

**TREATY
ON THE AUTOMATIC RECOGNITION
OF HIGHER EDUCATION QUALIFICATIONS**

The Kingdom of Belgium, represented by:

- The Flemish Government,
- The Government of the French Community,
- The Government of the German-speaking Community,

The Republic of Estonia,

The Republic of Latvia,

The Republic of Lithuania,

The Grand-Duchy of Luxembourg,

The Kingdom of the Netherlands,

hereinafter referred to as “the Parties”,

Having regard to the fact that the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, jointly drafted by the Council of Europe and the United Nations Educational, Scientific and Cultural Organisation, signed in Lisbon on 11 April 1997 (hereinafter referred to as “the Lisbon Recognition Convention”), has entered into force for each of the Parties to the present Treaty and that the Parties implement the subsidiary texts to the Lisbon Recognition Convention, adopted by the Lisbon Recognition Convention Committee,

Having regard to the importance of automatic recognition of qualifications, as repeatedly emphasized in communiqués adopted by the Ministers during the Ministerial Conferences of the European Higher Education Area in the Bologna Process,

Whereas the Recommendation of the Council of the European Union of 26 November 2018 on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad calls, inter alia, on the Member States of the European Union to take the necessary steps to achieve automatic recognition of higher education qualifications by 2025,

Whereas legally binding mutual agreements on the automatic recognition of higher education qualifications have already been concluded in the framework of the Benelux Union and between the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania, namely:

- The Decision M(2015)3 of the Benelux Committee of Ministers concerning the automatic mutual generic level recognition of higher education degrees, as supplemented by the Decision M(2018)1,
- The Agreement among the Government of the Republic of Estonia, the Government of the Republic of Latvia and the Government of the Republic of Lithuania on the automatic academic recognition of qualifications concerning higher education, signed in Vilnius on 8 June 2018,

Desiring to expand automatic recognition of higher education qualifications within the European Higher Education Area by combining these regional arrangements into a multilateral treaty between the Parties,

Conscious of the fact that the basis for mutual trust lies in ratification of the Lisbon Recognition Convention and in active membership of the European Higher Education Area, testified by the implementation of the Standards and Guidelines for Quality Assurance in the European Higher Education Area (hereinafter referred to as “the ESG”), three-cycle higher education systems, national qualifications frameworks, and other transparency tools,

Willing to provide other States with the opportunity to join this Treaty, considering the above,

Determined to remain, in doing so, at the forefront of the Bologna Process and of the realisation of the European Higher Education Area,

Have agreed as follows:

Article 1. Objectives and Scope

1. This Treaty aims to ensure that a higher education qualification issued in accordance with the legislation of one of the Parties, belonging to its higher education system and referenced to the European Qualifications Framework for lifelong learning (hereinafter referred to as “the EQF”), is automatically recognised at the same level of the corresponding higher education qualifications issued by all the other Parties.

2. This Treaty shall apply to the higher education qualifications that are issued in accordance with the legislation of the Parties and belong to their higher education systems, that are covered by Annex I to this Treaty and that comply with all the other conditions set out in this Treaty.

3. This Treaty shall not apply to:

- a) the recognition of the specific programmes of higher education qualifications in a particular field of study,
- b) the recognition of periods of study,
- c) the recognition of qualifications that do not belong to the higher education systems of the Parties, or
- d) the recognition of professional qualifications in accordance with Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, or in accordance with other relevant provisions adopted within the framework of the European Union.

With regard to such elements, this Treaty shall remain without prejudice to the relevant provisions and principles of the Lisbon Recognition Convention and its subsidiary texts, the relevant provisions adopted within the framework of the European Union and the relevant provisions of the legislation of the Parties.

Article 2. Definitions

1. For the purposes of this Treaty, the following terms shall have the following meaning:
 - a) “automatic recognition”: the automatic recognition, without any procedure, of a higher education qualification issued in accordance with the legislation of one of the Parties and belonging to its higher education system, at the same level of the corresponding higher education qualifications issued in accordance with the legislation of the other Parties;
 - b) “corresponding higher education qualifications”: the higher education qualifications as listed in Annex I to this Treaty;
 - c) As regards the level of higher education qualifications:
 - i) “Associate degree”: a short cycle higher education qualification issued in accordance with the legislation of one of the Parties and belonging to its higher education system, that relates to level 5 of the EQF;
 - ii) “Bachelor’s degree”: a first cycle higher education qualification issued in accordance with the legislation of one of the Parties and belonging to its higher education system, that relates to level 6 of the EQF;
 - iii) “Master’s degree”: a second cycle higher education qualification issued in accordance with the legislation of one of the Parties and belonging to its higher education system, that relates to level 7 of the EQF;
 - iv) “Doctoral degree”: a third cycle higher education qualification issued in accordance with the legislation of one of the Parties and belonging to its higher education system, that relates to level 8 of the EQF.
2. The terms used in this Treaty shall have the same definition as in the Lisbon Recognition Convention, unless incompatible with the provisions of this Treaty or the Annexes thereto.

Article 3. General Provision on Automatic Recognition

1. Within all Parties, automatic recognition shall apply to each higher education qualification issued in accordance with the legislation of one of the Parties, belonging to its higher education system and listed in Annex I, provided that the conditions laid down in Article 4 of this Treaty are met.
2. The automatic recognition pursuant to paragraph 1 of this Article shall occur without any further procedure.

Article 4. Conditions for Automatic Recognition

1. Associate degrees shall benefit from automatic recognition pursuant to Article 3 of this Treaty, provided that all of the following conditions are met:

- a) The minimum quality of the programmes that led to the Associate degree has been assured through its licencing by the competent authority of the Party where the degree was issued;
- b) The Associate degree has been awarded by a recognised institution and pertains to a recognised programme in higher education, in accordance with the legislation of the Party where the degree was issued, insofar as that institution and programme are covered by Annex II to this Treaty;
- c) The automatic recognition of Associate degrees shall only apply between Parties whose legislation provides for Associate degrees belonging to higher education, as from the moment that these Parties have declared that they automatically recognise such degrees. Such declarations shall be notified to the Depository, who shall inform the other Parties thereof.

The absence of such a declaration on behalf of a Party shall remain without prejudice to any obligations for that Party towards another Party pursuant to other arrangements pertaining to the recognition of Associate degrees.

2. Bachelor's and Master's degrees shall benefit from automatic recognition pursuant to Article 3 of this Treaty, provided that all of the following conditions are met:

- a) The minimum quality of the programmes leading to the Bachelor's or Master's degree has been assured through its licensing by the competent authority of the Party where the degree was issued;
- b) The Bachelor's or Master's degree has been awarded by a recognised higher education institution and pertains to a recognised programme, in accordance with the legislation of the Party where the degree was issued, insofar as that institution and programme are covered by Annex III to this Treaty.

3. Doctoral degrees shall benefit from automatic recognition pursuant to Article 3 of this Treaty, provided that the Doctoral degree has been awarded by a higher education institution or another body authorised for this purpose in accordance with the legislation of the Party where the Doctoral degree was issued, insofar as that institution or body is covered by Annex IV to this Treaty.

Article 5. Safeguard Clause

1. Where, in exceptional circumstances, automatic recognition pursuant to Article 3 of this Treaty causes, or threatens to cause, substantial difficulties for the higher education system of a Party, that Party may take safeguard measures with regard to the qualification or qualifications concerned, provided that such measures are strictly necessary and that they remain without prejudice to the relevant provisions and principles of the Lisbon Recognition Convention and its subsidiary texts, the relevant provisions of other applicable arrangements and the relevant provisions of the legislation of the Party concerned.

2. As soon as a Party takes safeguard measures pursuant to paragraph 1 of this Article, it shall liaise with the Party or Parties where the qualification or qualifications concerned have been issued, in order to resolve the situation. It shall also notify these measures to the Depository, who shall inform all other Parties thereof.

3. All Parties shall at all times remain vigilant to avoid any misuse of the present Treaty, in particular to prevent that recognition decisions taken prior to the entry into force of this Treaty would be overridden. In the event of known abuse, the Party concerned shall take all necessary measures in order to exclude the related cases from the application of the present Treaty. That Party shall also notify these cases to the Depositary, who shall inform all other Parties thereof.

Article 6. Information Provision and Exchange

1. The Parties shall make information about this Treaty and its effects widely available to the general public. Information about this Treaty, including its text, shall be available on the websites of the competent authorities of each of the Parties and of their centres belonging to the European Network of National Information Centres on academic mobility and recognition (hereinafter referred to as “the ENIC Network”).

2. The competent authorities of each of the Parties and their centres belonging to the ENIC Network shall mutually exchange information on the higher education systems of the Parties and on the application of this Treaty within the Parties.

Article 7. Access to Higher Education

Without prejudice to existing or future arrangements between two or more Parties as regards qualifications giving access to higher education, the Parties are invited to exchange information on the general requirements for access to higher education that they apply in accordance with their legislation and on the qualifications giving access to higher education.

Article 8. Annexes

Annexes I to IV shall constitute an integral part of this Treaty.

Article 9. Disputes

Without prejudice to the provisions of Article 5 of this Treaty, any dispute that may arise in connection with the interpretation or application of this Treaty shall be settled by the Parties through negotiations in good faith.

Article 10. Territorial application

1. This Treaty shall apply within the territory of the Kingdom of Belgium, the territory of the Republic of Estonia, the territory of the Republic of Latvia, the territory of the Republic of Lithuania and the territory of the Grand-Duchy of Luxembourg.

2. As regards the territory of the Kingdom of the Netherlands, this Treaty shall apply to the European and Caribbean part (the islands Bonaire, Saba and Sint Eustatius) of the Netherlands. It may also be extended to Aruba, Curaçao and Sint Maarten through a notification via diplomatic channels to the Depositary, which shall inform the other Parties thereof.

3. Following accession pursuant to Article 13, this Treaty shall also apply within the territory of the acceding State or the part thereof that is covered by the accession.

Article 11. Depositary

The Secretariat-General of the Benelux Union shall be the Depositary of this Treaty. The Depositary shall transmit certified copies of this Treaty to all Parties.

Article 12. Entry into Force, Amendment and Termination

1. This Treaty shall be subject to ratification, acceptance or approval by each Party in accordance with its constitutional procedures.

2. Instruments of ratification, acceptance or approval shall be deposited with the Depositary, who shall inform all Parties thereof.

3. This Treaty shall enter into force on the first day of the third month following the receipt by the Depositary of the last instrument of ratification, acceptance or approval. The Depositary shall inform all Parties of the date of entry into force of this Treaty.

4. This Treaty and its Annexes may be amended through mutual written agreement between the Parties. The amendments shall be documented in separate protocols, which shall constitute an integral part of this Treaty and shall enter into force in accordance with the procedure laid down in paragraphs 1 to 3 of this Article.

5. In the event that the information in Annexes I, II, III or IV that pertains to a given Party is impacted by changes in the legislation or internal organisation of that Party, the Party concerned shall notify such changes to the Depositary, who shall inform the other Parties thereof. All Parties shall take such changes into consideration when applying this Treaty.

6. This Treaty is concluded for an indefinite period of time. Each of the Parties can denounce this Treaty in writing by notifying such denunciation to the Depositary, who shall inform the other Parties thereof. This Treaty shall cease to be in force for the Party concerned six months after the date of the receipt by the Depositary of such notification, while it shall remain in force for the other Parties.

Article 13. Accession

1. Any State that has ratified the Lisbon Recognition Convention and belongs to the European Higher Education Area may apply to accede to this Treaty, on the condition that:

- it applies trustworthy quality assurance systems for its higher education programmes, which can demonstrate proven compliance with the ESG,
- its higher education system is a three-cycle system in compliance with the Qualifications Framework of the European Higher Education Area, and
- it has referenced its national higher education qualifications framework to the EQF.

2. In accordance with its constitutional procedures, the applicant State shall notify such application to the Depositary, who shall inform all Parties thereof. This application shall include information referenced under Annexes I, II, III and IV of this Treaty in accordance with the procedure referred to in paragraph 5 of Article 12 of this Treaty. The applicant State may only accede after the receipt by the Depositary of the last written notification by all Parties that they accept the application of the applicant State.

3. The accession of the applicant State to this Treaty shall be effected by the deposit of an instrument of accession with the Depositary, and shall take effect on the first day of the third month following the

receipt by the Depositary of this instrument of accession. The Depositary shall inform all Parties of the date of accession to this Treaty.

4. The Parties to this Treaty are invited to consult each other and to cooperate in order to streamline, prepare and facilitate the application of this Article.

Done at Brussels on 14 September 2021, in a single copy in the Dutch, Estonian, French, German, Latvian, Lithuanian and English languages, all texts having equal power. In case of divergence of interpretation, the text in the English language shall prevail.

For the Kingdom of Belgium, represented by:

– The Flemish Government,

[Ben Weyts]

– The Government of the French Community,

[Valérie Glatigny & Pierre-Yves Jeholet]

– The Government of the German-speaking Community,

[Lydia Klinkenberg]

For the Republic of Estonia,

[Liina Kersna]

For the Republic of Latvia,

[Anita Muižniece]

For the Republic of Lithuania,

[Jurgita Šiugždinienė]

For the Grand-Duchy of Luxembourg,

[Claude Meisch]

For the Kingdom of the Netherlands,

[Sigrid A.M. Kaag]

ANNEX I
Corresponding higher education qualifications

| Level (EQF) ¹ | Title of qualification | | | | | | | |
|-----------------------------|------------------------------|---|--------------------------------------|---|---|--|---------------------------------------|-------------------------------|
| | Flemish Community of Belgium | French Community of Belgium | German-speaking Community of Belgium | Republic of Estonia | Republic of Latvia | Republic of Lithuania | Grand-Duchy of Luxembourg | Kingdom of the Netherlands |
| 5 | <i>Gegradueerde</i> | <i>Brevet d'enseignement supérieur</i> | Not applicable | Not applicable | <i>Pirmā līmeņa profesionālās augstākās izglītības diploms</i> | Not applicable | <i>Brevet de technicien supérieur</i> | <i>Graad Associate degree</i> |
| 6 | <i>Bachelor</i> | <i>Bachelier</i> | <i>Bachelor</i> | <i>Rakenduskõrghariduse diplom;</i> <i>Bakalaureus</i> | <i>Bakalaura diploms;</i> <i>Profesionālā bakalaura diploms;</i> <i>Profesionālās augstākās izglītības diploms</i> | <i>Profesinis bakalauras;</i> <i>Bakalauras</i> | <i>Diplôme de bachelor</i> | <i>Graad Bachelor</i> |
| 7 | <i>Master</i> | <i>Master;</i> <i>Médecin;</i> <i>Médecin vétérinaire</i> | Not applicable | <i>Magister;</i> <i>Arstikraad;</i> <i>Hambaarstikraad;</i> <i>Farmaatsiamagister;</i> <i>Loomaarstikraad;</i> <i>Arhitektuurimagister;</i> <i>Tehnikateaduse magister;</i> <i>Haridusteaduse magister</i> | <i>Maģistra diploms;</i> <i>Profesionālā maģistra diploms;</i> <i>Profesionālās augstākās izglītības diploms un profesionālās kvalifikācijas diploms (ārsta, zobārsta, farmaceita un veterinārārsta profesionālā kvalifikācija)²</i> | <i>Magistras</i> | <i>Diplôme de master</i> | <i>Graad Master</i> |
| 8 | <i>Doctor</i> | <i>Docteur</i> | Not applicable | <i>Doktor</i> | <i>Doktora diploms;</i> <i>Profesionālā doktora diploms mākslās</i> | <i>Mokslo daktaras</i> <i>Meno daktaras</i> | <i>Doctorat (grade de docteur)</i> | <i>Graad Doctor</i> |

Within some Parties, certain pre-existing qualifications have been assimilated with the ones mentioned above, as a result of the legislation of those Parties. The present Treaty remains without prejudice to the legal effects thereof within those Parties and to the recognition of the qualifications concerned pursuant to other arrangements between Parties.

¹ European Qualifications Framework for lifelong learning.

² On the basis of the present Treaty, only the educational part of this qualification shall be recognised automatically.

ANNEX II

Recognised institutions and recognised programmes in relation to Associate degrees

For the purposes of the automatic recognition of Associate degrees, Associate degrees awarded by the following recognised institutions and pertaining to the following recognised programmes in higher education shall be covered:

1. For the Flemish Community of Belgium:

- The Higher Education Register of Flanders ("*Hogeronderwijsregister*")¹ is an official register listing all the recognised (accredited) higher education programmes offered by all the recognised (public and private registered) higher education institutions. It also includes the Associate degrees.

2. For the French Community of Belgium:

- See the legal act named "*Décret du 7 novembre 2013 définissant le paysage de l'enseignement supérieur et l'organisation académique des études*" and the official registers named "*Cadastre des établissements d'enseignement supérieur reconnus par la Fédération Wallonie-Bruxelles*"² and www.mesetudes.be.

3. For the German-speaking Community of Belgium:

- Not applicable

4. For the Republic of Estonia:

- Not applicable

5. For the Republic of Latvia:

- The information within the meaning of the present Annex is available on the e-platform for Assessment of Higher Education Institutions, Accreditation of Study Directions and Licensing of Study Programmes³.

6. For the Republic of Lithuania:

- Not applicable

7. For the Grand-Duchy of Luxembourg:

- See the list drawn up by the Ministry of Higher Education and Research of the Grand-Duchy of Luxembourg⁴.

8. For the Kingdom of the Netherlands:

- See the official register named "*Centraal Register Opleidingen Hoger Onderwijs (CROHO)*"⁵.

¹ This register is published in Dutch on www.hogeronderwijsregister.be and in English on www.highereducation.be.

² This register is published on www.enseignement.be.

³ See <http://eplatforma.aika.lv>.

⁴ See http://www.mesr.public.lu/enssup/Accreditations/191211_list-of-recognised_accred_HE-programmesLUX.pdf.

⁵ See <https://duo.nl/zakelijk/hoger-onderwijs/studentenadministratie/opleidingsgegevens-in-croho/raadplegen-en-downloaden.jsp>.

ANNEX III

Recognised institutions and recognised programmes in relation to Bachelor's or Master's degrees

For the purposes of the automatic recognition of Bachelor's or Master's degrees, Bachelor's and Master's degrees awarded by the following recognised higher education institutions and pertaining to the following recognised programmes shall be covered:

1. For the Flemish Community of Belgium:

- The Higher Education Register of Flanders ("*Hogeronderwijsregister*")¹ is an official register listing all the recognised (accredited) higher education programmes offered by all the recognised (public and private registered) higher education institutions. It also includes the recognised (accredited) higher education programmes offered by all the recognised (public and private registered) higher education institutions in the past, for instance in the academic year 2008-2009.

2. For the French Community of Belgium:

- See the legal act named "*Décret du 7 novembre 2013 définissant le paysage de l'enseignement supérieur et l'organisation académique des études*" and the official registers named "*Cadastre des établissements d'enseignement supérieur reconnus par la Fédération Wallonie-Bruxelles*"² and www.mesetudes.be.

3. For the German-speaking Community of Belgium:

- The higher education institution named "*Autonome Hochschule in der Deutschsprachigen Gemeinschaft*" and the Bachelor programmes referred to in the legal act named "*Dekret vom 27. Juni 2005 zur Schaffung einer autonomen Hochschule*".

4. For the Republic of Estonia:

- A complete list of all recognised higher education institutions providing Bachelor's and Master's degrees and programmes is available on www.archimedes.ee/enic (a website of the Estonian ENIC/NARIC).

5. For the Republic of Latvia:

- As regards accredited higher education institutions in the Republic of Latvia, information is available on the website of the Quality Agency for Higher Education or on the e-platform for Assessment of Higher Education Institutions, Accreditation of Study Directions and Licensing of Study Programmes³;
- Information about accreditations by Study Directions until 2019 (including study programmes) is available at the Register of Study Directions⁴. Information about qualifications until 2012 is available on www.aiknc.lv.

¹ This register is published in Dutch on www.hogeronderwijsregister.be and in English on www.highereducation.be.

² This register is published on www.enseignement.be.

³ See <http://eplatforma.aika.lv>.

⁴ See <http://eplatforma.aika.lv>.

6. For the Republic of Lithuania:

- A complete list of all recognised higher education institutions providing Bachelor’s and Master’s degrees and programmes is available on AIKOS – an open information, counselling, and guidance system providing information based on databases and registers⁵.

7. For the Grand-Duchy of Luxembourg:

- Bachelor’s and Master’s degrees awarded by the University of Luxembourg (“*Université du Luxembourg*”) are recognised by law;
- Accredited private higher education institutions and their programs: see the list drawn up by the Ministry of Higher Education and Research of the Grand-Duchy of Luxembourg⁶.

8. For the Kingdom of the Netherlands:

- See the official register named “*Centraal Register Opleidingen Hoger Onderwijs (CROHO)*”⁷.

⁵ See www.aikos.smm.lt.

⁶ See http://www.mesr.public.lu/enssup/Accreditations/191211_list-of-recognised_accred_HE-programmesLUX.pdf.

⁷ See <https://duo.nl/zakelijk/hoger-onderwijs/studentenadministratie/opleidingsgegevens-in-croho/raadplegen-en-downloaden.jsp>.

ANNEX IV

Higher education institutions and other bodies authorised to award Doctoral degrees

For the purposes of the automatic recognition of Doctoral degrees, Doctoral degrees awarded by the following higher education institutions and other authorised bodies shall be covered:

1. For the Flemish Community of Belgium:

- Only the universities, namely (at present) the:
 - *Katholieke Universiteit Leuven,*
 - *transnationale Universiteit Limburg,*
 - *Universiteit Hasselt,*
 - *Universiteit Antwerpen,*
 - *Universiteit Gent,*
 - *Vrije Universiteit Brussel,*and the two following institutions, namely the:
 - *Evangelische Theologische Faculteit,*
 - *Faculteit voor Protestantse Theologie en Religiestudies.*

2. For the French Community of Belgium:

- The authorisation to confer the academic degree of *Docteur* is granted to each recognised university as listed in the legal act named “*Décret du 7 novembre 2013 définissant le paysage de l’enseignement supérieur et l’organisation académique des études*”.

3. For the German-speaking Community of Belgium:

- Not applicable

4. For the Republic of Estonia:

- A complete list of all recognised higher education institutions providing Doctoral degrees is available on www.archimedes.ee/enic (a website of the Estonian ENIC/NARIC).

5. For the Republic of Latvia:

- The information within the meaning of the present Annex is available on the e-platform for Assessment of Higher Education Institutions, Accreditation of Study Directions and Licensing of Study Programmes¹.

6. For the Republic of Lithuania:

- A complete list of all recognised higher education institutions providing Doctoral degrees and programmes is available on AIKOS – an open information, counselling, and guidance system providing information based on databases and registers².

7. For the Grand-Duchy of Luxembourg:

- Only the University of Luxembourg (“*Université du Luxembourg*”) is entitled to award Doctoral degrees.

¹ See <http://eplatforma.aika.lv>.

² See www.aikos.smm.lt.

8. For the Kingdom of the Netherlands:

- See the legal act named *“Wet van 8 oktober 1992, houdende bepalingen met betrekking tot het hoger onderwijs en wetenschappelijk onderzoek”*.