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**Recognition  
of Studies,  
Providers,  
and Quality  
Assurance in  
Higher**

*Professor Juma Shabani*  
*Director, UNESCO Office, Harare,*  
*ZIMBABWE*

*Professor Peter Okebukola*  
*Executive Secretary, National*  
*Universities Commission, Abuja,*  
*NIGERIA*

*and*

*Dr. Abdulrahman Sambo*  
*Chairman, Policy Advisory Unit, National Universities*  
*Commission, Abuja, NIGERIA*

# Recognition of Studies, Providers, and Quality Assurance in Higher Education: Perspectives from Africa

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*Professor Juma Shabani, Director, UNESCO Office, Harare, ZIMBABWE*

*Professor Peter Okebukola, Executive Secretary, National Universities Commission, Abuja, NIGERIA*

*Dr. Abdulrahman Sambo, Chairman, Policy Advisory Unit, National Universities Commission, Abuja, NIGERIA*

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## Introduction

The higher education landscape in Africa presents an interesting mosaic. The range of qualifications is diverse. So also is the scope. The diversity in the colonial heritage of countries in the region is easily the major explanatory factor. Francophone, anglophone, arabophone and lusophone African countries present different perspectives in the provision of higher education. Yet, in spite of these differences, there is a common will to forge unity in the region through enhancement of access to higher education. Mutual recognition of qualifications and opportunities for credit-transfer has been found to be one of the key pathways to promoting mobility across the educational systems of African countries thereby leading to African unity and human resource development in the region. There is equally a regional commitment to quality through the institutionalisation of quality assurance mechanisms in higher education. The goal of this paper is to present, with regard to Africa, the three complimenting issues of recognition of studies, provision of access to higher education and quality assurance.

The Declaration of the 1998 World Conference on Higher Education is a major reference instrument on the three issues. Article 15 of the Declaration embodies the three as it states:

**Article 15 - Sharing knowledge and know-how across borders and continents**

(a) The principle of solidarity and true partnership amongst higher education institutions worldwide is crucial for education and training in all fields that encourage an understanding of global issues, the role of democratic governance and skilled human resources in their resolution, and the need for living together with different cultures and values. The practice of multilingualism, faculty and student exchange programmes and institutional linkage to promote intellectual and scientific co-operation should be an integral part of all higher education systems.

(b) The principles of international co-operation based on solidarity, recognition and mutual support, true partnership that equitably serves the interests of the partners and the value of sharing knowledge and know-how across borders should govern relationships among higher education institutions in both developed and developing countries and should benefit the least developed countries in particular. Consideration should be given to the need for safeguarding higher education institutional capacities in regions suffering from conflict or natural disasters. Consequently, an international dimension should permeate the curriculum, and the teaching and learning processes.

(c) Regional and international normative instruments for the recognition of studies should be ratified and implemented, including certification of the skills, competences and abilities of graduates, making it easier for students to change courses, in order to facilitate mobility within and between national systems.

It is useful at this stage to examine each of the three issues beginning with the recognition of studies. A number of case studies will be described after which the commonalities will be teased out. The challenges and prospects will form the concluding section of the paper.

## **The Arusha Convention**

*(see Appendix 1 for full text of the revised Convention)*

The adoption of the Regional Convention on the Recognition of Studies, Certificates Diplomas, Degrees and other Academic Qualifications in Higher Education in The African States on December 5, 1981 in Arusha, Tanzania, marks a major turning point in UNESCO's effort at fostering regional cooperation in the matter of human resource development and utilization in Africa. As a methodology for promoting this goal, is the fostering, using the instrument of this Convention, of academic mobility of students and teachers across nations in the region. The implementation of the Convention is important considering the academic programme diversity offered in the different countries and the complexity of systems of diploma equivalences. The Convention is intended to be a major legal instrument for the promotion of academic mobility in Africa.

The Convention is conceived to be a dynamic tool that should be regularly adjusted to the evolution of the African and international educational system. It was in this realisation that the 7th session of the Africa Regional Committee on the Arusha Convention holding in November 2001 in Dakar recommended a review of the convention and the present practices of recognition, so as to promote the transparency, consistency and the reliability of procedures and criteria used in the assessment and the recognition of studies and diplomas. The review exercise was undertaken in Cape Town, South Africa between the 11<sup>th</sup> and 13<sup>th</sup> of June, 2002.

The major objectives of the Convention are:

- to contribute to the reinforcement of African solidarity, suppress constraints of the colonial past, and to promote the cultural identity of Africa;
- to improve resource utilisation in member States in the domain of higher education especially through support for the academic mobility of students and teachers; coordination of admission to higher education; and the institutionalization of systems and dynamic methods of assessment that assure

- a comparability of programmes of studies, diplomas and ranks used in contracting States; and
- to promote a continuous overhaul of study programmes in contracting States in order to address more efficiently, their developmental needs.

Consistent with the provisions of the Convention, these objectives are to be achieved through national and sub-regional mechanisms, notably through bilateral, sub-regional and regional agreements. Contracting States are implementing the provisions of the Convention through existing bilateral and sub-regional mechanisms. One of such mechanisms is the African and Madagascar Council for Higher Education (hereafter CAMES). CAMES was created in 1968 to drive four major programmes one of which is the recognition and the equivalence of certificates, degrees and diplomas in higher education. By December 1997, CAMES had organised 18 sub-regional symposia on the recognition of certificates, degrees and diplomas. The dividends of these symposia is the mutual recognition of hundreds of diplomas especially among French-speaking countries.

**Table 1: STATES PARTIES TO THE ARUSHA CONVENTION  
(IN CHRONOLOGICAL ORDER)  
AFRICAN STATES**

	COUNTRY	YEAR RATIFIED
1.	Lesotho	1982
2.	Togo	1982
3.	Sudan	1983
4.	Zambia	1983
5.	United Republic of Tanzania	1983
6.	Nigeria	1984
7.	Niger	1985
8.	Egypt	1985
9.	Burundi	1986
10.	Senegal	1986
11.	Burkina Faso	1986
12.	Rwanda	1987
13.	Gabon	1988
14.	Algeria	1989
15.	Equatorial Guinea	1993
16.	Guinea-Conakry	1995
17.	Cote d'Ivoire	1998
18.	Benin	1998
19.	Seychelles	1998

## HIGH CONTRACTING PARTIES TO THE CONVENTION

Holy See

1998

*P.S. Cameroun ratified the Convention in 1995, but has not yet deposited the instrument of its ratification with the Director General of UNESCO. By virtue of article 17, it has not yet become a Member State to the Convention.*

Some national case studies on the implementation of the Arusha Convention as well as on issues concerning higher education providers, quality assurance and GATS will now be presented.

## CASE STUDIES

### ALGERIA

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Algeria has ratified three regional conventions dealing with internationalization of higher education. These are the Convention for the recognition of degrees, and diplomas concerning Mediterranean countries in 1984, the Convention involving Arab countries in 1984 and the Arusha Convention for African countries in 1985. It has also signed several bilateral conventions on the recognition of degrees and certificates and diplomas.

At the level of the higher education and the “Baccalaureat” (Advanced Level G.C.E. or Higher School Certificate) certificates of other nationals are automatically recognised so the holders can enroll at the university under the same conditions as those applicable to Algerian nationals. Beginning from the 1970s, the Commission Nationale d’Equivalence (CNE) established in the 1970s became the sole body empowered to establish certificate equivalence ratings and authorize recognition of foreign diplomas, certificates and degrees in relation to those awarded locally, in addition to establishing the procedures and rules governing decisions to be taken by the expert evaluators.

Considering the increasing number of applications for equivalence and to render the system more efficient, certain measures were taken beginning from 1982, following the organisation of a national seminar. These were:

- Generalising the automatic equivalence rating to cover all undergraduate and graduate degrees.
- Formulating several provisions of general scope and an order setting a minimum standard of equivalence for certain foreign certificates, degrees and other qualifications to resolve administrative problems, with particular regard to holders of Ph.D and other doctoral qualifications from countries of the East.
- In the case of equivalence with the national post-graduate degrees, the certificate of equivalence resolved until 1989, two types of questions at two different levels. On the one hand, it recognised knowledge and higher education acquired abroad in university systems which were very different from the national system. On the other hand, it paved the way

for certain functions in the civil service, particularly in the Higher Education system.

Since 1989, these two levels have been managed by two distinct and sovereign authorities, i.e. the Commission Nationale d'Equivalence (CNE) which deals with matters concerning certificate equivalence and the Commission Nationale Universitaire which deals with issues related to promotion and access to high positions in higher education.

## **SUDAN**

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Sudan ratified the Arusha Convention in 1983. In implementing the provisions of the Convention, it recognises certificates; diploma and other academic qualifications awarded by African institutions of higher education. The country also offers the same chances for work to their holders as to those graduating from similar Sudanese institutions.

One of the most qualitative developments affecting studies in higher education is the establishment of specialised committees in the National Council for Higher Education and Scientific Research which takes responsibility for evaluating certificates.

These specialised committees are:

- The Committee for Agricultural, Veterinary Science, Natural Resources and Environmental Studies.
- The Committee for Engineering and Technology Studies.
- The Committee for Medical and Health Sciences
- The Committee for Educations and Social Studies
- The Committee for Humanities
- The Committee for Basic Sciences

The Committees have laid down criteria for evaluation and equivalence of foreign certificates with those awarded in Sudan, according to international criteria and changes in higher education systems and curricula.

In addition, the Committee considers information from the regional and international conventions signed by Sudan or specific bodies such as:

- The Arusha Convention
- The Convention on Recognition of Studies, Certificates, Diplomas, Degrees and other Academic Qualifications in Higher Education in Arab States.
- Institutions of Higher Education (Senates in Universities and Academic Boards in other institutions of Higher Education).
- Sudan Medical Council
- Sudan Engineering Council.

The main obstacles encountered in the Application of the Arusha convention are:

- The problem of communication between African States making it difficult to obtain major information and documents about higher education systems in African States.
- Problems concerning the translation of some languages used by African States.
- The different systems applied in higher education and the different criteria for certificate evaluation and equivalence among African States.
- Sudanese students have little chance for learning in African States compared to the places offered by Sudan to African students from other countries.

## **KENYA**

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*(Prepared by G.C. Njine, Commission For Higher Education, Nairobi, Kenya)*

In recent years Kenya has seen a tremendous growth in the number and types of institutions providing higher education. In order for organizations and individuals to remain competitive in a rapidly changing environment, demand for education and training has become more critical than before. To respond to this demand, new institutions have continued to emerge.

Kenya does not have foreign university campuses as the law governing higher education does not provide for it. However there is a bill awaiting enactment by parliament providing for this. A number of institutions are expected to be registered under the new law.

Kenya has over 50 IT academies. These range from simple outfits offering little more than basic skills in computer literacy to institutions offering sophisticated IT courses at the Diploma and Higher Diploma levels. The advanced courses are usually programmes of foreign institutions administered by Kenyan academies. Examples of such academies are Info Tech, Compuera, College of Advanced Technology.

Some Institutions in Kenya have twinning arrangements with foreign universities. The arrangement allow Kenyan institutions to offer programmes of the foreign universities. An example is Jomo Kenyatta University of Agriculture and Technology which administers IT master's programmes of the University of Sunderland in the United Kingdom. The Kenya College of Communication Technology offers degrees of the University of Free State in South Africa, while Kenya Medical Training College offers degrees of the University of Dundee in Scotland and Curtin University of Technology in Australia.

The United States International University was established by a University in USA by the same name. It is a sense a subsidiary of a corporate body in USA. However the process of establishing the university was identical to that of establishing other private universities in Kenya. The private universities are established through the award of a Charter by the President after accreditation by the Commission for Higher Education.

Most of the non-university providers are for profit. They provide education at the Certificates, Diploma and Higher Diploma Levels. Examples are Kenya School of Professional Studies, Nairobi Institute of Technology, Augustana College. A number of Private companies have colleges for training their own staff. These include D.T

Dobie, Barclays Bank and Kenya Commercial Bank. Some professional bodies have established their own colleges. Examples are the College of Insurance and the Kenya College of Accountancy. A few of the new and proposed private universities are for profit. They include Kiriri Women's University of Science and Technology and the Proposed Gretsia University.

Kenyatta University and Egerton University are hosts to the African Virtual University. Programmes of the Virtual University are beamed to the Kenyan Universities from Western Universities. Though hosted by the Universities, the Virtual University is independent and transnational. It provides interactive sessions through the use of Information Technology.

Besides the Virtue University, there are many other distance education providers. These either operate directly or through local agents who have varying degrees of responsibility from merely registering students to organizing teaching of the programs. An example of the latter is the University of South Africa which co-operates with the Kenya College of Accountancy. Other providers include the University of London, which co-operates with the Kenya School of Professional Studies. Others are: Cambridge International College, the Indian Management Training Institute, the International Correspondence University and New Port University.

The non-university providers are required to be registered with the Department Technical Training under the Ministry of Education Science and Technology after an initial inspection. However they do not undergo a formal accreditation process. This will be provided by the Commission for Higher Education when the new Bill is passed by Parliament.

A number of new providers are associated with the public universities and are offering programmes at Degree, Certificate or Diploma Level which are awarded by the universities. Such providers include Kianda College, Kenya College of Accountancy and Kenya School of Professional Studies.

Other providers are actively involved in discussions with the Commission for Higher Education with a view to receiving accreditation status. However the current law allows only for the accreditation of those that wish to attain university status. Registered providers are allowed to offer examinations set and marked by a Government organ the Kenya National Examinations Council.

The Commission for Higher Education is in the process of producing a Directory of Post-Secondary Training Institutions, the majority of which qualify as new providers. To date information has been obtained on nearly 500 institutions. It is expected that the final tally will be much higher. The information can be obtained from the Commission for Higher Education.

The new providers have resulted into a major challenge to regulatory bodies in Kenya.

On the positive side, they are seen to be filling a vacuum created by the Government's inability to provide training opportunities for all those who are qualified and have the desire to continue with their education and training.

Secondly, the new providers are more flexible in their curriculum development and therefore are able to respond faster to the needs of industry. Most of the providers are in the areas of computer studies and hotel and tourism which are growth industries in Kenya. There is only one public institution - Utalii College - devoted to Hotel & Tourism Studies, while there are more than 100 private providers.

Thirdly, they are more economical in their use of resources. A single computer for example may be used by 4 or 5 people per day. For these reasons the Government appreciates the new providers.

On the other hand the Government's supervisory capacity is overstretched and cannot possibly supervise all these institutions. The legal requirement that all certification be awarded by either the universities or recognized examining bodies like the Kenya National Examinations Council is flouted with impunity. Many of the institutions give certificates and diplomas after only a few weeks of training. The profit motive seems to dominate among the news providers. One of the consequences is to minimize cost by employing poorly qualified lowly paid staff and to provide a minimum of other academic resources. This, together with lack of supervision results in deplorably low standards in most of them.

The regulatory framework for providers falls into six broad categories. These are:

- The Commission for Higher Education
- The Ministry of Education Science and Technology
- Line ministries
- The Registrar of Companies
- Professional bodies
- Public and Accredited Universities

The Commission for Higher Education is the regulating body for all providers at the university level. All private providers at university level apply to the Commission for a Letter of Interim Authority. The application must be accompanied with a proposal outlining among other things the resources that are available or are likely to be available for launching the university.

After an inspection or series of inspections to confirm that these resources are available the commission may grant the Letter of Interim Authority. This letter among other things allows the providers to start or continue assembling resources, to advertise programmes and to admit students. Full accreditation may be given several years later if the commission is satisfied that the new university is in a position to give high quality education. It is signified by the award of a Charter.

The Ministry of Education Science and Technology is charged with the responsibility of promoting education in the country. One of the departments in the Ministry is the Directory of Technical Training which previously used to be a full Ministry in its own right. This department has the responsibility of promoting technical education. This includes technical subjects as well as business education subjects.

The department has an inspectorate arm that inspects new institutions before they are registered. It can only register institutions that intend to give qualifications other than Degrees, Postgraduate Diplomas and Certificates.

All registered institutions are expected to offer curriculum leading to award Certificates or Diplomas awarded by the Kenya National Examinations Council, the Kenya Accountants & Secretaries Examining Board or the Directory of Industrial Training. The Kenya Institute of Education develops the curriculum examined by the Kenya National Examinations Council. However a large number of institutions develop their own curricula and award Diplomas and Certificates without legal authority. The law provides that authority to award own qualifications be granted by the Minister through gazetting in the Kenya gazette.

A number of Government Ministries have established their own institutions and are also expected to supervise any private institutions in their line. For example the Ministry of Health has a Medical Training College with more than 20 branches throughout the country for the training of Medical Personnel. The Ministry also has to approve any programmes for the training of Medical Personnel by any other providers.

Some providers have found it easier to get by, through registering their institutions with the registrar of companies. While this gives the institution legal status, it does not make any provision for supervision accreditation or quality control. This route is discouraged and often the proprietors disguise their institutions as private businesses.

Professional bodies are involved in approving curriculum offered or taken by prospective members of their profession. The Engineering Council of Kenya for example has to approve the curriculum taken by prospective engineers. The Council on Legal Education has to approve the curriculum taken by prospective lawyers. Public and accredited universities have responsibility under the general direction of the Commission for Higher Education to ensure the quality of the institutions offering their programmes.

There are a number of policy implications for the new providers. These include the Legal framework; Quality control and assurance;. Relevance; and Equity. Transnational providers are protected by the Investment Protection Act. This Act protects them from expropriation of their property by the state and allows them to repatriate profits and even capital. This Act may conflict with the universities Act which recognizes universities as corporate bodies with perpetual succession. It does not envision a university closing down because its owner has repatriated the capital.

A number of providers wishes to retain accreditation in their home countries. At the same time they are required to obtain accreditation by the Commission for Higher Education. For example the United States International University is accredited both in Kenya and USA. This could easily lead to conflicts when the standards of accreditation and quality control are different. In addition the Distance Education mode of provision will require different rules and standards from the rules and standards for the traditional modes. Policy decisions and great effort have to be made to ensure that the standards are comparable to those of residential programmes.

Regulating authorities in Kenya expect education offered in the country to be relevant to the country's needs. Some of the new providers are however expected by their parent institutions to offer a curriculum identical to that offered at home which in some cases may not be relevant to Kenya's needs.

The cost of education by the new providers is quite high. Only the upper and middle classes can afford-it. The children of the poor therefore do not benefit from this initiative. Yet these providers benefit from public resources like roads and piped water.

The concept of trade in Higher Education is beginning to appear in Kenya in many forms and at different levels. At the regional level, the East African countries through the Inter-Universities Council of East Africa are encouraging students to obtain their education across the borders of their countries. The East African students have been promised preferential terms of payment of fees from students from other regions.

A few Kenyan universities, for example Kenyatta University, are marketing their services outside the East African region especially countries in Southern Africa. On the import side, Kenya is receiving educational services from many countries especially Britain, USA, India, Canada and Australia. These come mainly in the following forms:

*Kenyan students studying abroad:* There are an estimated 20,000 Kenyan students studying in foreign countries. These are expected to cost the country an estimated Kshs.16 billion (US \$ 200,000,000) annually.

*Foreign countries establishing their programmes in Kenya:* Since Kenyan laws as yet do not have a provision for foreign campuses, most foreign universities have established their programmes in collaboration with local institutions. They have memorandums of understanding allowing them to take part of the fees.

*Distance Education Programmes:* Many foreign institutions administer their distance education programmes in the country sometimes directly and sometimes with the assistance of a local agent.

Higher Education, adult education, and other tertiary education & training are regarded as trade and a number of agreements between countries have been signed in order to regulate the trade. These include agreements on the recognition of academic qualifications obtained in each other's countries and agreements on the regulations governing students going abroad for studies. Some countries with which agreements have been signed are Britain, India and China. These agreements are spearheaded by the Ministries of Education and Foreign Affairs. Higher Education has also featured in discussions in the context of GATS and WTO agreements.

In recognition of the importance of this trade, the universities Act is being amended in order to make it easier for foreign providers and other new providers to operate in Kenya.

Discussions have been held between relevant Government ministries articulating Kenyan's needs in the context of GATS and WTO agreements. Kenya has already

made requests through its mission in Geneva to be allowed to export educational services to a number of countries including Mozambique, Botswana, Rwanda, Indonesia, Sudan, Ethiopia, UK and Eritrea. This would include allowing Kenyans to establish educational services in partnership with nationals of those countries and allowing Kenyan teachers to teach in those countries.

The Commission for Higher Education is the sole accrediting body for Higher Education in Kenya. However the Commission only deals with degree programmes offered by universities. Currently it is concentrating on accrediting private universities.

An accredited institution has the authority to award its own Degrees, Diplomas and Certificates. Students from such institutions have access to loans from the Higher Education Loans Board. The Commission for Higher Education regularly publishes the names of accredited institutions, those with letters of Interim Authority and those that are registered. A letter of Interim Authority is a sort of provisional accreditation to allow an institution to assemble resources and improve the quality of its offerings. Institutions with letters of registration are those that existed before the Commission was established in 1985. Five of them have already progressed to the stage of being awarded Charters.

Non-university institutions do not receive formal accreditation. However public institution and a large number of private institutions teach curriculum that is developed by a professional public organ, the Kenya Institute of Education. They receive prior inspection before they are registered. The Ministry of Education is expected to inspect them from time to time but it lacks the capacity to do so.

When the new bill is passed into law, it is expected that all higher education institutions including middle level, transnational, for profit, private and electronic will be accredited by the Commission. However it is expected that there will be different rules for electronic and other distance education programmes from those of residential programmes.

While new providers of higher education have done a commendable job in responding to the needs of organizations and individuals, coordination efforts made by regulatory bodies need to be strengthened through an international framework.

There is need for an international framework to provide for the following:

- General guidance on curriculum standards for the new providers;
- Ethical principles for the new providers;
- General guidance on quality control and quality assurance mechanism for the new providers;
- International obligations of states with regard to the new providers;
- International responsibilities of states with regard to foreign students.

These guidelines should be harmonized with the provisions of the convention on the recognition of studies, degrees, diplomas, certificates and other Awards in the African Region and any bilateral agreements between nations.

## **NIGERIA**

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*(Prepared by A. Sambo and Peter Okebukola, National Universities Commission, Abuja, Nigeria)*

The Education (National Minimum Standards and Establishment of Institutions) Amendment Act of 1993 provides the guidelines for the establishment of higher institutions in the country and permits private ownership of higher institutions. It stipulates that the National Universities Commission should register private universities while the National Board for Technical Education and National Commission for Colleges of Education register private Polytechnics and Colleges of Education respectively. Private institutions can only start programmes with the approval of the appropriate regulatory agency after verification and its ability by the agency.

Nigeria has witnessed tremendous growth in the number of higher institutions and total student enrolment within the past few years. As a response to this growth new initiatives have been put in place to enhance access and quality of tertiary institutions. These initiatives are mainly focused on local providers as Nigeria does not have a foreign university campus as regulations governing higher institutions do not allow the establishment of such campuses.

At the heart of these initiatives is the maintenance of quality. Quality assurance in the Nigerian higher education system broadly consists of internal and external mechanisms. The internal component is made up of all activities towards the attainment of set standards at the Departmental, faculty/school and university senate/board of studies levels as well as the involvement of examiners as peer assessors. External mechanisms of Quality assurance on the other hand involve the accreditation conducted on behalf of the Federal Government by appropriate statutory agencies. These consist of the assessment of the various academic programmes by teams of expert academics drawn from across the higher education system.

With regard to university education, the National Universities Commission (NUC) conducts the accreditation of all academic programmes to ensure that at least the provisions of the Minimum Academic Standards are attained, maintained and enhanced. The accreditation exercise conducted by NUC are also aimed at assuring employers and other members of the community that graduates of all academic programmes taught in Nigerian universities have attained an acceptable level of competency in their areas of specialization, thus making them suitable for employment and for further studies. The National Board for Technical Education (NBTE) is charged with the responsibility for quality assurance in the Polytechnics and Monotechnics across Nigeria.

The quality assurance process in Nigeria is carried out through the development of minimum academic standards for and accreditation of academic programmes. Programme monitoring activities routinely carried out by the National Universities Commission between accreditation exercises also help in the maintenance of quality at the universities. Internal institutional programme planning and monitoring mechanisms do also contribute to the quality of academic programmes in the universities.

Decree No. 16 of 1985 (now an act of parliament) empowers the National Universities Commission to lay down minimum standards for all academic programmes taught in Nigerian Universities and to accredit them. For purposes of laying down minimum academic standards, the Commission utilized the services of senior academic staff of the universities who served in the panels that drew up the draft documents as well as in the Task Forces that reviewed the documents taking into consideration the comments and suggestions from the universities. The minimum academic standards (MAS) documents were first developed for all the programmes taught in Nigerian Universities in 1989. Each MAS provided for minimum floor space for lecture, laboratory facilities per student; minimum laboratory space, library facilities, and minimum student/staff ratio for effective teaching and learning in any particular discipline. The documents also set minimum entry requirements for each discipline and prescribed a minimum curriculum for each of them.

In line with the contemporary shift from content-based to outcome-based national academic standards for university education as well as the planned autonomy to Nigerian universities, the NUC is in the process of reviewing the 1989/90 content-based MAS to produce outcome-based MAS benchmark statements for all the academic programmes of the universities. To this end in April 2001, a stakeholder Conference on Curriculum Review provided the guiding principles based on which academic curriculum review panels drew up draft benchmark statements for most academic disciplines taught in Nigerian universities. These drafts have been sent to the universities for their comments and suggestions following which they will be revised and presented for approval. Subsequent accreditation exercises will be based on the approved MAS benchmark statements.

Accreditation is the second aspect of the quality assurance process. It is coordinated by the NUC and has quality improvement as its main focus. The objects are to:

- Ensure that at least the provisions of the Minimum Academic Standards documents are attained, maintained and enhanced in the universities;
- Assure employers and other members of the community that Nigerian graduates of all academic programmes have attained an acceptable level of competency in their areas of specialization; and
- Certify to the international community that the academic programmes offered in Nigerian universities are of high standards and that their graduates are adequate for employment and further studies.

The proprietors of the various institutions are, through the accreditation exercise, advised on ways of revitalising their institutions where they are failing to meet their objectives by providing them, from time to time, with added physical and teaching facilities, library stocks, etc. Furthermore, the exercise provides an institution with an avenue for self-evaluation, where the accreditation panel report corroborates with the institutions appraisal of what it is doing. This enhances the institution's confidence in itself, and that of the public and its proprietor in what it is doing.

On IT academies, it is noteworthy that there are many IT institutions in Nigeria, mostly private. Their activities are coordinated by a professional body set up for that

purpose. The foremost of such institutes is the government owned National Institute of Information Technology. They offer mostly Certificates and Diploma courses.

There are no twinning arrangements with foreign universities for the award of degrees and diplomas. Such arrangements are however limited to exchange programmes and research initiatives. Examples include the Savannah Studies and Geography linkage between Bayero University Kano and the University of Sussex, UK and the Biotechnology and Bioresource engineering linkage between Obafemi Awolowo University and University of New Castle UK. There is as yet no formal partnership between public and private institutions in the country.

A National Open University has been established in the country and admission into its maiden programmes is just about to commence. Formal academic activities will start early in 2003. Besides the Open University, many other conventional universities have Distance Education Programmes especially in the fields of Education and Management Sciences. Examples include the Distance Learning Programmes, of the University of Abuja and Lagos.

The majority of private higher education providers in the country are for profit providers. They generally provide wider choice and access to those who can afford to pay for higher education. Admission into these institutions is through the same process as the public institutions. Most of them however, also have aptitude tests which the students are expected to take. The new providers are more flexible in their admission process in that some of them admit students three times a year. They cover mostly management studies, law, medicine and computer studies.

The profit motive of these new providers does not seem to inhibit or limit the quality of education they provide. Mostly because tuition is free in all public higher institutions in the country, the private providers are forced to give their students value for money in order to attract more students and thereby stay afloat. The regulatory frameworks for providers fall into the following

*Registrar of Companies:* A private provider must first be registered by the Corporate Affairs Commission which is the registrar of companies in Nigeria. Such providers must therefore first satisfy the conditions of registration as a private company.

*Regulatory Agencies:* There are three Regulatory agencies for Higher Education in the country. These are the NUC for universities, NBTE for polytechnics and NCCE for Colleges of Education. These agencies coordinate the overall development of higher education in Nigeria, set Minimum Academic Standards and accredit all programmes in their respective institutions.

*Professional bodies:* Professional bodies are involved in the professional recognition of their respective programmes in all institutions in Nigeria irrespective of ownership. The Medical and Dental Council of Nigeria, for example, has to approve any training programme for Doctors and Dentists at university level.

Government regulation does not allow the setting up of transnational institutions in the country. Each institution must have its own corporate identity and operate within

the laws governing higher education in Nigeria. It must at the minimum; implement the correct nationally approved academic standards and subject its programmes to accredited by the respective regulatory agency.

The liberalization of higher education in Nigeria is through the ownership of institutions. Until 1993 Government (Federal and States) were the sole owners of higher institutions in the country. However, the liberalization process opened the doors of private ownership which is expected to lessened the demand and pressure on public institutions which to date are tuition-free. Higher Education is yet to be formally recognised as a trade in Nigeria and so is not governed by general agreements on trade entered into by the country.

## **SOUTH AFRICA**

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*(Prepared by Oliver Seale, Mala Singh, and Kirti Menon, Council on Higher Education, Pretoria, South Africa)*

The establishment of the Higher Education Quality Committee in May 2001, marked the beginning of a single national Quality Assurance system for all public and private higher education institutions in South Africa. The HEQC is in process of developing new systems for institutional audits and programme accreditation, as well as licensing institutions to offer new programmes.

A number of Professional Councils and Quality Assurance (QA) structures connected to the Department of Labour are also active in specific professional and vocational fields of higher education. Cooperative structures between the HEQC and other QA structures are being investigated in order to develop a coherent national QA system. However, many tensions remain due to conflicting understandings and expectations of quality.

Currently the HEQC is using a separate accreditation application process for public and private HE institutions. Trans-national and for profit institutions form part of the private HE sector. The accreditation procedures for both public and private institutions are based on policies and instruments inherited from other HE structures formally responsible for these processes. However, these instruments and criteria have been refined over time by the HEQC accreditation structures. Copies of the accreditation application forms are available on the CHE website.

The accreditation of programmes for public institutions by the HEQC is directly linked to funding by the Department of Education. In terms of public access to quality assurance information, the accreditation and registration outcomes of private HE institutions are available on the DoE's website. The HEQC is in the process of developing an information disclosure policy in relation to programme specific information in both sectors.

In terms of its QA functions, the HEQC is also in the process of developing a national, single accreditation and institutional audit framework. These frameworks would be available in 2002 and pilot tested in 2003. It is envisaged that the full implementation of the new frameworks would take place in 2004.

The Higher Education Act (Act no. 101 of 1997) makes provision for the registration of new private higher education institutions by the Department of Education. It also requires institutions to apply for the accreditation of their programmes to the Higher Education Quality Committee, of the Council on Higher Education. The CHE is a statutory body, which reports to the Parliament on an annual basis. Private institutions may only register new learners for programmes accredited by the HEQC and registered by the DoE. The Department of Education is also in the process of finalising the Regulations for Private Higher Education Institutions. The HEQC is developing a new single, national accreditation framework for both public and private HE institutions.

Partnerships between local private institutions and foreign institutions fall into several categories. These include recruitment or marketing for a foreign institution offering distance education. e.g. University of Southern Queensland operates from a residential address as a South African post box for the University. Learners are not protected by South African law and the Department of Education cannot register the 'post box' as an institution. In the second category falls Private Higher Education Institutions (PHEIs) which purchase learning programmes from foreign institutions that offer validation, endorsement or accreditation. Certification is sometimes dual with recognition agreements between the parties. The foreign institution has very limited input on quality control or operates with minimalist criteria applicable to the partner institution. The foreign institution is not liable for learners registered in these programmes. (eg. Executive Education and Newport University, institutions that offer the City & Guilds qualifications). In the third category falls foreign institutions which set up registered companies in South Africa with or without a local partner. This enables the institution to acquire accreditation from the Higher Education Quality Committee (HEQC) and register with the Department of Education (DoE). E.g. Bond SA, Monash SA, and De Montfort School of Business. The foreign institution retains final rights concerning assessment, the nature of the learning programme and certification. In the case of Bond SA, the lecturers fly in from Australia to teach in blocks. Teaching is supplemented by local part-time lecturers.

Thus, foreign university campuses include:

- CHN University Port Alfred (Main Campus is CHN University in the Netherlands)
- De Montford South Africa (Main Campus is De Montford University in the UK)
- Bond South Africa (Main Campus is Bond University in Australia)
- Monash South Africa (Main Campus is Monash University in Australia)

There are of course, for-profit providers. These include Damelin, Midrand Graduate Institute, Allenby Campus these institutions form part of the Educor Group of which NASPERS a listed company is the main shareholder. Companies like South African Breweries, DeLoitte and Touche, Kellogs or General Electric that offer degrees designed specifically for their purposes have inverted this model. None of these learning programmes have surfaced in either the accreditation or the registration processes. Other models include the E-degree initiative supported by the University of the Free State and Price WaterHouse Coopers. These qualifications have also not been accredited by the HEQC.

Some private institutions such as Durban Computer College and PC Training and Business College, specialise in the delivery of IT programmes but also offer other commercial programmes in business studies, tourism or human resources.

On twinning arrangements, the nature vary, ranging from recruitment by private higher education institutions on behalf of public institutions, delivery of the learning programme on behalf of the public institution and purchase of the learning programme from the public institution. The implications of the first two kinds of agreements are:

- The PHEI does not qualify as a provider in terms of the Department of Education (DoE) regulations and cannot be registered.
- The HEQC accreditation processes are designed to comply with the DoE's requirements of a provider. The PHEI does not qualify for accreditation.
- The public accreditation process insists that accreditation is for the site of delivery indicated in the application. In the absence of adequate monitoring, most public institutions ignore the HEQC stipulation and initiate arrangements with PHEIs.
- Learners are dually registered with both the private institution and the public institution. In these cases, the public institution usually certifies the learners.
- This has implications for the DoE as Full Time Equivalent (FTE) figures are skewed with subsidy benefits awarded to institutions for learners that do not receive the benefits of being registered with a public institution.
- In some cases, the PHEI offers the Certificate or Diploma qualifications that enable entry into the next level at the public institution. E.g. Damelin offers several programmes that are essentially the first and second years of a broader qualification offered by the University of Pretoria. On completion of these programmes, the University would provide access to the next level.
- The rationale underpinning these arrangements are provision of access to learners that would not qualify for entrance into the public institution and in some cases, flexible learning arrangements for learners in terms of time and cost.
- Assessment is conducted either by staff of the public institution or on behalf of the institution by the private provider. e.g. Azaliah College has been offering programmes on behalf of the University of Port Elizabeth and Technikon Pretoria for several years. Staff and research output of both institutions are reflected as Azaliah College's, in their application for accreditation.

If a learning programme is purchased outright from the public institution, the PHEI assumes full responsibility for teaching, assessment, certification and registration of learners. The plus factor for the PHEI is that articulation agreements are reached with the public institution and the learning programme is marketed as endorsed, validated or recognised by the specific public institution. These factors enhance the recruitment and enrolment strategy of the PHEI.

The Minister of Education has placed a moratorium on public/private partnerships for higher education provision. Some private institutions also enter into arrangements with public institutions to provide access for their learners to the public institution's resource centre, laboratory, training facilities, library etc.

The majority of private higher education institutions are South African organisations. The PHEIs generally provide easier access to HE to terms of their less restrictive admission criteria. For example, the minimum requirement for admission to any degree programme in a public institution is a matric exemption or a conditional exemption if the learner is older than 23 years of age. Private institutions do not necessarily apply these criteria for admission. This has resulted in some shifts in enrolment from public to private institutions.

PHEIs offer primarily the highly popular qualifications that are not resource or infrastructure intensive. The dominant fields are IT, Management, Administration, Travel/Tourism/Hotel Management, Human Resource Management and a variety of beauty related programmes. Theology merits a mention, as there are several not-for-gain institutions applying for accreditation. The emphasis is on satisfying market demand and responding to the needs of learners.

They also provide shorter one year (Certificate) or two year (Diploma) programmes for learners who cannot access a public HE institution in terms of the above requirements. This situation often creates articulation problems for learners, who pursue further studies in the same field, in terms of receiving credits from a public institution for these shorter programmes. South Africa has a National Qualifications Framework in place. Recently developed level descriptors for all qualifications, which will apply to all public and private institutions may make articulation easier in the future.

A major problem with private higher education provision in South Africa is the insufficient data currently available for determining the actual number of institutions, programme offerings, number of learners, throughput rates etc. Some research has been undertaken in this regard but most of the information currently available, relates only to legally registered institutions which to date number 110.

There are a large number of private institutions offering HE programmes illegally. They pose a serious threat to the production of quality knowledge and other socio-cultural issues such as equity and redress in the HE system. These institutions target mainly the previously disadvantaged groups who pay significant amounts of money in return for qualifications of dubious quality.

The DoE and the CHE have started an advocacy campaign, which will focus on empowering learners and their parents to make more informed choices on HE programmes. The HEQC is also initiating site visits, which will begin to exercise greater pressure on poor quality provision.

Some of the major policy implications in terms of the growth of trans-national institutions are:

- Articulation of the foreign qualifications and portability in terms of local private and public institutions. In terms of the accreditation process these programmes must comply with the requirements of the National Qualification Framework.

- Ensuring that the trans-national institution establishes a legal presence in the country and does not operate only as an agent or a “post-box” for the main institution. This is in order to protect learners from unscrupulous institutions who do not have the resources or capacity to sustain a programme in the long term.
- The trans-national institution must register and certify learners in its own locally registered name. All institutions are required by the DoE to register as a section 21-company (not-for-profit) or a private company.
- In the last three years there has been a phenomenal increase in trans-national institutions offering post-graduate business programmes such as the MBA. Generic and specialist MBAs are swamping the market and the cost implications of these programmes to individuals and employers, are huge.

We have not been able to access any information on the Department of Education or Department of Trade and Industry’s position on GATS. Officials in the Council on Higher Education have expressed concern on the possible negative implications of GATS for South African Higher Education.

## **ZAMBIA**

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Zambia ratified the Arusha Convention in 1983. The Examinations Council of Zambia is responsible for accreditation and certification of School Certificates, Primary Teacher Training Candidates and Technical Education and Vocational Training candidates. Similarly, the two universities, in association with Government and private sector training providers, are responsible for accreditation and certification of those candidates who pursue the various academic, vocational and professional study programmes they provide. Certificates; diplomas and degrees are awarded to candidates who complete prescribed courses of study and pass the set examinations. The qualifications are both national and international recognised.

The Examinations Council of Zambia is affiliated to a number of examining bodies and conducts many examinations on behalf of other examining bodies. The Council is also a member of the Association for Education Assessment in Africa and International Association for Education Assessment. The awards by the Council are recognized world-wide. The awards by the Universities and associated training providers are also internationally recognized.

The Examination Council of Zambia and the two Universities determine the curriculum, monitor standards and make the awards. The professional bodies play active roles with regard to the right to practice. They have varying rules and regulations regarding recognition and the right to practice and they maintain registers of members. Their influence is through involvement and participation in curriculum development, assessment and moderation processes.

The migration trend is as shown below.

<b>FIELD</b>	<b>IMMIGRANTS FROM</b>	<b>EMIGRANTS TO</b>
Medical	Cuba, China, India	Botswana, Namibia, South Africa
Engineering	Scandinavia, Italy	Botswana, Namibia, South Africa
Teaching/Training	India, Ghana, Nigeria, Netherlands, Belgium	Swaziland Botswana, Namibia, South Africa
Technical		Swaziland, Botswana, South Africa
Artisans		Swaziland, Botswana, South Africa
School Leaving Qualification		South Africa
Nursing		Namibia, Botswana, South Africa

## **SUMMARY OF CASE STUDIES OF THREE COUNTRIES: NIGERIA, SOUTH AFRICA, KENYA**

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**Foreign University Campus:** Nigeria and Kenya do not have foreign university campuses in their countries as the laws governing higher education in both countries prevent such. South Africa, on the other hand has many of such campuses some on their own while others in affiliation with some local institutions.

**For-Profit Providers:** All three countries have private higher institutions. The ownership of these institutions is however broader in South Africa and Kenya where private companies have established universities that offer courses specifically for their purposes. In Nigeria, the law allows private companies to promote the establishment of universities but their programmes must conform with general national needs.

**Twining arrangements with other universities:** Twining arrangements are common in South Africa and Kenya but not presently obtainable in Nigeria. The arrangement in Kenya is between Kenyan and foreign universities while in South Africa it is mostly between public and private institutions.

**Distance Education Providers:** Distance Education providers are common to all countries. In addition Nigeria has established a National Open University.

**Formal Status of New Providers:** The Department of Education registers and regulates the operation of new providers in Kenya and South Africa. In Nigeria, however, new providers are registered by the three bodies that regulate higher education namely National Universities Commission (NUC), National Board for Technical Education (NBTE) and National Commission for Colleges of Education (NCCE).

**Perspectives on New Providers:** Majority of the providers in Kenya and South Africa are national organisations while all are national organisation in Nigeria. The

emphasis in all countries is on satisfying market demand and responding to the need of learners. Theology is increasingly becoming prominent in all countries. Another key feature in all is that quality does not seem to be negatively affected by the entrance of new providers into higher education.

**Regulatory Framework:** New providers in all three countries are regulated either directly by government or through its agencies like the Commission for Higher Education (Kenya) or National Universities Commission (Nigeria). Similarly professional bodies regulate the curriculum of professional courses in all the countries.

**Quality Assurance and Accreditation System:** The National Universities Commission, in addition to registering new providers also function as the Quality Assurance Agency in Nigeria. In so doing, it accredit degree programmes of all universities irrespective of ownership. The body also prescribes a nationally acceptable minimum academic standard. In Kenya, the Commission for Higher Education is the sole accrediting body for Higher Education. It is currently working on accrediting private universities. The establishment of Higher Education Quality Committee in South Africa marked the beginning of a single Quality Assurance system in all public and private institutions.

**Transnational Institutions:** Transnational Institution are available in South Africa and Kenya but not in Nigeria. The UNESCO code which will prescribe minimum ethical standards for any trans-national institution setting up and operating a satellite campus in another country is currently not applicable in Nigeria.

**Trade Liberalisation:** Higher Education, Adult Education and other tertiary education are regarded as trade in Kenya and a number of agreements between countries were signed to regulate the trade. This is currently not the case in Nigeria and South Africa.

## **Challenges and Prospects**

The challenges facing the successful implementation of the Arusha Convention are at the national, sub-regional and regional levels. Several African countries created national commissions for recognition of studies and diplomas and signed bilateral and multilateral agreements in order to promote academic mobility of teachers and students. While many of these commissions are active, the activities of some in terms of efficiency are yet unknown.

The weakness of the regional committee in terms of efficiency is worthy of mention. Such low level of efficiency is induced by a number of factors. First, between its biennial meetings, the Committee is not engaged in any significant activity and hence unable to follow up on its recommendations and plans of action. Secondly, several countries do not participate in the plenary sessions of the Committee and worse still, those that participate oftentimes change representatives making continuity difficult to achieve. Thirdly, the link between the activities of the representatives and the national committees is weak. This causes a dislocation in the integration of functions of the regional committees and the national bodies.

Also, only about a third (19) of African Member States has ratified the Convention by October 2002. This means that many African countries are yet to benefit from mutual recognition of certificates, degrees and diplomas. These countries are not able to have the benefit of opportunities of cooperation offered by the other regional committees, notably through the follow-up of the conjoined meetings of the six intergovernmental committees. The ratification of the Convention will facilitate the realisation of the higher education thrusts of such emerging initiatives as NEPAD (New Partnership for the Development of Africa). It is therefore imperative that a strategy be devised for the accelerated ratification of the Convention.

The World Declaration on Higher Education for the 21st century adopted by participants at the UNESCO World Conference held in 1998 in Paris underscores the need to improve the efficiency of mechanisms of recognition of studies and diplomas and the enhancement of academic mobility (UNESCO 1998).

At the Cape Town meeting held in June, 2002, stakeholders agreed that a viable pathway towards achieving the goals of the Arusha Convention is to ensure that the following activities are carried out under the aegis of the Secretariat (UNESCO BREDA) on behalf of the Regional Committee:

- To work closely with regional, sub-regional and national bodies to encourage ratification and implementation of the Convention;
- To market the convention and be responsible for the dissemination of information at the level of member states and national institutions;
- To disseminate information about the convention to non-signatory states and encourage their participation;
- To produce a brochure on the Convention for dissemination at appropriate international conferences;
- To recommend a format for the submission of information in the country reports;
- To compile and publish a regular Newsletter on the Convention and on recognition and transferability issues;
- To develop an effective mailing list of recipients of the Newsletter;
- To compile a Handbook/CDROM based compendium of recognition protocols with cross- reference to relevant institutional and governmental web-sites containing updated information on certificates, diplomas and degrees available in institutions in contracting states;
- To develop a page on the UNESCO-BREDA web-site dedicated to the Convention with links to related web-site of contracting states;
- To commission research and organize workshops for the dissemination of best practice in recognition, portability and articulation with a view to developing guidelines to be recommended to all contracting states;
- To commission research into other related areas including the recognition of qualifications obtained through open and distance learning and student perceptions regarding recognition processes;
- To investigate the development of an explanatory document like the Diploma Supplement (see Lisbon Convention) for use in the Region to facilitate transferability;

- To promote the development of quality assurance/accreditation mechanisms in contracting states to build mutual confidence in the reliability of qualifications awarded;
- To coordinate the establishment and functioning of a network of national information centres in each contracting state;
- To convene a meeting of the network once every two years between meetings of the Regional Committee;
- To facilitate the establishment/functioning of sub-regional forums to discuss matters relating to recognition of qualifications and credit mobility on an annual basis;
- To develop guidelines for the recognition of trans-national higher education;
- To determine a list of potential partners in the promotion and development of activities under the Convention including:
  1. The African Forum of Parliamentarians for Education (FAPED)
  2. Sub-regional groupings such as ECA, SADC, ECOWAS, COMES, CAMES, ECCA, IOC etc
  3. Associations of Universities eg AAU, IUCEA etc

## **Conclusion**

Three main issues were discussed in this paper. These were recognition of studies, providers of higher education and quality assurance. The Arusha Convention was the central theme around which the issues gravitated. It is clear that a lot of grounds have been covered in Africa. When compared with other regions especially Europe, it is also clear that a lot of grounds still need be covered. The issue of GATS in the context of WTO in relation to higher education delivery in Africa is yet to find pervasive regional favour. There is optimism however that the momentum on all the issues will pick up in the face of the gathering political will for the African Union and NEPAD.

## APPENDIX

# THE ARUSHA CONVENTION

## REGIONAL CONVENTION ON THE RECOGNITION OF STUDIES, CERTIFICATES DIPLOMAS, DEGREES AND OTHER ACADEMIC QUALIFICATIONS IN HIGHER EDUCATION IN THE AFRICAN STATES

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*adopted at Arusha on 5 December 1981*  
*revised at Cape Town on 12 June 2002*  
[State Parties to the Convention](#)

*The African States, Parties to the present Convention,*

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

**Reaffirming**, in accordance with the [Charter of the African Union](#), (AU) their common resolve to strengthen understanding and co-operation among the African peoples in order to meet their aspirations towards increased solidarity in a larger unity transcending ethnic and national diversity,

**Noting** that the fulfilment of these aspirations, long thwarted by colonial domination and the consequent division of the African continent, calls for intensive co-operation among the African States, which alone is capable of safeguarding their hard-won independence and sovereignty, of preserving and strengthening the cultural identity and diversity of their peoples, of respecting the specific character of their education and training systems, of increasing and improving their educational facilities and curricula, and of ensuring effective use in the best interests of the continent as a whole both of the training resources available in their respective territories and of the intellectuals, administrators, technologists, technicians and other high-level personnel which have been trained,

**Desirous** in particular of strengthening and increasing their co-operation in matters relating to education and the use of human resources with the aim, in particular, of encouraging the advancement of knowledge, of achieving a constant and gradual improvement in the quality of higher education and training and of promoting economic, social, cultural and technological development in each of the African countries and in the continent as a whole,

**Convinced** that, as part of this co-operation, the recognition of studies, certificates, diplomas, degrees and other academic qualifications in higher education, which would ensure the greater mobility of students and persons engaged in an occupation throughout the African continent, is one of the conditions necessary for accelerating the development of the region, which implies that increasing numbers of scientists, technologists, technicians and specialists will be trained and their services fully utilized,

**Convinced** that, precisely on account of the diversity and complexity of programmes of study, the system of equivalence of diplomas hitherto in use does not suffice to allow the best possible use to be made of their education and training facilities, and that it is now becoming essential to adopt the concept of recognition of stages of education and training, taking into account not only the certificates, diplomas and degrees obtained but also the courses of study followed and the knowledge and experience acquired,

**Desirous** of taking the greatest possible account in their future collaboration of the requirements of development and of the need to encourage the democratization of education and training and the promotion of continuing and lifelong education, while at the same time ensuring the continuous improvement of its quality,

**Recognising** the global trend towards the establishment of regional conventions on the recognition of studies, certificates, diplomas, degrees and other academic qualifications in higher education such as the Bologna Convention for Europe and the need for Africa as a member of a globalised world to be an active player in these initiatives,

**Reaffirming** the Declaration of the World Conference on Higher Education on the subject that “regional and international normative instruments for the recognition of studies should be ratified and implemented, including certification of the skills, competences and abilities of graduates, making it easier for students to change courses, in order to facilitate mobility within and between national systems”,

**Cognisant** of the importance of the mobility of students and the regional recognition of studies, certificates, diplomas, degrees and other academic qualifications in higher education to the successful implementation of regional initiatives such as the New Economic Programme for Africa’s Development (NEPAD) to boost the economic, social and political standing of Africa.

**Resolved** to organize and strengthen their co-operation in the field of recognition of studies, certificates, diplomas, degrees and other qualifications by means of a convention which would be the starting-point for concerted dynamic action carried out, in particular, through national, bilateral, subregional and regional bodies already in existence or set up for that purpose,

**Expressing the belief** that this Convention will be a step towards more wide-ranging action leading to an international convention between all the Member States of the United Nations Educational, Scientific and Cultural Organization,

HAVE AGREED as follows:

## **I. DEFINITIONS**

### Article 1

For the purposes of this Convention:

1. The "recognition" of a foreign certificate, diploma, degree or other qualifications of higher education and training 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, degree or qualification with which the foreign one is assessed as comparable. 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 foreign certificate, diploma, degree or other qualification with a view to undertaking or pursuing studies at the higher level shall entitle the holder to access higher education, training and research institutions of any Contracting State under the same conditions as those applying to holders of a similar certificate, diploma, degree or other qualification issued in the Contracting State concerned.

(b) Recognition of a foreign certificate, diploma, degree or other qualification with a view to the practice of a profession is the recognition of the holder's academic/professional/technical capacity, and confers on him/her the rights and obligations of holders of the national certificate, diploma, degree or other qualification required for the practice of the profession concerned. Such recognition does not exempt the holder of the foreign certificate, diploma, degree or other qualification from complying with the legal requirements or the conditions for the practice of the profession concerned which may be laid down by the competent governmental or professional authorities in the Contracting State concerned.

2. (a) "secondary education" means that stage of studies of any kind (contact or distance; on-line or virtual) which follows primary or elementary and preparatory education and the aims of which include preparing pupils for access to higher education;

(b) "higher education" means all types of education, training and research at post-secondary level which are recognized by the competent authority of a Contracting State as belonging to its system of higher education. Such education is open 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 and experience according to the conditions laid down for that purpose by the State concerned.

3. "partial studies" means any education whose duration or content is partial by comparison with the norms prevailing in the institution in which it was acquired. Recognition by a Contracting State 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 level of achievements reached by the student in the opinion of the State granting recognition.

4. "stage of training" means a sum of academic and practical studies, or personal experience and achievements leading to the requisite level of competence and skill in order - with regard to continuation of studies - to undertake the subsequent stage and - with regard to the practice of a profession - to assume the responsibilities and perform the duties corresponding to the stage concerned.

5. "access" means the right of qualified candidates to apply and to be considered for admission to higher education.
6. "admission" means the act of, or system for, allowing qualified applicants to pursue studies in higher education at a given institution and/or a given programme.
7. "competent recognizing authority" means a body officially charged with making binding decisions on the recognition of foreign qualifications.
8. "credit transfer" means the mechanism that allows for the credit obtained for studies successfully completed in one institution to be counted towards the award of a certificate, diploma or degree in another institution.

## **II. AIMS**

### Article 2

1. The Contracting States intend, through joint action concerning the recognition of studies, certificates, diplomas, degrees or other qualifications, to contribute to: (a) strengthening African unity and solidarity; (b) removing the constraints based on different past colonial experience which cut across the region's traditional historical and cultural links; and (c) promoting and strengthening the cultural identity of Africa and of its various countries. *(to be amended in light of new inserts in preamble)*

2. The Contracting States solemnly declare their firm resolve to co-operate closely with a view to:

(a) enabling the education and training 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 education and training institutions as widely accessible as possible to students from any of the Contracting States;

(ii) to recognize the studies, certificates, diplomas, degrees and other qualifications of such persons, and to encourage exchanges and the greatest possible freedom of movement of teachers, students and researchers in the region;

(iii) to promote flexibility in the application of the entrance requirements of the higher education and training institutions of each country;

(iv) to alleviate the difficulties encountered by those returning home after completing their education and training abroad, so that their reintegration into the life of the country may be achieved in the manner most beneficial both to their personal development and to the development of society at large;

(v) to support the development of systems which will ensure the comparability of studies and certificates, diplomas, degrees and other qualifications of higher education in order to facilitate transfer of credits and recognition of awards for vertical and horizontal mobility/articulation;

(vi) to take account, in the conception and revision of their educational systems and programmes, and of their methods of evaluation, of African realities and to provide for the integration of the African languages as languages of instruction;

(vii) to adopt a dynamic approach in matters of admission to further stages of study and to transfer of credits, which recognises not only knowledge attested by academic qualifications, but also prior learning and experience;

(viii) to develop procedures for the fair assessment of whether refugees, displaced persons and persons in a refugee-like situation fulfil the relevant requirements for recognition/access to higher education, to further higher education programmes or to employment activities, even in cases in which the qualifications obtained in one of the Contracting States cannot be proven through documentary evidence;

(ix) 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 the higher educational level;

(b) improving the system for the exchange of information regarding the recognition of studies, certificates, diplomas, degrees and other qualifications;

(c) constantly reviewing curricula and planning of higher education in the Contracting States so as to take account of development requirements, of the African aspirations towards sustainable human development, and of 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 continuing and lifelong education and the democratization of education;

(d) ensuring that there is policy and organizational mechanisms for the recognition of new and innovative qualifications;

(e) developing capacity at national and institutional levels to support the development of processes and policies to implement credit transfer;

(f) establishing and implementing effective quality assurance mechanisms at the national and sub-regional levels;

(g) promoting the widest and most effective use of human resources so as to contribute to the acceleration of the development of the countries concerned, and at the same time reverse the "brain drain";

(h) promoting international co-operation in the matter of the recognition of studies, certificates, diplomas, degrees and other qualifications.

3. The Contracting States agree to take all necessary steps at the national, bilateral and multilateral levels, in particular by means of bilateral, subregional, regional or other agreements, agreements between universities or other higher education and training 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

For the purposes of the continuation of studies and access to the subsequent stages of training in higher education institutions situated in their respective territories, the Contracting States recognize, under the same conditions as those applicable to local academic qualifications, 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 education institutions situated in the territories of those Contracting States, provided the applicant satisfies or is given the opportunity to meet the requirements pertaining to the academic level prescribed for admission into those subsequent stages of training in higher education.

#### Article 4

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

(a) accepting, for the purpose of the pursuit of studies and access to the subsequent stages of training in higher education institutions situated in their respective territories and under conditions applicable locally, recognized qualifications obtained in a higher education institution situated in the territory of another Contracting State, which denote that a full course of studies at the higher level has been completed, unless a substantial difference can be shown between the general requirements for access in the Contracting State in which the qualification was obtained and in the Contracting State in which the recognition of the qualification is sought;

(b) defining the procedures applicable to the recognition, for the purpose of the pursuit of studies, of the partial studies pursued in higher education institutions situated in the other Contracting States.

#### Article 5

The Contracting States agree to take the necessary steps to ensure that certificates, diplomas, degrees and other qualifications 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, degrees and other qualifications 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, degrees or other qualifications 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, degrees or other qualifications similar to those defined in Articles 3, 4 and 5 may avail him/herself of those provisions which are applicable, on condition that his/her certificates, diplomas, degrees or qualifications have been recognized in his/her home country and in the country in which s/he wishes to continue his/her studies, without prejudice to the provisions of Article 20 of this Convention.

### IV. IMPLEMENTATION MECHANISMS

#### Article 7

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

- (a) national bodies;
- (b) the regional committee defined in Article 9 below;
- (c) bilateral or subregional bodies.

#### Article 8

1. The Contracting States recognize that the attainment of the goals and the execution of the undertakings defined in this Convention will require, at the national level, close co-operation and co-ordination of the efforts of national authorities, whether governmental or non-governmental, particularly universities and other higher education institutions. They therefore agree to entrust 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 measures. The Contracting States will furthermore provide all the measures required to ensure the effective functioning of these national bodies.

2. The Contracting States will designate a national body and place at its disposal the necessary means to enable it to collect, process and file all information of use to it in its activities relating to the recognition of studies, certificates, diplomas and degrees in higher education.

#### Article 9

1. A regional committee composed of representatives of all 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 regional committee shall be to promote the application of this Convention and to oversee its implementation. It shall make recommendations, declarations, protocols and models of best practice to guide the competent authorities of the Contracting States in their implementation of the Convention and in their consideration of applications for the recognition of higher education qualifications. 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 a report to the committee at least once every two years.

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

#### Article 10

1. The regional committee shall elect its chairman and adopt its Rules of Procedure. It shall meet in ordinary session every two years.

2. The secretariat of the regional committee shall prepare the agenda for the meetings of the committee, in accordance with the instructions it receives from the committee and the provisions of the Rules of Procedure. It may formulate proposals with a view to measures to be taken by the committee. It shall help national bodies to obtain the information needed by them in their activities.

#### Article 11

1. The Contracting States may entrust existing bilateral or subregional 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.

2. The regional committee may likewise entrust appropriate African bodies with the task of studying and seeking solutions to the difficulties that present differences between the education systems and evaluation methods in use in the various subregions of the African continent entail for the harmonious and widespread application of the Convention.

### **V. INFORMATION REQUIREMENTS**

#### Article 12

1. The Contracting States shall engage in ongoing exchanges of information and documentation pertaining to studies, certificates, diplomas, degrees and other qualifications in higher education and training.

2. The Contracting States shall develop, through national bodies, methods and mechanisms for collecting, processing, classifying and disseminating all the necessary information pertaining to the recognition of studies, certificates, diplomas, degrees and other qualifications in higher education and training, taking into account existing methods and mechanisms as well as information collected by national, regional and international bodies, in particular the United Nations Educational, Scientific and Cultural Organization.

3. Each Contracting State shall provide adequate information on any institution belonging to or operating as a recognized provider within its higher education system, and on any programme/course operated by these institutions in order to enable the competent authorities of other Contracting States to ascertain whether the quality of the qualifications issued by these institutions justifies recognition in the Contracting State in which recognition is sought.

4. Each Contracting State shall make adequate provision for the development, maintenance and delivery of:

- (a) an overview of the different types of higher education institutions belonging to its higher education system, with the typical characteristics of each type of institution;
- (b) a list of recognized institutions (public and private; contact and distance) belonging to its higher education system, indicating their powers to award different types of qualifications and the requirements for gaining access to each type of institution and programme/course;
- (c) a description of higher education programmes

## **VI. CO-OPERATION WITH OTHER ORGANIZATIONS**

### Article 13

The regional committee shall make all the appropriate arrangements for associating the competent national, sub-regional, regional, international, governmental and non-governmental organizations 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, degrees and other qualifications obtained from, any recognised institution of higher education (public or private, contact or distance) under the authority of a Contracting State, even when this institution is situated outside its territory, or is under the joint authority of more than one Contracting State.

## **VIII. RATIFICATION, ACCESSION AND ENTRY INTO FORCE**

### Article 15

This Convention shall be open for signature and ratification by the African States which have been invited to take part in the diplomatic conference entrusted with the adoption of this Convention.

### 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 ad hoc committee referred to in paragraph 3 of this Article.

3. The Contracting States shall meet as an ad hoc committee comprising one representative for each Contracting State, with an express mandate from his/her government to consider such a request. 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 the Convention has been ratified by at least fifteen of the States referred to in Article 15.

### 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 come into effect 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. For every other State which shall subsequently deposit its instrument of ratification or accession, the Convention shall come into effect one month thereafter.

### Article 19

1. The present Convention may be amended in accordance with the principles and procedures set out in the Vienna Convention on the Law of Treaties.

2. The Contracting States shall have the right to denounce this Convention.

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

4. The denunciation shall take effect 12 months after the instrument of denunciation has been received. It shall have no retroactive effects, nor shall it affect the recognition of studies, certificates, diplomas, degrees and other qualifications, which has taken place in accordance with the provisions of the Convention when the State denouncing the Convention was still bound thereby. Such recognition shall continue to have its full effect after the denunciation has become effective.

#### 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 and the denunciations provided for in Article 19 of this Convention.

#### 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 Cape Town, this twelfth day of June 2002, in the English language, 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.