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Abstract

The recognition of foreign diplomas of higher education in Albania dates back to 2004. This process is of a particular importance in the context of the mobility of students, graduates and academic staff. Albania has always been supporting and endorsing the European initiatives in the field of higher education regarding the diploma recognition as a key undertaking to enhance the adaptation of European best practices and create better opportunities and facilities for all Albanian citizens or foreigners who have earned diplomas abroad. The Republic of Albania signed the Lisbon Recognition Convention “On the Recognition of Higher Education Qualifications in the European Region (11.IV.1997) in 1999. Later on, this convention has been ratified by the Parliament with the Law no 8834, date 22.11.2001, “On the ratification of the “Convention of the Recognition of Qualifications of Higher Education in Europe (Lisbon 1997)”. The process of amending other related laws and adoption of relevant bylaws and regulations in compliance with the European legal framework on diploma recognition and regulated profession was also followed by the establishment of the several significant structures. These national units are facilitating the entire process of diploma recognition in accordance with the set standards aiming at offering good and unified services, similarly applicable within the countries of the European of Higher Education Area as well as in the countries outside this area.

Keywords: qualification, recognition, equivalence, regulated profession, service center.

Introduction

In light of its importance for the Albanian academia, this article examines the process of foreign diploma recognition and their equivalence to the Albanian Higher Education system.

All individuals, who are holders of a diploma issued by foreign higher education institutions or other institutions authorized to deliver higher education diplomas, in order to have the right to be employed and practice the respective profession or to have access to further studies, they ought to go through the process of diploma recognition. Why has the diploma recognition become recently such an essential issue in the Republic of Albania? The growing number of public and private higher education institutions and the new procedures of being admitted into the civil servants system it has made the recognition of the foreign diplomas one of the main criteria for their employment. Therefore, the article will provide an overview of this process by presenting the current challenges and their future perspective.

1. The Lisbon Recognition Convention (1997)

Lisbon Convention on the Recognition of Qualifications concerning Higher Education in Europe has been considered as the main legal framework following several previous conventions about academic recognition in Europe, such as the European Convention on the Equivalence of Diplomas leading to Admission to Universities (1953) and its additional Protocol (1964), the European Convention on the Equivalence of Periods of University Study (1956), the European Convention on the Academic Recognition of University Qualifications (1959), the European Convention on the General Equivalence of Periods of University Study (1990) and the International Convention on the Recognition of Studies, Diplomas and Degrees in Higher education (HE) in the Arab and European States bordering on the Mediterranean (1976) adopted within the framework of UNESCO and partially covering academic recognition in Europe. The Convention is being ratified by many countries and its main goal stipulates that university degrees and study periods must be recognized by the institution which covers higher education and should be supported by a national incorporated legislation.

1.1 The Lisbon Convention has been adopted due to some important reasons:

The Convention promotes:

- the national developments concerning the field of recognition for periods of study and diplomas, mainly within the European Area of Higher Education;
- the diversity of the higher education system in the Europe;
- the necessity to explore and establish the most common instruments to solve the practical problems which are encountered during the recognition of foreign degrees in the European Region, as well as to improve current practices of recognition through transparent and best adapted procedures, in compliance with the current contexts across the respective higher education system in the region.

Higher education plays an important role in assembling and exchanging of knowledge and constitutes a major cultural and scientific asset for individuals and societies. In this context, recognition of degrees remains a key element in promoting student mobility in the European continent and beyond.

1.2 Some of basic principles related to the assessment of qualifications¹

- Holders of foreign qualifications shall have an adequate access, upon request to the appropriate body/unit, to provide an assessment of these qualifications.
- No discrimination shall be practiced in this respect based on the applicant's gender, race, color, disability, language, religion, political or other opinion, national, ethnic or social origin, association with a certain national minority, property, birth or other status, or on the grounds of any other circumstance not related to the merits of the qualification for which recognition is primarily sought.

¹*Section III of the Lisbon Recognition Convention*

- The procedures and criteria applied throughout the process of the assessment and recognition of qualifications shall be transparent, coherent and reliable. The decisions on recognition shall be issued within a reasonable time limit specified beforehand by the competent recognition authority and should be calculated from the time when all the necessary information in the case has been entirely provided.

1.3 The consequences/motives of the recognition of the qualifications issued in another country²:

- access to further higher education studies, including relevant required examinations, and/or to get preparations for the doctorate, on the same conditions as those applicable to holders of national qualifications;
- use of an academic title, subject to the laws and regulations of the country or a jurisdiction thereof, in which recognition is sought;
- facilitate access and integration to the labor market subject to laws and regulations of the country, or a jurisdiction thereof, in which recognition is sought.

2. The procedures and the assessment criteria

Each authority in charge to carry out procedures for the recognition of qualifications should publish all the standardized information on the procedures and criteria for the assessment of qualification. As defined in the legal framework, equally, any individual who has submitted to the competent units a diploma should be notified upon arrival of the file at the relevant structures.

Time is an important element of this process. The applicant should know in advance how long it will take for entire the process of recognition of diplomas to be accomplished. In case of delays, the applicant should be informed of the reasons that have caused these delays. However, the process of recognition should not last more than 4 (four) months.

Verification of the authenticity of the documents submitted for recognition, is also an essential element in order to determine whether the documents are genuine, i.e. whether they have been issued by the institution indicated in the document and whether they have not subsequently been unlawfully altered by the applicant or others; and lastly, whether the documents in question have in fact been rightfully issued to the applicant.

At a time when the means of communication tools have reached a significant stage of development, member countries should review their legal framework in order to avoid the costs of verification of authenticity through the legalization aspects of all documents, while this process may require getting information directly from the institution which has issued the documentation (diploma).

The Convention Committee, which is a body charged by the Convention itself to review occasionally the applied recognition criteria and procedures in order to better respond to the requests, it has recommended that some other additional criteria should be followed in recognition of qualifications, such as:

1. The status of higher education institution (type and accreditation) and study program at the end of which the relevant diploma has been issued;
2. The past practices encountered in similar recognition cases across various contexts;

²Article VI.3 the Lisbon Recognition Convention

3. Compliance with the National Qualifications Framework and the European Qualifications Framework etc.

Once the evaluation process on the recognition of a foreign qualification it has been accomplished the applicant must be informed of the respective decision.

3. Recognition of regulated professions – Directive 2005/36 of the European Parliament and of the Council of 7 September 2005³

In the framework of the European Commission initiative for an internal market services' Strategy, several directives are designed which aim to enable services between the European Community countries, as simple as those applied within an individual state.

Directive 2005/36 of the European Parliament and its Council on professional qualifications provides guarantees to those persons who have obtained a professional qualification from in a member state to ensure and exercise the same professional rights in her/his country of origin. This Directive consolidates 15 (fifteen) existing directives concerning academic and professional recognition of qualifications.

The Law No 10171, dated 22.10.2009, "On regulated professions in the Republic of Albania", amended, has been drafted in alignment with the abovementioned Directive. In the same way, the bylaws adopted pursuant to this law are also in accordance with this Directive and determine the competences and the duties of the Ministry of Education and Sports and other line ministries related to other respective regulated professions.

This law mainly defines the regulated professions in Republic of Albania, followed by the criteria which should be met by a person who seeks to exercise a regulated profession, as well as it defines the responsible institutions in charge with the registration procedures and records of these professions.

The basic criteria for a person to acquire the right to exercise a regulated profession in Albania are:

- to conduct professional practice;
- to carry out the relevant State Exam;
- to be registered in the respective Professional Order.

Based on the Decision No. 952, dated 12.12.2012 of the Council of Ministers, "On the exemption from the obligation to undergo the State Exam to the exerciser of regulated professions", there are exempted from the obligation of undertaking the State Exam, all those professionals who have earned the right to practice one of regulated professions according to Albanian law on professions and / or have successfully passed the State Exam in one of the following countries:

- a) European Union member countries;
- b) Countries (the European for Free Trade Association); (EFTA)) -
- c) Countries with which the Republic of Albania has signed bilateral agreements for this purpose;

³Directive 2005/36 of the European Parliament and of the Council of 7 September 2005 "*on the recognition of professional qualifications*" <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:255:0022:0142:en:PDF>

- d) United States of America;
- e) Canada;
- f) Japan.

The professional holders of a university degree obtained abroad who under this decision, are exempted from the obligation of the State Exam, after accomplishing the recognition of the degree at the Ministry of Education and Sports, have the right to apply individually to be registered at the relevant Professional Order or at the other competent authority.

4. The recognition of foreign qualifications in Albania

In terms of the right to continue further studies and the right to be employed, through the recognition procedure, a foreign diploma is recognized in equivalence to the respective level of an Albanian diploma. The institution in charge of the official recognition of degrees in the Republic of Albania is Ministry of Education and Sport (MoES). The recognition process of foreign diplomas is carried out by the Secretariat of the recognition of degrees and the Commission of the Diploma Recognition. These two mechanisms have been established by a respective order of the Minister of Education responsible for this process. The Secretariat is composed of employees of the Unit of Recognition of Diplomas, part of the Department of Higher Education and Science in MoES, while the Commission of the Diploma Recognition consists of MoES officials and is chaired by the Director of Higher Education and Science.

Ministry of Education and Sport receives approximately 100 diplomas per month, most of them are issued by higher education institutions in the neighboring countries like Italy, Greece, Kosovo, Macedonia, etc., but diplomas issued in other countries are also not excluded.

4.1 The procedures and the required documents for the recognition of diplomas in Albania.

The Procedures and the required documents for the recognition of diplomas of higher education in the Republic of Albania are specifically defined in the Instruction no. 41, dated 08.12.2009, of the Minister of Education and Science "On the procedures and criteria for the recognition of diplomas and certificates issued by foreign institutions of higher education", amended.

The application for the diploma recognition should contain the documents as following:

1. The format of the application, which can be accessed online at the official website of MoES;
2. Diploma or certificate of graduation;
3. List of grades / diploma supplement
4. Copy of the identity card or passport;
5. Invoice for about 2.500 ALL paid at the Ministry's account.

The format of the application is composed of two pages and it is both in Albanian and English.

The diploma and the transcript of grades/diploma supplement should be translated by a licensed translator recognized by the Ministry of Justice and then notarized at a public notary. The educational documents which are in English, French and Italian are not required to be translated. In this case, the documents should be only notarized.

The fees for degree's recognition should be paid at a second level bank in Albania. Applicants possessing two diplomas issued by the same higher education institution which are submitted simultaneously for the recognition and equivalence should make only a payment (an invoice), while for diplomas issued by different institutions the applicant is charged to submit the invoices according the number of diplomas that he/she possesses. The fee for diploma recognition is officially determined to an amount that it could be reasonably covered by each applicant.

As defined in the legal framework, the documentation required for recognition diploma is actually simplified to ensure that the applicant can easily obtain them and it should not spend too much time.

All applications for degree's recognition should be sent at the Ministry of Education and Sport as the national responsible institution. The office of Public Relations at MoEs after completing the registration of the submitted documents, transfer each respective application to the Unit of Diploma Recognition. After receiving these applications, the relevant specialist verifies the documents. The applicant is informed immediately if there is a lack of documents in order to complete them.

4.2 The verification of the authenticity of the documents

In order to proceed with the set procedures for recognition of foreign diploma, it is required to primarily verify the authenticity of the documents of application submitted for recognition.

The diploma or its supplement before submission for legalization it should be legalized, so it contains the Apostille stamp. If none of these documents contain this official seal, then, the specialist at the ministry should contact the respective institution of higher education that has issued the diploma and transcripts to verify that the document(s) are genuine. In this case, the verification process can be conducted by mail, fax or e-mail. If the applicant has provided in the completed application form, his/her username and password provide by the university during the studies, the verification process of the academic records can also be accomplished online.

Albania is a member of the Hague Convention "Abolishing the requirement of legalization for foreign public documents" signed on October 5, 1961, which means that the Albanian documents are entitled to be used in member countries of the same Convention, and vice versa, and the documents do not need to be additionally legalized by the diplomatic and consular representatives.

According to this Convention, the document provided with an Apostille stamp by the competent authority of the country, where it has been issued, it can then be used directly at the institution (civil state, courts, educational institution, etc.) at the host country.

4.3 The term of the recognition process

The procedure of a diploma recognition⁴ issued by foreign institutions of higher education, based on the Instruction no. 41, dated 08.12.2009, of the Minister of Education and Science, may take up to 45 (forty five) days. Nevertheless, it happens that the process of recognition can last longer. However, sometimes it takes up to several months due to the lack of the responses from the foreign institution of higher education which are contacted by the Unit of Diploma regarding the authenticity and other information necessary for the recognition and equivalence of degrees sent in electronic format (e-mail) or even via mail.

4.4 Elements of a qualification, evaluated during the recognition and equivalence process.

The main elements of a certain qualification which are examined during the Recognition/equivalence process is mostly related to:

- The authenticity of the diploma
- Recognition / accreditation of higher education institutions and study programs;
- The official duration of the studies;
- Number of credits;
- Classification level diploma;
- Name of the study program to follow

4.5 Certificate of the recognition

At the end of the process of the recognition of a qualification, MoES issues a certificate to the applicant, which is signed by the Chairman of the Commission on Recognition of Diplomas and the General Secretary. This document is binding in the Republic of Albania, as a criterion for further studies and/or employment in the public and private sector. This certificate is valid only when it is accompanied by the original diploma/supplement.

4.6 Recognition and equivalence of periods of study in the Republic of Albania

For the recognition and the equivalence of periods of study carried out in a foreign institution of higher education, in terms of the right to continue studies in the same or similar program in one of the higher education institutions in Albania, the responsible institution to carry out the process is the higher education institution where the applicant has submitted his/her application. The evaluation and the criteria are applied pursuant to the procedures stipulated in the statute and its regulations.

5. Key instrument to facilitate the process of recognition of diplomas

- ENIC NARIC Network – (National Centers of Diplomas Recognition and Information)

In 1999, the Bologna Declaration initiated one of the major reforms of higher education in Europe. With the adoption of this declaration, Enic-Naric Network expressed its willingness to contribute to the creation of the European Higher Education Area by facilitating the diplomas recognition processes. This network has developed and adopted important documents in accordance with the provisions of the Lisbon Recognition Convention, such as: Code of Good Practices, Recommendations on the Criteria and Procedures for the Assessment of Foreign Qualifications etc.

⁴*Session 4.8 of the* Instruction no. 41, dated 08.12.2009, of the Minister of Education and Science "On the procedures and criteria for the recognition of diplomas and certificates issued by foreign institutions of higher education", amended.

The National Center of Diploma Recognition and Information for Albania (Enic Albania) corresponds in addition to the Diploma Recognition Unit at the Ministry of Education and Sport. This unit maintains contacts with all network centers by providing and exchanging information regarding the higher education institutions/study programs whether they are recognized/accredited, as well as other related information on higher education systems. All the information provided by the foreign centers on each respective applications is further conveyed to the Diploma Recognition Commission, which will then issue the relevant decision on the recognition of degrees and on their level of equivalence.

- Besides the Enic-Naric Network, the responsible authorities make use of joint measures/elements of recognition, such as diploma supplement and European Credits Transfer System (ECTS) while deciding on the equivalence.
- Diploma Supplement, remains an important tool which contains the important elements as, the main field of studies, the status of the higher education institution, the official length of studies, the number of credits etc;
- European Credits Transfer System, as a student-centered system is typically used to facilitate the recognition process.

6. Difficulties encountered

In the context of a growing number of new applications submitted to the Public Administration Department largely by Albanian graduates from foreign universities who apply for employment in public sector primarily in the state administration, the obligation for the diploma recognition is increasing. This is adding to the load of the Secretariat at the MoES in carrying out the entire process in a shorter time in order to assist the applicants from being penalized during the application process or to facilitate the executive human resource units to complete the employer's personal files.

Nonetheless, delays in this process continue to come from the lack of responses from foreign higher education institutions regarding the degrees issued by them. Further, it should also be mentioned that a part of the recently submitted degrees belong to the old educational systems, i.e., before the implementation of the Bologna Process, which is something that makes it a necessity to obtain an updated information from the respective centers of the recognition of diplomas and information (ENIC NARIC network) to determine their correct level within the respective national qualifications Framework and their classification according to the European Qualifications Framework.

The diversity of educational systems similarly complicates the equivalence of some degrees, such as e.g., diplomas issued by higher education institution in the countries of Middle East and Asia, where communication with the competent authorities to obtain the necessary information on the respective diplomas is rather difficult.

Conclusions:

This article has provided a close look at the process of diploma recognition procedures in Albania in compliance with the Lisbon Convention. The diploma recognition remains a significant process in fostering the international mobility of students and scholars and it needs to be improved in order to offer a quality service to the citizens, holders of a foreign qualification. For this reason the Ministry of Education and Sports in cooperation with the National Agency for Information Society (NAIS) and Ikub Albania has currently introduced the service of the recognition of foreign higher education

diplomas through the Government portal E-Albania.al. The newly established On-line service of the diploma recognition will speed up the recognition procedures by improving the communication with all applicants with a better quality of service and will also provide a more professional management of data for all individuals graduated abroad.

The new draft – Law⁵ "On higher education and research in higher education institutions in the Republic of Albania", as part of the national reform in higher education, in its article 92, paragraph 2, it fully defines the European compatibility compliance, by stating that "A qualification or study program attended abroad, for which it has been issued a certificate, diploma or title from the authorized institution in its country of origin, by which it is certified the accomplishment of the qualification or study program, should be assessed and recognized according to the European Qualifications Framework, the Qualifications Framework the country of origin as well as the Albanian Qualifications Framework, in compliance with international principles and standards of diplomas recognition, set out in international agreements and convention, in which Albania adheres".

The foreseen bylaws which will be adopted for the implementation of the abovementioned new draft law will specify and define new effective procedures and structures dealing with the diplomas recognition process, aiming at improving the quality of this service and increasing the possibility for students to study abroad which has exclusively been recognized as an crucial element towards the European integration of the country.

Reference:

- Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon, 1997);
- Hague Convention "On the abolition of legalization of foreign public documents" of 5 October 1961
- Law no. 9741, dated 21.05.2007 "On higher education in the Republic of Albania" amended;
- Directive 2005/36 of the European Parliament and of the Council of 7 September 2005 "on the recognition of professional qualifications";
- Law no. 10,171, dated 22.10.2009 "On Regulated Professions in the Republic of Albania";
- Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications (adopted by the Committee of Lisbon Recognition Convention) Sevres 2010;
- Decision no. 952, dated 12.12.2012 of the Council of Ministers "On the professional exemption from the obligation for the state exam for regulated professions";
- Instruction no. 41, dated 08.12.2009 of the Minister of Education and Science "On the procedures and criteria for the recognition of diplomas and certificates issued by foreign institutions of higher education" amended.

⁵The new draft-law, which is currently going to be passed by the Albanian Assembly, it has primarily been approved by the Council of Minister in April 2015.