



United Nations Educational, Scientific and Cultural Organization

PREAMBLE

The Parties to the present Convention,

Considering the close bonds of solidarity that history and geography have forged between them;

Reaffirming, as proclaimed in the Constitutive Act of the African Union, their common resolve to strengthen understanding and co-operation among the African peoples;

Taking into account the launch of the Second Decade of Education for Africa (2006-2015) Plan of Action, which refers to higher education as one of the seven areas of focus;

Considering the paramount role that the systems of education can and must play in promoting continental integration through co-operation between higher education institutions;

Taking into account the fact that the right to education forms part of basic human rights and hence the need to facilitate access to higher education to the greatest number of people, according to their abilities and irrespective of their social status, gender, nationality or community;

Conscious of the importance of mobility and the recognition of studies, certificates, diplomas, degrees and other academic qualifications for expanding higher education and for promoting the social and economic development of Africa;

Reaffirming the "World Declaration on Higher Education for the Twenty-First Century: Vision and Action", adopted by the 1998 UNESCO World Conference on Higher Education, especially when it underlined the need for ratifying and implementing normative instruments for the recognition of certificates, diplomas and degrees and for mobility within the education systems, as well as giving priority to postgraduate training in Africa;

Reaffirming the outcomes of the 2009 UNESCO World Conference on Higher Education which acknowledged the tremendous progress made and gave priority focus to the development of a higher education and research area in Africa;

Conscious of the challenges created by the globalization of higher education as promoted by the World Trade Organization through its General Agreement on Trade in Services (GATS);

Considering that higher education is a public service provided by public and private institutions, whose organization and operation attach great importance to the principles of academic freedom and autonomy of universities and research institutions and aware of the need to uphold and protect these principles;

Recognizing the diversification, differentiation and expansion of higher education systems in Africa and the need to adapt the existing legal instruments and practices in order to promote the mobility of students, teachers and researchers at the national, continental and international levels;

Taking into account the role played by UNESCO in this area by facilitating the adoption of Regional Conventions on the recognition of qualifications in higher education;

Conscious of the need for quality, and to encourage institutions and national accreditation bodies to develop internal and external quality assurance mechanisms, and to take advantage of the Information and Communication Technologies (ICTs) to improve teaching and learning through Open and Distance Learning (ODL), Cross-Border Education (CBE), and the use of Open Educational Resources (OERs);

Determined to organize and reinforce the recognition of studies, certificates, diplomas, degrees and other academic qualifications in higher education, as well as the management of quality by national, bilateral, regional and continental organizations which already exist or which will be created for that purpose;

Convinced that the mutual recognition of studies, diplomas and degrees in higher education by all the competent authorities and institutions constitutes an important step in the fight against qualifications issued by non-recognized providers;

Expressing the belief that this Convention will constitute a major element towards a more wide-ranging action leading, on the one hand, to the construction of an African higher education and research area and, on the other hand, to a possible global convention on the recognition of qualifications in higher education;

HAVE AGREED as follows:

SECTION I. DEFINITIONS

Article I

For the purpose of the present Convention the following terms shall have the following meaning:

1981 Convention: the Regional Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and other Academic Qualifications in Higher Education in the African States, adopted in Arusha on 5 December 1981;

Access: The possibility for eligible candidates to apply and to be considered for admission to higher education.

Accreditation: A process of assessment and review that enables a higher education programme or institution to be recognized or certified by the appointed body as meeting appropriate standards.

Admission: The authorization of qualified applicants to pursue studies in higher education at a given institution and/or in a given programme.

Authorization: A permit delivered by a body officially mandated to authorize the creation of an institution or a new branch of specialization in a higher education institution.

Competent recognition authority: A body officially charged with making decisions on the recognition of foreign qualifications.

Cross-border higher education: Higher education that takes place in situations where the teacher, student, programme, institution/provider or course materials cross national jurisdictional borders.

Higher Education: All programmes of study, or sets of courses of study, training, or training for research at the post secondary level which are recognized by the relevant authorities of a State Party as belonging to its higher education system.

Higher Education Institution: An institution providing higher education and recognized by the competent authority of a State as belonging to its higher education system, and authorized to award qualifications at the higher education level.

Learning Outcomes: Results of what a learner knows, understands and is able to do upon completion of a learning process.

Life-Long Learning: Education through experience and formal or informal studies covering the entire span of one's life.

Open and Distance Learning: Provision of higher education via different attendance study modalities or remote delivery using ICTs or a combination of both.

Partial Studies: Education whose duration or content is incomplete according to the regulations and rules of the institution, and which, not having resulted in the conferral of a qualification, has been subjected to an evaluation and a validation, in accordance with the regulations and rules of the institution concerned.

Prior Learning: Learning and/or experience that have already been acquired in different ways either formal or non-formal.

Qualification in Higher Education: Any degree, diploma or other certificate issued by an accredited higher education institution attesting the successful completion of an approved higher education programme.

Qualifications Frameworks: Systems for classification, registration, publication and articulation of quality assured qualifications

Quality Assurance: An ongoing process of evaluating and enhancing the quality of a higher education system, institutes or programmes to assure stakeholders that acceptable standards are maintained and enhanced.

Recognition: A formal acknowledgement by a competent authority of a Party of the value of a foreign education qualification or a validated training.

Region: A sub-part of the African continent.

Validation: Procedure by which a competent authority evaluates qualifications in accordance with norms and standards recognized nationally or internationally.

SECTION II. AIMS OF THE CONVENTION

Article II.

1. The aims of the present Convention are:

- a. Strengthening and promoting inter-regional and international co-operation in the field of recognition of qualifications;
- b. Defining and putting in place effective quality assurance and accreditation mechanisms at the national, regional and continental levels;
- c. Encouraging and promoting the widest and most effective possible use of human resources available in Africa and of the diaspora in order to speed up the development of their respective countries and to limit African brain-drain;
- d. Facilitating the exchange and greater mobility of students, teachers and researchers of the continent and the diaspora, by the recognition of qualifications delivered by other Parties in order to pursue higher education;
- e. Furthering the setting up of high-level joint training and research programmes between higher education institutions and supporting the award of joint degrees;
- f. Improving and reinforcing the collection and exchange of information for the purpose of implementing this Convention across the Continent;
- g. Contributing to the harmonization of qualifications, taking into account current global trends.

2. The Parties agree to take all necessary steps at the national and regional levels with a view of achieving the goals defined in the present Article.

SECTION III. OBLIGATIONS OF THE PARTIES

Article III.1 - General Provisions

1. The provisions of this Convention apply to qualifications obtained in public or private higher education institutions recognized by the competent authority/authorities of a Party, located within or outside its national boundaries and in compliance with the legislation in force..
2. The recognition by a Party of a delivered qualification is contingent upon the fulfillment of all the qualification's requirements.
3. The provisions of the present Convention apply to all forms of higher education as defined in Article I.

Article III.2 - Obligations Related to the Recognition of Qualifications

1. Each Party shall recognize, for the purpose of access to each of its higher education programmes, the qualifications issued by the other Parties that meet the general requirements for access to these respective higher education programmes, unless a substantial difference can be shown between the general requirements for access in the Party in which the qualifications were obtained and those in the Party in which recognition of the qualifications is sought.
2. Parties agree to take all necessary measures in order to facilitate access to the higher education institutions of their country for qualifications holders of other Parties who satisfy the requirements for admission to the appropriate higher education programme.
3. Parties agree to define the criteria and procedures for the evaluation of qualifications to ensure expected learning outcomes in order to facilitate and reinforce mobility within and between the Parties.
4. Parties agree to take the necessary measures to ensure that the qualifications issued by an accredited institution of higher education of a Party are recognized for the purpose of employment in conformity with labour laws in the receiving Party.
5. Parties, through competent recognition authorities, agree to establish appropriate procedures to assess whether refugees and internally displaced persons respectively fulfil relevant requirements to access higher education through recognition of prior learning and qualifications for employability and integration.

Article III.3 - Recognition of Partial Studies

Each Party agrees to recognize the level of learning outcomes / competences, provided that it corresponds to the equivalent studies of a higher education programme whose recognition is requested.

Article III.4 - Validation of Acquired Relevant Experience and Prior Learning

Parties agree, with a view to promoting adult education and life-long learning, to adopt procedures, criteria and standards that allow the validation of acquired relevant experience and prior learning for access to higher education programmes.

SECTION IV. IMPLEMENTATION

Article IV.1 - Process for the Recognition of Qualifications

The process for the recognition of qualifications should take into account quality assurance mechanisms and the accreditation of programmes and institutions issuing qualifications.

Article IV.2

1. Parties shall take appropriate measures to ensure that holders of qualifications issued by a higher education institution of other Parties shall have adequate access, upon request to the appropriate body, to an assessment of these qualifications in a timely manner.
2. Parties undertake to make appropriate arrangements for the assessment of an application for recognition of qualifications solely on the basis of knowledge, skills and competences achieved.
3. Parties commit to adopt measures to eradicate all forms of fraudulent practices regarding higher education qualifications.

Article IV.3

Each Party shall ensure that the procedures and criteria used in the assessment and recognition of qualifications are transparent, coherent, reliable, fair and non-discriminatory, in particular, by making public such procedures and criteria.

Article IV.4

Parties shall ensure that decisions on recognition of qualifications are made in the following manner:

- a. Decisions on recognition are made on the basis of appropriate information on the qualifications for which recognition is sought:
- b. In the first instance, the responsibility for providing adequate information rests with the holder of the qualifications who shall provide such information in good faith.
- c. 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.
- d. Parties shall encourage institutions belonging to their education systems to provide, upon request and within a reasonable timeframe, relevant information to the holder of the qualifications or to the institution or the competent recognition authority of the Party in which recognition is sought.
- e. The responsibility to demonstrate that an application does not fulfill the relevant requirements lies with the body undertaking the assessment.

Article IV.5

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

Revised Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications in Higher Education in A... provided.

Article IV.6

Decisions on recognition of qualifications 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 holder of the qualifications may take in order to obtain recognition at a later stage. If recognition is withheld, or if no decision is taken, the holder of the qualifications shall be entitled to make an appeal within a reasonable time limit.

Article IV.7 - Implementing Structures and Cooperation

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

1. National Implementation Structures
2. The Convention Committee
3. The African Network of National Implementation Structures
4. Bilateral and regional bodies

Article IV.8 - National Implementation Structures

1. Parties agree to put in place national structures, and to update them where and when necessary, in order to evaluate the practices of their higher education system and to ensure the transparency of the system, institutions, programmes and qualifications.
2. Parties agree to create and ensure the regular operation of quality assurance mechanisms to be officially recognized and empowered to carry out periodic evaluations of higher education institutions and programmes.
3. Parties agree to make use of national and regional qualifications frameworks, where they exist, in the recognition processes.
4. Parties agree to encourage close cooperation among the relevant structures (governmental or non-governmental), in particular the higher education institutions, the validation authorities, the professional organizations and other educational institutions and associations, in order to achieve the aims of this Convention.
5. Parties, in order to reinforce exchanges of information on recognition of qualifications in higher education, agree to have a system to collect and disseminate information and successful experiences as regards recognition of qualifications, as well as mechanisms for quality assurance and accreditation of institutions and programmes. This may take the form of a national information service. Parties agree to make available to all other Parties complete, reliable and regularly updated data and information about level of enrolment, recognized higher education institutions, programmes, subjects, studies, degrees, qualifications, as well as the recognition of higher education qualifications and diplomas in their territories.
6. 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 this Convention's provisions within the Party's territory.
7. 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, or any time thereafter. In such cases, the competent recognition authorities of the components of the Party so designated shall take the measures necessary to ensure the implementation of the provisions of this Convention within the Party's territory.
8. 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.

Article IV.9 - Convention Committee

1. A Convention Committee composed of a representative of each Party is hereby established.
2. The Convention Committee shall meet in ordinary session every two years. It may meet in extraordinary session if it so decides or at the request of at least one-third of the Parties.
3. The Convention Committee shall assist and monitor the implementation of the Convention by Parties. In that context, the Convention Committee may provide guidance on best practices and make recommendations on the implementation of the Convention.
4. To that end, the Convention Committee shall adopt guidelines for the implementation of the Convention.
5. The Convention Committee shall adopt its own Rules of Procedure.
6. The Convention Committee may establish subsidiary bodies and technical committees as necessary for the accomplishment of its tasks, by defining their composition, powers and mandate.
7. The Secretariat of the Convention Committee shall be provided by the Director-General of UNESCO.
8. The Secretariat shall prepare the documentation of the Convention Committee and assists in the execution of the decisions of the Convention Committee.

Article IV.10 African Network of National Implementation Structures

1. A network of national implementation structures providing information on mobility and recognition shall be established to assist the practical implementation of this Convention by the competent recognition authorities by facilitating the exchange of information among the Parties relating to recognition and mobility, as well as counter-fraud measures.

2. Parties shall appoint representatives from the national implementation structures to the African network.
3. The African network shall meet annually and report to the Convention Committee.
4. The Secretariat of the African network shall be provided by the Director-General of UNESCO.

Article IV.11 - Bilateral and Regional Structures

1. In accordance with the provisions of the Convention, Parties are encouraged to consult and coordinate the implementation of the Convention at the bilateral level.
2. The Convention Committee may, in order to ensure a wide and harmonious implementation of the Convention, seek expert advice from any external private or public entities or individuals to study and find solutions to problems that arise as a result of differences that exist between higher education systems and evaluation processes when applied to different regions of Africa.
3. The Convention Committee may cooperate with the African Union and other relevant bodies in assisting and monitoring the implementation of the Convention by the Parties.

Article IV.12 - Cooperation among Regional Conventions

The Convention Committee shall maintain its 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.

Article IV.13 - Financial Contributions

1. Parties undertake to ensure the proper and regular operation of the bodies referred to in Article IV.7 by contributing financially to their activities.
2. The Parties undertake to mobilize additional resources from continental and regional bodies of co-operation and integration.

SECTION V. FINAL CLAUSES

Article V.1 – Signature, Ratification, Acceptance, Approval or Accession

1. This Convention shall be open for signature and ratification, acceptance, approval or accession by:
 - (a) the Member States of UNESCO belonging to the Africa Region as defined in the "Definition of regions with a view to the execution by the Organization of regional activities" adopted by the General Conference of UNESCO; and
 - (b) the Holy See.
2. The consent to be bound by this Convention may be expressed by one of the following means:
 - (a) a signature without reservation as to ratification, acceptance, approval or accession;
 - (b) a signature, subject to ratification, acceptance, approval, or accession followed by ratification, acceptance, approval or accession; or
 - (c) the deposit of an instrument of ratification, acceptance, approval or accession.
3. Instruments of ratification, acceptance, approval or accession shall be deposited with the Director-General of UNESCO.

Article V.2 – Entry into Force

The Convention shall enter into force one month after the date when ten Member States of UNESCO belonging to the Africa Region referred to in Article V.1.1 have expressed their consent to be bound by the Convention by any of the means specified in Article V.1.2. It shall enter into force with respect to any other Parties one month after they have expressed their consent to be bound by the Convention by any of the means specified in Article V.1.2.

Article V.3 – Relationship to the 1981 Convention

1. Parties to the present Convention which are at the same time Parties to the 1981 Convention:
 - (a) shall apply the provisions of the present Convention in their mutual relations;
 - (b) shall continue to apply the 1981 Convention in their relations with any other Parties to the 1981 Convention that is not a Party to the present Convention.
2. The Parties to the present Convention undertake to abstain from becoming a Party to the 1981 Convention in the event that they are not already a Party to that Convention.

Article V.4 - Denunciation

1. Any Party 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 instrument of denunciation has been received by the Director-General of UNESCO. It shall have no retroactive effects, nor shall it affect the recognition of studies, certificates, diplomas, degrees or other qualifications, which has taken place in accordance with the provisions of the Convention previously.

