Each Party shall recognise the qualifications 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.

#### **Article IV.2**

Alternatively, it shall be sufficient for a Party to enable the holder of a qualification issued in one of the other Parties 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.

#### **Article IV.3**

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 programmes in institutions belonging to its higher education system, unless a substantial difference can be demonstrated 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 IV.4**

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

#### **Article IV.5**

Where, in the Party in which they have been obtained, school leaving certificates give access to higher education 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 educational systems. Any State, the Holy See or the Asia-Pacific Region may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, or at any time thereafter, notify one of the depositories that it avails itself of the provisions of this Article, specifying the Parties in regard to which it intends to apply this Article as well as the reasons therefore.

#### **Article IV.6**

Without prejudice to the provisions of Articles IV.1, IV.2, IV.3, IV.4 and IV.5, admission to a given higher education institution, or to a given programme within such an institution, may be restricted or selective. In cases in which admission to a higher education institution and/or programme is selective, admission procedures should be designed with a view to ensuring that the assessment of foreign qualifications is carried out according to the principles of fairness and non-discrimination described in Section III.

#### **Article IV.7**

Without prejudice to the provisions of Articles IV.1, IV.2, IV.3, IV.4 and IV.5, admission to a given higher education institution may be made conditional on demonstration by the applicant of sufficient competence in the language or languages of instruction of the institution concerned, or in other specified languages.

#### **Article IV.8**

In the Parties in which access to higher education may be obtained on the basis of non-traditional qualifications (including transnational and on-line education), similar qualifications obtained in other Parties shall be assessed in a similar manner as non-traditional qualifications earned in the Party in which recognition is sought.

#### **Article IV.9**

For the purpose of admission to programmes of higher education, each Party may make the recognition of qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions.

### **SECTION V - RECOGNITION OF PERIODS OF STUDY**

#### **Article V.1**

Each Party shall recognise periods of study completed within the framework of a higher education programme in another Party. This recognition shall comprise such periods of study towards the completion of a higher education programme in the Party in which recognition is sought, unless substantial differences can be shown between the periods of study completed in another Party and the part of the higher education programme which they would replace in the Party in which recognition is sought.

#### **Article V.2**

Alternatively, it shall be sufficient for a Party to enable a person who has completed a period of study within the framework of a higher education programme in another Party to obtain an assessment of that period of study, upon request by the person concerned, and the provisions of Article V.1 shall apply mutatis mutandis to such a case.

#### **Article V.3**

In particular, each Party shall facilitate recognition of periods of study when:

(a) there has been a previous agreement between, on the one hand, the higher education institution or the competent authority responsible for the relevant period of study and, on the other hand,

(b) the higher education institution or the competent recognition authority responsible for the recognition that is sought; and the higher education institution in which the period of study has been completed has issued a certificate or transcript of academic records attesting that the student has successfully completed the stipulated requirements for the said period of study.

## **SECTION VI - RECOGNITION OF HIGHER EDUCATION QUALIFICATIONS**

### **Article VI.1**

To the extent that a recognition decision is based on the knowledge and skills certified by the higher education qualification, each Party shall recognise the higher education qualifications conferred in another Party, unless a substantial difference can be shown between the qualification for which recognition is sought and the corresponding qualification in the Party in which recognition is sought.

### **Article VI.2**

Alternatively, it shall be sufficient for a Party to enable the holder of a higher education qualification issued in one of the other Parties to obtain an assessment of that qualification, upon request by the holder, and the provisions of Article VI.1 shall apply *mutatis mutandis* to such a case.

### **Article VI.3**

Recognition in a Party of a higher education qualification issued in another Party shall have one or both of the following consequences:

(a) access to further higher education studies, including relevant examinations, and/or to preparations for the doctorate, on the same conditions as those applicable to holders of qualifications of the Party in which recognition is sought;

(b) 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 laws and regulations of the Party, or a jurisdiction thereof, in which recognition is sought.

### **Article VI.4**

An assessment in a Party of a higher education qualification issued in another Party may take the form of:

(a) advice for general employment purposes;

(b) advice to an educational institution for the purpose of admission into its programmes;

(c) advice to any other competent recognition authority.

### **Article VI.5**

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 or specific agreements concluded with the Party of origin of such institutions.

## **SECTION VII - RECOGNITION OF QUALIFICATIONS HELD BY REFUGEES, DISPLACED PERSONS AND PERSONS IN A REFUGEE - LIKE SITUATION**

### **Article VII**

Each Party shall take all feasible and reasonable 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 fulfil the relevant requirements for access to higher education, to further higher education programmes or to employment activities, even in cases in which the qualifications obtained in one of the Parties cannot be proven through documentary evidence.

## **SECTION VIII- INFORMATION ON THE ASSESSMENT OF HIGHER EDUCATION INSTITUTIONS AND PROGRAMMES**

### **Article VIII.1**

Each Party shall provide 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. Such information shall take the following form:

(a) in the case of Parties having established a system of formal assessment of higher education institutions and programmes: information on the methods and results of this assessment, and of the standards of quality specific to each type of higher education institution granting, and to programmes leading to higher education qualifications;

(b) in the case of Parties which have not established a system of formal assessment of higher education institutions and programmes: information on the recognition of the various qualifications obtained at any higher education institution, or within any higher education programme, belonging to their higher education systems.

### **Article VIII.2**

Each Party shall make adequate provisions for the development, maintenance and provision of:

(a) an overview of the different types of higher education institutions belonging to its higher education system, with the typical characteristics of each type of institution;

(b) a list of recognised institutions (public and private) belonging to its higher education system, indicating their powers to award different types of qualifications and the requirements for gaining access to each type of institution and programme;

(c) a description of higher education programmes;

(d) a list of educational institutions located outside its territory which the Party considers as belonging to its education system.

## **SECTION IX - INFORMATION ON RECOGNITION MATTERS**

### **Article IX.1**

In order to facilitate the recognition of qualifications concerning higher education, the Parties undertake to establish transparent systems for the complete description of the qualifications obtained.

### **Article IX.2**

1. Acknowledging the need for relevant, accurate and up-to-date information, each Party shall establish or maintain a national information centre and shall notify one of the depositories of its establishment, or of any changes affecting it.

2. In each Party, the national information centre shall:

(a) facilitate access to authoritative and accurate information on the higher education system and qualifications of the country in which it is located;

(b) facilitate access to information on the higher education systems and qualifications of the other Parties;

(c) give advice or information on recognition matters and assessment of qualifications, in accordance with national laws and regulations.

3. Every national information centre shall have at its disposal the necessary means to enable it to fulfil its functions.

### **Article IX.3**

The Parties shall promote, through the national information centres or otherwise, the use of the UNESCO Diploma Supplement and/or any other comparable document by the higher education institutions of the Parties.

## **SECTION X - IMPLEMENTATION MECHANISMS**

### **Article X.1**

The following body shall oversee, promote and facilitate the implementation of the Convention:

(a) the Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the Asia-Pacific Region;

### **Article X.2**

1. The Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the Asia-Pacific Region (hereafter referred to as "the Committee") is hereby established. It shall be composed of one representative of each Party.

2. For the purposes of Article X.2, the term "Party"; shall not apply to the Asia-Pacific Region.

3. The States mentioned in Article XI.1.1 and the Holy See, if they are not Parties to this Convention, the Asia-Pacific Region may participate in the meetings of the Committee as observers. Representatives of governmental and non-governmental organisations active in the field of recognition in the Region may also be invited to attend meetings of the Committee as observers.

5. The Committee shall promote the application of this Convention and shall oversee its implementation. To this end it may adopt, by a majority of the Parties, recommendations, declarations, protocols and models of good practice to guide the competent authorities of the Parties in their implementation of the Convention and in their consideration of applications for the recognition of higher education qualifications. While they shall not be bound by such texts, the Parties shall use their best endeavours to apply them, to bring the texts to the attention of the competent authorities and to encourage their application.

7. The Committee shall maintain links to the UNESCO Regional Committees for the Application of Conventions on the Recognition of Studies, Diplomas and Degrees in Higher Education adopted under the auspices of UNESCO.

8. A majority of the Parties shall constitute a quorum.

9. The Committee shall adopt its Rules of Procedure. It shall meet in ordinary session at least every three years. The Committee shall meet for the first time within a year of the entry into force of this Convention.

10. The Secretariat of the Committee shall be entrusted jointly to the Director-General of UNESCO.

### **Article X.3**

1. Each Party shall appoint as a member of the Asia-Pacific Network of National Information Centres on academic mobility and recognition. The national information centre established or maintained under Article IX.2. In cases in which more than one national information centre is established or maintained in a Party

under Article IX.2, all these shall be members of the Network, but the national information centres concerned shall dispose of only one vote.

2. The Asia-Pacific Network shall, in its composition restricted to national information centres of the Parties to this Convention, uphold and assist the practical implementation of the Convention by the competent national authorities. The Network shall meet at least once a year in plenary session. It shall elect its President and Bureau in accordance with its terms of reference.

3. The Secretariat of the Asia-Pacific Network shall be entrusted to the Director-General of UNESCO.

4. The Parties shall co-operate, through the Asia-Pacific Network, with the national information centres of other Parties, especially by enabling them to collect all information of use to the national information centres in their activities relating to academic recognition and mobility.

## **SECTION XI - FINAL CLAUSES**

### **Article XI.1**

(1) This Convention shall be open for signature by:

(a) the member states of the UNESCO Asia-Pacific Region;

(c) any other signatory, contracting state or party to the UNESCO Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Asia-Pacific Region, which have been invited to the diplomatic conference entrusted with the adoption of this Convention.

(2) These states and the Holy See may express their consent to be bound by:

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature, subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

3. Signatures shall be made with one of the depositories. Instruments of ratification, acceptance, approval or accession shall be deposited with one of the depositories.

### **Article XI.2**

This Convention shall enter into force on the first day of the month following the expiration of the period of one month after five states, including at least three member states of the UNESCO Asia-Pacific Region, have expressed their consent to be bound by the Convention. It shall enter into force for each other State on the first day of the month following the expiration of the period of one month after the date of expression of its consent to be bound by the Convention.

### **Article XI.3**

1. After the entry into force of this Convention, any state other than those falling into one of the categories listed under Article XI.1 may request accession to this Convention. Any request to this effect shall be addressed to one of the depositories, who shall transmit it to the Parties at least three months before the meeting of the Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the Asia-Pacific Region. The depository shall also inform the Executive Board of UNESCO.

2. The decision to invite a State which so requests to accede to this Convention shall be taken by a two-thirds majority of the Parties.

3. After the entry into force of this Convention the Asia-Pacific Region may accede to it following a request by its member states, which shall be addressed to one of the depositories. In this case, Article XI.3.2 shall

not apply.

4. In respect of any acceding states, the Convention shall enter into force on the first day of the month following the expiration of the period of one month after the deposit of the instrument of accession with one of the depositories.

#### **Article XI.4**

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.

2. Any State may, at any later date, by a declaration addressed to one of the depositories, extend the application of this Convention to any other territory specified in the declaration.

In respect of such territory the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of receipt of such declaration by the depository.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to one of the depositories. The withdrawal shall become effective on the first day of the month following the expiration of a period of one month after the date of receipt of such notification by the depository.

#### **Article XI.6**

1. Any Party may, at any time, denounce this Convention by means of a notification addressed to one of the depositories.

2. Such denunciation shall become effective on the first day of the month following the expiration of a period of twelve months after the date of receipt of the notification by the depository. However, such denunciation shall not affect recognition decisions taken previously under the provisions of this Convention.

3. Termination or suspension of the operation of this Convention as a consequence of a violation by a Party of a provision essential to the accomplishment of the object or purpose of this Convention shall be addressed in accordance with international law.

#### **Article XI.7**

1. Any State, the Holy See or the Asia-Pacific Region may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it reserves the right not to apply, in whole or in part, one or more of the following Articles of this Convention:

Article IV.8

Article V.2

Article VI.3

Article VIII.2

Article IX.3

No other reservation may be made.

2. Any Party which has made a reservation under the preceding paragraph may wholly or partly withdraw it by means of a notification addressed to one of the depositories. The withdrawal shall take effect on the date of receipt of such notification by the depository.

3. A Party which has made a reservation in respect of a provision of this Convention may not claim the application of that provision by any other Party; it may, however, if its reservation is partial or conditional, claim the application of that provision in so far as it has itself accepted it.

#### **Article XI.8**

1. Draft amendments to this Convention may be adopted by the Committee of the Convention on the

Recognition of Qualifications concerning Higher Education in the Asia-Pacific Region by a two-thirds majority of the Parties. Any draft amendment so adopted shall be incorporated into a Protocol to this Convention. The Protocol shall specify the modalities for its entry into force which, in any event, shall require the expression of consent by the Parties to be bound by it.

2. No amendment may be made to Section III of this Convention under the procedure of paragraph 1 above.

3. Any proposal for amendments shall be communicated to one of the depositories, who shall transmit it to the Parties at least three months before the meeting of the Committee. The depositary shall also inform the Executive Board of UNESCO.

#### **Article XI.9**

1. The Director-General of the United Nations Educational, Scientific and Cultural Organisation shall be the depositories of this Convention.

2. The depositary with whom an act, notification or communication has been deposited shall notify the Parties to this Convention, as well as the UNESCO Asia-Pacific Region of:

(a) any signature;

(b) the deposit of any instrument of ratification, acceptance, approval or accession;

(c) any date of entry into force of this Convention in accordance with the provisions of Articles XI.2 and XI.3.4;

(d) any reservation made in pursuance of the provisions of Article XI.7 and the withdrawal of any reservations made in pursuance of the provisions of Article XI.7;

(e) any denunciation of this Convention in pursuance of Article XI.6;

(f) any declarations made in accordance with the provisions of Article II.1, or of Article II.2;

(g) any declarations made in accordance with the provisions of Article IV.5;

(h) any request for accession made in accordance with the provisions of Article XI.3;

(i) any proposal made in accordance with the provisions of Article XI.8;

(j) any other act, notification or communication relating to this Convention.

3. The depositary receiving a communication or making a notification in pursuance of the provisions of this Convention shall immediately inform the other depositary thereof.

In witness thereof the undersigned representatives, being duly authorised, have signed this Convention.

Done at xxx, in the English, Mandarin, French, and Spanish languages, the four texts being equally authoritative, in two copies, one of which shall be deposited in the archives in the archives of the United Nations Educational, Scientific and Cultural Organisation. A certified copy shall be sent to all the States referred to in Article XI.1, to the Holy See and to the Secretariat of the United Nations.