



HOUSE OF LORDS

International Agreements Committee

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8th Report of Session 2021–22

**Scrutiny of international  
agreements: Convention  
on the recognition  
of higher education  
qualifications**

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### *International Agreements Committee*

The International Agreements Committee is appointed by the House of Lords in each session to consider matters relating to the negotiation, conclusion and implementation of international agreements, and to report on treaties laid before Parliament in accordance with Part 2 of the Constitutional Reform and Governance Act 2010.

### *Membership*

The Members of the International Agreements Committee are:

[Lord Astor of Hever](#)

[Baroness Liddell of Coatdyke](#)

[Lord Foster of Bath](#)

[Lord Morris of Aberavon](#)

[Lord Gold](#)

[Lord Oates](#)

[Baroness Hayter of Kentish Town](#) (Chair) [Lord Robathan](#)

[Lord Kerr of Kinlochard](#)

[Lord Sandwich](#)

[Lord Lansley](#)

[Lord Watts](#)

### *Declaration of interests*

See Appendix 1.

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### *Committee staff*

The current staff of the Committee are Jennifer Martin-Kohlmorgen (Clerk), Andrea Ninomiya (Policy Analyst) and Robert Cocks (Committee Operations Officer).

### *Contact details*

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## SUMMARY

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This report addresses the following Agreement, laid before Parliament in accordance with section 20 of the Constitutional Reform and Governance Act 2010 (CRAG), and considered at the meeting of the Committee on 20 October 2021, which we report for information:

- Global Convention on the Recognition of Qualifications concerning Higher Education (CP 497, 2021)

# Scrutiny of international agreements: Convention on the recognition of higher education qualifications

## AGREEMENT REPORTED FOR INFORMATION

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### Global Convention on the Recognition of Qualifications concerning Higher Education (CP 497, 2021)<sup>1</sup>

1. The Global Convention on the Recognition of Qualifications concerning Higher Education (the Convention) was laid on 20 July 2021, and the scrutiny period is scheduled to end on 28 October 2021. It was considered by the Committee on 20 October 2021.
2. The Convention is a United Nations Educational Scientific and Cultural Organisation (UNESCO) treaty designed to facilitate international academic and professional mobility by promoting the right of individuals to have their higher education qualifications evaluated in a fair, transparent and non-discriminatory way.<sup>2</sup> It does not impose obligations for automatic recognition, but sets out criteria that signatories must adopt in assessing the comparability of international qualifications with those of their own education systems.<sup>3</sup> The Explanatory Memorandum (EM) published alongside the agreement explains that the Government expects the Convention to facilitate academic mobility; improve access to further studies and employment; help attract international students to the UK; and facilitate international benchmarking and recognition of UK qualifications.<sup>4</sup>
3. The Convention builds on UNESCO's existing network of regional recognition conventions,<sup>5</sup> and was adopted unanimously by ministers from UNESCO member states at the UNESCO General Conference in 2019.<sup>6</sup> The UK was already a signatory to the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (the Lisbon Recognition Convention),<sup>7</sup> covering the recognition of qualifications in the European region, as well as Australia, Canada and New Zealand

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1 Global Convention on the Recognition of Qualifications concerning Higher Education, CP 497, July 2021: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1004152/MS\\_4.2021\\_Global\\_Convention\\_Recognition\\_Qualifications\\_Higher\\_Education.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1004152/MS_4.2021_Global_Convention_Recognition_Qualifications_Higher_Education.pdf) [accessed 21 October 2021]

2 UNESCO, 'Global Convention on the Recognition of Qualifications concerning Higher Education': <https://en.unesco.org/themes/higher-education/recognition-qualifications/global-convention> [accessed 21 October 2021]

3 Foreign and Commonwealth and Development Office, *Explanatory Memorandum on the UNESCO Global Convention on the Recognition of Qualifications Concerning Higher Education*, para 2.2: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1004153/EM\\_MS\\_4.2021\\_UNESCO\\_Global\\_Convention\\_Recognition\\_Qualif\\_Higher\\_Education.odt](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1004153/EM_MS_4.2021_UNESCO_Global_Convention_Recognition_Qualif_Higher_Education.odt) [accessed 21 October 2021]

4 EM, paras 3.1 and 3.3

5 EM, paras 2.2 and 3.4

6 EM, para 3.5

7 The UK signed the Lisbon Recognition Convention in 1997, ratifying it in 2003. See: EM, para 4.1

(among others).<sup>8</sup> The new Global Convention does not supersede the Regional Convention, but will exist alongside it. The Government explains that due to the similarities between both Conventions it does not anticipate any implementation problems, nor the need for further legislation.<sup>9</sup>

#### *Governance and amendments*

4. The Convention establishes an Intergovernmental Conference of the States Parties to implement the Convention. It will meet at least once every two years in ordinary session.<sup>10</sup>
5. Amendments to the Convention can be adopted by a two-thirds majority of States Parties present and voting at the Intergovernmental Conference.<sup>11</sup> States Parties would have to ratify any amendments made. The EM confirms that such amendments would be subject to parliamentary scrutiny under the Constitutional Reform and Governance Act 2010 (CRAG).<sup>12</sup>

#### *Entry into force*

6. The Convention is open to ratification by all members of the UN, even if they are not members of UNESCO. The Convention is not yet in force, but will enter into force for those countries that have completed ratification procedures three months after the twentieth instrument of ratification (or equivalent) has been deposited.<sup>13</sup> For other States Parties, the Convention will enter into force three months after they have submitted their notification of ratification (or equivalent). The EM explains that as at May 2021, only Norway and Nicaragua had ratified the Convention.<sup>14</sup> Since then, Estonia and Lithuania have also reportedly ratified the Convention.<sup>15</sup>

#### *Territorial scope and consultation*

7. The Convention extends to the whole of the UK.<sup>16</sup> As education policy is devolved, the Government consulted the devolved administrations on the drafting of the Convention in advance of its adoption by the UNESCO General Assembly.<sup>17</sup> The Government explains that there are unlikely to be any implementation issues in the devolved administrations as the UK National Information Centre on the recognition of qualifications (UK ENIC), the body that undertakes the assessment of qualifications, provides its services to the whole of the UK.<sup>18</sup>

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8 EM, para 3.5. See also: Council of Europe Treaty Office, ‘Chart of signatures and ratifications of Treaty 165’: <https://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treatynum=165> [accessed 11 October 2021]

9 EM, paras 4.1 and 5

10 Article XV

11 Article XXIII

12 EM, para 4.4

13 Article XVIII

14 EM, para 3.7

15 These were not mentioned in the EM, but we understand that they have ratified the Convention. See, ‘Estonia joins UNESCO global convention on recognition of qualifications’, *Baltic Times* (25 May 2021): <https://www.baltictimes.com/estonia-joins-unesco-global-convention-on-recognition-of-qualifications/> and, ‘Lithuania accedes to the global convention on the recognition of qualifications concerning higher education’, *Baltic News* (9 June 2021): <https://baltics.news/2021/06/09/lithuania-accedes-to-the-global-convention-on-the-recognition-of-qualifications-concerning-higher-education/> [both accessed 21 October 2021]

16 EM, para 6.1

17 EM, para 10.1

18 EM, para 5

8. **We welcome that the devolved administrations were given the opportunity to see the draft text of the Convention ahead of adoption at the General Assembly. We also welcome that the Foreign, Commonwealth and Development Office updated its guidance on drafting Explanatory Memoranda on 31 August, asking Government Departments from now on to “describe the nature of consultations with the Devolved Administrations, including the focus of discussions and responses (to the extent possible)”.**<sup>19</sup> We note, however, that such guidance was not followed on this occasion.
9. The EM also explains that the text of the Convention has been shared with the UK’s Crown Dependencies and Overseas Territories, all of which have been invited to have the Convention extended to them. The Isle of Man, St Helena and Gibraltar have requested this<sup>20</sup> and the Department for Education is working with them on the practical implementation of the Convention.<sup>21</sup> The EM notes that the Department for Education will also continue to work with those Crown Dependencies and Overseas Territories that have indicated they may wish ratification to be extended to them at a later date.<sup>22</sup>
10. The Government has also consulted UK ENIC and stakeholders in the education sector, with all stakeholders reportedly being “highly supportive” of ratification.<sup>23</sup>
11. **We report the Global Convention on the Recognition of Qualifications concerning Higher Education to the House for information. In particular, we highlight our comments at paragraph 8.**

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19 Foreign, Commonwealth and Development Office, ‘Treaties and MOUs: Guidance on Practice and Procedures’, 31 August 2021: <https://www.gov.uk/government/publications/treaties-and-mous-guidance-on-practice-and-procedures> [accessed 21 October 2021]

20 EM, para 10.2

21 EM, para 6.1

22 EM, para 10.2

23 EM, para 10.3

## APPENDIX : LIST OF MEMBERS, DECLARATIONS OF INTEREST AND COMMITTEE STAFF

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### International Agreements Committee Members and staff

Lord Astor of Hever

*No relevant interests*

Lord Foster of Bath

*No relevant interests*

Lord Gold

*Director, Gold Collins Associates Ltd*

*Principal, David Gold & Associates LLP*

Lord Goldsmith (Chair until 18 October 2021)

*Partner, Debevoise & Plimpton LLP*

Baroness Hayter of Kentish Town (Chair from 18 October 2021)

*Visiting professor, University of Westminster*

*Husband is professor emeritus at Imperial College London*

Lord Kerr of Kinlochard

*Chairman, Centre for European Reform*

*Deputy Chairman, Scottish Power plc*

Lord Lansley

*Director, LOW Associates Ltd*

*Chair, UK-Japan 21st Century Group*

*Trustee, Radix*

Baroness Liddell of Coatdyke

*Adviser, PricewaterhouseCoopers*

*Association Member, Bupa*

*Chair, Annington Ltd*

*Honorary Vice President, Britain-Australia Society Education Trust*

*Trustee, Northcote Educational Trust*

Lord Morris of Aberavon

*No relevant interests*

Lord Oates

*Chair, Advisory Committee, Weber Shandwick UK*

*Non-Executive Director, Centre for Countering Digital Hate*

*Director, H&O Communications Ltd*

Lord Robathan

*No relevant interests*

Earl of Sandwich

*Advisor, British College Kathmandu*

Lord Watts

*No relevant interests*

The Committee staff are Jennifer Martin-Kohlmorgen (Clerk), Andrea Ninomiya (Policy Analyst), and Robert Cocks (Committee Operations Officer).

The Committee is grateful for the support provided by Nicola Newson (Senior Library Clerk).

A full list of Members' interests can be found in the Register of Lords' Interests: <https://members.parliament.uk/members/lords/interests/register-of-lords-interests>