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**DEPARTMENT OF HUMAN RESOURCES, SCIENCE AND TECHNOLOGY**

**FIRST EXTRAORDINARY SESSION OF THE  
CONFERENCE OF MINISTERS OF EDUCATION  
OF THE AFRICAN UNION (COMEDAF IV+)  
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**REGIONAL CONVENTION ON THE RECOGNITION OF STUDIES, CERTIFICATES,  
DIPLOMAS, DEGREES AND OTHER ACADEMIC QUALIFICATIONS IN HIGHER  
EDUCATION IN AFRICAN STATES**

## **PREAMBLE**

The African States and States or entities wishing to become parties to the present Convention,

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

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

**Taking** into account the launch of the Second Decade of Education for Africa Plan of Action and higher education prioritized as one of seven areas of focus of the Plan of Action;

**Considering** the paramount role that the systems of education can and must play in promoting regional integration through inter-university co-operation;

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

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

**Reaffirming** the Declaration of the World Conference on Higher Education of 1998, especially when it underlined the need for ratifying and implementing normative instruments for the recognition of diplomas and for mobility within the education systems, as well as giving priority to postgraduate training in Africa;

**Reaffirming** the outcomes of the 2009 UNESCO World Conference on Higher Education (WCHE + 10) which acknowledged the tremendous progress made and gave priority focus to the development of a higher education and research area in Africa;

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

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

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

**Taking into account** the role played by UNESCO in this area by creating Regional Conventions;

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

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

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

**Expressing** the belief that this Convention will constitute a major element towards a more wide-ranging action leading, on the one hand, to the construction of an African Higher Education and Research Area and, on the other hand, an eventual International Convention for all the Member States of UNESCO;**HAVE AGREED as follows:**

## **I- DEFINITIONS**

### **Article 1-**

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

1. **Access:** The possibility for qualified candidates to apply and to be considered for admission to higher education.
2. **Accreditation:** A process of assessment and review that enables a higher education program or institution to be recognized or certified by the appointed body as meeting appropriate standards.
3. **Admission:** The granting of qualified applicants to pursue studies in higher education at a given institution and/or in a given programme.
4. **Authorization:** A permit delivered by a body officially mandated to authorize the foundation of an institution or the creation of a new branch of specialization in a higher education institution.
5. **Bachelor's degree:** The first degree offered by a university or equivalent institution.

6. **Competent recognition authority:** A body officially charged with making decisions on the recognition of foreign qualifications.
7. **Continental body:** an Organization whose jurisdiction covers the entire continent.
8. **Cross-Border Higher Education:** Higher education that takes place in situations where the teacher, student, programme, institution/provider or course materials cross national, jurisdictional borders. Cross-border higher education may include higher education by public/private and not-for-profit/for-profit providers. It encompasses a wide range of modalities, in a continuum from face-to-face (taking various forms such as students traveling abroad and campuses abroad) to distance learning (where provision of education rather than the student moves across borders using a range of technologies and including e-learning).
9. **Doctorate degree:** The, terminal highest degree offered by a university, also referred to as the third academic degree.
10. **Evaluation of Institutions and Programmes:** A process that enables an evaluation of the quality of education provision of an institution or a higher education programme.
11. **Graduate Education:** Any study undertaken beyond the first or Bachelor's degree level or an equivalent degree.
12. **Higher Education:** All types of courses of study, or sets of courses of study, training, or training for research at the post secondary level which are recognized by the relevant authorities of a State Party as belonging to its higher education system.
13. **Higher Education Institution:** An institution providing higher education and recognized by the competent authority of a State as belonging to its higher education system, and authorized award qualifications at the higher education level.
14. **Individual Evaluation:** Assessment by a competent authority of the qualifications or level of training acquired by an individual to determine his/her access to further educational levels and/or regulated professional employment.
15. **Level of Training:** A sum of academic and practical studies, or personal experience and professional achievements, leading to the required level of competence or skill, either to pursue further training, or to assume the responsibilities and perform the duties corresponding to the level of training concerned.
16. **Life-Long Learning:** Education through experience and formal or informal studies covering the entire span of one's life.

17. **Master's Degree:** A degree obtained after the Bachelor's degree, also referred to as the second degree.
18. **National Observatories:** An authority at the national level functioning as a database and controlling the accreditation and quality assurance bodies
19. **National Quality Assurance Authority:** A Quality Assurance Authority independent of the higher education system, whose jurisdiction in ensuring the defined standards and procedures nationwide is adhered to by the institutions.
20. **Network of National Observatories:** An interconnected system of national observatories, accreditation and quality assurance bodies that collaborate in order to share good practices, policies, procedures, methods and modus operandi.
21. **Open and Distance Learning:** Non-traditional provision of higher education via part-time attendance study modalities or remote delivery using ICTS or a combination of both.
22. **Partial Studies:** Education whose duration or content is incomplete according to the norms prevailing in the institution where it was acquired, and which, not having resulted in the conferral of a qualification, has been subjected to an evaluation and a validation, in accordance with the norms prevailing in the institution concerned.
23. **Prior Learning:** Learning which has already been acquired in different ways **either formal or non-formal.**
24. **Professional studies:** Education or training provided by recognised professional bodies or societies.
25. **Quality Assurance:** A process which specifies requirements for a group of activities, especially with regard to conditions of access and admission, training of human resources, mobilization of financial resources and training of teachers in the use of new pedagogical methods.
26. **Quality Assurance Authority:** An authority which is officially established and recognized and which is mandated to take executive decisions within the framework of the recognition of qualifications in Higher Education or of validated training.
27. **Recognition:** Acceptance by the competent authority of a State Party's diploma, degree or other higher education qualification, or a validated training, obtained abroad, and the granting to the holders thereof their entitled rights to either continue their studies or practice a profession nationally.

**Region:** A sub-part of the continent.

**Secondary Education:** Studies that follow basic education and whose aims may include preparing pupils for higher education as sanctioned by a secondary school leaving certificate or proof of the ability to enroll in higher education.

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

**Virtual Higher Education:** A type of higher education which uses Information and Communication Technologies, where the student does not have to be present in the lecture room.

## **II- AIMS**

### **Article 2-**

1. The State Parties solemnly declare their firm resolve to co-operate closely with a view to:

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

2. The State Parties agree to take all necessary steps at the national, bilateral and multilateral levels, in particular by means of bi-lateral, sub-regional, continental or other institutional instruments and arrangements with competent national or international organisations and bodies, with a view of achieving the goals defined in the present Article.

## **III- OBLIGATIONS OF STATE PARTIES**

### **Article 3- General Provisions**

1. The provisions of this Convention apply to qualifications obtained in a public or private higher education institution recognized by an authority of a State Party, located

within or outside its national boundaries and in compliance with its rules and regulations.

2. The recognition by a State Party of a delivered qualification is contingent upon the fulfilment of all the degree requirements.

3. The provisions of the present Convention apply to all forms of higher education as defined in Article I definition 12.

#### **Article 4- Obligations Related to the Recognition of Qualifications**

1. The State Parties agree to recognize, under the same conditions applicable locally, the higher education qualifications obtained in another State Party, the possession of which qualifies the holder to admission at the ensuing levels of education in higher education institutions.

2. The State Parties agree to take all necessary measures in order to facilitate access to the higher education institutions of their country for nationals of other State Parties who satisfy the same requirements as their own nationals for admission to the appropriate degree level.

3. The State Parties agree to define the criteria and procedures for the evaluation of qualifications to ensure minimum learning outcomes in order to facilitate and reinforce academic mobility within and between their States.

4. The State Parties agree to take the necessary measures to ensure that the qualifications issued by an institution of higher education of a State Party are recognized for the purpose of exercising a profession.

5. Any national of a State Party having obtained, in the territory of a non- State Party, qualifications similar to those defined above, can avail herself/himself of these provisions, provided that her/his qualifications have been recognized by the country of origin and the accepting country.

6. Any national of a State Party, regardless of gender or political or legal status, who has undertaken studies and obtained a qualification is entitled to benefit from the provisions of this Convention.

7. State Parties and regulatory bodies should develop procedures to assess whether refugees and displaced persons fulfil relevant requirements to access higher education through recognition of prior learning and qualifications for employability and integration

#### **Article 5- Transparency of Higher Education Systems, Institutions, Programmes and Qualifications**

1. The State Parties agree to put in place national structures, and to update them where and when necessary, in order to evaluate the practices of their higher education system and to ensure the transparency of the system, institutions, programmes and qualifications and to make recommendations to the National Quality Assurance Authority as defined in Article 10.

2. The State Parties agree to put in place and to ensure the regular operation of a National Quality Assurance Authority mandated to carry out a periodic evaluation of higher education institutions and programmes.

#### **Article 6- Recognition of Partial Studies**

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

#### **Article 7- Validation of Acquired Professional Experience and Prior Learning**

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

### **IV- IMPLEMENTATION**

#### **Article 8- Process for the Recognition of Qualifications**

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

##### **Article 8.1**

1. Holders of qualifications issued in one of the State Parties shall have adequate access, upon request to the appropriate body, to an assessment of these qualifications in a timely manner.
2. In order to assure this right, each State Party undertakes to make appropriate arrangements for the assessment of an application for recognition of qualifications solely on the basis of knowledge and skills achieved.

##### **Article 8.2**

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

##### **Article 8.3**

1. Decisions on recognition shall be made on the basis of appropriate information on the qualifications for which recognition is sought.
2. In the first instance, the responsibility for providing adequate information rests with the applicant, who shall provide such information in good faith.
3. Notwithstanding the responsibility of the applicant, the institutions having issued the qualifications in question shall have a duty to provide, upon request of the applicant and within a reasonable timeframe, relevant information to the holder of qualifications, to the institution, or to the competent authorities of the country in which recognition is sought.
4. The State Parties shall instruct or encourage, as appropriate, all education institutions belonging to their education systems to comply with any reasonable



request for information for the purpose of assessing qualifications earned at the said institutions.

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

#### **Article 8.4**

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

#### **Article 8.5**

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

#### **Article 9- Implementing Structures and Technical Partnership**

The State Parties agree to entrust the implementation of the provisions contained in the present Convention to:

1. National Bodies
2. The Continental Follow-Up Committee
3. The Network of National Observatories
4. Bilateral and sub-regional Bodies

#### **Article 10- National Bodies**

1. **National Quality Assurance Authority.** State Parties agree to create and ensure the regular operation of a Quality Assurance Authority, to be officially established, recognized and empowered to take executive decisions within the framework of recognition qualifications in higher education.

2. **National Networks.** State Parties agree to encourage close cooperation among the relevant structures (governmental or non-governmental), in particular the higher education institutions, the validation authorities, the professional organizations and other educational institutions and associations, in order to achieve the objectives of this Convention.

3. **National Observatory.** State Parties, in order to reinforce exchanges, agree to set up a National Information Center (NIC), which will be coordinated by a focal point. The NIC is responsible for collecting and disseminating information and successful experiences as regards recognition of qualifications, as well as mechanisms for quality assurance and accreditation of institutions and programmes. State Parties will make available to all other State Parties complete, reliable and regularly updated data and information about level of enrolment, recognized higher education institutions, programmes, subjects, studies, degrees, qualifications, as well as the recognition of higher education qualifications and diplomas in their territories.

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

#### **Article 11- Convention Committee**

1. A Convention Committee composed of representatives of all State Parties is hereby set up.

2. The objective of the Committee, which will be under the responsibility of the Bureau of the Conference of Ministers of Education of Africa (COMEDAF), is to promote and extend the implementation of the current Convention. In that context, the Committee will develop and distribute the recommendations, protocols and best practice models to guide the National Quality Assurance Authority of each State Party in the implementation of the provisions of the current Convention.

3. The Committee is entitled to propose to State Parties plans and procedures for the implementation of the Convention and the co-ordination of its practical execution by the State Parties, UNESCO and the African Union Commission.

#### **4. The Committee:**

1. Elects, from its members, for a period of two years, renewable once, a Bureau comprising a President, three Vice-Presidents and a Rapporteur representing the five AU regions;

2. Develops and adopts its own rules of procedure;

3. Creates the bodies and technical committees necessary for the accomplishment of its tasks, by defining their composition, powers and mandate.

#### **Article 12- Co-Secretariat of the Convention Committee**

1. The Co-Secretariat of the Convention Committee will be provided by UNESCO, represented by the Regional Office for Education in Africa (BREDA), and the African Union Commission (AUC).

2. The Co-Secretariat prepares, in consultation with the Bureau of the Convention Committee, the agenda of the meetings of the Committee and assists the national structures in their activities.

3. The Co-Secretariat assists the State Parties in distributing information about the activities and findings of the Continental Follow-Up Committee, the NICs and the Network of NICs.

#### **Article 13- Network of National Observatories**

National Observatories will be constituted into a Network of Continental Observatories.

#### **Article 14- Bilateral and Sub-Regional Structures**

1. The State Parties may delegate to existing bilateral and sub-regional bodies, or those to be created for that purpose, the responsibility of examining the problems that arise at bilateral or sub-regional level with regard to the implementation of the provisions contained in the Convention, and to assist in resolving them.

2. The Convention Committee may, in order to ensure a wider and more harmonious execution of the Convention, entrust to competent African bodies the responsibility to study and find solutions to problems that arise as a result of differences that exist between higher education systems and evaluation processes when applied to different sub-regions of Africa.

### **Article 15 - Cooperation among Regional Conventions**

Exchange and co-operation agreements may be concluded between the African Regional Follow-Up Committee and similar bodies of other Regional Conventions, (namely: Asia Pacific, Latin America and the Caribbean, the Arab and European states bordering on the Mediterranean [(the Mediterranean Convention), Arab States, and Europe).

### **Article 16- Implementing Structures– (Financial Contributions)**

1. The State Parties undertake to ensure the proper and regular operation of the bodies defined above by contributing financially to their activities.

2. The State Parties undertake to mobilise additional resources from sub-regional bodies of co-operation and integration of the African Union.

3. The African Union Commission (AUC), UNESCO and other financial and technical partners will assist State Parties in mobilising additional resources.

## **V- Final Clauses**

### **Article 17-**

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

(a) the member states of the UNESCO Africa Region;

(b) the member states of the African Union;

(c) the Holy See.

(2) These State Parties may express their consent to be bound by:

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

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

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

3. An original version of the instrument in one of the working languages of the depositary shall be submitted to the Chairperson of the Commission of the African Union or the Director-General of UNESCO.

#### **Article 18-**

The Convention shall enter into force one month after ten States have expressed their consent to be bound by the Convention. For any State that subsequently expresses its consent to be bound by it, the Convention shall enter into force one month after the deposit of that State's instrument of ratification, acceptance, approval or accession.

#### **Article 19-**

1. State Parties to this Convention which are at the same time parties to the Regional Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and other Academic Qualifications in Higher Education in the African States, adopted in Arusha on 5 December 1981

(a) shall apply the provisions of the present Convention in their mutual relations;

(b) shall continue to apply the above-mentioned Convention to which they are a party in their relations with other States party to that Convention but not to the current Convention.

2. The State Parties to the current Convention undertake to abstain from becoming a party to the above-mentioned Convention in the event that they are not already a party to that Convention.

#### **Article 20- Denunciation**

1. A State Party shall have the right to denounce this Convention.

2. The denunciation shall be signified by an instrument in writing deposited with the Chairperson of the Commission of the African Union or the Director-General of UNESCO.

3. The denunciation shall take effect twelve months after the instrument of denunciation is received by the Chairperson of the Commission of the African Union or the Director-General of UNESCO. It shall have no retroactive effects, nor shall it affect the recognition of studies, certificates, diplomas, degrees or other qualifications, which has taken place in accordance with the provisions of the Convention when the State denouncing the Convention was still bound thereby.

#### **Article 21- Amendment**

1. Any State Party may submit proposals for the amendments or revision of this Convention.

2. Proposals for the amendment or revision of this Convention shall be submitted, in writing, to the Chairperson of the Commission of the African Union or the Director General of UNESCO who shall transmit the same to the State parties, within thirty (30) days of receipt thereof.

3. The Assembly shall examine these proposals within a period of one (1) year following notification of State Parties, in accordance with the provisions of 21.2 of this article.

4. Amendments shall be adopted by the Convention Committee by a two-thirds majority.

5. Amendments or revisions shall enter into force for each State Party which has accepted them thirty (30) days after the Chairperson of the Commission of the African Union and the Director General of UNESCO have received notice of adoption by the Convention Committee.

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**Article** **22-**

1. The Chairperson of the Commission of the African Union and the Director-General of UNESCO shall be the depositaries of this Convention.

2. The depositary with whom an act, notification or communication has been deposited shall inform the State Parties referred to in Article 17, as well as the other depositary and the United Nations of the deposit of the instruments of ratification, acceptance, approval or accession provided for in Articles 17 and of the denunciations provided for in Article 20.

**Article 23-**

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

**IN WITNESS WHEREOF, the undersigned representatives, being duly authorised thereto, have signed the current Convention.**