



November 2018

**CONVENTION ON THE RECOGNITION OF QUALIFICATIONS CONCERNING HIGHER EDUCATION IN THE EUROPEAN REGION of 11 April 1997**

**(ETS No. 165, entered into force on 1 February 1999)**

**Subject: Accession by States which are not member States of the Council of Europe, are not member States of the Unesco Europe Region, are not signatory, contracting State or Party to the European Cultural Convention of the Council of Europe and/or to the Unesco Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region, which were invited to the diplomatic conference entrusted with the adoption of this Convention**

I. Participation in the Convention on the Recognition of Qualifications concerning Higher Education in the European Region is not exclusively limited to member States of the Council of Europe, member States of the Unesco Europe Region, signatory, contracting State or Party to the European Cultural Convention of the Council of Europe and/or to the Unesco Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region which were invited to the diplomatic conference entrusted with the adoption of this Convention, namely Australia, Belarus, Canada, Israel, Kazakhstan, the Kyrgyz Republic, New Zealand, Tajikistan and the United States of America, as well as the Holy See.

The Convention is also open for accession by other States, provided that they have been formally invited to accede by the Committee of Ministers of the Council of Europe. The relevant provision of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region - Article XI.3, paragraphs 1 and 2 - read as follows:

*“1. After the entry into force of this Convention, any State other than those falling into one of the categories listed under Article XI.1 may request accession to this Convention. Any request to this effect shall be addressed to one of the depositaries, who shall transmit it to the Parties at least three months before the meeting of the Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region. The depositary shall also inform the Committee of Ministers of the Council of Europe and the Executive Board of Unesco.*

*2. The decision to invite a State which so requests to accede to this Convention shall be taken by a two-thirds majority of the Parties.”*

II. The procedure for the accession of a State other than those falling into one of the categories listed under paragraph I above may be summarised as follows:

1. In principle, the Committee of Ministers may take the initiative of inviting a non-member State to accede to a specific Convention. It is nevertheless customary for the non-member State to request accession in a letter addressed to the Secretary General of the Council of Europe. The letter should be signed by the Minister for Foreign Affairs or a diplomatic representative acting upon instructions of his or her government (see [Model application for accession to a treaty](#)).
2. In accordance with the Council of Europe's practice and before formally inscribing the point on the agenda of the Committee of Ministers, the Secretariat consults at the same time all member States of the Council of Europe, whether they are Parties or not to the Convention, and Parties to this Convention, that are not member States, on the request of invitation.
3. Requests for accession to a Council of Europe convention are examined by the Committee of Ministers' Rapporteur Group on Legal Co-operation (GR-J) and, then, by the Committee of Ministers. In the case of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, the decision on whether or not to issue an invitation is usually taken at the level of the Ministers' Deputies. Then, an invitation to accede to the Convention is notified to the State concerned by the Secretariat General.
4. The instrument of accession is deposited at the seat of the Council of Europe in Strasbourg, in the presence of a representative of the acceding State and of the Secretary General of the Council of Europe or his Deputy. The representative of the acceding State brings with him or her the instrument of accession and a procès-verbal of deposit is signed by both parties. Should it prove difficult for the acceding State to send a representative to Strasbourg, the instrument of accession may be sent by diplomatic courier. Deposit of the instrument of accession is notified to all concerned, accordingly to Article XI.9 of the Convention.
5. Article XI.3, paragraph 4, of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region provides that the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.
6. The instrument of accession and any reservation or declaration appended to it shall be accompanied by a translation into one of the official languages of the Council of Europe (English or French). It is important to stress that, subject to the applicable provisions of each treaty (see [Articles IV.5 and XI.7 of this Convention](#)) and in line with the 1969 Vienna Convention on the Law of Treaties, any reservations or declarations are to be made when depositing the instrument of accession. For reasons of legal certainty and in order to ensure the uniform implementation of conventions, reservations may not be made at any later date.
7. It should be noted that Articles II.2 and IX.2 of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region provide for the designation of authorities which are competent to make different categories of decisions in recognition cases as well as a national information centre.

III. The text of the Convention, its explanatory report, the chart of signatures and ratifications and all declarations and reservations made with regard to it can be consulted on the website of the Council of Europe's Treaty Office on <http://conventions.coe.int>.

For any further information, please contact the Treaty Office:

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