

How Are Foreign University Diplomas Recognized And What Are The Practical Procedures?

Ulvi Ahmadov
Lawyer

Key words: Migration, education, nostrification, Azerbaijan

ABSTRACT:

This article examines the rules of identification of the equivalence (nostrification) issued by the competent authorities of foreign states, confirming the successful completion of the higher education program, identification of any document, diploma or other certificate in the territory of the Republic of Azerbaijan. Identification of the equivalence of foreign countries in the field of higher education means that the holders of documents certifying the receipt of these qualifications by the competent authorities of foreign states shall have the same academic and professional rights as holders of documents issued by the higher education institutions of the Republic of Azerbaijan. The main purpose of the article is to analyze the process of nostrification of the diplomas.

Açar sözlər: Miqrasiya, təhsil, nostrifikasiya, Azərbaycan

XÜLASƏ:

Bu məqalədə xarici dövlətlərin səlahiyyətli orqanları tərəfindən verilmiş, ali təhsil proqramının uğurla bitirilməsini təsdiq edən, bu və ya digər dərəcə verən hər hansı sənədin, diplomun yaxud başqa bir şəhadətnamənin Azərbaycan Respublikasının ərazisində ekvivalentliyinin müəyyən edilməsi (nostrifikasiyası) qaydaları araşdırılır. Xarici dövlətlərin ali təhsil sahəsində ixtisaslarının ekvivalentliyinin müəyyən edilməsi xarici dövlətlərin səlahiyyətli orqanları tərəfindən bu ixtisasların

alındığını təsdiq edən sənədlərin sahiblərinə Azərbaycan Respublikasında verilmiş ali təhsil haqqında sənədlərin sahiblərinin malik olduqları eyni akademik və peşə hüquqlarının verilməsi deməkdir. Məqalənin əsas məqsədi diplomların nostrifikasiyası prosesini təhlil etməkdir.

Ключевые слова: Миграция, образование, нострификация, Азербайджан

РЕЗЮМЕ:

В данной статье рассматриваются правила идентификации эквивалентности (нострификации), выданные компетентными органами иностранных государств, подтверждающие успешное завершение программы высшего образования, идентификацию любого документа, диплома или другого сертификата на территории Азербайджанской Республики. Идентификация эквивалентности иностранных государств в области высшего образования означает, что обладатели документов, подтверждающих получение этих квалификаций компетентными органами иностранных государств, имеют те же академические и профессиональные права, что и обладатели документов, выданных высшими учебными заведениями Азербайджанской Республики. Основная цель статьи - проанализировать процесс нострификации дипломов.

Regarding the recognition of foreign school and university diplomas, it should be noted that, Azerbaijan has ratified Convention "On recognition of higher school diplomas,

scientific degrees, educational curriculum obtained in the region of the European states” (1996), Convention “On recognition of higher school diplomas, scientific degrees, educational curriculum obtained in the region of Asia and countries of Pacific Ocean” (1996), Convention “On recognition of professional specialties” (1997) and Convention “On recognition of specialties in the field of higher school in the European region” (1997) on the recognition of the diplomas. Besides, Azerbaijan is a party to the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (referred to as the Lisbon Convention, developed by the Council of Europe and UNESCO and adopted by national representatives meeting in Lisbon on 8 - 11 April 1997).

According to Law of the Republic of Azerbaijan on Education, one of the Responsibilities of the State in the field of education is to identify the procedures on recognition of education documents issued by foreign countries and provide nostrification services. After receiving a package of documents, they shall be submitted to the Ministry of Education officers or experts. According to international practice, the procedure for recognition of diplomas being considered takes for more than four months. The procedure for recognition of specialties in the higher education area is being implemented based on existing international contracts and recommendations, state educational standards and normative legal acts, which regulate the education system of the Republic of Azerbaijan.

The higher education specialties shall be:

- recognized by the country issued the document;
- specified in the international contracts of the Azerbaijan Republic.

The Ministry of Education is the institution in Azerbaijan that issues a certificate of recognition. You shall create an application on www.nostrifikasiya.edu.az and submit a request accompanied by the following documents.

1. Filling application form;
2. Document on higher education (original and copy certified by a notary and translated into Azeri);
3. Appendix to the diploma with details of study programs, their volume, total assessment, results for internship, essays and theses,

as well as other indicators for educational process (original and copy certified by a notary and translated into Azeri);

4. Identification Document (copies of passport and identity card duly certified by a notary);

5. Copy of work record card and/or unemployment certificate from the place of residence;

6. Full-time graduates should submit a document (application form or certificate duly certified) which confirms that they have lived in the city, where the university is located, during their study;

7. Part-time graduates should submit documents (certified) confirming their attendance at winter and summer sessions during their study;

8. Copy of military record or certificate of registration for military service.

However, specific procedures are not conducted in cases of applications by refugees, asylum seekers or any other vulnerable groups of migrants.

Department on recognition of Education documents has been created within the ministry, in accordance with the provisions of the Law on Education of the Republic of Azerbaijan, Regulation on Ministry of Education of the Republic of Azerbaijan, Lisbon Convention, Hague Convention on Abolishing the Requirement of Legalization for Foreign Public Documents and Executive order of the Cabinet of Ministers of the Republic of Azerbaijan for confirmation of regulations on recognition and determination of equivalence of higher education specialties of foreign countries. The main duties of the department are to implement the nostrification procedures, provide the functions of Group of Experts on Nostrification of Ministry of Education and cooperate with international partners in order to adopt the best foreign practices in the mentioned field. Firstly, the department imposes the reception and research on the documents and delivers the relevant requests, and then presents the prepared personal letter to the Group of Experts on Nostrification. The Department might conduct an additional research in case Group of Experts on Nostrification provides further comment about the significant importance of it. If the decision of Group of Experts on Nostrification is positive, certificate on recognition and determination

of equivalence of higher education specialties of foreign countries is presented by the Department. Otherwise, the Department presents letter of explanation on the reasons of non-recognition. Applicants have a right to appeal in cases of the officers refused to implement the services or due to actions of the officials. 71st article of the Law of Republic of Azerbaijan on Administrative Proceedings, furthermore, indicates the right of stakeholders to appeal of administrative act or refusal of issuance of the administrative act. Under the 71.3.2nd article of the same law, individuals' appeal to the higher administrative body or institution having competence to examine the appeal might be on the basis of objection regarding the administrative act.

Regarding the specific requirements, the documents on higher education should firstly be legalized in the country of origin. It is worthwhile to mention that, the diplomas and appendixes given in the countries which are Party States to the Hague Convention on Abolishing the Requirement of Legalization for Foreign Public Documents should be legalized by apostille certification. Documents provided in other countries should be legalized in accordance with the national legislation by the Ministry of Education before getting legalized by the embassy (consulate) of the Republic of Azerbaijan in that country. Expert fee for recognition and determination of equivalence of higher education specialties of foreign countries are AZN 50 compared to duty fee which is estimated in AZN 15 under the Law on State Duties of the Republic of Azerbaijan.

Under the Article 3.4 of Executive order of the Cabinet of Ministers of the Republic of Azerbaijan for confirmation of regulations on recognition and determination of equivalence of higher education specialties of foreign countries, content of study plan and programs, attestation systems, scope of the subjects taught, results of attestations by subjects, internship and its duration and the results of final examination are the main factors taken into account in the process of appraisal by experts.

Under the Article 3.7 denial of recognition can be given if :

- Duration of study in higher education specialty of foreign country is more than a year less than education standards of Republic of

Azerbaijan;

- The rights guaranteed under the education document provided in a foreign country are less than the rights guaranteed under the education document provided in Azerbaijan;

- Azerbaijan Republic does not provide distant study or mix of distant study and full-time education on the relevant specialty.

The certificate of recognition and determination of equivalence of higher education specialties of foreign countries is being signed by the Minister of Education of the Republic of Azerbaijan and approved by the official stamp of the Ministry. Afterwards, it will be presented to the applicant or its official representative, or delivered via email.

REFERENCES

1. Law of the Republic of Azerbaijan on Education 2009 (Təhsil haqqında Azərbaycan Respublikasının Qanunu)

2 Ministry of Education of the Republic of Azerbaijan, 'Tələb olunan sənədlər' <<http://ani.edu.gov.az/az/content/7>> (Azerbaijani)

3. Ministry of Education of the Republic of Azerbaijan, 'Nostrifikasiya' <<http://edu.gov.az/az/page/67>> (Azerbaijani)

4. Law of the Republic of Azerbaijan on the Administrative Proceedings 2005 (İnzibati icraat haqqında Azərbaycan Respublikasının Qanunu)

5. Executive Order of the Cabinet of Ministers of the Republic of Azerbaijan, N 64 (on confirmation of regulations on recognition and determination of equivalence of higher education specialties of foreign countries), 2003 (Xarici Dövlətlərin Ali Təhsil Sahəsində İxtisaslarının Tanınması və Ekvivalentliyinin müəyyən edilməsi (nostrifikasiyası) Qaydaları'nın təsdiq edilməsi haqqında Azərbaycan Respublikasının Nazirlər Kabinetinin Qərarı)