

**HUMAN RIGHTS,
DEMOCRACY
AND THE RULE OF LAW**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**DROITS DE L'HOMME,
DÉMOCRATIE
ET ÉTAT DE DROIT**

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Council of Europe Mandate

► Ad Hoc Working Group on Automatic Recognition:

- Set up in 2022 - for the period from 2 February 2023 through 31 December 2024.

Purpose:

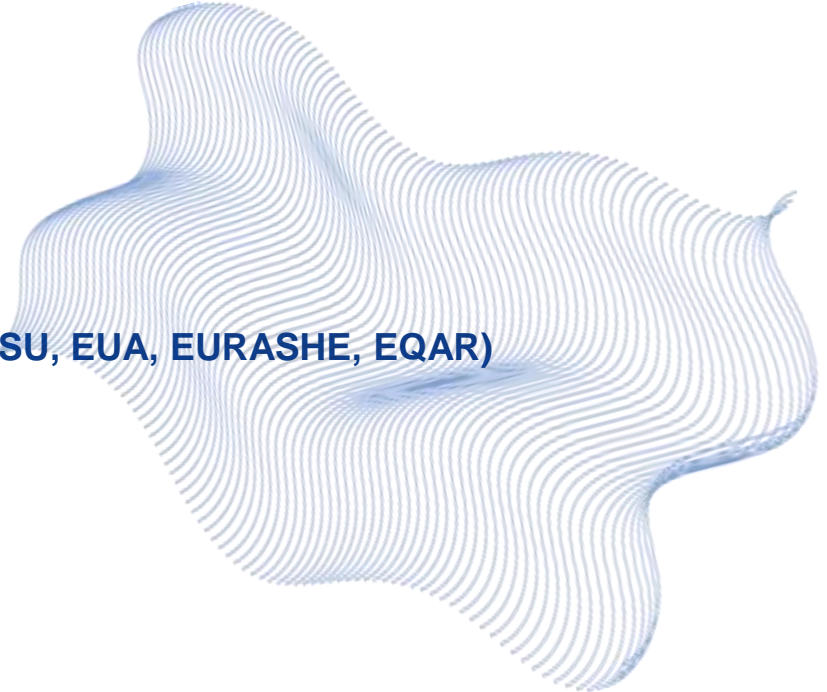
- Exchange views on the current developments, related to establishing the right to automatic recognition, making good use of the trial-and-error experiences across Europe;
- Advise the CDEDU on different possibilities and prepare an option paper to establish a legally binding text on automatic recognition

Ad Hoc Working Group on Automatic Recognition

Composition:

- **Lisbon Recognition Convention Bureau**
- **ENIC Bureau/NARIC Advisory Board**
- **Public authorities representatives**
- **Stakeholder organisations in higher education (ESU, EUA, EURASHE, EQAR)**
- **Experts in the recognition field**

To date the Ad Hoc Working Group held 5 meetings

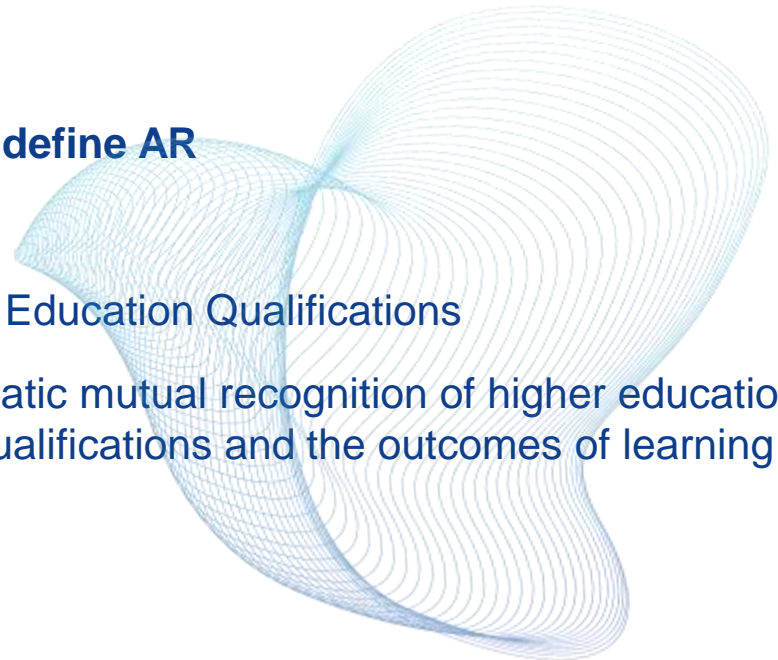


The WG looked at definitions

► Definition of Automatic Recognition

Several definitions for different instruments to define AR

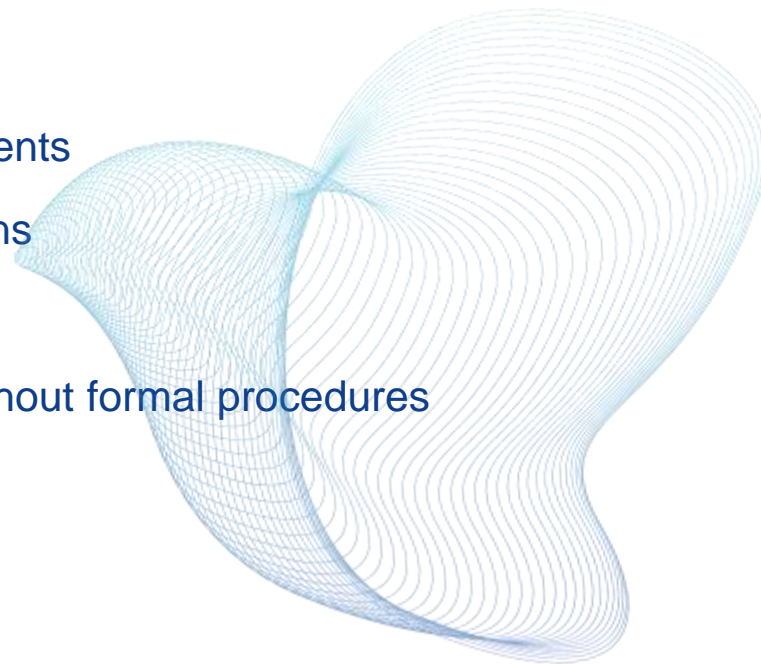
1. Bologna Process and the Pathfinder Group
2. Treaty on the Automatic Recognition of Higher Education Qualifications
3. Council Recommendation on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad



The WG explored types of automatic recognition

► Types of Automatic Recognition

1. Legally binding bilateral or multilateral agreements
2. National lists of recognised foreign qualifications
3. Mutual declarations or non-binding statements
4. De facto recognition by national authorities without formal procedures



Options for a possible legal text

► Options for a possible legal text

- Additional protocol to the LRC
- CoE standard setting instrument
- Joining or expanding the (multilateral) Treaty on Automatic Recognition of Higher Education Qualifications.
- CoE Treaty open to non-member States and to EU

Form of the text (legally binding or non-legally binding)

- A proposal goes to a legally binding instrument in the form of a protocol or a convention
- Non-legally binding instrument in the form of recommendation, declaration or similar is less supported.

Consultations with main stakeholders

- Students – ESU General Assembly (Tallinn, November 2023)
- Higher education institutions (online consultation 15 March 2024, co-organized with EUA and EURASHE)
- Public authorities (CDEDU Plenary session, 21 March 2024)
- BENELUX Secretariat (online, 4 June 2024)



Main conclusions

- ▶ **There is a scope for a CoE legal text to ensure**
 - **The right of students to automatic recognition**
 - **System level recognition only** – automatic recognition applies to the system-level recognition only and shall not apply to the recognition of the qualifications of the specific programme or field of study.
 - **Access qualifications** – *to be included or not ?*
 - **Harmonise across Europe the definition, key principles and concepts and avoid confusion (e.g. access and admission)**
 - **Identify fundamental principles and set new building blocks (preconditions and requirements) that allow enable countries to engage in automatic recognition**
 - **Reinforce the cooperation through the establishment of a common institutional framework with the Multilateral Treaty and enlarge the scope for European legal space of automatic recognition**

Fundamental principles and building blocks

Key principles:

- The right of students and graduates to automatic recognition
- Education systems based on academic freedom and institutional autonomy
- Mutually reinforcing relationship with the Multilateral Treaty and the LRC

Building blocks – the list is indicative and not exhaustive

- Ratification and full implementation of the LRC
- Membership of the EHEA : QA, NQF, student participation
- Robust systems for preventing corruption in higher education
- Responsible use of AI (algorithms)

Way Forward

- *Establish a triangular, mutually reinforcing relation between the new instrument/Multilateral Treaty and the Lisbon Recognition Convention.*
- The Ad Hoc Working Group will identify and design the necessary building blocks to ensure clarity, build trust, and establish the pre-conditions required for the effective implementation of automatic recognition across member states.
- *Proposal to enlarge the Working Group of Experts on Automatic Recognition (Draft Committee) – for the Plenary session in October 2024*
- *Terms of reference : January 2025 – December 2026*

New CoE instrument

LRC

Multilateral treaty



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46 MEMBER STATES
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