



Policy options for liberalization of legal framework that regulates recognition of academic qualifications in CEFTA countries

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Policy options for liberalization of legal framework

- Topic: Trade in Services
- Aim of the paper: Addresses the fifth priority of Kosovo chairmanship of CEFTA - namely to facilitate the free movement of experts and skilled workers and workers.

Background

- The international mobility of highly skilled workers and especially work force in science and technology = important policy issue in most CEFTA countries.
- A growing shortage of workers in industries and professions relating to technology and engineering in CEFTA countries.
- The average unemployment rate of graduates in the Western Balkan = app 15 %, three times the average rate in the EU28.
- Significant barriers for highly skilled labour force mobility within CEFTA countries
- For further details, see Bartlett et al. (2016), *From University to Employment: Higher Education Provision and Labour Market Needs in the Western Balkans. Synthesis Report*, European Commission, DG Education and Culture.



Barriers for highly skilled labour mobility

- (1) legal framework for obtaining license work
- (2) professional examination procedures
- (3) licensing procedure and
- (4) legal framework for recognition of professional qualifications for foreign citizens.

The procedure for employment

- Differs from country to country
- Might include all or some of the following:
 - the issuance of a work permit,
 - obtainment of a recognized faculty diploma or a validated degree from abroad,
 - proof of citizenship of the country of origin,
 - ethical and professional standards compliance,
 - approval issued by the relevant ministry regarding a specific in-country expertise deficit,
 - permanent/temporary residence document,
 - evidence of membership of the relevant chamber in the country of origin, and
 - proof of knowledge of one of the official languages of the destination country from officially accredited language school.

Recognition of Professional Qualifications

- One of the main issues are Regulatory Frameworks for the Recognition of Professional Qualification

Although

- Lisbon Convention = adhered
- Bologna declaration = signed

But

- Higher education system reform = slow
- Bologna process principles = ineffectively implemented



Recognition of Professional Qualifications

The recognition of academic qualifications is of key importance for increasing mobility of young people within the SEE region particularly considering the highly unsatisfactory situation on the labour market in most Western Balkan countries.

What has been done so far...

The SEE 2020 Strategy (2013) = stress the importance of the recognition of academic qualifications

Various regional initiatives:

- Yerevan Ministerial Summit (2016) = start working on establishing a procedure for the automatic recognition of qualifications by developing a quality assured automatic recognition procedure
- EU-VWB Leaders Summit Trieste (2017) = commitments were confirmed, Action Plan adopted



CEFTA countries efforts

The Joint CEFTA – RCC- ERISSEE Working Group on
Recognition of Professional Qualifications in 2015

Selection of sectors and professions: medical doctors,
dentists, architects and civil engineers.

The paper will address

- The current legislation and institutional setup in CEFTA countries that regulate recognition of professional qualifications
- Analyses of the policy options that would facilitate recognition of academic qualifications
- Analyses of the facilitation of the mobility of professionals and skilled labour across the region

The methodology

- Desk research of legal framework that regulates recognition of academic qualifications in the region.
- The analysis of interviews with main stakeholders - depending on the consent of the RCC to provide reports on reports on Regulatory Frameworks for the Recognition of Professional Qualifications

Framework – Policy Convergence

1. (1) convergence of policy outputs – increasing similarity of policies adopted by a government, (2) convergence of policy outcomes – increasing similarity of effects of these policies. (In Vukasovic M et al, (2016), (Knill, 2005, p. 5).
1. (1) discursive convergence, (2) decisional convergence (cf. policy outputs convergence), (3) practice convergence, and (4) results convergence (cf. policy outcomes convergence). (In Vukasovic M et al, (2016), Pollitt (2002).
2. cross-national policy convergence (Heinze & Knill, 2008).
 - (1) vertical (or delta) convergence towards a common model
 - (2) horizontal (or sigma) convergence which implies convergence of higher education systems or institutions towards each other

Framework – Policy

Convergence

The paper addresses following convergence dynamics, following Vukasovic M. proposal (Vukasovic, Elke, 2016):

- sigma convergence between countries belonging to the same region, i.e. sigma convergence within Balkans, (regional sigma convergence);
- delta convergence between the different countries and the European model (European delta convergence).

Findings - procedures in each CEFTA country

Country	Legal basis	Recognition purpose	Competent authority	Duration	Price
Serbia	Law on Higher Education Official Gazette of the Republic of Serbia, No. 88/2017	1. diploma recognition for the purpose of continuation of education, 2. diploma recognition for the purpose of employment	1. Ministry of Education, Science and Technological Development of the Republic of Serbia 2. independent higher education institutions	90 days	3.500 Dinars = 29,82 EUR
Albania	Law no. 80/2015	/	Ministry of Education, Sport and Youth	45 days	15,94 – 39,86 EUR

Findings - procedures in each CEFTA country

Montenegro	Law on Recognition of Foreign Educational Documents and Equalization of Qualifications (Official Gazette 57/2011 and 42/2016)	1. diploma recognition for the purpose of continuation of education, 2. diploma recognition for the purpose of employment	Ministry of Education of Montenegro	Removed by law amendment	150 EUR
Macedonia	Law on Higher Education 08.05.2018.		The Ministry of Education and Science of the Republic of Macedonia	30 days	tax 250 (4 EUR) + 4500 Macedonian Denar (73,48 EUR)

Findings - procedures in each CEFTA country

Kosovo	Law br. 04/1-037 on Higher Education	Recognition of diploma in order to fulfill work, licensing or specialization requirements	The Ministry of Education, Science and Technology and NARIC centre Kosovo	90 days	21 EUR
Moldova	Rulebook on recognition and certification of academic documents and qualifications		The Ministry of Education, Culture and Research of the Republic of Moldova	30 days	/

Findings - procedures in each CEFTA country

BIH	Laws on higher education	1. diploma recognition for the purpose of continuation of education, 2. diploma recognition for the purpose of employment	Center for information and recognition of diplomas Universities Ministries	30 days to 120 days (in RS for employment)	30 EUR to 750 EUR (Zenica and Herzegovina Neretva Canton)
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Delta convergence: from Lisbon Recognition Convention

- **First request: Transparency of procedure**
 - Insufficient transparency and a need to improve access to procedure requirements
- **Second request: Responsible body that respects certain standards for recognition assigned**
 - All countries apart from BIH due to its constitution
- **Third request: Reasonable time frame for recognition**
 - Long time frame for recognition (between 30 to 90 days)
- **Fourth request: Reasonable fee for procedure**
 - Not all countries fulfilled (fee between 21 and 750 EUR)

Sigma convergence: Isomorphism between WB policies

- **Purpose for recognition:**
 - Two purposes: continuation of education and access to labor market
- **Responsible body for recognition:**
 - The ministry for education (apart from BIH) and for Serbia and Montenegro ENIC/NARIC office is involved
- **Time frame:**
 - Differ from 30 days to 90 day
- **Fee for procedure:**
 - 21 EUR to 700 EUR (BIH for PhD recognition in ZE-DO, CS)

Sigma convergence: Isomorphism between WB policies

- **Required documentation:**
- Differ in number of documents while the content is similar
- **Possibility of appeal:**
 - Macedonia and Moldova provide possibility for appeal
 - Macedonia: devolutional (higher instance makes the decision in case of appeal)
 - Moldova: interlocutory revision (the same body decides in case of the appeal)



Minimum documents for recognition procedures:

- Request
- Three translations of Diploma or Certificate of diploma awarded certified by a certified court interpreter
- Translation of examination passing certificate or Diploma supplement certified by a certified court interpreter
- Copy of diploma
- Copy of examination passing certificate or Diploma supplement
- Certificate of payment of administrative taxes

Specific requests in different countries

- **Serbia:** Copy of ID or passport, Photocopy of the curricula, Original version of the diploma available, a photocopy or marriage certificate, specific cases for BIH, Montenegro and Croatia, specific case for Autonomous Province of Kosovo and Metohija according to the Resolution 1244 of the United Nations Security Council
- **Kosovo:** Copy of ID document, original and the photocopy of the original of all documents, translated and certified by official translator

Specific requests in different countries

- **Moldova:** A copy of a marriage or divorce certificate (this is of importance in case of change of surname), Certificate from the educational institution (the serial number of diploma with the protocol number, the stamp and signature of the responsible person)
- **Macedonia:** Original diploma verified with an APOSTILLE seal, Photocopy of the diploma and of the diploma supplement verified by a public notary, Certificate of accreditation of the foreign education institution

Specific requests in different countries

BIH: differ from level to level

- **Republic of Srpska:** (1) Confirmation of citizenship, (2) Copy of bachelor and/or master thesis;
- **Canton Sarajevo:** (1) Evidence of a previous degree qualification, (2) Resume of the applicant, (3) Applicant statement that the same application has not previously been submitted to another higher education institution or authority in BIH ,
- **Zenica Doboј Canton:** (1) A list of criteria for the study program; (2) Diploma supplement (if available); (3) Resume of the applicant; (4) Confirmation of citizenship;

Specific requests in different countries

BIH: differ from level to level

- **Herzegovina Neretva Canton:** (1) Residence permit, (2) Birth certificate,
- **Canton 10:** (1) Summary of the curricula (3 copies), (2) Proof on citizenship
- **Tuzla Canton:** Other documentation per Ministry request
- **Posavina Canton:** (1) Other documentation per Ministry request, (2) Ministry can require that applicant pass additional exams if there is a significant difference between foreign HE curriculum and curriculum at the cantonal level for given profession, (3) The applicant has to declare if he/she submitted application for diploma recognition at some other level or institutions



Conclusion and recommendation

- Make the process more transparent
- Agree on minimum documentation (as minimum as possible) based on mutual trust between relevant institutions
- Harmonize the time frame and deadlines
- Agree on the same fee amount
- Harmonize the right for appeal



Thank you!

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