

# Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education

## Introduction

- 3.1 On 14 May 2013, the *Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education (Tokyo, 26 November 2011)* was tabled in the Commonwealth Parliament.

## Background

- 3.2 Since 1983, both Australia's recognition of qualifications attained overseas and international recognition of qualifications attained in Australia have been supported by the United Nations Education, Scientific & Cultural Organisation's (UNESCO) *Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific* (the 1983 Convention).<sup>1</sup>

Australia has been a party to the 1983 regional convention since 1985. Australia has also been a party since 2003 to the 1997 Convention on the Recognition of Qualifications concerning

---

1 Participating member states of the 1983 Convention are Armenia, Azerbaijan, Australia, China, Holy See, India, Kazakhstan, Kyrgyzstan, Maldives, Mongolia, Nepal, People's Democratic Republic of Korea, Republic of Korea, Russian Federation, Sri Lanka, Tajikistan, Turkey and Turkmenistan. For the full text of the 1983 Convention, see: [http://www.unesco.org/education/studyingabroad/tools/conventions\\_apa\\_cover.shtml#preamble](http://www.unesco.org/education/studyingabroad/tools/conventions_apa_cover.shtml#preamble).

Higher Education in the European Region (the Lisbon convention).  
That convention covers the European countries.<sup>2</sup>

3.3 In 2005, Parties of the 1983 Convention acknowledged the need for an updated Convention to reflect contemporary changes in the higher education system. An updated Convention was also seen as an opportunity for the implementation of practical measures to enhance information provision, as well as quality recognition and assurance measures.<sup>3</sup>

3.4 The *Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education* (the proposed Convention) seeks to replace, but not terminate the 1983 Convention.<sup>4</sup>

Since the 1980s there have been huge changes in higher education in this region. It is no longer a purely elite exercise; it has become a mass part of the education system of the region. There is increased student mobility and much more requirement for qualifications recognition.<sup>5</sup>

## Overview

3.5 The National Interest Analysis (NIA) explains that the proposed Convention provides a mechanism for countries in the Asia-Pacific region to facilitate recognition of higher education qualifications through increased information provision and transparency. Becoming a Party to the Convention would demonstrate Australia's commitment to improved mobility of students, academics and workers within the Asia-Pacific while also building on developments in recognition practices and international cooperation resulting from Australia's membership of other UNESCO regional recognition conventions.<sup>6</sup>

---

2 Ms Susan Bennett, General Manager, Mobility, South and South East Asia Branch, International Education and Science Division, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 30.

3 "Renewed Convention on Qualifications Recognition", Australian Education International website: <<https://aei.gov.au/International-network/Australia/policyupdates/Pages/Article-RenewedConventiononQualificationsRecognition.aspx>> accessed 22 May 2013.

4 National Interest Analysis [2013] ATNIA 9 with attachment on consultation *Asia Pacific Regional Convention on the Recognition of Qualifications in Higher Education* (Tokyo, 26 November 2011) (Hereafter referred to as NIA), para 5.

5 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 30.

6 NIA, paras 5-6.

The changes that will be incorporated ... will draw the region into higher education recognition best practice.<sup>7</sup>

- 3.6 In building on the 1983 Convention, this Convention aims also to provide for 'the establishment of national information centres in more countries, the implementation of diploma supplements, and catching up with developments in qualifications recognition thinking and practices'. It includes the role of qualifications frameworks and defining substantial difference between qualifications from different countries.<sup>8</sup>
- 3.7 In Australia, responsibility for recognition of qualifications is shared between federal, state and territory governments as well as higher education institutions.
- 3.8 Where the competence to make decisions in recognition matters lies with the federal, or state and territory governments, they are required to take the necessary measures to ensure implementation of the proposed Convention's relevant provisions. Where the competence to make decisions in recognition matters lies with higher education institutions, Australia is obliged only to transmit text of the proposed Convention to these institutions and take all possible steps to encourage their consideration and application.

## Reasons for Australia to take proposed treaty action

- 3.9 The NIA provides three reasons as to why Australia should become a party to the proposed Convention. First, it will facilitate the mobility of students, academics and workers within the Asia-Pacific by providing a platform from which to enhance the national qualification, accreditation and quality assurance frameworks of Parties to the proposed Convention.<sup>9</sup>
- 3.10 Second, it will facilitate offshore experiences for Australian higher education students and improve employment prospects for individual holders of Australian higher education qualifications within the region.<sup>10</sup>

---

7 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 30.

8 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 30.

9 NIA, para 8.

10 NIA, para 7.

- 3.11 Third, becoming a Party to the proposed Convention will demonstrate Australia's commitment to UNESCO's agenda of strengthening engagement between countries and regions through higher education.<sup>11</sup>

Australia, as an advanced economy that has successfully established systems to manage these issues, is well positioned to engage in information sharing with and further learning from its regional partners through the mechanism of the proposed convention.<sup>12</sup>

- 3.12 The Committee was informed that nine Member States of the UNESCO Asia-Pacific region signed the Convention at the UNESCO International Conference of States, at which the Convention text was endorsed in Tokyo in November 2011, but none have yet ratified.

These Member States are amongst the most likely to become Parties to the Convention in the relatively near future. Forty Member States participated in the ICS, and many of these are likely to become Party to the Convention in time.<sup>13</sup>

## Obligations

- 3.13 **Article II.1** outlines how the responsibility for the recognition of qualifications within Australia is shared between the federal, state and territory governments as well as higher education institutions and other entities. Where competence to make decisions in recognition matters lies with any level of government, they must take the necessary measures to ensure the implementation of relevant provisions of the proposed convention.<sup>14</sup>

- 3.14 Where the competence to make decisions in recognition matters lies with individual higher education institutions or other entities, Australia is obliged only to transmit the text of the proposed Convention to these institutions or entities and take all possible steps to encourage its favourable consideration and application.<sup>15</sup>

---

11 NIA, para 9.

12 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 30.

13 Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Submission 3*, p. 1.

14 NIA, para 10.

15 NIA, para 10.

- 3.15 **Article III** obliges each Party to make appropriate arrangements for the assessment and recognition of qualifications that are transparent, coherent, reliable, fair, timely and non-discriminatory.<sup>16</sup>
- 3.16 **Article IV, Article V** and **Article VI** require each Party to recognise qualifications issued by other Parties that meet the general requirements for access to respective higher education programs, unless a substantial difference can be shown between the general requirements for access in the Party in which the qualifications were obtained and those in Australia. This includes, at least, the assessment of partial studies completed within the framework of a higher education program in another Party.<sup>17</sup>
- 3.17 **Article VII** specifies that each party shall develop procedures, including recognition of prior learning, designed to access fairly and expeditiously whether refugees, displaced persons and persons in a refugee-like situation fulfil the relevant requirements for access to higher education programs or for recognition of qualifications for employment activities, even in cases in which qualifications obtained in one of the Parties cannot be proven through documentary evidence.<sup>18</sup>
- 3.18 **Article VIII** requires each Party to provide relevant information on their national higher education system and qualifications, as well as to take adequate measures for the development and maintenance of a national information centre (NIC).<sup>19</sup>
- 3.19 In addition to these provisions, the proposed Convention establishes the Committee of the Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education to oversee, promote and facilitate the implementation of the proposed Convention (**Article IX.1**).<sup>20</sup>
- 3.20 Australia is also obliged to appoint a member of its NIC to the network of NICs established under the proposed Convention (**Article IX.3**).<sup>21</sup>

---

16 NIA, para 10.

17 NIA, para 10.

18 NIA, para. 10.

19 NIA, para. 10.

20 NIA, para. 11.

21 NIA, para 12.

## Implementation

- 3.21 Australia does not require changes to domestic law or policy to implement the proposed Convention.<sup>22</sup>
- 3.22 Australia already maintains an NIC which provides qualifications assessment services to individuals in accordance with obligations established under the proposed Convention. Currently, Australian Education International's National Office of Overseas Skills Recognition (AEI NOOSR) serves as the NIC.<sup>23</sup>
- 3.23 Through its NIC, Australia encourages higher education authorities and other entities that have the competence to make decisions in recognition matters to act in accordance with the proposed Convention.<sup>24</sup>
- What it involves primarily is the use of the tools that we develop in the national information centre such as the country education profiles that give details about the qualifications that are given from other countries.<sup>25</sup>
- 3.24 The Australian Higher Education Graduation Statement, awarded to students upon completion of their requirements for Australian higher education awards, accords with the UNESCO Diploma Supplement.<sup>26</sup>
- ...it is just different terminology – providing a description of the nature, level, context, content and status of the studies successfully completed by the individual named on the original qualification to which the supplement is appendant.<sup>27</sup>
- 3.25 As the Committee was informed, ratifying the Convention:
- ...will not change our practice but it would indicate our commitment to working in partnership with the other countries of the region to facilitate qualifications recognition for the purposes of mobility of students, graduates and academics.<sup>28</sup>

---

22 NIA, para 13.

23 Australian Education International website: <<https://aei.gov.au/services-and-resources/services/assessment-of-overseas-qualifications/our-assessments/pages/default.aspx>>, accessed 23 May 2013.

24 NIA, paras 14-15.

25 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 31

26 NIA, para 16.

27 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 31.

28 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 31.

## Costs

- 3.26 There are no foreseeable financial costs to Australia of compliance with the treaty action;<sup>29</sup> as there 'are no new activities that we are not already performing'.<sup>30</sup>

## Consultation

- 3.27 The proposed treaty action is expected to have 'no to minimal impact on the states and territories and the higher education sector', due to there being no changes to domestic law or policy required for implementation.

Australia already complies with the obligations established under the proposed Convention.<sup>31</sup>

- 3.28 States and territories have been kept informed of the proposed Convention's development through the Commonwealth-State-Territory Standing Committee on Treaties (SCOT),<sup>32</sup> with it listed on each biannual Schedule of Treaties sent to SCOT representatives since 2008.

No feedback has been provided by any state or territory. No request has been made for further information.<sup>33</sup>

- 3.29 Universities Australia, the Australian Council for Private Education and Training, the Australian Qualifications Framework Council and the Council of Private Higher Education were also consulted.

Universities Australia ... responded positively and endorsed it.<sup>34</sup>

No feedback has been provided by other organisations. No request has been made for further information.<sup>35</sup>

---

29 NIA, para 17.

30 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 31.

31 NIA, para 32.

32 SCOT consists of representatives from every State and Territory and is chaired by a senior official of the Prime Minister's Department. It also has representatives from the Departments of Foreign Affairs and Trade, and Attorney General's.

33 NIA, para 29.

34 Ms Bennett, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Committee Hansard*, 17 June 2013, p. 31.

35 NIA, para 31.

## Conclusion

- 3.30 The Committee agrees that an updated Convention is required to reflect changes in the higher education system and to provide for enhanced information provision, quality recognition and assurance measures.
- 3.31 Given the benefits of the proposed Convention in providing a mechanism for countries in the Asia-Pacific region to facilitate recognition of higher education qualifications whilst improving the mobility of students, academics and workers in the region, the Committee supports the Treaty and recommends that binding treaty action be taken.

---

### Recommendation 2

**The Committee supports the *Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education (Tokyo, 26 November 2011)* and recommends that binding treaty action be taken.**