Arusha Convention on the recognition of qualifications in Higher Education in Africa
Regional Convention on the recognition of studies, certificates, diplomas, degrees and other academic qualifications in Higher Education in the African States

adopted at Arusha on 5 December 1981
revised at Cape Town on 12 June 2002
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 fulfillment 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 need to take into consideration the International Recommendation on recognition of studies and degrees of higher education and the experience of other regions in the implementation of regional conventions, in particular the Lisbon convention on the recognition of qualifications concerning higher education in the European Region,

Recognising the rapid diversification of higher education systems in Africa and the need to adapt existing legal instruments and practices in order to promote academic mobility at national and regional levels,

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 Partnership 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, sub-regional 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:

I.

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.
2 - 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.

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;
gional, 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 pre-
sent Article.

Article 3

For the purposes of the continuation of studies and access to the subse-
quent 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 pos-
session of which qualifies the holders for admission to the subsequent
stages of training in higher education institutions situated in the territo-
ries 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

I.

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.

II.

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.

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

I.

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.

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

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.
Article 14

The provisions of this Convention apply to studies pursued at, and to certificates, diplomas, degrees and other qualifications obtained from, any recognized 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.

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.