



HRVATSKI SABOR

KLASA: 022-03/21-01/61

URBROJ: 65-21-02

Zagreb, 19. srpnja 2021.



Hs**NP*022-03/21-01/61*65-21-02**Hs

**ZASTUPNICAMA I ZASTUPNICIMA
HRVATSKOGA SABORA**

**PREDSJEDNICAMA I PREDSJEDNICIMA
RADNIH TIJELA**

Na temelju članaka 178. i 192., a u svezi članka 207.a Poslovnika Hrvatskoga sabora u prilogu upućujem ***Konačni prijedlog zakona o potvrđivanju Globalne konvencije o priznavanju kvalifikacija u visokom obrazovanju***, koji je predsjedniku Hrvatskoga sabora podnijela Vlada Republike Hrvatske, aktom od 16. srpnja 2021. godine.

Za svoje predstavnike, koji će u njezino ime sudjelovati u radu Hrvatskoga sabora i njegovih radnih tijela, Vlada je odredila ministra znanosti i obrazovanja dr. sc. Radovana Fuchsa i državne tajnike Ivicu Šuška i Stipu Mamića.

PREDSJEDNIK

Gordan Jandroković



VLADA REPUBLIKE HRVATSKE

KLASA: 022-03/21-01/50
URBROJ: 50301-04/25-21-2

Zagreb, 16. srpnja 2021.

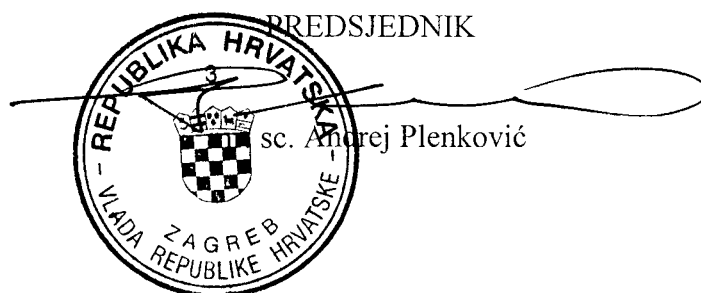
PREDSJEDNIKU HRVATSKOGA SABORA

PREDMET: Konačni prijedlog zakona o potvrđivanju Globalne konvencije o priznavanju kvalifikacija u visokom obrazovanju

Na temelju članka 85. Ustava Republike Hrvatske („Narodne novine“, br. 85/10. - pročišćeni tekst i 5/14. - Odluka Ustavnog suda Republike Hrvatske) i članka 207.a Poslovnika Hrvatskoga sabora („Narodne novine“, br. 81/13., 113/16., 69/17., 29/18., 53/20., 119/20. - Odluka Ustavnog suda Republike Hrvatske i 123/20.), Vlada Republike Hrvatske podnosi Konačni prijedlog zakona o potvrđivanju Globalne konvencije o priznavanju kvalifikacija u visokom obrazovanju.

Za svoje predstavnike, koji će u njezino ime sudjelovati u radu Hrvatskoga sabora i njegovih radnih tijela, Vlada je odredila ministra znanosti i obrazovanja dr. sc. Radovana Fuchsa i državne tajnike Ivicu Šuška i Stipu Mamića.

PREDSJEDNIK
sc. Andrej Plenković



VLADA REPUBLIKE HRVATSKE

**KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU GLOBALNE KONVENCIJE
O PRIZNAVANJU KVALIFIKACIJA U VISOKOM OBRAZOVANJU**

Zagreb, srpanj 2021.

KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU GLOBALNE KONVENCIJE O PRIZNAVANJU KVALIFIKACIJA U VISOKOM OBRAZOVANJU

I. USTAVNA OSNOVA

Ustavna osnova za donošenje ovoga zakona sadržana je u odredbi članka 140. stavka 1. Ustava Republike Hrvatske („Narodne novine“, br. 85/10. - pročišćeni tekst i 5/14. - Odluka Ustavnog suda Republike Hrvatske).

II. OCJENA STANJA I CILJ KOJI SE DONOŠENJEM ZAKONA ŽELI POSTIĆI

Konvencija o priznavanju visokoškolskih kvalifikacija u području Europe („Narodne novine - Međunarodni ugovori“, broj 9/02.), sastavljena u Lisabonu, 11. travnja 1997., stupila je na snagu u odnosu na Republiku Hrvatsku 1. prosinca 2002. te je jedna od regionalnih konvencija Organizacije Ujedinjenih naroda za obrazovanje, znanost i kulturu (u daljnjem tekstu: UNESCO) o priznavanju visokoškolskih kvalifikacija.

Globalna konvencija o priznavanju kvalifikacija u visokom obrazovanju (u daljnjem tekstu: Globalna konvencija) usvojena je, 25. studenoga 2019., na Općoj konferenciji UNESCO-a u Parizu, većinom glasova predstavnika država članica, među kojima je bila i Republika Hrvatska, koja je sudjelovala u međunarodnim konzultacijama prilikom izrade Globalne konvencije. Globalna konvencija prva je konvencija Ujedinjenih naroda globalne razine koja istodobno nadopunjava regionalne konvencije UNESCO-a o priznavanju visokoškolskih kvalifikacija i poboljšava njihovu povezanost.

Glavni cilj Globalne konvencije je uspostavljanje međunarodnog normativnog instrumenta za priznavanje kvalifikacija u visokom obrazovanju na globalnoj razini. Time bi se osnažila međuregionalna akademska mobilnost, promicanje jačanja međunarodne suradnje u visokom obrazovanju, demokratizacija visokog obrazovanja te mogućnosti cjeloživotnog učenja za sve.

U skladu s člankom XIX. Globalne konvencije, koji uređuje odnos između država stranaka ove Globalne konvencije i stranaka regionalnih konvencija o priznavanju visokoškolskih kvalifikacija i ostalih međunarodnih ugovora, države stranke potiču međusobnu potporu između ove Globalne konvencije i ostalih ugovora čije su države stranke, osobito između regionalnih konvencija o priznavanju visokoškolskih kvalifikacija, s time da se nijedna odredba Globalne konvencije ne smije tumačiti na način kojim bi se mijenjala prava i obveze država stranaka na temelju regionalnih konvencija o priznavanju visokoškolskih kvalifikacija i bilo kojih drugih ugovora čije su države stranke.

III. OSNOVNA PITANJA KOJA SE PREDLAŽU UREDITI ZAKONOM

Ovim zakonom potvrđuje se Globalna konvencija kako bi njezine odredbe, u smislu članka 141. Ustava Republike Hrvatske, postale dio unutarnjeg pravnog poretka Republike Hrvatske.

Oslanjajući se na regionalne konvencije UNESCO-a o priznavanju visokoškolskih kvalifikacija, Globalnom konvencijom se uspostavlja dodatni međunarodni pravni okvir za pravedno, transparentno i nediskriminirajuće priznavanje inozemnih visokoškolskih kvalifikacija.

Svrha Globalne konvencije je olakšavanje akademske mobilnosti, poboljšavanje kvalitete i jačanje međunarodne suradnje u visokom obrazovanju.

Države stranke su suglasne da će Globalnu konvenciju provoditi putem ili u suradnji s nacionalnim provedbenim strukturama, mrežama nacionalnih provedbenih struktura, nacionalnim, regionalnim i globalnim organizacijama za akreditiranje, osiguravanje kvalitete, kvalifikacijske okvire i priznavanje kvalifikacija, međuvladinom konferencijom država stranaka, odborima regionalnih konvencija o priznavanju, uključujući nacionalne izvještajne centre ili slična tijela.

Globalnom konvencijom osniva se Međuvladina konferencija država stranaka sastavljena od predstavnika država stranaka, koja promiče primjenu Globalne konvencije i nadgleda njenu provedbu.

IV. OCJENA SREDSTAVA POTREBNIH ZA PROVOĐENJE ZAKONA

Za provođenje ovoga zakona nije potrebno osigurati dodatna financijska sredstva u državnom proračunu Republike Hrvatske.

V. ZAKONI KOJIMA SE POTVRĐUJU MEĐUNARODNI UGOVORI

Temelj za donošenje ovoga zakona nalazi se u članku 207.a Poslovnika Hrvatskoga sabora („Narodne novine“, br. 81/13., 113/16., 69/17., 29/18., 53/20., 119/20. - Odluka Ustavnog suda Republike Hrvatske i 123/20.), prema kojem se zakoni, kojima se u skladu s Ustavom Republike Hrvatske, potvrđuju međunarodni ugovori, donose u pravilu u jednom čitanju, a postupak donošenja pokreće se podnošenjem konačnog prijedloga zakona o potvrđivanju međunarodnog ugovora.

S obzirom na prirodu postupka potvrđivanja međunarodnih ugovora, kojim država i formalno izražava spremnost biti vezana već potpisanim međunarodnim ugovorom, kao i na činjenicu da se u ovoj fazi postupka ne može mijenjati ili dopunjavati tekst međunarodnog ugovora, predlaže se ovaj Konačni prijedlog zakona raspraviti i prihvatiti u jednom čitanju.

KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU GLOBALNE KONVENCIJE O PRIZNAVANJU KVALIFIKACIJA U VISOKOM OBRAZOVANJU

Članak 1.

Potvrđuje se Globalna konvencija o priznavanju kvalifikacija u visokom obrazovanju, sastavljena u Parizu, 25. studenoga 2019., u izvorniku na arapskom, kineskom, engleskom, francuskom, ruskom i španjolskom jeziku.

Članak 2.

Tekst Globalne konvencije iz članka 1. ovoga Zakona, u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik, glasi:

GLOBALNA KONVENCIJA O PRIZNAVANJU KVALIFIKACIJA U VISOKOM OBRAZOVANJU

PREAMBULA

Opća skupština Organizacije Ujedinjenih naroda za obrazovanje, znanost i kulturu, koja se sastala u Parizu od 12. do 27. studenoga 2019., na svom 40. zasjedanju,

nadahnutu zajedničkom voljom za jačanjem obrazovnih, geografskih, humanitarnih, kulturnih, znanstvenih i socioekonomskih veza među državama strankama i unaprjeđenjem dijaloga među regijama te dijeljenjem njihovih instrumenata i praksi priznavanja,

pozivajući se na Statut Organizacije Ujedinjenih naroda za obrazovanje, znanost i kulturu (UNESCO), koji određuje da je „cilj Organizacije doprinijeti miru i sigurnosti promicanjem suradnje među nacijama putem obrazovanja, znanosti i kulture“,

imajući na umu odredbe Povelje Ujedinjenih naroda iz 1945., Opće deklaracije o ljudskim pravima iz 1948., Konvencije o pravnom položaju izbjeglica iz 1951. i njenog Protokola iz 1967., Konvencije o pravnom položaju osoba bez državljanstva iz 1954., Konvencije UNESCO-a o borbi protiv diskriminacije u prosvjeti iz 1960., posebice njen članak 4.a, Međunarodnog pakta o gospodarskim, socijalnim i kulturnim pravima iz 1966. i Konvencije UNESCO-a o tehničkom i strukovnom obrazovanju iz 1989.,

imajući na umu Preporuku UNESCO-a o priznavanju studija i kvalifikacija u visokom obrazovanju iz 1993.; Preporuku UNESCO-a o statusu visokoškolskih nastavnika iz 1997.; Deklaraciju Ujedinjenih naroda o pravima autohtonih naroda iz 2007.; i Preporuku UNESCO-a o znanosti i znanstvenim istraživačima iz 2017.,

oslanjajući se na regionalne konvencije UNESCO-a o priznavanju kvalifikacija u visokom obrazovanju,

potvrđujući odgovornost država stranaka u promicanju uključivog, pravičnog i kvalitetnog obrazovanja na svim razinama i mogućnosti cjeloživotnog učenja za sve,

svjesna povećanja međunarodne suradnje u visokom obrazovanju, mobilnosti studenata, radnika, stručnjaka, istraživača i sveučilišnih nastavnika, promjena na području znanstvenih istraživanja te različitih načina, metoda, razvoja i inovacija u poučavanju i učenju,

uzimajući u obzir da je visoko obrazovanje, čiju djelatnost obavljaju podjednako javna i privatna visoka učilišta, javno dobro i javna odgovornost te **svjesna** potrebe da se podrže i zaštite načela akademske slobode i autonomije visokih učilišta,

uvjeren da će međunarodno priznavanje kvalifikacija u visokom obrazovanju olakšati međuovisno učenje i razvoj znanja kroz mobilnost studenata i učenja, nastavnika, znanstvenih istraživanja i istraživača, kao i radnika i stručnjaka te poboljšati međunarodnu suradnju u visokom obrazovanju,

poštujući kulturnu raznolikost među državama strankama, uključujući, među ostalim, razlike u obrazovnoj tradiciji i vrijednostima visokog obrazovanja,

želeći odgovoriti na potrebu za globalnom konvencijom o priznavanju kvalifikacija u visokom obrazovanju koja bi nadopunjavala regionalne konvencije UNESCO-a o priznavanju kvalifikacija u visokom obrazovanju i poboljšavala njihovu povezanost,

uvjeren u potrebu pronalaženja zajedničkih, praktičnih i transparentnih rješenja za unaprjeđenje praksi priznavanja na globalnoj razini,

uvjeren da će ova Konvencija promicati međunarodnu mobilnost, kao i komunikaciju i suradnju u pogledu pravednih i transparentnih postupaka priznavanja te osiguravanja kvalitete i akademskog integriteta u visokom obrazovanju na globalnoj razini,

usvaja ovu Konvenciju dvadesetpetoga dana studenoga 2019.

ODJELJAK I. DEFINICIJE POJMOVA

Članak I.

U svrhe ove Konvencije primjenjuju se sljedeće definicije:

pristup (visokom obrazovanju): pravo osigurano svakom pojedincu koji posjeduje kvalifikaciju da podnese zahtjev i bude uzet u obzir za upis na neku razinu visokog obrazovanja

upis (na visoka učilišta i studijske programe): postupak ili sustav kojim se podnositeljima zahtjeva koji zadovoljavaju uvjete dopušta studiranje na određenom visokom učilištu i/ili praćenje određenog studijskog programa

podnositelj zahtjeva:

- (a) pojedinac koji tijelu nadležnom za priznavanje podnosi svoju kvalifikaciju, razdoblje studija ili prethodno učenje na postupak vrednovanja i/ili priznavanja; ili
- (b) pravna osoba ili tijelo koje uz odobrenje postupa u ime pojedinca

vrednovanje: evaluacija kvalifikacije, razdoblja studija ili prethodnog učenja podnositelja zahtjeva koju provodi tijelo nadležno za priznavanje zaduženo za vrednovanje kvalifikacija

nadležno tijelo: pojedinac ili pravna osoba ili tijelo koje ima ovlast, sposobnost ili pravnu snagu za obavljanje namijenjene djelatnosti

tijelo nadležno za priznavanje: pravna osoba ili tijelo koje u skladu sa zakonodavstvom, politikama ili praksom države stranke vrednuje kvalifikacije i/ili donosi odluke o priznavanju kvalifikacija

jedinice regionalne samouprave: službeni entiteti države stranke ove Konvencije na razini podnacionalnih nadležnosti, poput pokrajina, država, županija ili kantona, u skladu s člankom XX. b) ove Konvencije, Savezna ili neunitarna ustavna uređenja

prekogranično obrazovanje: svi načini pružanja obrazovnih usluga koji uključuju kretanje osoba, znanja, programa, pružatelja usluga i studijskih programa preko granica država stranaka, što uključuje, ali nije ograničeno na združene studije, prekogranično visoko obrazovanje, transnacionalno obrazovanje, offshore obrazovanje i obrazovanje bez granica, koji su zadovoljili uvjete za osiguravanje kvalitete

raseljena osoba: pojedinac koji je prisiljen napustiti svoje područje ili okruženje i profesionalne aktivnosti i preseliti se na drugo područje ili okruženje

formalni sustav obrazovanja: obrazovni sustav države stranke, uključujući sve službeno priznate pravne osobe ili tijela koja su nadležna za područje obrazovanja, kao i javne i privatne obrazovne ustanove na svim razinama koje priznaju nadležna tijela države stranke i koje su stoga ovlaštene za pružanje obrazovnih usluga i drugih usluga povezanih s obrazovanjem

formalno učenje: učenje koje proizlazi iz aktivnosti koje se izvode unutar strukturirane okoline za učenje, koje vodi do stjecanja formalne kvalifikacije te koje pruža obrazovna ustanova koju priznaju nadležna tijela države stranke i koja je stoga ovlaštena izvoditi takve aktivnosti učenja

visoko obrazovanje: sve vrste studijskih programa ili skupine kolegija na razini višoj od srednjoškolske, koje priznaju nadležna tijela u državi stranci ili njenoj jedinici regionalne samouprave kao dio svog sustava visokog obrazovanja

visoko učilište: ustanova koja obavlja djelatnost visokog obrazovanja i koju priznaju nadležna tijela države stranke ili njene jedinice regionalne samouprave kao dio svog sustava visokog obrazovanja

studijski program: program studija na razini višoj od srednjoškolske koji priznaju nadležna tijela države stranke ili njene jedinice regionalne samouprave kao dio svog sustava visokog obrazovanja i čiji uspješan završetak omogućuje studentu stjecanje kvalifikacije u visokom obrazovanju

informalno učenje: učenje koje se odvija izvan formalnog sustava obrazovanja i koje proizlazi iz svakodnevnih aktivnosti vezanih uz posao, obitelj, lokalnu zajednicu ili slobodno vrijeme

združena kvalifikacija: vrsta kvalifikacije stečene u okviru prekograničnog obrazovanja, pojedinačna kvalifikacija koju zajednički priznaju i/ili odobravaju i dodjeljuju dva ili više visokih učilišta koja pripadaju više nego jednoj državi, nakon završetka integriranog, usklađenog i zajednički ponuđenog studijskog programa

ishodi učenja: znanja i vještine koje je osoba stekla nakon završenog procesa učenja

cjeloživotno učenje: proces koji se odnosi na sve aktivnosti učenja tijekom života, bilo da se radi o formalnom, neformalnom ili informalnom učenju i čija je svrha poboljšanje i razvoj ljudskih kapaciteta, znanja, vještina, stavova i kompetencija

mobilitet: fizičko ili virtualno kretanje pojedinaca izvan vlastite države u svrhu studiranja, istraživačke djelatnosti, poučavanja ili rada

neformalno učenje: učenje ostvareno u okviru obrazovanja i osposobljavanja koje stavlja naglasak na profesionalni život i koje ne pripada formalnom sustavu obrazovanja

netradicionalni načini učenja: formalni, neformalni i informalni mehanizmi izvođenja obrazovnih programa i aktivnosti učenja koji nisu prvenstveno temeljeni na interakciji licem u lice između nastavnika i polaznika

djelomično priznavanje: djelomično priznavanje cjelovite i potpune kvalifikacije koja se ne može u potpunosti priznati jer je tijelo nadležno za priznavanje dokazalo postojanje bitnih razlika

razdoblje studija: bilo koji dio studijskog programa koji je vrednovan i koji, iako sam za sebe nije potpuni program, predstavlja značajno stjecanje znanja, vještina, stavova i kompetencija

prethodno učenje: iskustvo, znanje, vještine, stavovi i kompetencije koje je pojedinac stekao kao rezultat formalnog, neformalnog ili informalnog učenja, a koje je vrednovano u odnosu na određeni skup ishoda, ciljeva ili standarda učenja

kvalifikacija:

- (a) **kvalifikacija u visokom obrazovanju:** svaki stupanj, diploma, svjedodžba ili druga javna isprava koju je izdalo nadležno tijelo i kojom se dokazuje uspješan završetak studijskog programa ili, prema potrebi, vrednovanje prethodnog učenja
- (b) **kvalifikacija koja omogućava pristup visokom obrazovanju:** svaki stupanj, diploma, svjedodžba ili druga javna isprava koju je izdalo nadležno tijelo i kojom se dokazuje uspješan završetak obrazovnog programa ili, prema potrebi, vrednovanje prethodnog učenja te koja nositelju kvalifikacije daje pravo da ga se uzme u obzir za upis u visoko obrazovanje

podnositelj zahtjeva koji zadovoljava uvjete: pojedinac koji ispunjava relevantne kriterije i smatra se da ispunjava uvjete za podnošenje zahtjeva za upis u visoko obrazovanje

kvalifikacijski okvir: sustav svrstavanja, objavljivanja i organiziranja kvalifikacija koje su zadovoljile postupak osiguravanja kvalitete u skladu sa skupom kriterija

osiguravanje kvalitete: trajan proces vrednovanja kvalitete sustava visokog obrazovanja, visokog učilišta ili studijskog programa koji provodi nadležno tijelo/tijela kako bi dionicima jamčilo stalno održavanje i unaprjeđenje zadovoljavajućih obrazovnih standarda

priznavanje: formalno potvrđivanje, od strane tijela nadležnog za priznavanje, valjanosti i akademske razine inozemne obrazovne kvalifikacije, razdoblja studija ili prethodnog učenja kako bi se podnositelju zahtjeva omogućilo, među ostalim:

- (a) pravo podnošenja zahtjeva za upis u visoko obrazovanje; i/ili
- (b) mogućnost traženja zaposlenja

regija: bilo koje područje utvrđeno u skladu s UNESCO-ovom definicijom regije s ciljem izvršavanja regionalnih aktivnosti Organizacije, a odnosi se na Afriku, arapske države, Aziju i Pacifik, Europu te Latinsku Ameriku i Karibe

regionalne konvencije o priznavanju: Konvencije UNESCO-a o priznavanju kvalifikacija u visokom obrazovanju u svakoj od regija UNESCO-a, uključujući Konvenciju o priznavanju visokoškolskih studija, diploma i stupnjeva u arapskim i europskim državama na Mediteranu

zahtjevi:

- (a) **opći zahtjevi:** uvjeti koji moraju biti ispunjeni za pristup visokom obrazovanju ili njegovoj određenoj razini ili za stjecanje kvalifikacije određene razine visokog obrazovanja

- (b) **posebni zahtjevi:** uvjeti koji, pored općih zahtjeva, moraju biti ispunjeni radi upisa na određeni studijski program ili za stjecanje određene kvalifikacije u predmetnom polju studija

bitne razlike: značajne razlike između inozemne kvalifikacije i kvalifikacije izdane u državi stranci koje bi vrlo vjerojatno spriječile podnositelja zahtjeva da uspije u željenoj aktivnosti kao što su, među ostalim, nastavak studija, istraživačke aktivnosti ili mogućnosti zaposlenja

ODJELJAK II. CILJEVI KONVENCIJE

Članak II.

Oslanjajući se na regionalne konvencije o priznavanju i pridonoseći njihovoj usklađenosti, revizijama i rezultatima, ciljevi ove Konvencije su:

1. promicati i jačati međunarodnu suradnju u visokom obrazovanju;
2. podržavati međuregionalne inicijative, politike i inovacije s ciljem međunarodne suradnje u području visokog obrazovanja;
3. olakšavati globalnu mobilnost i ostvarivanje postignuća u visokom obrazovanju s ciljem zajedničke koristi za nositelje kvalifikacija, visoka učilišta, poslodavce i sve ostale dionike država stranaka ove Konvencije, uz razumijevanje i poštivanje raznolikosti sustava visokog obrazovanja država stranaka;
4. pružati inkluzivni globalni okvir za pravedno, transparentno, dosljedno, suvislo, pravodobno i pouzdano priznavanje kvalifikacija u visokom obrazovanju;
5. poštivati, podržavati i štititi autonomiju i raznolikost sustava visokog obrazovanja i visokih učilišta;
6. poticati povjerenje u kvalitetu i pouzdanost kvalifikacija, između ostalog kroz promicanje integriteta i etičkog postupanja;
7. promicati kulturu osiguravanja kvalitete u sustavima visokog obrazovanja i visokim učilištima i razvijati kapacitete nužne za osiguravanje pouzdanosti, dosljednosti i komplementarnosti u osiguravanju kvalitete, u kvalifikacijskim okvirima i u priznavanju kvalifikacija kako bi se podržala međunarodna mobilnost;
8. promicati razvoj, prikupljanje i dijeljenje dostupnih, ažurnih, pouzdanih, transparentnih i odgovarajućih informacija, kao i diseminaciju najbolje prakse među dionicima, državama strankama i regijama;
9. promicati, putem priznavanja kvalifikacija, inkluzivan i pravičan pristup kvalitetnom visokom obrazovanju i podržavati mogućnosti cjeloživotnog učenja za sve, uključujući izbjeglice i raseljene osobe;
10. poticati optimalno korištenje ljudskih i obrazovnih resursa na globalnoj razini s ciljem promicanja obrazovanja za održivi razvoj te doprinijeti strukturalnom, gospodarskom, tehnološkom, kulturnom, demokratskom i društvenom razvoju svih društava.

ODJELJAK III. OSNOVNA NAČELA PRIZNAVANJA KVALIFIKACIJA U VISOKOM OBRAZOVANJU

Članak III.

Ova Konvencija utvrđuje sljedeća načela priznavanja kvalifikacija u visokom obrazovanju:

1. Pojedinci imaju pravo na vrednovanje svojih kvalifikacija u svrhu podnošenja zahtjeva za upis u visoko obrazovanje ili traženja mogućnosti zaposlenja.
2. Priznavanje kvalifikacija treba biti transparentno, pravedno, pravodobno i nediskriminirajuće te u skladu s provedbenim propisima svake pojedine države stranke i treba biti financijski pristupačno.
3. Odluke o priznavanju temelje se na povjerenju, jasnim kriterijima i pravednim, transparentnim i nediskriminirajućim postupcima te naglašavaju temeljnu važnost pravičnog pristupa visokom obrazovanju kao javnog dobra koje može dovesti do mogućnosti zaposlenja.
4. Odluke o priznavanju temelje se na odgovarajućim, pouzdanim, dostupnim i ažurnim informacijama o sustavima visokog obrazovanja, visokim učilištima, programima i mehanizmima osiguravanja kvalitete koje pružaju nadležna tijela država članica, službeni nacionalni izvještajni centri ili slične pravne osobe ili tijela.
5. Odluke o priznavanju donose se s dužnim poštovanjem prema raznolikosti sustava visokog obrazovanja diljem svijeta.
6. Tijela nadležna za priznavanje koja provode vrednovanja u postupcima priznavanja postupaju u dobroj vjeri, davanjem jasnih obrazloženja za svoje odluke i raspoložu mehanizmima za izjavljivanje žalbi na odluke o priznavanju.
7. Podnositelji zahtjeva koji traže priznavanje svojih kvalifikacija pružaju odgovarajuće i točne informacije i dokumentaciju o svojim stečenim kvalifikacijama u dobroj vjeri te imaju pravo na žalbu.
8. Države stranke obvezuju se usvojiti mjere kojima će iskorijeniti sve oblike prijevara koje se odnose na kvalifikacije u visokom obrazovanju poticanjem upotrebe suvremenih tehnologija i aktivnosti umrežavanja među državama strankama.

ODJELJAK IV. OBVEZE DRŽAVA STRANAKA OVE KONVENCIJE

Ova Konvencija utvrđuje sljedeće obveze država stranaka:

Članak IV. Priznavanje kvalifikacija koje omogućuju pristup visokom obrazovanju

1. Svaka država stranka priznaje, u svrhu pristupa svom sustavu visokog obrazovanja, kvalifikacije i dokumentirano ili potvrđeno prethodno učenje stečeno u drugim državama strankama koje zadovoljava opće zahtjeve za pristup visokom obrazovanju u tim državama strankama, osim ako se ne utvrdi da postoje bitne razlike između općih zahtjeva za pristup u državi stranci u kojoj je kvalifikacija stečena i onih u državi stranci u kojoj se priznavanje kvalifikacije traži. Alternativno, dovoljno je da država stranka omogući nositelju kvalifikacije koja je izdana u drugoj državi stranci vrednovanje te kvalifikacije.
2. Kvalifikacije koje su stečene kroz priznate netradicionalne načine učenja koji podliježu usporedivim mehanizmima osiguravanja kvalitete vrednovat će se u skladu s provedbenim propisima države stranke ili njene jedinice regionalne samouprave, primjenjujući iste kriterije kakvi se primjenjuju za slične kvalifikacije koje su stečene kroz tradicionalne načine učenja.

3. Kada kvalifikacija omogućuje pristup samo određenim vrstama visokih učilišta ili studijskih programa u državi stranci u kojoj je stečena, svaka država stranka odobrava nositeljima tih kvalifikacija pristup sličnim posebnim vrstama visokih učilišta ili studijskih programa koji pripadaju njenom sustavu visokog obrazovanja, ako su dostupni, osim ako se ne utvrdi da postoje bitne razlike.

Članak V. Priznavanje kvalifikacija u visokom obrazovanju

1. Svaka država stranka priznaje kvalifikaciju u visokom obrazovanju dodijeljenu u dugoj državi stranci, osim ako se ne utvrdi da postoje bitne razlike između kvalifikacije za koju se traži priznavanje i odgovarajuće kvalifikacije u državi stranci u kojoj se traži priznavanje. Alternativno, dovoljno je da država stranka omogući nositelju kvalifikacije u visokom obrazovanju koja je izdana u drugoj državi stranci vrednovanje te kvalifikacije, na njegov zahtjev.
2. Kvalifikacije u visokom obrazovanju koje su stečene kroz netradicionalne načine učenja koji podliježu usporedivim mehanizmima osiguravanja kvalitete i koji se smatraju dijelom sustava visokog obrazovanja države stranke vrednovat će se u skladu s provedbenim propisima države stranke u kojoj se traži priznavanje ili njene jedinice regionalne samouprave, primjenjujući iste kriterije kakvi se primjenjuju za slične kvalifikacije koje su stečene kroz tradicionalne načine učenja.
3. Kvalifikacije u visokom obrazovanju koje su stečene kroz prekogranično obrazovanje sa združenim kvalifikacijama ili putem drugog združenog studija izvedenog u više država, od kojih je najmanje jedna država stranka ove Konvencije, vrednovat će se u skladu s provedbenim propisima države stranke u kojoj se traži priznavanje ili njene jedinice regionalne samouprave, primjenjujući iste kriterije kakvi se primjenjuju za kvalifikacije stečene kroz programe izvedene u jednoj državi.
4. Priznavanje kvalifikacije u visokom obrazovanju u jednoj državi stranci, a koja je izdana u drugoj državi stranci ima najmanje jedan od sljedećih ishoda:
 - (a) omogućava nositelju kvalifikacije pravo podnošenja prijave na upis za nastavak visokog obrazovanja pod istim uvjetima kakvi se primjenjuju za nositelje kvalifikacija u visokom obrazovanju u državi stranci u kojoj se traži priznavanje; i/ili
 - (b) omogućava nositelju kvalifikacije pravo korištenja akademskog ili stručnog naziva vezanog uz kvalifikaciju u visokom obrazovanju u skladu sa zakonodavstvom države stranke ili njene jedinice regionalne samouprave u kojoj se traži priznavanje.

Dodatno, vrednovanje i priznavanje može omogućiti podnositelju zahtjeva koji zadovoljava uvjete traženje mogućnosti zaposlenja u skladu sa zakonodavstvom države stranke ili njene jedinice regionalne samouprave u kojoj se traži priznavanje.

5. Kada tijelo nadležno za priznavanje može dokazati bitne razlike između kvalifikacije za koju se traži priznavanje i odgovarajuće kvalifikacije u državi stranci u kojoj se traži priznavanje, tijelo nadležno za priznavanje treba nastojati utvrditi može li se odobriti djelomično priznavanje.
6. Svaka država stranka može odrediti da priznavanje kvalifikacija u visokom obrazovanju stečenih prekograničnim obrazovanjem ili na inozemnim obrazovnim ustanovama koje izvode djelatnost visokog obrazovanja u okviru njezine nadležnosti ovisi o posebnim zahtjevima zakonodavstva države stranke ili njene jedinice regionalne samouprave ili o posebnim sporazumima sklopljenima s državom strankom iz koje ta visoka učilišta potječu.

Članak VI. Priznavanje razdoblja studija i prethodnog učenja

1. Svaka država stranka može priznati, u svrhu završetka studijskog programa ili nastavka studija, kada je primjereno i uzimajući u obzir zakonodavstvo država stranaka koje uređuje pristup, dokumentirano ili potvrđeno razdoblje studija ili dokumentirano ili potvrđeno prethodno učenje stečeno u drugoj državi stranci, osim ako se ne utvrdi da postoje bitne razlike između razdoblja studija ili prethodnog učenja i dijela odgovarajućeg studijskog programa koji bi oni zamijenili u državi stranci u kojoj se traži priznavanje. Alternativno, dovoljno je da država stranka omogući pojedincu koji je ostvario dokumentirano ili potvrđeno razdoblje studija ili dokumentirano ili potvrđeno prethodno učenje u drugoj državi stranci vrednovanje tog razdoblja studija ili prethodnog učenja na njegov zahtjev.
2. Dokumentiran ili potvrđen djelomičan završetak studijskog programa koji je izveden putem priznatih netradicionalnih načina učenja koji podliježu usporedivim mehanizmima osiguravanja kvalitete i koji se smatraju dijelom sustava visokog obrazovanja države stranke vrednuje se u skladu s provedbenim propisima države stranke ili njene jedinice regionalne samouprave, primjenjujući iste kriterije kakvi se primjenjuju za razdoblje studija koje se izvodi na tradicionalan način.
3. Dokumentiran ili potvrđen djelomičan završetak studijskog programa koji je izveden putem prekograničnog obrazovanja sa združenom kvalifikacijom ili putem drugog združenog studija koji se izvode u više nego jednoj državi, od kojih je najmanje jedna država stranka ove Konvencije, vrednovat će u skladu s provedbenim propisima države stranke u kojoj se traži priznavanje ili jedinice regionalne samouprave, primjenjujući iste kriterije kakvi se primjenjuju za razdoblje studija stečeno u jednoj državi.

Članak VII. Priznavanje razdoblja studija i kvalifikacija izbjeglica i raseljenih osoba

Svaka država stranka poduzima nužne i moguće mjere u okviru svojega obrazovnog sustava i u skladu sa svojim ustavnim, zakonskim i regulatornim odredbama radi razvijanja primjerenih postupaka pravednog i učinkovitog utvrđivanja ispunjavaju li izbjeglice i raseljene osobe tražene zahtjeve za pristup visokom obrazovanju, za nastavak studijskih programa ili za traženje mogućnosti zaposlenja, uključujući slučajeve kada se razdoblje studija, prethodno učenje ili kvalifikacije stečene u drugoj državi ne mogu dokazati na temelju isprava.

Članak VIII. Informacije za vrednovanje i priznavanje

1. Svaka država stranka treba uspostaviti transparentne sustave koji omogućuju cjelovit opis kvalifikacija i ishoda učenja stečenih na njenom području.
2. Svaka država stranka, u mjeri koja je moguća na temelju svojega ustavnog, zakonodavnog i regulatornog stanja i ustrojstva, treba uspostaviti objektivan i pouzdan sustav za odobravanje, priznavanje i osiguravanje kvalitete svojih visokih učilišta radi promicanja pouzdanosti i povjerenja u svoj sustav visokog obrazovanja.
3. Svaka država stranka treba uspostaviti i održavati nacionalne izvještajne centre ili slična tijela radi omogućavanja pristupa odgovarajućim, točnim i ažurnim informacijama o svom sustavu visokog obrazovanja.
4. Svaka država stranka treba podupirati uporabu tehnologije radi osiguravanja lakog pristupa informacijama.
5. Svaka država stranka treba:

- (a) omogućiti pristup vjerodostojnim i točnim informacija o svom sustavu visokog obrazovanja, kvalifikacijama, osiguravanju kvalitete i kvalifikacijskim okvirima, ako postoje;
- (b) olakšati diseminaciju i pristup točnim informacijama o sustavima visokog obrazovanja, kvalifikacijama i kvalifikacijama koje omogućavaju pristup visokom obrazovanju drugih država stranaka;
- (c) pružati, po potrebi, savjete i informacije o pitanjima priznavanja, posebice po pitanju kriterija i postupaka za vrednovanje kvalifikacija i razvoja priručnika koji obuhvaćaju dobru praksu u području priznavanja, u skladu sa zakonodavstvom i politikama države stranke; i
- (d) omogućiti, u razumnom roku, pružanje odgovarajućih informacija o bilo kojoj ustanovi koja pripada njenom sustavu visokog obrazovanja te o bilo kojem studijskom programu koji izvode te ustanove, radi omogućavanja nadležnim tijelima drugih država stranaka da utvrde opravdava li kvaliteta kvalifikacija koje izdaju ta visoka učilišta priznavanje u državi stranci u kojoj se traži priznavanje.

Članak IX. Vrednovanje zahtjeva

1. U prvom redu odgovornost za pružanje odgovarajućih informacija leži na podnositelju zahtjeva, koji je dužan pružiti takve informacije u dobroj vjeri.
2. Svaka država stranka treba osigurati da ustanove koje pripadaju njenom obrazovnom sustavu, u mjeri u kojoj je to moguće, na zahtjev, u razumnom roku i besplatno pružaju odgovarajuće informacije nositelju kvalifikacije ili ustanovi ili tijelu nadležnom za priznavanje koje pripada državi stranci u kojoj se traži priznavanje.
3. Svaka država stranka treba osigurati da tijelo koje provodi vrednovanje u svrhu priznavanja dokaže razloge zbog kojih zahtjev ne ispunjava uvjete ili postojanje bitnih razlika.

Članak X. Informacije o tijelima nadležnima za priznavanje

1. Svaka država stranka treba dostaviti depozitaru ove Konvencije službenu obavijest o nadležnim tijelima koja donose odluke o pitanjima priznavanja u svojoj nadležnosti.
2. Kad postoje središnja tijela države stranke nadležna za priznavanje, ona su odmah vezana odredbama ove Konvencije te poduzimaju potrebne mjere kako bi se osigurala provedba njezinih odredaba u okviru nadležnosti te države stranke.
3. Kad su jedinice regionalne samouprave nadležne donositi odluke o pitanjima priznavanja, država stranka dostavlja depozitaru kratku izjavu o svom ustavnom stanju ili ustrojstvu u trenutku potpisivanja ili polaganja svoje isprave o ratifikaciji, prihvatu, odobrenju ili pristupu ili kasnije o svim promjenama. U takvim slučajevima, tako imenovana nadležna tijela za priznavanje unutar jedinica regionalne samouprave, u mjeri koja je moguća u okviru ustavnog stanja ili ustrojstva države stranke, poduzimaju potrebne mjere za osiguranje provedbe odredaba ove Konvencije u okviru nadležnosti spomenute države stranke.
4. Kad su pojedina visoka učilišta ili druge pravne osobe ili tijela nadležna donositi odluke o pitanjima priznavanja, svaka država stranka ili njena jedinica regionalne samouprave, sukladno svom ustavnom stanju ili ustrojstvu treba proslijediti tekst ove Konvencije tim visokim učilištima ili pravnim osobama ili tijelima i poduzeti sve potrebne mjere kako bi se potaklo postupanje u korist podnositelja zahtjeva i primjena odredaba Konvencije.

5. Odredbe stavaka 2., 3., i 4. ovoga članka primjenjuju se, *mutatis mutandis*, na obveze država stranaka na temelju ove Konvencije.

Članak XI. Dodatni zahtjevi za upis na studijske programe

1. Kad upis na određene studijske programe, pored općih zahtjeva za pristup, ovisi o ispunjenju posebnih zahtjeva, nadležna tijela dotične države stranke mogu postaviti te iste posebne zahtjeve nositeljima kvalifikacija stečenih u drugim državama strankama ili vrednovati ispunjavaju li podnositelji zahtjeva s kvalifikacijama stečenim u drugim državama strankama istovjetne zahtjeve.
2. Kad se kvalifikacije koje omogućavaju pristup visokom obrazovanju u pojedinoj državi stranci izdaju jedino ako su praćene potvrdama o položenim dodatnim kvalifikacijskim ispitima kao preduvjetom pristupa, druge države stranke mogu uvjetovati pristup istim zahtjevima ili ponuditi neku drugu mogućnost za udovoljavanje tim dodatnim zahtjevima u okviru svojih obrazovnih sustava.
3. Ne dovodeći u pitanje odredbe članka IV., upis na određeno visoko učilište ili na određeni program na tom visokom učilištu može biti ograničen ili selektivan, u skladu s pravednim i transparentnim propisima.
4. U odnosu na stavak 3. ovoga članka, postupci upisa trebaju biti tako osmišljeni da se vrednovanje inozemnih kvalifikacija provodi u skladu s načelima transparentnosti, pravednosti i nediskriminacije opisanima u članku III.
5. Ne dovodeći u pitanje odredbe članka IV. upis na određeno visoko učilište može se uvjetovati dokazom da nositelj kvalifikacije u dovoljnoj mjeri vlada jezikom ili jezicima na kojima se održava nastava na dotičnom visokom učilištu, ili drugim predviđenim jezicima.
6. U svrhu upisa na studijske programe, svaka država stranka može odrediti da priznavanje kvalifikacija izdanih na inozemnim obrazovnim ustanovama koje izvode djelatnost visokog obrazovanja u okviru njezine nadležnosti ovisi o posebnim zahtjevima zakonodavstva države stranke ili njene jedinice regionalne samouprave ili o posebnim sporazumima sklopljenima s državom strankom iz koje te ustanove potječu.

ODJELJAK V. PROVEDBENE STRUKTURE I SURADNJA

Članak XII. Provedbene strukture

Države stranke suglasne su provoditi ovu Konvenciju putem ili u suradnji s:

1. nacionalnim provedbenim strukturama;
2. mrežama nacionalnih provedbenih struktura;
3. nacionalnim, regionalnim i globalnim organizacijama za akreditaciju, osiguravanje kvalitete, kvalifikacijske okvire i priznavanje kvalifikacija;
4. međuvladinom konferencijom država stranaka;
5. odborima regionalnih konvencija o priznavanju.

Članak XIII. Nacionalne provedbene strukture

1. Kako bi se olakšalo priznavanje kvalifikacija u visokom obrazovanju, države stranke obvezuju se provoditi ovu Konvenciju putem odgovarajućih organizacija, uključujući nacionalne izvještajne centre ili slična tijela.

2. Svaka će država stranka obavijestiti Tajništvo Međuvladine konferencije država stranaka o svojim nacionalnim provedbenim strukturama i o svim promjenama u tom pogledu.
3. Nacionalne provedbene strukture trebaju formirati mreže i aktivno u njima sudjelovati.

Članak XIV. Mreže nacionalnih provedbenih struktura

1. Pod pokroviteljstvom Međuvladine konferencije država stranaka, mreže trebaju biti sastavljene od nacionalnih provedbenih struktura država stranaka te trebaju podržavati i pomagati praktičnu provedbu ove Konvencije.
2. Mreže trebaju državama strankama na njihov zahtjev pružiti razmjenu informacija, jačanje kapaciteta i tehničku potporu.
3. Mreže trebaju težiti jačanju međuregionalne suradnje u okviru ove Konvencije i održavanju veze s Međuvladinom konferencijom država stranaka.
4. Države stranke mogu sudjelovati u postojećim regionalnim mrežama koje su uspostavljene regionalnim konvencijama o priznavanju ili uspostavljati nove mreže. Sudjelovanje u postojećim regionalnim mrežama podliježe sporazumu relevantnih odbora regionalnih konvencija o priznavanju.

Članak XV. Međuvladina konferencija država stranaka

1. Osniva se Međuvladina konferencija država stranaka, u daljnjem tekstu "Konferencija".
2. Konferencija je sastavljena od predstavnika država stranaka ove Konvencije.
3. Države koje nisu države stranke ove Konvencije i predsjednici odbora regionalnih konvencija o priznavanju pozvani su da sudjeluju na sastancima Konferencije kao promatrači.
4. Predstavnici relevantnih međunarodnih i regionalnih organizacija, kao i predstavnici vladinih i nevladinih organizacija koji su aktivni na području priznavanja kvalifikacija u visokom obrazovanju mogu također biti pozvani na sastanke Konferencije kao promatrači.
5. Konferencija se sastaje na redovitim sjednicama najmanje jednom svake dvije godine. Može se sastajati na izvanrednim sjednicama ako tako odluči ili na zahtjev najmanje jedne trećine država stranaka. Konferencija ima privremeni program rada koji se odnosi na aktivnosti između sjednica. Konferencija podnosi izvješće na svakoj od redovitih sjednica Opće skupštine UNESCO-a.
6. Konferencija se prvi puta sastaje u roku od dvije godine od stupanja na snagu ove Konvencije i tada usvaja svoj poslovnik.
7. Konferencija promiče primjenu ove Konvencije i nadgleda njenu provedbu usvajanjem preporuka, izjava, primjera dobre prakse ili bilo kojih odgovarajućih pratećih dokumenata na globalnoj ili međuregionalnoj razini.
8. Konferencija može usvojiti operativne smjernice za države stranke ove Konvencije, u suradnji s odborima regionalnih konvencija o priznavanju.
9. Konferencija podržava praćenje aktivnosti koje se odnose na nadzor i podnošenje izvješća upravljačkim tijelima UNESCO-a u pogledu provedbe ove Konvencije.
10. Konferencija surađuje s odborima regionalnih konvencija o priznavanju pod pokroviteljstvom UNESCO-a.

11. Konferencija osigurava neophodnu razmjenu informacija između Konferencije i odbora regionalnih konvencija o priznavanju.
12. Konferencija razmatra usvajanje nacrtu izmjena i dopuna ove Konvencije u skladu s člankom XXIII. Usvojene izmjene i dopune ne dovode u pitanje načela transparentnog, pravednog, pravodobnog i nediskriminirajućeg priznavanja navedenoga u ovoj Konvenciji.
13. Tajništvo Konferencije omogućeno je preko glavnog ravnatelja UNESCO-a. Tajništvo priprema dokumentaciju Konferencije, nacrt dnevnog reda sastanaka i jamči provedbu njenih odluka.

ODJELJAK VI. ZAVRŠNE ODREDBE

Članak XVI. Ratifikacija, prihvata ili odobrenje država članica

1. Ova Konvencija podliježe ratifikaciji, prihvatu ili odobrenju država članica UNESCO-a i Svete Stolice u skladu s njihovim odgovarajućim ustavnim i zakonodavnim postupcima.
2. Isprave o ratifikaciji, prihvatu ili odobrenju polažu se kod glavnog ravnatelja UNESCO-a.

Članak XVII. Pristup

1. Ova Konvencija je otvorena za pristup svim državama koje nisu članice UNESCO-a, ali su članice Ujedinjenih naroda i koje Opća skupština UNESCO-a pozove da joj pristupe.
2. Ova Konvencija je također otvorena za pristup područjima koja uživaju potpunu unutarnju autonomiju koju kao takvu priznaju Ujedinjeni narodi, ali koja nisu postigla potpunu samostalnost u skladu s Rezolucijom Opće skupštine 1514 (XV) i koja imaju nadležnost u pitanjima koja uređuje ova Konvencija, uključujući nadležnost za sklapanje međunarodnih ugovora vezanih uz ta pitanja.
3. Isprava o pristupu polaže se kod glavnog ravnatelja UNESCO-a.

Članak XVIII. Stupanje na snagu

1. Ova Konvencija stupa na snagu tri mjeseca nakon datuma polaganja dvadesete isprave o ratifikaciji, prihvatu, odobrenju ili pristupu, ali samo u odnosu na one države stranke koje su položile svoje isprave o ratifikaciji, prihvatu, odobrenju ili pristupu na taj datum ili prije tog datuma.
2. Ova Konvencija stupa na snagu u odnosu na svaku drugu državu stranku tri mjeseca nakon polaganja njene isprave o ratifikaciji, prihvatu, odobrenju ili pristupu.

Članak XIX. Odnos između država stranaka ove Konvencije i stranaka regionalnih konvencija o priznavanju i ostalih međunarodnih ugovora

1. Ratifikacija, prihvata, odobrenje ili pristup bilo kojoj od regionalnih konvencija o priznavanju nije preduvjet za ratifikaciju, prihvata, odobrenje ili pristup ovoj Konvenciji.
2. Države stranke ove Konvencije:
 - (a) jačaju uzajamnu potporu između ove Konvencije i ostalih međunarodnih ugovora čije su stranke, osobito regionalnih konvencija o priznavanju; i
 - (b) uzimaju u obzir relevantne odredbe ove Konvencije kada tumače i primjenjuju regionalne konvencije o priznavanju čije su stranke ili kada ulaze u druge međunarodne obveze.

3. Ništa u ovoj Konvenciji neće se tumačiti na način da mijenja prava i obveze država stranaka na temelju regionalnih konvencija o priznavanju i bilo kojih drugih međunarodnih ugovora čije su one stranke.
4. Kako bi se osiguralo dosljedno međudjelovanje između ove Konvencije, regionalnih konvencija o priznavanju, bilo kojih drugih mjerodavnih dvostranih ili mnogostranih ugovora i bilo kojeg drugog postojećeg ili budućeg međunarodnog ugovora ili konvencije kojima države stranke ove Konvencije mogu biti ili mogu postati stranke, ništa u ovoj Konvenciji neće se smatrati da ukida bilo koju povoljniju odredbu koja se odnosi na priznavanje, osobito odredbe koje se odnose na nacionalne izvještajne centre, mreže i bitne razlike.

Članak XX. Savezna ili ne-unitarna ustavna uređenja

Uzimajući u obzir da su međunarodni ugovori jednako obvezujući za države stranke neovisno o njihovim ustavnim uređenjima, sljedeće se odredbe primjenjuju na države stranke koje imaju savezna ili ne-unitarna ustavna uređenja:

- (a) u odnosu na odredbe ove Konvencije čija provedba je u pravnoj nadležnosti savezne ili središnje zakonodavne vlasti, obveze savezne ili središnje Vlade iste su kao za one države stranke koje nisu savezne države;
- (b) u odnosu na odredbe ove Konvencije čija provedba je u nadležnosti jedinica regionalne samouprave države stranke, poput pokrajina, država, županija ili kantona, koje ustavni poredak federacije ne obvezuje na donošenje zakonodavnih mjera, savezna Vlada po potrebi obavješćuje nadležna tijela tih jedinica regionalne samouprave države stranke o navedenim odredbama, uz svoju preporuku za njihovo usvajanje.

Članak XXI. Otkaz

1. Svaka država stranka ove Konvencije može, u svako doba, otkazati ovu Konvenciju.
2. Otkaz se priopćava pisanom ispravom koja se polaže kod glavnog ravnatelja UNESCO-a.
3. Otkaz proizvodi učinak 12 mjeseci nakon primitka isprave o otkazivanju. On ni na koji način ne utječe na obveze koje temeljem ove Konvencije ima država stranka koja otkazuje Konvenciju do datuma na koji povlačenje stupa na snagu.
4. Otkaz ove Konvencije nema nikakvog učinka u odnosu na:
 - (a) odluke o priznavanju koje su prethodno donesene prema odredbama ove Konvencije;
 - (b) vrednovanja u postupku priznavanja koja su još uvijek u tijeku prema ovoj Konvenciji.

Članak XXII. Depozitarne funkcije

Glavni ravnatelj UNESCO-a, kao depozitar ove Konvencije obavještava države članice Organizacije, države koje nisu članice Organizacije navedene u članku XVII., kao i Ujedinjene narode o:

- (a) polaganju svih isprava o ratifikaciji, prihvatu, odobrenju ili pristupu predviđenim u člancima XVI. i XVII.;

- (b) otkazima predviđenima u članku XXI.;
- (c) izmjenama i dopunama Konvencije usvojenima u skladu s člankom XXIII. i datumom na koji izmjene i dopune stupaju na snagu kako je predloženo u skladu s člankom XXIII.

Članak XXIII. Izmjene i dopune

1. Država stranka ove Konvencije može, pisanom obaviješću upućenom glavnom ravnatelju UNESCO-a predložiti izmjene i dopune ove Konvencije. Glavni ravnatelj upućuje takvu obavijest svim državama strankama. Ukoliko unutar šest mjeseci od datuma slanja obavijesti najmanje polovica država stranaka Konvencije odgovori u korist zahtjevu, glavni ravnatelj predstavlja takav prijedlog na sljedećoj sjednici Međuvladine konferencije država stranaka za raspravu i moguće usvajanje.
2. Izmjene i dopune usvajaju se dvotrećinskom većinom država stranaka koje su prisutne i glasaju.
3. Jednom usvojene, izmjene i dopune ove Konvencije dostavljaju se državama strankama radi ratifikacije, prihvata, odobrenja ili pristupa.
4. Za države stranke koje su ih ratificirale, prihvatile, odobrile ili njima pristupile, izmjene i dopune ove Konvencije stupaju na snagu tri mjeseca nakon što dvije trećine država stranaka polože isprave iz stavka 3. ovoga članka. Nakon toga, za svaku državu stranku koja ratificira, prihvati, odobri ili pristupi izmjeni i dopuni, ta će izmjena i dopuna stupiti na snagu tri mjeseca nakon datuma na koji je država stranka položila svoju ispravu o ratifikaciji, prihvatu, odobrenju ili pristupu.
5. Država koja postane država stranka ove Konvencije nakon stupanja na snagu izmjena i dopuna u skladu sa stavkom 4. ovoga članka, u slučaju izostanka iskaza drukčije namjere, smatra se:
 - (a) državom strankom ove Konvencije kako je izmijenjena i dopunjena; i
 - (b) državom strankom neizmijenjene i nedopunjene Konvencije u odnosu na svaku državu stranku koja nije vezana izmjenama i dopunama.

Članak XXIV. Registracija pri Ujedinjenim narodima

Sukladno članku 102. Povelje Ujedinjenih naroda, ova Konvencija registrira se pri Tajništvu Ujedinjenih naroda na zahtjev glavnog ravnatelja UNESCO-a.

Članak XXV. Vjerodostojni tekstovi

Ova je Konvencija sastavljena na arapskom, kineskom, engleskom, francuskom, ruskom i španjolskom jeziku, pri čemu je svih šest tekstova jednako vjerodostojno.

GLOBAL CONVENTION ON THE RECOGNITION OF QUALIFICATIONS CONCERNING HIGHER EDUCATION

PREAMBLE

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 12 to 27 November 2019 at its 40th session,

Inspired by a common will to strengthen educational, geographical, humanitarian, cultural, scientific and socioeconomic ties between States Parties, and to enhance dialogue between regions and the sharing of their recognition instruments and practices,

Recalling the Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which stipulates that “the purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture”,

Mindful of the provisions of the Charter of the United Nations of 1945, the Universal Declaration of Human Rights of 1948, the Convention relating to the Status of Refugees of 1951 and its Protocol of 1967, the Convention relating to the Status of Stateless Persons of 1954, the UNESCO Convention against Discrimination in Education of 1960 and in particular its Article 4a, the International Covenant on Economic, Social and Cultural Rights of 1966, and the UNESCO Convention on Technical and Vocational Education of 1989,

Mindful of the UNESCO Recommendation on the Recognition of Studies and Qualifications in Higher Education of 1993; the UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel of 1997; the United Nations Declaration on the Rights of Indigenous Peoples of 2007; and the UNESCO Recommendation on Science and Scientific Researchers of 2017,

Building on the UNESCO regional conventions on the recognition of qualifications concerning higher education,

Reaffirming the States Parties’ responsibility to promote inclusive and equitable quality education at all levels and lifelong learning opportunities for all,

Conscious of increasing international cooperation in higher education, of the mobility of students, workers, professionals, researchers and academics, of changes in scientific research, and of the different modes, methods, developments and innovations in teaching and learning,

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

Convinced that the international recognition of qualifications concerning higher education will facilitate interdependent learning and knowledge development via the mobility of learners and learning, academics, scientific research and researchers, and workers and professionals and will enhance international cooperation in higher education,

Respecting the cultural diversity among the States Parties, including, inter alia, differences in educational traditions and in the values of higher education,

Desiring to respond to the need for a global convention on the recognition of qualifications concerning higher education to complement the UNESCO regional conventions on the recognition of qualifications concerning higher education, and to enhance the cohesion between them,

Convinced of the need to find common, practical and transparent solutions to improve recognition practices globally,

Convinced that this Convention will promote international mobility, as well as communication and cooperation regarding fair and transparent procedures for recognition, and quality assurance and academic integrity in higher education at a global level,

Adopts this Convention on this twenty-fifth day of November 2019.

SECTION I. DEFINITION OF TERMS

Article I

For the purposes of this Convention, the following definitions shall apply:

Access (to higher education): the right provided to any individual holding a qualification to apply and be considered for admission to a level of higher education

Admission (to higher-education institutions and programmes): the act of, or system for, allowing qualified applicants to pursue higher education at a given institution and/or in a given programme

Applicant:

- (a) an individual submitting to the competent recognition authority a qualification, partial studies, or prior learning for assessment and/or recognition; or
- (b) an entity acting with consent on behalf of an individual

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

Competent authority: an individual or entity that has the authority, capacity, or legal power to perform a designated function

Competent recognition authority: an entity which, in accordance with the laws, regulations, policies, or practices of a State Party, assesses qualifications and/or makes decisions on the recognition of qualifications

Constituent units: official entities of a State Party to this Convention at the level of subnational jurisdictions, such as provinces, states, counties, or cantons, in accordance with Article XX b), Federal or Non-Unitary Constitutional Systems, of this Convention

Cross-border education: all modes of educational delivery which involve the movement of people, knowledge, programmes, providers and curriculum across States Parties' borders, including, but not limited to, quality-assured international joint degree programmes, cross-border higher education, transnational education, offshore education and borderless education

Displaced person: an individual forced to move from his or her locality or environment and occupational activities to another locality or environment

Formal education system: a State Party's education system, including all officially recognized entities with responsibility for education, as well as public and private education institutions at all levels recognized by a State Party's competent authorities and authorized thereby to deliver instruction and other education-related services

Formal learning: learning derived from activities within a structured learning setting, leading to a formal qualification, and provided by an education institution recognized by a State Party's competent authorities and authorized thereby to deliver such learning activities

Higher education: all types of study programmes or sets of courses of study at the post-secondary level which are recognized by the competent authorities of a State Party, or of a constituent unit thereof, as belonging to its higher-education system

Higher-education institution: an establishment providing higher education and recognized by a competent authority of a State Party, or of a constituent unit thereof, as belonging to its higher-education system

Higher-education programme: a post-secondary programme of study recognized by the competent authority of a State Party, or of a constituent unit thereof, as belonging to its higher-education system and the successful completion of which provides the student with a higher-education qualification

Informal learning: learning which occurs outside the formal education system and which results from daily life activities related to work, family, local community, or leisure

International joint degree: a type of cross-border education degree; a single degree recognized and/or authorized and conferred jointly upon completion of an integrated, coordinated and jointly offered programme, by two or more higher education institutions belonging to more than one country

Learning outcomes: a learner's acquired knowledge and skills upon completion of a learning process

Lifelong learning: a process which refers to all learning activities, whether formal, non-formal, or informal, covers the entire lifespan and has the aim of improving and developing human capacities, knowledge, skills, attitudes and competencies

Mobility: the physical or virtual movement of individuals outside their country for the purpose of studying, researching, teaching, or working

Non-formal learning: learning achieved within an education or training framework which places an emphasis on working life and which does not belong to the formal education system

Non-traditional learning modes: formal, non-formal and informal mechanisms for the delivery of educational programmes and learning activities not primarily relying on face-to-face interaction between the educator and the learner

Partial recognition: the partial recognition of a full and completed qualification which cannot be fully recognized on account of the demonstration of substantial differences by a competent recognition authority

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

Prior learning: the experience, knowledge, skills, attitudes and competencies which an individual has acquired as a result of formal, non-formal, or informal learning, assessed against a given set of learning outcomes, objectives, or standards

Qualification:

- (a) **Higher-education qualification:** any degree, diploma, certificate, or award issued by a competent authority and attesting the successful completion of a higher-education programme or the validation of prior learning, where applicable
- (b) **Qualification giving access to higher education:** any degree, diploma, certificate, or award issued by a competent authority and attesting the successful completion of an education programme or the validation of prior learning, where applicable, and giving the holder of the qualification the right to be considered for admission to higher education

Qualified applicant: an individual who has fulfilled relevant criteria and is considered eligible to apply for admission to higher education

Qualifications framework: a system for the classification, publication and organization of quality-assured qualifications according to a set of criteria

Quality assurance: an ongoing process by which the quality of a higher-education system, institution, or programme is assessed by the competent authority/authorities to assure stakeholders that acceptable educational standards are continuously being maintained and enhanced

Recognition: a formal acknowledgment by a competent recognition authority of the validity and academic level of a foreign education qualification, of partial studies, or of prior learning for the purpose of providing an applicant with outcomes including, but not limited to:

- (a) the right to apply for admission to higher education; and/or
- (b) the possibility to seek employment opportunities

Region: any one of the areas identified in accordance with the UNESCO definition of regions with a view to the execution by the Organization of regional activities, namely, Africa, Arab States, Asia and the Pacific, Europe, and Latin America and the Caribbean

Regional recognition conventions: the UNESCO conventions on the recognition of qualifications concerning higher education in each of the UNESCO regions, including the Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the Arab and European States bordering on the Mediterranean

Requirements:

- (a) **General requirements:** conditions which must be fulfilled for access to higher education, or to a given level thereof, or for the obtaining of a higher-education qualification at a given level
- (b) **Specific requirements:** conditions, in addition to the general requirements, which must be fulfilled for admission to a particular higher-education programme, or for the obtaining of a specific higher-education qualification in a particular field of study

Substantial differences: significant differences between the foreign qualification and the qualification of the State Party which would most likely prevent the applicant from succeeding in a desired activity, such as, but not limited to, further study, research activities, or employment opportunities

SECTION II. OBJECTIVES OF THE CONVENTION

Article II

Building on and enhancing the coordination, revisions and achievements of the regional recognition conventions, the objectives of this Convention are to:

1. Promote and strengthen international cooperation in higher education;
2. Support interregional initiatives, policies and innovations for international cooperation in higher education;
3. Facilitate global mobility and the achievement of merit in higher education for the mutual benefit of qualification holders, higher-education institutions, employers, and any other stakeholders of the States Parties to this Convention while understanding and respecting the diversity of the States Parties' higher-education systems;
4. Provide an inclusive global framework for the fair, transparent, consistent, coherent, timely and reliable recognition of qualifications concerning higher education;
5. Respect, uphold and protect the autonomy and diversity of higher-education institutions and systems;
6. Foster trust and confidence in the quality and reliability of qualifications through, inter alia, the promotion of integrity and ethical practices;
7. Promote a culture of quality assurance in higher-education institutions and systems, and develop the capacities necessary for ensuring reliability, consistency and complementarity in quality assurance, in qualifications frameworks and in the recognition of qualifications in order to support international mobility;
8. Promote the development, collection and sharing of accessible, up-to-date, reliable, transparent and relevant information and the dissemination of best practices among stakeholders, States Parties and regions;
9. Promote, through the recognition of qualifications, inclusive and equitable access to quality higher education and support lifelong learning opportunities for all, including refugees and displaced persons;
10. Foster globally the optimal use of human and educational resources with a view to promoting education for sustainable development, and contribute to structural, economic, technological, cultural, democratic and social development for all societies.

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

Article III

For the recognition of qualifications concerning higher education, this Convention establishes the following principles:

1. Individuals have the right to have their qualifications assessed for the purpose of applying for admission to higher education studies or seeking employment opportunities.
2. Recognition of qualifications should be transparent, fair, timely and non-discriminatory in accordance with the rules and regulations of each State Party, and should be affordable.

3. Recognition decisions are based on trust, clear criteria, and fair, transparent and non-discriminatory procedures, and underline the fundamental importance of equitable access to higher education as a public good which may lead to employment opportunities.
4. Recognition decisions are based on appropriate, reliable, accessible and up-to-date information on higher-education systems, institutions, programmes and quality assurance mechanisms which has been provided through the competent authorities of the States Parties, official national information centres, or similar entities.
5. Recognition decisions are made with due respect for the diversity of higher-education systems worldwide.
6. Competent recognition authorities undertaking recognition assessments shall do so in good faith, giving clear reasons for decisions, and have mechanisms for appealing recognition decisions.
7. Applicants seeking recognition of their qualifications provide adequate and accurate information and documentation on their achieved qualifications in good faith, and have the right to appeal.
8. States Parties commit to adopting measures to eradicate all forms of fraudulent practices regarding higher education qualifications by encouraging the use of contemporary technologies and networking activities among States Parties.

SECTION IV. OBLIGATIONS OF THE STATES PARTIES TO THE CONVENTION

This Convention establishes the following obligations for the States Parties:

Article IV. Recognition of Qualifications Giving Access to Higher Education

1. Each State Party shall recognize, for the purposes of access to its higher-education system, the qualifications and documented or certified prior learning acquired in other States Parties which meet the general requirements for access to higher education in those States Parties, unless substantial differences can be shown between the general requirements for access in the State Party in which the qualification was obtained and those in the State Party in which recognition of the qualification is sought. Alternatively, it shall be sufficient for a State Party to enable the holder of a qualification issued in another State Party to obtain an assessment of that qualification.
2. Qualifications acquired through recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms will be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to similar qualifications acquired through traditional learning modes.
3. Where a qualification gives access only to specific types of institutions or programmes of higher education in the State Party in which the qualification was obtained, each State Party shall grant holders of such qualifications access to similar specific types of institutions or programmes belonging to its higher-education system, if available, unless substantial differences can be shown.

Article V. Recognition of Higher-Education Qualifications

1. Each State Party shall recognize a higher-education qualification conferred in another State Party, unless substantial differences can be shown between the qualification for

which recognition is sought and the corresponding qualification in the State Party in which recognition is sought. Alternatively, it shall be sufficient for a State Party to enable the holder of a higher-education qualification issued in another State Party to obtain an assessment of that qualification, upon the request of the holder.

2. Higher-education qualifications acquired through recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms and which are considered a part of the higher-education system of a State Party will be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to similar qualifications acquired through traditional learning modes.
3. Higher-education qualifications acquired through cross-border education with international joint degrees or through any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, shall be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to qualifications acquired through programmes undertaken in a single country.
4. Recognition in a State Party of a higher-education qualification issued in another State Party shall have at least one of the following outcomes:
 - (a) It shall provide the holder with the right to apply for admission to further higher education under the same conditions as those applicable to holders of higher-education qualifications of the State Party in which recognition is sought; and/or
 - (b) It shall provide the holder with the right to use the title associated with a higher-education qualification in accordance with the laws or regulations of the State Party, or of the constituent unit thereof, in which recognition is sought.

In addition, assessment and recognition may enable qualified applicants to seek employment opportunities subject to the laws and regulations of the State Party, or of the constituent unit thereof, in which recognition is sought.

5. Where a competent recognition authority can demonstrate substantial differences between the qualification for which recognition is sought and the corresponding qualification in the State Party in which recognition is sought, the competent recognition authority shall seek to establish whether partial recognition may be granted.
6. Each State Party may make the recognition of higher-education qualifications acquired through cross-border education or through foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the legislation or regulations of the State Party, or of the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions.

Article VI. Recognition of Partial Studies and Prior Learning

1. Each State Party may recognize, for the purpose of the completion of a higher-education programme or the continuation of higher education studies, where appropriate, and taking into account the legislation of the States Parties regarding access, documented or certified partial studies or documented or certified prior learning acquired in another State Party, unless substantial differences can be shown between the partial studies or prior learning and the part of the higher-education programme they or it would replace in the State Party in which recognition is sought. Alternatively, it shall be sufficient for a State Party to enable an individual who has undertaken documented or certified partial studies or

documented or certified prior learning in another State Party to obtain an assessment of these partial studies or this prior learning, upon the request of the individual concerned.

2. Documented or certified partial completion of higher-education programmes delivered by recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms and which are considered a part of the higher-education system of a State Party shall be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to partial studies delivered by traditional learning modes.
3. Documented or certified partial completion of higher-education programmes delivered through cross-border education with international joint degrees or any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, will be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to partial studies acquired in a single country.

Article VII. Recognition of Partial Studies and Qualifications Held by Refugees and Displaced Persons

Each State Party shall take the necessary and feasible steps, within its education system and in conformity with its constitutional, legislative and regulatory provisions, to develop reasonable procedures for assessing fairly and efficiently whether refugees and displaced persons fulfil the relevant requirements for access to higher education, to further higher-education programmes, or to the seeking of employment opportunities, including in cases where partial studies, prior learning, or qualifications acquired in another country cannot be proven by documentary evidence.

Article VIII. Information for Assessment and Recognition

1. Each State Party shall establish transparent systems for the complete description of the qualifications and learning outcomes obtained in its territory.
2. Each State Party, to the extent feasible based on its constitutional, legislative and regulatory situation and structure, shall put in place an objective and reliable system for the approval, recognition and quality assurance of its higher-education institutions in order to promote confidence and trust in its higher-education system.
3. Each State Party shall establish and maintain a national information centre or similar entities to provide access to relevant, accurate and up-to-date information about its higher-education system.
4. Each State Party shall encourage the use of technologies to ensure easy access to information.
5. Each State Party shall:
 - (a) Provide access to authoritative and accurate information on its higher-education systems, qualifications, quality assurance, and qualification frameworks, if applicable;
 - (b) Facilitate the dissemination of and access to accurate information on the other States Parties' higher-education systems, qualifications, and qualifications giving access to higher education;

- (c) Give advice and information, where appropriate, on recognition matters, including criteria and procedures for the assessment of qualifications, and the development of materials for good recognition practices in accordance with the laws, regulations and policies of the State Party; and
- (d) Ensure the provision, within a reasonable time, of adequate information on any institution belonging to its higher-education system, and on any programme operated by such institutions, with a view to enabling the competent authorities of other States Parties to ascertain whether the quality of the qualifications issued by these institutions justifies recognition in the State Party in which recognition is sought.

Article IX. Assessment of an Application

1. In the first instance, the responsibility for providing adequate information rests with the applicant, who shall provide such information in good faith.
2. Each State Party shall ensure that the institutions belonging to its education system provide to the extent available, upon request, within a reasonable time frame and free of charge, relevant information to the holder of a qualification or to the institution or the competent recognition authorities of the State Party in which recognition is sought.
3. Each State Party shall ensure that the body undertaking assessment for the purposes of recognition demonstrates the reasons for which an application does not fulfil requirements or demonstrates where substantial differences are identified.

Article X. Information on the Competent Recognition Authorities

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

Article XI. Additional Requirements for Admission to Higher-Education Programmes

1. Where admission to particular higher-education programmes is dependent on the fulfilment of specific requirements in addition to the general requirements for access, the competent authorities of the State Party concerned may impose the same specific requirements on holders of qualifications obtained in other States Parties or assess whether applicants with qualifications obtained in other States Parties fulfil the equivalent requirements.
2. Where qualifications giving access to higher education in one State Party are issued only in combination with additional qualifying examinations as a prerequisite for access, the other States Parties may make access conditional on these requirements or offer an alternative for satisfying such additional requirements within their own education systems.
3. Without prejudice to the provisions of Article IV, admission to a given higher-education institution, or to a given programme within such an institution, may be restricted or selective, according to fair and transparent regulations.
4. With respect to paragraph 3 of the present article, admission procedures shall be designed with a view to ensuring that the assessment of foreign qualifications is carried out according to the principles of transparency, fairness and non-discrimination described in Article III.
5. Without prejudice to the provisions of Article IV, admission to a given higher-education institution may be based on the condition of the demonstration by the qualification holder of sufficient competence in the language or languages of instruction of the institution concerned, or in other specified languages.
6. For the purpose of admission to higher-education programmes, each State Party may make the recognition of qualifications issued by foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the legislation and regulations of the State Party or the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions.

SECTION V. IMPLEMENTATION STRUCTURES AND COOPERATION

Article XII. Implementation Structures

The States Parties agree to implement this Convention through or in cooperation with:

1. National implementation structures;
2. Networks of national implementation structures;
3. National, regional and global organizations for accreditation, quality assurance, qualification frameworks, and recognition of qualifications;
4. The Intergovernmental Conference of the States Parties;
5. Regional recognition convention committees.

Article XIII. National Implementation Structures

1. In order to facilitate the recognition of higher-education qualifications, the States Parties undertake to implement this Convention through relevant organizations, including national information centres or similar entities.

2. Each State Party will notify the Secretariat of the Intergovernmental Conference of the States Parties of its national implementation structures and of any modification in this regard.
3. National implementation structures should form and actively participate in networks.

Article XIV. Networks of National Implementation Structures

1. Under the auspices of the Intergovernmental Conference of the States Parties, the networks shall be composed of national implementation structures of the States Parties and shall uphold and assist with the practical implementation of this Convention.
2. The networks shall provide information exchange, capacity building and technical support to the States Parties upon request.
3. The networks shall seek to strengthen the interregional cooperation under this Convention and uphold links to the Intergovernmental Conference of the States Parties.
4. States Parties may participate in existing regional networks established through the regional recognition conventions or create new networks. Participation in existing regional networks shall be subject to the agreement of the relevant regional recognition convention committees.

Article XV. The Intergovernmental Conference of the States Parties

1. An Intergovernmental Conference of the States Parties, hereinafter referred to as “the Conference”, shall be established.
2. The Conference shall be composed of representatives of all States Parties to this Convention.
3. The States which are not States Parties to this Convention and the heads of the regional recognition convention committees shall be invited to participate in the meetings of the Conference as observers.
4. Representatives of relevant international and regional organizations, as well as representatives of governmental and non-governmental organizations active in the field of recognition of higher-education qualifications, may also be invited to attend meetings of the Conference as observers.
5. The Conference shall meet in ordinary sessions at least every two years. It may meet in extraordinary sessions if it so decides or at the request of at least one third of the States Parties. The Conference shall have an interim work programme concerning activities between sessions. The Conference shall submit a report at each of the ordinary sessions of the General Conference of UNESCO.
6. The Conference shall meet for the first time within two years of the entry into force of this Convention, and at that time it shall adopt its own rules of procedure.
7. The Conference shall promote the application of this Convention and shall oversee its implementation by adopting recommendations, declarations, models of good practices, or any relevant subsidiary text at the global or interregional level.
8. The Conference may adopt operational guidelines for the States Parties to this Convention, in consultation with the regional recognition convention committees.

9. The Conference shall support the follow-up of the activities relating to monitoring by and reporting to UNESCO's governing bodies with regard to the implementation of this Convention.
10. The Conference shall cooperate with the regional recognition convention committees under the auspices of UNESCO.
11. The Conference shall ensure that there is the necessary information exchange between the Conference and the regional recognition convention committees.
12. The Conference shall examine for adoption the draft amendments to this Convention in accordance with Article XXIII. The amendments adopted shall not undermine the principles of transparent, fair, timely and non-discriminatory recognition stated in this Convention.
13. The Secretariat of the Conference shall be provided by the Director-General of UNESCO. The Secretariat shall prepare the documentation of the Conference, draft the agenda of its meetings, and ensure the implementation of its decisions.

SECTION VI. FINAL CLAUSES

Article XVI. Ratification, Acceptance, or Approval by Member States

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

Article XVII. Accession

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

Article XVIII. Entry into Force

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

Article XIX. Relationship between the States Parties to this Convention and the Parties to the Regional Recognition Conventions and to other Treaties

1. The ratification of, acceptance of, approval of, or accession to of any of the regional recognition conventions shall not be a prerequisite for the ratification of, acceptance of, approval of, or accession to this Convention.
2. The States Parties to this Convention shall:
 - (a) Foster mutual support between this Convention and the other treaties to which they are parties, particularly the regional recognition conventions; and
 - (b) Take into account the relevant provisions of this Convention when interpreting and applying the regional recognition conventions to which they are parties or when entering into other international obligations.
3. Nothing in this Convention shall be interpreted as modifying the rights and obligations of the States Parties under the regional recognition conventions and any other treaties to which they are parties.
4. To ensure coherent interaction between this Convention, the regional recognition conventions, any other relevant bilateral or multilateral agreements, and any other existing or future treaty or convention to which a State Party to this Convention may be or may become a party, nothing in this Convention shall be deemed to derogate from any provisions more favourable to recognition, in particular, provisions regarding national information centres, networks and substantial differences.

Article XX. Federal or Non-Unitary Constitutional Systems

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

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

Article XXI. Denunciation

1. Any State Party to this Convention may denounce, at any time, 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 12 months after the receipt of the instrument of denunciation. It shall in no way affect the obligations under this Convention incumbent upon the State Party denouncing the Convention until the date on which the withdrawal takes effect.
4. The denunciation of this Convention shall not have any impact with respect to:

- (a) Recognition decisions taken previously under the provisions of this Convention;
- (b) The recognition assessments still in progress under this Convention.

Article XXII. Depositary Functions

The Director-General of UNESCO, as the depositary of this Convention, shall inform the Member States of the Organization, the States not members of the Organization referred to in Article XVII, as well as the United Nations, of:

- (a) The deposit of all the instruments of ratification, acceptance, approval, or accession provided for in Articles XVI and XVII;
- (b) The denunciations provided for in Article XXI;
- (c) The amendments to the Convention adopted in accordance with Article XXIII and the date on which the amendments come into force as proposed in accordance with Article XXIII.

Article XXIII. Amendments

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

Article XXIV. Registration with the United Nations

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

Article XXV. Authoritative Texts

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

Članak 3.

Provedba ovoga Zakona u djelokrugu je tijela državne uprave nadležnog za poslove visokog obrazovanja.

Članak 4.

Na dan stupanja na snagu ovoga Zakona, Globalna konvencija iz članka 1. ovoga Zakona nije na snazi u odnosu na Republiku Hrvatsku te će se podaci o njezinom stupanju na snagu objaviti naknadno, sukladno odredbi članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora („Narodne novine“, broj 28/96.).

Članak 5.

Ovaj Zakon stupa na snagu osmoga dana od dana objave u „Narodnim novinama“.

O B R A Z L O Ź E N J E

Člankom 1. utvrđuje se da Hrvatski sabor potvrđuje Globalnu konvenciju o priznavanju kvalifikacija u visokom obrazovanju, sukladno odredbi članka 140. stavka 1. Ustava Republike Hrvatske i članka 18. Zakona o sklapanju i izvršavanju međunarodnih ugovora, čime se iskazuje formalni pristanak Republike Hrvatske da bude vezana njezinim odredbama, na temelju čega će taj pristanak biti izražen na međunarodnoj razini polaganjem isprave o ratifikaciji kod glavnog ravnatelja UNESCO-a, kao depozitara.

Članak 2. sadrži tekst Globalne konvencije o priznavanju kvalifikacija u visokom obrazovanju, u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik.

Člankom 3. utvrđuje se da je provedba Zakona u djelokrugu tijela državne uprave u čiji djelokrug ulaze pitanja visokog obrazovanja.

Člankom 4. utvrđuje se da na dan stupanja na snagu Zakona, Globalna konvencija iz članka 1. Zakona nije na snazi u odnosu na Republiku Hrvatsku te će se podaci o njezinom stupanju na snagu objaviti naknadno, sukladno odredbi članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora.

Člankom 5. uređuje se stupanje na snagu Zakona.

Prilog: - preslika teksta Globalne konvencije o priznavanju kvalifikacija u visokom obrazovanju, u izvorniku na engleskom jeziku



United Nations
Educational, Scientific and
Cultural Organization



Ref.: CL/4318

Subject: **Global Convention on the Recognition of Qualifications
concerning Higher Education**

Dear Sir/Madam,

I have the honour of informing you that the Global Convention on the Recognition of Qualifications concerning Higher Education was unanimously adopted by the UNESCO General Conference at its 40th session on 25 November 2019.

The Global Convention is designed to facilitate international academic mobility and promote inclusive access to higher education, by ensuring the right of individuals to have their higher education qualifications evaluated through fair, transparent and non-discriminatory mechanisms. It also aims to strengthen international cooperation in higher education and contribute to raising the quality of higher education worldwide.

This text, which was the result of an extensive and innovative participatory process, will create opportunities for millions of students. As such, it will be particularly useful in fostering social inclusion and dynamic economic and cultural exchanges for years to come.

Accordingly, I invite all States to ratify the Convention.

Please find enclosed a certified copy of the Convention in the six working languages of UNESCO; it can also be found on the Organization's Portal: www.unesco.org/EN/LA.

I should like to draw your attention to Article IV, paragraph 4, of UNESCO's Constitution, which requires each Member State to submit conventions to its competent authorities within a period of one year from the close of the session of the General Conference at which these conventions were adopted.

Please also note that, as stipulated in its Article XVIII, paragraph 2, the Convention shall enter into force three months after the date of deposit, with the Director-General of UNESCO, of the 20th instrument of ratification, acceptance, approval or accession.

Accept, Sir/Madam, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Audrey Azoulay', with a horizontal line underneath.

Audrey Azoulay
Director-General

Enclosed document: Certified copy of the Global Convention on the Recognition of Qualifications concerning Higher Education

cc: National Commissions for UNESCO
Permanent Delegations to UNESCO



**GLOBAL CONVENTION ON THE RECOGNITION
OF QUALIFICATIONS CONCERNING HIGHER EDUCATION**

**CONVENTION MONDIALE SUR LA RECONNAISSANCE DES
QUALIFICATIONS RELATIVES À L'ENSEIGNEMENT SUPÉRIEUR**

**CONVENCIÓN MUNDIAL SOBRE EL RECONOCIMIENTO DE LAS
CUALIFICACIONES RELATIVAS A LA EDUCACIÓN SUPERIOR**

**ГЛОБАЛЬНАЯ КОНВЕНЦИЯ О ПРИЗНАНИИ КВАЛИФИКАЦИЙ,
ОТНОСЯЩИХСЯ К ВЫСШЕМУ ОБРАЗОВАНИЮ**

الاتفاقية العالمية للاعتراف بالمؤهلات المتعلقة بالتعليم العالي

承认高等教育相关资历全球公约



United Nations
Educational, Scientific and
Cultural Organization



GLOBAL CONVENTION ON THE RECOGNITION OF QUALIFICATIONS CONCERNING HIGHER EDUCATION

Paris, 25 November 2019

GLOBAL CONVENTION ON THE RECOGNITION OF QUALIFICATIONS CONCERNING HIGHER EDUCATION

PREAMBLE

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 12 to 27 November 2019 at its 40th session,

Inspired by a common will to strengthen educational, geographical, humanitarian, cultural, scientific and socioeconomic ties between States Parties, and to enhance dialogue between regions and the sharing of their recognition instruments and practices,

Recalling the Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which stipulates that “the purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture”,

Mindful of the provisions of the Charter of the United Nations of 1945, the Universal Declaration of Human Rights of 1948, the Convention relating to the Status of Refugees of 1951 and its Protocol of 1967, the Convention relating to the Status of Stateless Persons of 1954, the UNESCO Convention against Discrimination in Education of 1960 and in particular its Article 4a, the International Covenant on Economic, Social and Cultural Rights of 1966, and the UNESCO Convention on Technical and Vocational Education of 1989,

Mindful of the UNESCO Recommendation on the Recognition of Studies and Qualifications in Higher Education of 1993; the UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel of 1997; the United Nations Declaration on the Rights of Indigenous Peoples of 2007; and the UNESCO Recommendation on Science and Scientific Researchers of 2017,

Building on the UNESCO regional conventions on the recognition of qualifications concerning higher education,

Reaffirming the States Parties’ responsibility to promote inclusive and equitable quality education at all levels and lifelong learning opportunities for all,

Conscious of increasing international cooperation in higher education, of the mobility of students, workers, professionals, researchers and academics, of changes in scientific research, and of the different modes, methods, developments and innovations in teaching and learning,

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

Convinced that the international recognition of qualifications concerning higher education will facilitate interdependent learning and knowledge development via the mobility of learners and learning, academics, scientific research and researchers, and workers and professionals and will enhance international cooperation in higher education,

Respecting the cultural diversity among the States Parties, including, inter alia, differences in educational traditions and in the values of higher education,

Desiring to respond to the need for a global convention on the recognition of qualifications concerning higher education to complement the UNESCO regional conventions on the recognition of qualifications concerning higher education, and to enhance the cohesion between them,

Convinced of the need to find common, practical and transparent solutions to improve recognition practices globally,

Convinced that this Convention will promote international mobility, as well as communication and cooperation regarding fair and transparent procedures for recognition, and quality assurance and academic integrity in higher education at a global level,

Adopts this Convention on this twenty-fifth day of November 2019.

SECTION I. DEFINITION OF TERMS

Article I

For the purposes of this Convention, the following definitions shall apply:

Access (to higher education): the right provided to any individual holding a qualification to apply and be considered for admission to a level of higher education

Admission (to higher-education institutions and programmes): the act of, or system for, allowing qualified applicants to pursue higher education at a given institution and/or in a given programme

Applicant:

- (a) an individual submitting to the competent recognition authority a qualification, partial studies, or prior learning for assessment and/or recognition; or
- (b) an entity acting with consent on behalf of an individual

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

Competent authority: an individual or entity that has the authority, capacity, or legal power to perform a designated function

Competent recognition authority: an entity which, in accordance with the laws, regulations, policies, or practices of a State Party, assesses qualifications and/or makes decisions on the recognition of qualifications

Constituent units: official entities of a State Party to this Convention at the level of subnational jurisdictions, such as provinces, states, counties, or cantons, in accordance with Article XX b), Federal or Non-Unitary Constitutional Systems, of this Convention

Cross-border education: all modes of educational delivery which involve the movement of people, knowledge, programmes, providers and curriculum across States Parties' borders, including, but not limited to, quality-assured international joint degree programmes, cross-border higher education, transnational education, offshore education and borderless education

Displaced person: an individual forced to move from his or her locality or environment and occupational activities to another locality or environment

Formal education system: a State Party's education system, including all officially recognized entities with responsibility for education, as well as public and private education institutions at all levels recognized by a State Party's competent authorities and authorized thereby to deliver instruction and other education-related services

Formal learning: learning derived from activities within a structured learning setting, leading to a formal qualification, and provided by an education institution recognized by a State Party's competent authorities and authorized thereby to deliver such learning activities

Higher education: all types of study programmes or sets of courses of study at the post-secondary level which are recognized by the competent authorities of a State Party, or of a constituent unit thereof, as belonging to its higher-education system

Higher-education institution: an establishment providing higher education and recognized by a competent authority of a State Party, or of a constituent unit thereof, as belonging to its higher-education system

Higher-education programme: a post-secondary programme of study recognized by the competent authority of a State Party, or of a constituent unit thereof, as belonging to its higher-education system and the successful completion of which provides the student with a higher-education qualification

Informal learning: learning which occurs outside the formal education system and which results from daily life activities related to work, family, local community, or leisure

International joint degree: a type of cross-border education degree; a single degree recognized and/or authorized and conferred jointly upon completion of an integrated, coordinated and jointly offered programme, by two or more higher education institutions belonging to more than one country

Learning outcomes: a learner's acquired knowledge and skills upon completion of a learning process

Lifelong learning: a process which refers to all learning activities, whether formal, non-formal, or informal, covers the entire lifespan and has the aim of improving and developing human capacities, knowledge, skills, attitudes and competencies

Mobility: the physical or virtual movement of individuals outside their country for the purpose of studying, researching, teaching, or working

Non-formal learning: learning achieved within an education or training framework which places an emphasis on working life and which does not belong to the formal education system

Non-traditional learning modes: formal, non-formal and informal mechanisms for the delivery of educational programmes and learning activities not primarily relying on face-to-face interaction between the educator and the learner

Partial recognition: the partial recognition of a full and completed qualification which cannot be fully recognized on account of the demonstration of substantial differences by a competent recognition authority

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

Prior learning: the experience, knowledge, skills, attitudes and competencies which an individual has acquired as a result of formal, non-formal, or informal learning, assessed against a given set of learning outcomes, objectives, or standards

Qualification:

- (a) **Higher-education qualification:** any degree, diploma, certificate, or award issued by a competent authority and attesting the successful completion of a higher-education programme or the validation of prior learning, where applicable
- (b) **Qualification giving access to higher education:** any degree, diploma, certificate, or award issued by a competent authority and attesting the successful completion of an education programme or the validation of prior learning, where applicable, and giving the holder of the qualification the right to be considered for admission to higher education

Qualified applicant: an individual who has fulfilled relevant criteria and is considered eligible to apply for admission to higher education

Qualifications framework: a system for the classification, publication and organization of quality-assured qualifications according to a set of criteria

Quality assurance: an ongoing process by which the quality of a higher-education system, institution, or programme is assessed by the competent authority/authorities to assure stakeholders that acceptable educational standards are continuously being maintained and enhanced

Recognition: a formal acknowledgment by a competent recognition authority of the validity and academic level of a foreign education qualification, of partial studies, or of prior learning for the purpose of providing an applicant with outcomes including, but not limited to:

- (a) the right to apply for admission to higher education; and/or
- (b) the possibility to seek employment opportunities

Region: any one of the areas identified in accordance with the UNESCO definition of regions with a view to the execution by the Organization of regional activities, namely, Africa, Arab States, Asia and the Pacific, Europe, and Latin America and the Caribbean

Regional recognition conventions: the UNESCO conventions on the recognition of qualifications concerning higher education in each of the UNESCO regions, including the Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the Arab and European States bordering on the Mediterranean

Requirements:

- (a) **General requirements:** conditions which must be fulfilled for access to higher education, or to a given level thereof, or for the obtaining of a higher-education qualification at a given level
- (b) **Specific requirements:** conditions, in addition to the general requirements, which must be fulfilled for admission to a particular higher-education programme, or for the obtaining of a specific higher-education qualification in a particular field of study

Substantial differences: significant differences between the foreign qualification and the qualification of the State Party which would most likely prevent the applicant from succeeding in a desired activity, such as, but not limited to, further study, research activities, or employment opportunities

SECTION II. OBJECTIVES OF THE CONVENTION

Article II

Building on and enhancing the coordination, revisions and achievements of the regional recognition conventions, the objectives of this Convention are to:

1. Promote and strengthen international cooperation in higher education;
2. Support interregional initiatives, policies and innovations for international cooperation in higher education;
3. Facilitate global mobility and the achievement of merit in higher education for the mutual benefit of qualification holders, higher-education institutions, employers, and any other stakeholders of the States Parties to this Convention while understanding and respecting the diversity of the States Parties' higher-education systems;
4. Provide an inclusive global framework for the fair, transparent, consistent, coherent, timely and reliable recognition of qualifications concerning higher education;
5. Respect, uphold and protect the autonomy and diversity of higher-education institutions and systems;
6. Foster trust and confidence in the quality and reliability of qualifications through, inter alia, the promotion of integrity and ethical practices;
7. Promote a culture of quality assurance in higher-education institutions and systems, and develop the capacities necessary for ensuring reliability, consistency and complementarity in quality assurance, in qualifications frameworks and in the recognition of qualifications in order to support international mobility;
8. Promote the development, collection and sharing of accessible, up-to-date, reliable, transparent and relevant information and the dissemination of best practices among stakeholders, States Parties and regions;
9. Promote, through the recognition of qualifications, inclusive and equitable access to quality higher education and support lifelong learning opportunities for all, including refugees and displaced persons;
10. Foster globally the optimal use of human and educational resources with a view to promoting education for sustainable development, and contribute to structural, economic, technological, cultural, democratic and social development for all societies.

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

Article III

For the recognition of qualifications concerning higher education, this Convention establishes the following principles:

1. Individuals have the right to have their qualifications assessed for the purpose of applying for admission to higher education studies or seeking employment opportunities.
2. Recognition of qualifications should be transparent, fair, timely and non-discriminatory in accordance with the rules and regulations of each State Party, and should be affordable.
3. Recognition decisions are based on trust, clear criteria, and fair, transparent and non-discriminatory procedures, and underline the fundamental importance of equitable access to higher education as a public good which may lead to employment opportunities.
4. Recognition decisions are based on appropriate, reliable, accessible and up-to-date information on higher-education systems, institutions, programmes and quality assurance mechanisms which has been provided through the competent authorities of the States Parties, official national information centres, or similar entities.
5. Recognition decisions are made with due respect for the diversity of higher-education systems worldwide.
6. Competent recognition authorities undertaking recognition assessments shall do so in good faith, giving clear reasons for decisions, and have mechanisms for appealing recognition decisions.
7. Applicants seeking recognition of their qualifications provide adequate and accurate information and documentation on their achieved qualifications in good faith, and have the right to appeal.
8. States Parties commit to adopting measures to eradicate all forms of fraudulent practices regarding higher education qualifications by encouraging the use of contemporary technologies and networking activities among States Parties.

SECTION IV. OBLIGATIONS OF THE STATES PARTIES TO THE CONVENTION

This Convention establishes the following obligations for the States Parties:

Article IV. Recognition of Qualifications Giving Access to Higher Education

1. Each State Party shall recognize, for the purposes of access to its higher-education system, the qualifications and documented or certified prior learning acquired in other States Parties which meet the general requirements for access to higher education in those States Parties, unless substantial differences can be shown between the general requirements for access in the State Party in which the qualification was obtained and those in the State Party in which recognition of the qualification is sought. Alternatively, it shall be sufficient for a State Party to enable the holder of a qualification issued in another State Party to obtain an assessment of that qualification.
2. Qualifications acquired through recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms will be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to similar qualifications acquired through traditional learning modes.
3. Where a qualification gives access only to specific types of institutions or programmes of higher education in the State Party in which the qualification was obtained, each State Party shall grant holders of such qualifications access to similar specific types of institutions or programmes belonging to its higher-education system, if available, unless substantial differences can be shown.

Article V. Recognition of Higher-Education Qualifications

1. Each State Party shall recognize a higher-education qualification conferred in another State Party, unless substantial differences can be shown between the qualification for which recognition is sought and the corresponding qualification in the State Party in which recognition is sought. Alternatively, it shall be sufficient for a State Party to enable the holder of a higher-education qualification issued in another State Party to obtain an assessment of that qualification, upon the request of the holder.
2. Higher-education qualifications acquired through recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms and which are considered a part of the higher-education system of a State Party will be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to similar qualifications acquired through traditional learning modes.
3. Higher-education qualifications acquired through cross-border education with international joint degrees or through any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, shall be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to qualifications acquired through programmes undertaken in a single country.
4. Recognition in a State Party of a higher-education qualification issued in another State Party shall have at least one of the following outcomes:
 - (a) It shall provide the holder with the right to apply for admission to further higher education under the same conditions as those applicable to holders of higher-education qualifications of the State Party in which recognition is sought; and/or
 - (b) It shall provide the holder with the right to use the title associated with a higher-education qualification in accordance with the laws or regulations of the State Party, or of the constituent unit thereof, in which recognition is sought.

In addition, assessment and recognition may enable qualified applicants to seek employment opportunities subject to the laws and regulations of the State Party, or of the constituent unit thereof, in which recognition is sought.

5. Where a competent recognition authority can demonstrate substantial differences between the qualification for which recognition is sought and the corresponding qualification in the State Party in which recognition is sought, the competent recognition authority shall seek to establish whether partial recognition may be granted.
6. Each State Party may make the recognition of higher-education qualifications acquired through cross-border education or through foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the legislation or regulations of the State Party, or of the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions.

Article VI. Recognition of Partial Studies and Prior Learning

1. Each State Party may recognize, for the purpose of the completion of a higher-education programme or the continuation of higher education studies, where appropriate, and taking into account the legislation of the States Parties regarding access, documented or certified partial studies or documented or certified prior learning acquired in another State Party, unless substantial differences can be shown between the partial studies or prior learning and the part of the higher-education programme they or it would replace in the State Party in which recognition is sought. Alternatively, it shall be sufficient for a State Party to enable an individual who has undertaken documented or certified partial studies or documented or certified prior learning in another State Party to obtain an assessment of these partial studies or this prior learning, upon the request of the individual concerned.

2. Documented or certified partial completion of higher-education programmes delivered by recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms and which are considered a part of the higher-education system of a State Party shall be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to partial studies delivered by traditional learning modes.
3. Documented or certified partial completion of higher-education programmes delivered through cross-border education with international joint degrees or any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, will be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to partial studies acquired in a single country.

Article VII. Recognition of Partial Studies and Qualifications Held by Refugees and Displaced Persons

Each State Party shall take the necessary and feasible steps, within its education system and in conformity with its constitutional, legislative and regulatory provisions, to develop reasonable procedures for assessing fairly and efficiently whether refugees and displaced persons fulfil the relevant requirements for access to higher education, to further higher-education programmes, or to the seeking of employment opportunities, including in cases where partial studies, prior learning, or qualifications acquired in another country cannot be proven by documentary evidence.

Article VIII. Information for Assessment and Recognition

1. Each State Party shall establish transparent systems for the complete description of the qualifications and learning outcomes obtained in its territory.
2. Each State Party, to the extent feasible based on its constitutional, legislative and regulatory situation and structure, shall put in place an objective and reliable system for the approval, recognition and quality assurance of its higher-education institutions in order to promote confidence and trust in its higher-education system.
3. Each State Party shall establish and maintain a national information centre or similar entities to provide access to relevant, accurate and up-to-date information about its higher-education system.
4. Each State Party shall encourage the use of technologies to ensure easy access to information.
5. Each State Party shall:
 - (a) Provide access to authoritative and accurate information on its higher-education systems, qualifications, quality assurance, and qualification frameworks, if applicable;
 - (b) Facilitate the dissemination of and access to accurate information on the other States Parties' higher-education systems, qualifications, and qualifications giving access to higher education;
 - (c) Give advice and information, where appropriate, on recognition matters, including criteria and procedures for the assessment of qualifications, and the development of materials for good recognition practices in accordance with the laws, regulations and policies of the State Party; and
 - (d) Ensure the provision, within a reasonable time, of adequate information on any institution belonging to its higher-education system, and on any programme operated by such institutions, with a view to enabling the competent authorities of other States Parties to ascertain whether the quality of the qualifications issued by these institutions justifies recognition in the State Party in which recognition is sought.

Article IX. Assessment of an Application

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

2. Each State Party shall ensure that the institutions belonging to its education system provide to the extent available, upon request, within a reasonable time frame and free of charge, relevant information to the holder of a qualification or to the institution or the competent recognition authorities of the State Party in which recognition is sought.
3. Each State Party shall ensure that the body undertaking assessment for the purposes of recognition demonstrates the reasons for which an application does not fulfil requirements or demonstrates where substantial differences are identified.

Article X. Information on the Competent Recognition Authorities

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

Article XI. Additional Requirements for Admission to Higher-Education Programmes

1. Where admission to particular higher-education programmes is dependent on the fulfilment of specific requirements in addition to the general requirements for access, the competent authorities of the State Party concerned may impose the same specific requirements on holders of qualifications obtained in other States Parties or assess whether applicants with qualifications obtained in other States Parties fulfil the equivalent requirements.
2. Where qualifications giving access to higher education in one State Party are issued only in combination with additional qualifying examinations as a prerequisite for access, the other States Parties may make access conditional on these requirements or offer an alternative for satisfying such additional requirements within their own education systems.
3. Without prejudice to the provisions of Article IV, admission to a given higher-education institution, or to a given programme within such an institution, may be restricted or selective, according to fair and transparent regulations.
4. With respect to paragraph 3 of the present article, admission procedures shall be designed with a view to ensuring that the assessment of foreign qualifications is carried out according to the principles of transparency, fairness and non-discrimination described in Article III.
5. Without prejudice to the provisions of Article IV, admission to a given higher-education institution may be based on the condition of the demonstration by the qualification holder of sufficient competence in the language or languages of instruction of the institution concerned, or in other specified languages.

6. For the purpose of admission to higher-education programmes, each State Party may make the recognition of qualifications issued by foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the legislation and regulations of the State Party or the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions.

SECTION V. IMPLEMENTATION STRUCTURES AND COOPERATION

Article XII. Implementation Structures

The States Parties agree to implement this Convention through or in cooperation with:

1. National implementation structures;
2. Networks of national implementation structures;
3. National, regional and global organizations for accreditation, quality assurance, qualification frameworks, and recognition of qualifications;
4. The Intergovernmental Conference of the States Parties;
5. Regional recognition convention committees.

Article XIII. National Implementation Structures

1. In order to facilitate the recognition of higher-education qualifications, the States Parties undertake to implement this Convention through relevant organizations, including national information centres or similar entities.
2. Each State Party will notify the Secretariat of the Intergovernmental Conference of the States Parties of its national implementation structures and of any modification in this regard.
3. National implementation structures should form and actively participate in networks.

Article XIV. Networks of National Implementation Structures

1. Under the auspices of the Intergovernmental Conference of the States Parties, the networks shall be composed of national implementation structures of the States Parties and shall uphold and assist with the practical implementation of this Convention.
2. The networks shall provide information exchange, capacity building and technical support to the States Parties upon request.
3. The networks shall seek to strengthen the interregional cooperation under this Convention and uphold links to the Intergovernmental Conference of the States Parties.
4. States Parties may participate in existing regional networks established through the regional recognition conventions or create new networks. Participation in existing regional networks shall be subject to the agreement of the relevant regional recognition convention committees.

Article XV. The Intergovernmental Conference of the States Parties

1. An Intergovernmental Conference of the States Parties, hereinafter referred to as “the Conference”, shall be established.
2. The Conference shall be composed of representatives of all States Parties to this Convention.
3. The States which are not States Parties to this Convention and the heads of the regional recognition convention committees shall be invited to participate in the meetings of the Conference as observers.
4. Representatives of relevant international and regional organizations, as well as representatives of governmental and non-governmental organizations active in the field of recognition of higher-education qualifications, may also be invited to attend meetings of the Conference as observers.

5. The Conference shall meet in ordinary sessions at least every two years. It may meet in extraordinary sessions if it so decides or at the request of at least one third of the States Parties. The Conference shall have an interim work programme concerning activities between sessions. The Conference shall submit a report at each of the ordinary sessions of the General Conference of UNESCO.
6. The Conference shall meet for the first time within two years of the entry into force of this Convention, and at that time it shall adopt its own rules of procedure.
7. The Conference shall promote the application of this Convention and shall oversee its implementation by adopting recommendations, declarations, models of good practices, or any relevant subsidiary text at the global or interregional level.
8. The Conference may adopt operational guidelines for the States Parties to this Convention, in consultation with the regional recognition convention committees.
9. The Conference shall support the follow-up of the activities relating to monitoring by and reporting to UNESCO's governing bodies with regard to the implementation of this Convention.
10. The Conference shall cooperate with the regional recognition convention committees under the auspices of UNESCO.
11. The Conference shall ensure that there is the necessary information exchange between the Conference and the regional recognition convention committees.
12. The Conference shall examine for adoption the draft amendments to this Convention in accordance with Article XXIII. The amendments adopted shall not undermine the principles of transparent, fair, timely and non-discriminatory recognition stated in this Convention.
13. The Secretariat of the Conference shall be provided by the Director-General of UNESCO. The Secretariat shall prepare the documentation of the Conference, draft the agenda of its meetings, and ensure the implementation of its decisions.

SECTION VI. FINAL CLAUSES

Article XVI. Ratification, Acceptance, or Approval by Member States

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

Article XVII. Accession

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

Article XVIII. Entry into Force

1. This Convention shall enter into force three months after the date of deposit of the twentieth instrument of ratification, acceptance, approval, or accession, but only with regard to those States Parties which have deposited their respective instruments of ratification, acceptance, approval, or accession on or before that date.

2. This Convention shall enter into force with regard to any other State Party three months after the deposit of its instrument of ratification, acceptance, approval, or accession.

Article XIX. Relationship between the States Parties to this Convention and the Parties to the Regional Recognition Conventions and to other Treaties

1. The ratification of, acceptance of, approval of, or accession to of any of the regional recognition conventions shall not be a prerequisite for the ratification of, acceptance of, approval of, or accession to this Convention.
2. The States Parties to this Convention shall:
 - (a) Foster mutual support between this Convention and the other treaties to which they are parties, particularly the regional recognition conventions; and
 - (b) Take into account the relevant provisions of this Convention when interpreting and applying the regional recognition conventions to which they are parties or when entering into other international obligations.
3. Nothing in this Convention shall be interpreted as modifying the rights and obligations of the States Parties under the regional recognition conventions and any other treaties to which they are parties.
4. To ensure coherent interaction between this Convention, the regional recognition conventions, any other relevant bilateral or multilateral agreements, and any other existing or future treaty or convention to which a State Party to this Convention may be or may become a party, nothing in this Convention shall be deemed to derogate from any provisions more favourable to recognition, in particular, provisions regarding national information centres, networks and substantial differences.

Article XX. Federal or Non-Unitary Constitutional Systems

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

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

Article XXI. Denunciation

1. Any State Party to this Convention may denounce, at any time, 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 12 months after the receipt of the instrument of denunciation. It shall in no way affect the obligations under this Convention incumbent upon the State Party denouncing the Convention until the date on which the withdrawal takes effect.
4. The denunciation of this Convention shall not have any impact with respect to:
 - (a) Recognition decisions taken previously under the provisions of this Convention;
 - (b) The recognition assessments still in progress under this Convention.

Article XXII. Depositary Functions

The Director-General of UNESCO, as the depositary of this Convention, shall inform the Member States of the Organization, the States not members of the Organization referred to in Article XVII, as well as the United Nations, of:

- (a) The deposit of all the instruments of ratification, acceptance, approval, or accession provided for in Articles XVI and XVII;
- (b) The denunciations provided for in Article XXI;
- (c) The amendments to the Convention adopted in accordance with Article XXIII and the date on which the amendments come into force as proposed in accordance with Article XXIII.

Article XXIII. Amendments

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

Article XXIV. Registration with the United Nations

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

Article XXV. Authoritative Texts

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

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its 40th session, which was held in Paris and declared closed the twenty-seventh day of November 2019.

Le texte qui précède est le texte authentique de la Convention dûment adoptée par la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture à sa 40e session, qui s'est tenue à Paris et qui a été déclarée close le vingt-sept novembre 2019.

Lo que antecede es el texto auténtico de la Convención aprobada en buena y debida forma por la Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, en su 40ª reunión, celebrada en París y terminada el veintisiete de noviembre de 2019.

Приведенный выше текст является подлинным текстом Конвенция, надлежащим образом принятой Генеральной конференцией Организации Объединенных Наций по вопросам образования, науки и культуры на ее 40-й сессии, состоявшейся в Париже и закончившейся 27 ноября 2019 г.

النص الوارد آنفاً هو النص الأصلي للاتفاقية التي اعتمدها، حسب الأصول، المؤتمر العام لمنظمة الأمم المتحدة للتربية والعلم والثقافة في دورته الأربعين التي عُقدت في باريس، والتي اختُتمت أعمالها في اليوم السابع والعشرين من شهر تشرين الثاني/نوفمبر من عام ٢٠١٩.

上述文本为在巴黎举行并于 2019 年 11 月 27 日闭幕的联合国教育、科学及文化组织大会第四十届会议通过的公约正式文本。

IN FAITH WHEREOF we have appended our signatures:
EN FOI DE QUOI, nous avons apposé nos signatures :
EN FE DE LO CUAL estampamos sus firmas:
В УДОСТОВЕРЕНИЕ ЧЕГО настоящую Рекомендацию подписали
وإثباتاً لما تقدم وقعنا أدناه بإمضاءنا:
我们在此签名，以昭信守。

The President of the General Conference

Le Président de la Conférence générale

El Presidente de la Conferencia General

Председатель Генеральной конференции

رئيس المؤتمر العام

大会主席

The Director-General

La Directrice générale

La Directora General

Генеральный директор

المديرة العامة

总干事

ALTAY CENGIZER

AUDREY AZOULAY

Certified Copy
Copie certifiée conforme
Copia certificada conforme
Заверенная копия

صورة طبق الأصل
经核证的副本

Paris, **20 MAY 2020**

Paris,
Paris,
Париж,

باريس،
巴黎

Santiago VILLALPANDO
Legal Adviser / Conseiller juridique



Legal Adviser
United Nations Educational,
Scientific and Cultural Organization

Conseiller juridique
Organisation des Nations Unies
pour l'éducation, la science et la culture

Asesor Jurídico,
Organización de las Naciones Unidas
para la Educación, la Ciencia y la Cultura

Юрисконсульт
Организации Объединенных Наций
по вопросам образования, науки и культуры

المستشار القانوني

منظمة الأمم المتحدة للتربية والعلم والثقافة

法律顾问
联合国教育、科学及文化组织