

No. 16889

MUTILATERAL

Convention on the recognition of studies, diplomas and degrees in higher education in the Arab and European States bordering on the Mediterranean. Signed at Nice on 17 December 1976

Authentic texts: English, Arabic, Spanish and French.

Registered by the United Nations Educational, Scientific and Cultural Organization on 28 July 1978.

MULTILATÉRAL

Convention sur la reconnaissance des études, des diplômes et des grades de l'enseignement supérieur dans les États arabes et les États européens riverains de la Méditerranée. Signée à Nice le 17 décembre 1976

Textes authentiques : anglais, arabe, espagnol et français.

Enregistrée par l'Organisation des Nations Unies pour l'éducation, la science et la culture le 28 juillet 1978.

CONVENTION¹ ON THE RECOGNITION OF STUDIES, DIPLOMAS AND DEGREES IN HIGHER EDUCATION IN THE ARAB AND EUROPEAN STATES BORDERING ON THE MEDITERRANEAN

The Arab and European States bordering on the Mediterranean, Parties to this Convention,

Desiring to strengthen the cultural bonds which history and geographical proximity have established between them since the most ancient times and to pursue a policy of joint action in the sphere of education, scientific training and cultural activities, thereby contributing to the strengthening of their co-operation in all its aspects in the interests of the well-being and lasting prosperity of their peoples,

Convinced that these goals would be more easily attained if the right of the inhabitants of each of the Contracting States to have free access to the educational resources of the other Contracting States and, in particular, to continue their education in higher educational institutions in those other States were recognized,

Considering that the recognition by all the Contracting States of studies, certificates, diplomas and degrees obtained in any one of them is calculated to develop the mobility of persons and the exchange of ideas, knowledge and experience in science and technology,

Noting that this recognition constitutes one of the conditions necessary for:

1. Enabling the means of education existing in their territories to be used as effectively as possible for the common good;
2. Ensuring that teachers, students, research workers and professional workers have greater mobility;
3. Alleviating the difficulties encountered on their return home by persons who have been trained abroad,

Desiring to ensure that studies, certificates, diplomas and degrees are recognized as widely as possible, taking into account the principles of the promotion of life-long education, the democratization of education, and the adoption and application of an education policy allowing for structural, economic, technological and social changes and suited to the cultural context of each country,

Determined to sanction and organize their future collaboration in these matters by means of a Convention, which will be the starting point for concerted dynamic action taken in particular by means of national, bilateral and multilateral machinery set up for the purpose,

Mindful that the ultimate objective set by the General Conference of the United Nations Educational, Scientific and Cultural Organization consists in "preparing an in-

¹ Came into force on 6 March 1978, i.e., one month after the deposit of the second instrument of ratification with the Director-General of the United Nations Educational, Scientific and Cultural Organization, in accordance with article 18. Instruments of ratification were deposited as follows:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Egypt	17 January 1978
Yugoslavia	6 February 1978

ternational convention on the recognition and the validity of degrees, diplomas and certificates issued by establishments of higher learning and research in all countries”,

Have agreed as follows:

I. DEFINITIONS

Article 1. 1. For the purposes of this Convention, the “recognition” of a foreign certificate, diploma or degree of higher education means its acceptance by the competent authorities of a Contracting State and the granting to the holder of the rights enjoyed by persons possessing a national certificate, diploma or degree with which the foreign one is assimilated. Such rights extend to either the pursuit of studies, or the practice of a profession, or both, according to the applicability of the recognition.

- (a) Recognition of a certificate, diploma or degree with a view to undertaking or pursuing studies at the higher level shall entitle the holder to enter the higher educational and research institutions of any Contracting State under the same conditions as regards studies as those applying to holders of a similar certificate, diploma or degree issued in the Contracting State concerned.
- (b) Recognition of a foreign certificate, diploma or degree with a view to the practice of a profession is the recognition of the holder’s technical capacity, required for the practice of the profession concerned. Such recognition does not exempt the holder of the foreign certificate, diploma or degree from complying with any conditions other than those relating to technical capacity for the practice of the profession concerned which may be laid down by the competent governmental or professional authorities.

2. For the purposes of this Convention:

(a) “Secondary education” means that stage of studies of any kind which follows primary or elementary and preparatory education and the aims of which may include preparing pupils for admission to higher education;

(b) “Higher education” means all types of education and research at post-secondary level open in the different States and according to the conditions laid down by them to all persons who are properly qualified, either because they have obtained a secondary school leaving diploma or certificate or because they have received appropriate training or acquired appropriate knowledge.

3. For the purposes of this Convention, “partial studies” means any education of which the duration or the content is partial by comparison with the norms prevailing in the institution in which it was acquired. Recognition of partial studies pursued in an institution situated in the territory of another Contracting State and recognized by that State may be granted in accordance with the educational level reached by the student by reference to the criteria used by the training bodies in the receiving State.

II. AIMS

Article 2. 1. The Contracting States solemnly declare their firm resolve to cooperate closely with a view to:

- (a) Enabling the educational and research resources available to them to be used as effectively as possible in the interests of all the Contracting States, and, for this purpose:
 - (i) To make their higher educational institutions as widely accessible as possible to students or researchers from any of the Contracting States;
 - (ii) To recognize the studies, certificates, diplomas and degrees of such persons;

- (iii) To harmonize the entrance requirements of the educational institutions of each country;
 - (iv) To adopt terminology and evaluation criteria which would facilitate the application of a system which will ensure the comparability of credits, subjects of study and certificates, diplomas and degrees;
 - (v) To adopt a dynamic approach in matters of admission to further stages of study, bearing in mind not only knowledge acquired, as attested by certificates, diplomas and degrees, but also the individual's experience and achievements, so far as these may be deemed acceptable by competent authorities;
 - (vi) To adopt flexible criteria for the evaluation of partial studies, based on the educational level reached and on the content of the courses taken, bearing in mind the interdisciplinary character of knowledge at university level;
 - (vii) To improve the system for the exchange of information regarding the recognition of studies, certificates, diplomas and degrees;
- (b) Constantly improving curricula in the Contracting States and methods of planning and promoting higher education, taking into account the requirements for economic, social and cultural development, the policies of each country and the objectives that are set out in the recommendations made by the competent organs of the United Nations Educational, Scientific and Cultural Organization concerning the continuous improvement of the quality of education, the promotion of life-long education and the democratization of education;
- (c) Promoting regional and world-wide co-operation in the matter of the recognition of studies and academic qualifications.

2. The Contracting States agree to take all necessary steps at the national, bilateral and multilateral levels, in particular by means of bilateral, sub-regional, regional or other agreements, agreements between universities or other higher educational institutions and arrangements with the competent national or international organizations and other bodies, with a view to the progressive attainment of the goals defined in the present article.

III. UNDERTAKINGS FOR IMMEDIATE APPLICATION

Article 3. 1. For the purposes of the continuation of studies and immediate admission to the subsequent stages of training in higher educational institutions situated in their respective territories, the Contracting States recognize, under the same conditions as those applying to their own nationals, secondary school leaving certificates issued in the other Contracting States, the possession of which qualifies the holders for admission to the subsequent stages of training in higher educational institutions situated in the territories of those Contracting States.

2. Admission to a given higher educational institution may, however, be dependent on the availability of places and also on the conditions concerning linguistic knowledge required or accepted by the educational bodies of the Contracting States in order to undertake the studies in question.

Article 4. 1. The Contracting States agree to take all necessary steps at the national level with a view to:

- (a) Recognizing, for the purpose of the immediate pursuit of studies and admission to the subsequent stages of training in higher educational institutions situated in their respective territories and under the conditions applicable to nationals, academic qualifications obtained in a higher educational institution situated in the territory of another Contracting State and recognized by it, denoting that a full course of studies at the higher level has been completed to the satisfaction of the competent authorities;

(b) Defining, so far as possible, the procedure applicable to the recognition, for the purpose of the pursuit of studies, of periods of study spent in higher educational institutions situated in the other Contracting States.

2. The provisions of Article 3, paragraph 2, above, shall apply to the cases covered by this Article.

Article 5. The Contracting States agree to take the necessary steps to ensure that certificates, diplomas or degrees issued by the competent authorities of the other Contracting States are effectively recognized so far as possible for the purpose of practising a profession within the meaning of Article 1, paragraph 1(b).

Article 6. 1. Considering that recognition refers to the studies followed and the certificates, diplomas or degrees obtained in the recognized institutions of a given Contracting State, any person, of whatever nationality or political or legal status, who has followed such studies and obtained such certificates, diplomas or degrees shall be entitled to benefit from the provisions of Articles 3, 4 and 5.

2. Any national of a Contracting State who has obtained in the territory of a non-Contracting State one or more certificates, diplomas or degrees similar to those defined in Articles 3, 4 and 5 may avail himself of those provisions which are applicable, on condition that his certificates, diplomas or degrees have been recognized in his home country and in the country in which he wishes to continue his studies, without prejudice to the provisions of Article 20 of this Convention.

IV. MACHINERY FOR IMPLEMENTATION

Article 7. The Contracting States shall endeavour to attain the goals defined in Article 2 and shall ensure that the agreements set forth in Articles 3, 4 and 5 above are put into effect by means of:

- (a) National bodies;
- (b) The Intergovernmental Committee defined in Article 9;
- (c) Bilateral or sub-regional bodies.

Article 8. 1. The Contracting States recognize that the attainment of the goals and the execution of the agreements defined in this Convention will require, at the national level, close co-operation and co-ordination of the efforts of a great variety of national authorities, whether governmental or non-governmental, particularly universities and other educational institutions. They therefore agree to entrust the study of the problems involved in the application of this Convention to appropriate national bodies, with which all the sectors concerned will be associated and which will be empowered to propose appropriate solutions. The Contracting States will furthermore take all the administrative measures required to speed up the effective functioning of these national bodies.

2. Every national body shall have at its disposal the necessary means to enable it either to collect, process and file all information of use to it in its activities relating to studies, diplomas and degrees in higher education, or to obtain the information it requires in this connexion at short notice from a separate national documentation centre.

Article 9. 1. An Intergovernmental Committee composed of experts mandated by the Contracting States is hereby set up and its secretariat entrusted to the Director-General of the United Nations Educational, Scientific and Cultural Organization.

2. The function of the Intergovernmental Committee shall be to promote the application of this Convention. It shall receive and examine the periodic reports which the Contracting States shall communicate to it on the progress made and the obstacles encountered by them in the application of the Convention and also the studies carried out by its secretariat on the said Convention. The Contracting States undertake to submit to the Committee their reports at least once every two years.

3. The Intergovernmental Committee shall, where appropriate, address to the Contracting States recommendations of a general or individual character concerning the application of this Convention.

4. The secretariat of the Intergovernmental Committee shall help national bodies to obtain the information needed by them in their activities.

Article 10. The Intergovernmental Committee shall elect its Chairman and adopt its Rules of Procedure. It shall meet in ordinary session every two years. The Committee shall meet for the first time three months after the sixth instrument of ratification or accession has been deposited.

Article 11. The Contracting States may entrust existing bilateral or sub-regional bodies or bodies set up for the purpose with the task of studying the problems involved at the bilateral or regional levels in the application of this Convention and contributing to their solution.

V. DOCUMENTATION

Article 12. 1. The Contracting States shall periodically engage in wide exchanges of information and documentation pertaining to studies, certificates, diplomas and degrees in higher education.

2. They shall endeavour to promote the development of methods and machinery for collecting, processing, classifying and disseminating all the necessary information pertaining to the recognition of studies, certificates, diplomas and degrees in higher education, taking into account existing methods and machinery as well as information collected by national, regional and international bodies, including Unesco.

VI. CO-OPERATION WITH INTERNATIONAL ORGANIZATIONS

Article 13. The Intergovernmental Committee shall make all the appropriate arrangements for associating the competent international organizations, both governmental and non-governmental, with its efforts to ensure that this Convention is applied as fully as possible.

VII. INSTITUTIONS OF HIGHER EDUCATION UNDER THE AUTHORITY OF A CONTRACTING STATE BUT SITUATED OUTSIDE ITS TERRITORY

Article 14. The provisions of this Convention apply to studies pursued at and to certificates, diplomas and degrees obtained from any institution of higher education under the authority of a Contracting State, even when this institution is situated outside its territory.

VIII. RATIFICATION, ACCESSION AND ENTRY INTO FORCE

Article 15. This Convention shall be open to the signature and ratification of the Arab and European States bordering on the Mediterranean which have been invited to participate in the diplomatic Conference entrusted with drafting it.

Article 16. 1. Other States which are members of the United Nations, of one of the Specialized Agencies or of the International Atomic Energy Agency or which are parties to the Statute of the International Court of Justice may be authorized to accede to this Convention.

2. Any request to this effect shall be communicated to the Director-General of the United Nations Educational, Scientific and Cultural Organization who shall transmit it to the Contracting States at least three months before the meeting of the Inter-Governmental Committee.

3. The Committee shall meet as an *ad hoc* Committee for the purpose of considering such a request. Its members must have an express mandate to that effect from their Governments. In such cases, the decision of the Committee shall require a two-thirds majority of the Contracting States.

4. This procedure shall apply only when a majority of the States referred to in Article 15 has ratified the Convention.

Article 17. Ratification of this Convention or accession to it shall be effected by depositing an instrument of ratification or accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 18. This Convention shall enter into force one month after the second instrument of ratification has been deposited, but solely with respect to the States which have deposited their instruments of ratification. It shall enter into force for each other State one month after that State has deposited its instrument of ratification or accession.

Article 19. 1. The Contracting States shall have the right to denounce this Convention.

2. The denunciation shall be signified by an instrument in writing deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect twelve months after the instrument of denunciation has been received. However, persons having benefited from the provisions of this Convention who may be pursuing studies in the territory of the State denouncing the Convention will be able to complete the course of studies they have begun.

Article 20. This Convention shall not affect in any way the treaties and conventions already in force between the Contracting States or the national legislation adopted by them in so far as such treaties, conventions and legislation offer greater advantages than those provided for in the Convention.

Article 21. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the Contracting States and the other States mentioned in Articles 15 and 16 and also the United Nations of the deposit of all the instruments of ratification or accession referred to in Article 17 as well as of the denunciations provided for in Article 19.

Article 22. 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 the United Nations Educational, Scientific and Cultural Organization.

IN FAITH WHEREOF the undersigned representatives, being duly authorized thereto, have signed this Convention.

DONE at Nice, this seventeenth day of December 1976, in the Arabic, English, French and Spanish languages, the four texts being equally authoritative, in a single copy which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization. A certified copy shall be sent to all the States referred to in Articles 15 and 16 and to the United Nations.

For the People's Republic of Albania

عن جمهورية ألبانيا الشعبية

Por la República Popular de Albania

Pour la République populaire d'Albanie

For the People's Democratic Republic of Algeria

عن جمهورية الجزائر الديمقراطية والشعبية

Por la República Popular Democrática de Argelia

Pour la République algérienne démocratique et populaire

For the Republic of Cyprus

عن جمهورية قبرص

Por la República de Chipre

Pour la République de Chypre

[COSTAS HADJISTEPHANOU]¹

For the Arab Republic of Egypt

عن جمهورية مصر العربية

Por la República Árabe de Egipto

Pour la République arabe d'Égypte

[CHAMS ELDINE EL-WAKIL]

For Spain

عن أسبانيا

Por España

Pour l'Espagne

For France

عن فرنسا

Por Francia

Pour la France

[M. TABATONI]

¹ Names of signatories appearing between brackets were not legible and have been supplied by the United Nations Educational, Scientific and Cultural Organization—Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par l'Organisation des Nations Unies pour l'éducation, la science et la culture.

For Greece
عن اليونان
Por Grecia
Pour la Grèce

For Italy
عن ايطاليا
Por Italia
Pour l'Italie

For Lebanon
عن لبنان
Por Líbano
Pour le Liban

For the Libyan Arab Republic
عن الجمهورية العربية الليبية
Por la República Árabe Libia
Pour la République arabe libyenne

For Malta
عن مالطة
Por Malta
Pour Malte

For Morocco
عن المغرب
Por Marruecos
Pour le Maroc

[BELLAMINE DRISS]

For the Principality of Monaco
عن امارة موناكو
Por el Principado de Mónaco
Pour la Principauté de Monaco

For the Syrian Arab Republic

عن الجمهورية العربية السورية

Por la República Árabe Siria

Pour la République arabe syrienne

For Tunisia

عن تونس

Por Túnez

Pour la Tunisie

For Turkey

عن تركيا

Por Turquía

Pour la Turquie

For the Socialist Federal Republic of Yugoslavia

عن جمهورية يوغوسلافيا الاتحادية الاشتراكية

Por la República Federal Socialista de Yugoslavia

Pour la République fédérative socialiste de Yougoslavie

[BATRIĆ JOVANOVIĆ]