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Subject:	Proposal for a COUNCIL RECOMMENDATION on promoting automatic mutual recognition of higher education and upper secondary education diplomas and the outcomes of learning periods abroad - Adoption

At its meeting on 14 November 2018 the Permanent Representatives Committee noted that there was now unanimous agreement on the above Recommendation, with the exception of the reservation from EL as indicated in footnote 11.

The Council is accordingly invited to verify the status of the outstanding reservation and to adopt the Recommendation as set out in the Annex and to forward it for publication in the Official Journal.

Proposal for a

COUNCIL RECOMMENDATION

on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 165 and 166 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Learning mobility fosters knowledge, skills, competences and experiences, including personal and social competences and cultural awareness, that are crucial for active participation in society and the labour market, as well as for promoting a European identity.
- (2) The European Commission, in its Communication on Strengthening European Identity through Education and Culture¹, set out a vision for the creation of a European Education Area by 2025 in which learning, studying and carrying out research will not be hampered by borders, including by removing obstacles to the recognition of qualifications, both at the level of schools and higher education.

¹ COM(2017) 673 final

- (3) The European Council Conclusions of 14 December 2017 called on Member States, the Council and the Commission, in line with their respective competences, to take work forward in “*promoting cooperation of Member States on mutual recognition of higher education and school-leaving diplomas at secondary education level*”².
- (4) The 1997 Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention) and its subsidiary texts, developed by the Council of Europe and UNESCO, provides a legal framework for the recognition of higher education and upper secondary qualifications that give access to higher education.
- (5) Ministers for Education of the European Higher Education Area committed to the long-term goal of automatic recognition of comparable academic degrees in the Bucharest Communiqué of 2012. Progress was made including through the work of the Pathfinder Group on Automatic Recognition, but the goal has not been reached yet.
- (6) Ministers responsible for vocational education and training in Member States committed in 2002 to the Copenhagen Process, a process of enhanced cooperation that promotes recognition of qualifications and competences.
- (7) Quality assurance in particular has a key role to play in improving transparency, thus helping to build mutual trust. It is therefore important to build on the work already accomplished in the context of the Standards and Guidelines for Quality Assurance in the European Higher Education Area, the European Quality Assurance Reference Framework for Vocational Education and Training and referencing to the European Qualifications Framework for lifelong learning.
- (8) To facilitate the recognition of the learning outcomes in national legislation, including in the framework of mobility, the work on the implementation of a European Credit Transfer and Accumulation System and European Credit System for Vocational Education and Training should continue.

² EUCO 19/1/17 REV 1

- (9) The Council Recommendation of 22 May 2017 on a European Qualifications Framework for Lifelong Learning³ set out to improve the transparency, comparability and portability of qualifications, thus facilitating their recognition.
- (10) The European Parliament, in its Resolution of 20 April 2012 on Modernising Europe's higher education systems, calls for additional efforts on the part of the EU and its Member States to ensure more effective recognition and greater harmonisation of academic qualifications⁴.
- (11) In an increasingly globalised context, it is important that students can make the best possible use of all learning opportunities across Europe. For this to happen, a qualification awarded by a competent authority in one Member State should be valid in any other Member State for the purpose of accessing further learning activities. This includes third-country nationals who hold a qualification from one Member State and move to another Member State. However, the lack of this automatic recognition of qualifications and the outcomes of learning periods abroad is hampering mobility. A Union-wide approach to automatic recognition will provide the needed clarity and consistency to overcome remaining barriers.
- (12) In higher education, recognition procedures often remain too complicated or too expensive and too many mobile students do not obtain full recognition of successfully achieved learning outcomes. However, several Member States have taken the initiative to make progress towards automatic mutual recognition, including through the signature of regional agreements. These initiatives could serve as models for the creation of a Union-wide system.

³ OJ C 189, 15.6.2017, p. 15

⁴ P7_TA(2012)0139

- (13) At upper secondary education and training level, holders of qualifications giving access to higher education in one Member State often lack certainty about access to higher education in another Member State. In particular, some Member States do not recognise the qualifications that open access to higher education for holders of secondary qualifications in vocational education and training in other Member States. Furthermore, while shorter learning periods abroad do not necessarily create recognition problems, uncertainty remains an important challenge for periods between three months and one year.
- (14) A step-by-step approach will support Member States in putting in place the conditions that will make automatic mutual recognition possible. This approach will build on the tools already in place for higher education and vocational education and training, but will improve their use and progressively raise the level of ambition. In upper general secondary education and training, a cooperation process aimed at building the necessary level of trust between Member States' different education and training systems will be launched. This Recommendation provides a complementary approach to Member States' initiatives, and commitments are of a voluntary nature.
- (15) This Recommendation is without prejudice to the system for mutual recognition of professional qualifications and harmonised minimum training requirements for several professions pursuant to Directive (EC) 2005/36 of the European Parliament and the Council on the recognition of professional qualifications as amended by Directive (EU) 2013/55⁵.

⁵ Directive (EU) 2013/55 of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') OJ L 354 28.12.2013, p. 132

HEREBY RECOMMENDS THAT MEMBER STATES:

In accordance with national and Union legislation, available resources and national circumstances, building on the Lisbon Recognition Convention⁶ and its subsidiary texts and in close cooperation with all relevant stakeholders:

Key Principle

1. Put in place, by 2025, the steps necessary to
 - (a) achieve automatic mutual recognition⁷ for the purpose of further learning without having to go through a separate recognition procedure, so that:
 - i) a higher education qualification acquired in one Member State is automatically recognised⁸ at the same level, for the purpose of accessing further studies, in the others, without prejudicing a higher education institution's or the competent authorities' right to set specific admission criteria for specific programmes or to check the authenticity of documents;
 - ii) the outcomes from a learning period abroad at higher education level in one Member State are automatically and fully recognised in the others, as agreed beforehand in a learning agreement and confirmed in the Transcript of Records, in line with the European Credit Transfer and Accumulation System;

⁶ The Lisbon Convention on the Recognition of Qualifications concerning Higher Education in the European Region.

⁷ As defined in the Annex.

⁸ As defined in the Lisbon Recognition Convention and last confirmed for the Bologna Process in the Paris Communiqué of 25 May 2018.

- (b) make substantial progress towards the automatic mutual recognition for the purpose of further learning, so that:
- i) an upper secondary education and training qualification giving access to higher education in the Member State where this qualification was granted is recognised, only for the purpose of giving access to higher education, in the other Member States, without prejudicing a higher education institution's or the competent authorities' right to set specific admission criteria for specific programmes or to check the authenticity of documents;
 - ii) the outcomes from a learning period of up to one year abroad in another Member State during upper secondary education and training are recognised in any other, with the learner not being required to repeat the programme year or achieved learning outcomes in the country of origin, provided that the learning outcomes are broadly in line with the national curricula in the country of origin.

Higher Education

2. Acknowledging the importance of fostering transparency and building trust in each other's higher education systems to achieve automatic mutual recognition for the purpose of further learning, agree on fulfilling the following conditions, in which:
- (a) national qualifications frameworks or systems are referenced to the European Qualifications Framework, with the referencing reviewed and updated when relevant, and self-certified to the Qualifications Framework of the European Higher Education Area;
 - (b) higher education systems are organised in line with Bologna Process structures and principles, comprising a three-cycle framework and, where applicable to the Member State, a short cycle as defined in the qualification framework of the European Higher Education Area; and

- (c) external quality assurance is carried out by independent quality assurance agencies registered, or moving towards being registered, with the European Quality Assurance Register and which thus operate in line with both the Standards and Guidelines for Quality Assurance in the European Higher Education Area and the European Approach for Quality Assurance of Joint Programmes.
3. In cooperation with National Academic Recognition Information Centres, higher education institutions, quality assurance agencies and other key stakeholders, develop national guidance to support higher education institutions in producing and effectively implementing the following transparency tools, according to the European Credit Transfer and Accumulation System guidelines, thereby ensuring consistency and reducing administrative burdens for higher education institutions and learners:
- (a) up-to-date Course Catalogue, with descriptions of degree programmes, single educational units and grade distribution tables;
 - (b) Diploma Supplements for all graduates, issued automatically and free of charge in a widely used language and, where possible, in digital format; and
 - (c) transparent criteria for recognition that are applied throughout each higher education institution.
4. In cooperation with National Academic Recognition Information Centres provide expert support and training to higher education institutions to implement such national guidance, and monitor its implementation.

Upper Secondary Education and Training

5. In order to make substantial progress towards automatic mutual recognition of upper secondary education and training qualifications only for the purpose of further learning, foster transparency and build trust in each other's secondary education and training systems by:
 - (a) ensuring that national qualifications frameworks or systems are referenced to the European Qualifications Framework with the referencing reviewed and updated, when relevant;
 - (b) exchanging information and promoting mutual learning on quality assurance systems in school education, while fully respecting different national approaches in quality assurance; and
 - (c) developing further quality assurance instruments in vocational education and training in line with the European Framework for Quality Assurance in Vocational Education and Training and its further developments.

6. Facilitate mobility and recognition of the outcomes of learning periods abroad during upper secondary education and training by:
 - (a) supporting upper secondary education and training institutions on general principles and tools for recognition, for example through guidance material or training;
 - (b) promoting the use of transparent criteria and tools, such as learning outcomes-based learning agreements between the sending and hosting institutions. In vocational education and training, extending the use of the Union tools⁹; and
 - (c) promoting the benefits of mobility among upper secondary education and training institutions and learners and their families.

⁹ Such as those made available through the Europass online platform and the Memorandum of Understanding and Learning Agreement that are part of the European Credit system for Vocational Education and Training.

National Academic Recognition Information Centres

7. Develop the capacity and strengthen the role of National Academic Recognition Information Centres and credential evaluators, in particular with regard to information dissemination, the use of online tools to improve efficiency, transparency and consistency, and the goal of reducing administrative and financial burden for users of their services.

Permeability and mobility

8. Explore good practice with regard to the recognition of prior learning and permeability between education and training sectors, in particular between vocational education and training and higher education.

Evidence Base

9. Improve the evidence base by collecting and disseminating data on the extent and nature of recognition cases for the purpose of this Recommendation.

Reporting and Evaluation

10. Within three years from the adoption of this Recommendation, and regularly thereafter, report through existing frameworks and tools on experiences, good practices, including regional agreements, and progress towards automatic mutual recognition of qualifications and the outcomes of learning periods abroad.

HEREBY WELCOMES THE COMMISSION'S INTENTION TO:

11. Provide targeted support to Member States, including mutual learning, mapping of obstacles experienced in the current practice of recognition of qualifications, exchange of good practices and facilitating cooperation between Member States and with stakeholders, recognition authorities and international organisations, in particular the Council of Europe and the United Nations Educational, Scientific and Cultural Organisation. This cooperation shall aim to ensure the full implementation of the Bologna Process instruments for higher education in the Union, the Lisbon Recognition Convention and its subsidiary texts and the Copenhagen Process instruments for vocational education and training.
12. In the field of general upper secondary education, launch a Union level cooperation process under the Strategic Framework for European Cooperation in Education and Training ET 2020 or any successor framework, jointly with Member States, to initiate closer cooperation and exchange of practices among Member States at upper secondary education level to achieve the objectives of this Recommendation to foster transparency and build mutual trust in school education systems across the Union.
13. Establish, in cooperation with Member States, a user-friendly Union level online information service of upper secondary education and training qualifications giving access to higher education in each Member State, by further developing existing online platforms.
14. Explore synergies between Union transparency tools¹⁰ and, where appropriate, develop them further, with the objective of improving cooperation and mobility between education and training sectors.
15. Explore, in cooperation with Member States, the potential of new technologies, such as blockchain technology, to facilitate automatic mutual recognition.

¹⁰ Such as the Diploma Supplement, the Certificate Supplement, the European Credit Transfer and Accumulation System, the European Credit System for Vocational Education and Training, the European Qualifications Framework and those made available through the Europass online platform.

16. Explore, in cooperation with Member States and the National Academic Recognition Information Centres, an extension of their role to encompass other sectors of education and training and how to support them in such an extension.
17. Support the use of European sources of funding, such as Erasmus+ or European Structural and Investment Funds, where appropriate and in line with their financial capacity, legal basis, decision-making procedures and priorities defined for the period 2014-2020, without any prejudice to negotiations on the next Multiannual Financial Framework. Strengthen mobility in secondary education and training within the Erasmus+ Programme and its successor Programme.
18. Report to the Council within four years on the follow-up of the Recommendation through existing frameworks and tools, based on Member States' contributions.

HAS ADOPTED THIS RECOMMENDATION:

Done at Brussels,

For the Council

The President

GLOSSARY

Automatic mutual recognition of a qualification: the right for holders of a qualification of a certain level that has been issued by one Member State to be considered for entry to a higher education programme in the next level in any other Member State, without having to go through any separate recognition procedure. This shall not prejudice the right of a higher education institution or the competent authorities to set specific evaluation and admission criteria for a specific programme. It does not prejudice the right to check, if the qualification is authentic and, in case of an upper secondary education and training qualification, if it really gives access to higher education in the Member State of issuance or, in duly justified cases, if the granted qualification meets the requirements for accessing a specific higher education programme in the receiving Member State.

Automatic mutual recognition of the outcomes of a learning period abroad: at higher education level, the right to have the learning outcomes of a learning period recognised: as agreed beforehand in a learning agreement and confirmed in the Transcript of Records, in line with the European Credit Transfer and Accumulation System (ECTS). Concretely, it means applying the rule set out in the 2015 ECTS Users' Guide that states that: “[a]ll credits gained during the period of study abroad or during the virtual mobility – as agreed in the Learning Agreement and confirmed by the Transcript of Records – should be transferred without delay and counted towards the students' degree without any additional work or assessment of the student.” **At upper secondary level,** the right to have the learning outcomes from a learning period abroad in one Member State recognised in the country of origin, provided that the learning outcomes are broadly in line with those in the national curricula of the country of origin. This shall not prejudice the right of an education and training institution to set specific requirements in advance of a period of learning mobility, or to check that those requirements have been fulfilled on return from a period of learning mobility.

Blockchain: a way of enabling information to be recorded and shared by a community. Each member of the community maintains his or her own copy of the information. Entries are permanent, transparent and searchable. Each update is a new “block” added to the end of a “chain”.

Certificate Supplement: a document attached to a vocational education and training or professional certificate issued by the competent authorities or bodies, in order to make it easier for third persons – particularly in another country – to understand the learning outcomes acquired by the holder of the qualification, as well as the nature, level, context, content and status of the education and training completed and skills acquired.

Course Catalogue: described in the *ECTS Users’ Guide (2015)* as “[t]he Course Catalogue includes detailed, user-friendly and up-to-date information on the institution’s learning environment (general information on the institution, its resources and services, as well as academic information on its programmes and individual educational components) that should be available to students before entering and throughout their studies to help them to make the right choices and use their time most efficiently. The Course Catalogue should be published on the institution’s website, indicating the course/subject titles in the national language (or regional language, if relevant) and in English, so that all interested parties can easily access it. The institution is free to decide the format of the Catalogue, as well as the sequencing of the information. It should be published sufficiently in advance for prospective students to make their choices”.

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

Credential Evaluator: a person who evaluates qualifications or makes decisions on their recognition.

Diploma Supplement: a document attached to a higher education diploma issued by the competent authorities or bodies, in order to make it easier for third persons – particularly in another country – to understand the learning outcomes acquired by the holder of the qualification, as well as the nature, level, context, content and status of the education and training completed and skills acquired.

European Approach for Quality Assurance of Joint Programmes: endorsed by Education Ministers of the European Higher Education Area in 2015, its objective is to improve quality assurance of joint programmes by setting standards and removing obstacles to their recognition.

European Credit System for Vocational Education and Training (ECVET): a technical framework for the transfer, recognition and, where appropriate, accumulation of individuals' learning outcomes with a view to achieving a qualification. The European Credit System for Vocational Education and Training relies on the description of qualifications in units of learning outcomes, on transfer, recognition and accumulation processes, and on a series of complementary documents, such as memoranda of understanding and learning agreements.

European Credit Transfer and Accumulation System (ECTS): described in the *ECTS Users' Guide (2015)* as “[a] learner-centred system for credit accumulation and transfer, based on the principle of transparency of learning, teaching and assessment processes. Its objective is to facilitate planning, delivery and evaluation of study programmes and student mobility by recognising learning achievements and qualifications and periods of learning”.

European Higher Education Area Qualifications Framework (EHEA QF): overarching framework for qualifications within the 48-country European Higher Education Area. It comprises four cycles (short cycle, Bachelor, Master, doctoral studies), including, within national contexts, intermediate qualifications, generic descriptors for each cycle based on learning outcomes and competences, and credit ranges in the first and second cycle.

European Quality Assurance Register for Higher Education (EQAR): a register of quality assurance agencies, listing those that have demonstrated their substantial compliance with a common set of principles for quality assurance in Europe. These principles are set out in the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG).

European Quality Assurance in Vocational Education and Training (EQAVET): a community of practice which brings together Member States, social partners and the European Commission to develop and improve quality assurance in vocational education and training.

European Qualifications Framework (EQF): translation tool that aids communication and comparison between qualifications systems in Europe. Its eight common European reference levels are described in terms of learning outcomes: knowledge, skills and responsibility and autonomy. This allows any national qualifications systems, national qualifications frameworks and qualifications in Europe to relate to the European Qualifications Framework levels. Learners, graduates, providers and employers can use these levels to understand and compare qualifications awarded in different countries and by different education and training systems.

Learning Agreement: in higher education, defined in the *ECTS Users' Guide (2015)* as “[a] formalised agreement of the three parties involved in mobility – the student, the sending institution and the receiving institution or organisation/enterprise – to facilitate the organisation of credit mobility and its recognition. The agreement is to be signed by the three parties before the start of the mobility period and it is intended to give the student the confirmation that the credits he/she successfully achieves during the mobility period will be recognised”. **In upper secondary education and training,** an agreement of the three parties involved in mobility – the pupil/trainee, or his/her family, the sending institution and the receiving institution or organisation/enterprise – to facilitate the organisation of the learning period and its recognition. All three parties signing the Learning Agreement commit to comply with all the agreed arrangements, thereby ensuring that the pupil/trainee will receive the recognition for the learning period or learning outcomes without any further requirements.

Learning outcomes: statements of what a learner knows, understands and is able to do on completion of a learning process, which are defined in terms of knowledge, skills and competences.

National qualifications framework: an instrument for the classification of qualifications according to a set of criteria for specified levels of learning achieved, which aims to integrate and coordinate national qualifications subsystems and improve the transparency, access, progression and quality of qualifications in relation to the labour market and civil society.

Higher education institution¹¹: any type of higher education institution which, in accordance with national law or practice, offers recognised degrees or other recognised tertiary level qualifications, whatever such establishment may be called, as well as any other type of higher education institution which is recognised by the national authorities as belonging to its higher education system.

Qualification: a formal outcome of an assessment and validation process which is obtained when a competent authority or body determines that an individual has achieved learning outcomes to given standards.

Recognition of prior learning: the recognition of learning outcomes, whether from formal education and training or non-formal or informal learning, which were acquired before requesting validation¹².

Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG): a set of standards and guidelines for internal and external quality assurance in higher education, developed within the Bologna Process. They provide guidance on areas which are vital for successful quality provision and learning environments in higher education. The Standards and Guidelines for Quality Assurance in the European Higher Education Area should be considered in a broader context that includes qualification frameworks, the European Credit Transfer and Accumulation System and the Diploma Supplement, all of which contribute to promoting transparency and mutual trust in the European Higher Education Area.

Transcript of Records: defined in the *ECTS Users' Guide (2015)* as “[a]n up-to-date record of the students’ progress in their studies: the educational components they have taken, the number of European Credit Transfer and Accumulation System points they have achieved, and the grades they have been awarded. It is a vital document for recording progress and for recognising learning achievements, including for student mobility. Most institutions produce the Transcript of Records from their institutional databases”.

¹¹ EL scrutiny reservation

¹² Council Recommendation on the validation of non-formal and informal learning, OJ C 398, 22.12.2012, p.1.