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### **The Changing International Regulatory and Policy Environment**

Upon reflection I have decided to reverse the order of my paper, in comparison with that which was set for our session - in other words, I intend to talk first about the policy environment, and then reflect on regulatory measures. I am doing this in order to emphasize the importance of the international policy environment, for higher education in general and for academic mobility in particular. And we can all agree that in this regard the changes in recent years have fallen well short of some optimistic prophecies.

When talking about the changing policy environment, we can distinguish two developments:

- Long-term, world-wide transformations in economic, political and social relations for which the term 'globalization' seems most appropriate - despite its value-loaded overtones and simplistic reflection of global developments. And,

- A number of more recent developments in the course of the last decade which are changing the international environment in which higher education and its institutions function. In this case we observe a number of concrete initiatives and projects, some of which merit special attention:

- Calls for the updating of UNESCO's recognition conventions, towards new guidelines for the provision of transnational higher education
- Attempts to introduce higher education into a wider regulatory framework such as the General Agreement on Trade in Services (GATS)
- Organizational arrangements such as those leading to the gradual internationalization of accreditation; also, the emergence of 'international rankings' of universities and study programs etc.

My comments will deal foremost with those developments with which I am most familiar, namely in the European Region. But before I go on it is hard not to mention, especially when looking at changes in the policy environment affecting international labor and academic mobility, the effects of September 11. The consequences are much wider than just in U.S. higher education, even if it is that country which has been most directly affected. It was most unfortunate that most of those who committed this abominable act were so-called 'international students'! We must do whatever is needed to re-assure the general public that it is beneficial to accept international students and academics in national and local institutions of higher education.

In this regard new visa and security policies for those applying to U.S. higher education institutions, however understandable and justified, need to be designed so as not to discourage potential students - who can greatly benefit from the quality and diversity of U.S. higher education.

It could be speculatively argued that restrictive visa policies by the United States might diminish brain drain from source countries; but most likely the flow will only change direction, from the U.S. to other highly industrialized countries. Actually we all would be losing in the long run, for reasons eloquently expressed by Peter McGrath, President of the National Association of State Universities and Land-Grant Colleges, in his traditional letter at the beginning of each academic year:

Because of our size and wealth, American science and technology are essential to a strong system of international scientific scholarly exchange and collaboration. Put another way, just as much as we want partnerships between U.S. and foreign universities to grow, so do higher education leaders around the world urgently want ties with American colleges and universities.

And this is not only a declarative statement; keep in mind in the context of our topic that half of the world's doctoral students are studying in the United States (1).

At any rate if it is hard to avoid talking about new policies towards international students in North America, especially with the internationalization of higher education, in Europe it is almost impossible to ignore the evolution of higher education in the context of the Bologna Process. The Bologna Process is the most profound and ambitious initiative to change higher education in Europe in many years. With regard to Western Europe it can be argued that it is the most comprehensive reform since 1968, when major initiatives were undertaken resulting in much greater access to higher education and more democratized governance of higher education institutions.

It would not be an exaggeration to say that the Bologna Process, initiated in May 1998 when ministers in charge of higher education in France, Italy, the United Kingdom and Germany signed in Paris the so-called Sorbonne Declaration, followed a few months later by the so-called Bologna Declaration, set an entirely new course for higher education in Europe. The Bologna Declaration was signed in June 1999 by ministers responsible for higher education in 29 European countries, and it is this document which gave real momentum to the strategic objective of establishing a European Higher Education Area by 2010.

With the Bologna Process we can for the first time speak of a pan-European dimension for higher education in Europe. It is a political project which also has the support of the academic community, admittedly after some preliminary skepticism which is quite natural when considering prospective changes. And the changes associated with this project are profound; let me very briefly spell out the main objectives of the Bologna Process and the mechanisms in place for their implementation. The project itself has already drawn attention in many countries and regions, and some organizations outside Europe are taking note of this vast undertaking. A good example is the information regularly provided by the World Education Service through its World Education News & Reviews (WENR).

The Bologna Process is a good example of an incremental approach to changing international regulatory mechanisms. This is probably the only realistic manner when dealing with such a complex system as higher education, and with strong state-level control and a multitude of different stakeholders. Not to mention that the number of participating countries in this process has expanded from 29 in 1999 to 40 in 2004... At present the only countries with significant higher education systems still outside the process are Ukraine, Moldova and Belarus.

Three formal documents, even if not legally binding, are the basis of the Bologna Process – the *Bologna Declaration* (June 1999), the *Prague Communiqué* (May 2001), and the *Berlin Communiqué* (September 2003). They outline ten overarching goals of the Bologna Process, which should lead to the establishment of a European Higher Education Area by year 2010. It is interesting even to see how consecutive goals were added in the course of the process.

The *Bologna Declaration* set the following six goals:

- To adopt a common framework of easily readable and comparable degrees
- To adopt a system with two main cycles (undergraduate/graduate) with first degrees relevant to the labor market, and graduate studies requiring the prior completion of a first degree
- To establish a system of credits (such as ECTS)
- To promote mobility and eliminate obstacles to the mobility of students, teachers, and graduates
- To promote European cooperation in quality assurance
- To promote European dimensions in higher education

Three years later the ministers responsible for higher education substantially expanded the agenda of the Bologna Process by adopting the *Prague Communiqué*, which seeks:

- To see higher education studies in the context of lifelong learning
- To involve students in the development and implementation of reforms
- To enhance the competitiveness and attractiveness of the European Higher Education Area with regard to other parts of the world.

Finally, adding the doctoral level as a third cycle of study in the *Berlin Communiqué* two years later seems a logical follow-up of the previous decisions. But one additional feature should be kept in mind: ministers for higher education also supported merging the European Higher Education Area with a European Research Area.

With some degree of simplification, it can be said that the following four ‘key words’ represent building blocks of the Bologna Process: comparable degrees, three-level cycle, quality, mobility. I can imagine that new blocks such as for example ‘funding’ could be dealt with in the foreseeable future.

In my opinion the Berlin meeting of ministers responsible for higher education was particularly important, as it greatly reduced the early stages of spontaneity (critics might say confusion) with regard to monitoring the implementation of the Bologna Process. The ministers unequivocally

entrusted this function, together with that of preparing the next ministerial meeting to be held in Norway in 2005, to a so-called Bologna Follow-Up Group (BFUG) composed of representatives of all member countries of the Bologna Process and the European Commission, along with the Council of Europe, the European University Association (EUA), the European Association of Institutions in Higher Education (EURASHE), the National Unions of Students in Europe (ESIB) and UNESCO-CEPES as consultative members; UNESCO-CEPES was given this status only at the Berlin meeting.

The direct involvement of the European Commission in the Bologna Process represents an important change in the policy environment, and not only with regard to the 25 current member countries of the EU. This direct involvement is further accentuated by the fact that biannual meetings of the Bologna Follow-Up Group follow the pattern of the EU Presidency. But what is more important in the context of European higher education is the energizing effect of a new, more multi-organizational basis for international cooperation and multiple partnerships. As an organizing principle for new initiatives, this will have a direct impact on the current policy environment. Of course there are tensions of all kinds, but an understanding of common interests facilitates the search for acceptable solutions.

In the case of our Centre, all our recent projects and meetings have been implemented in partnership with other members of the Bologna Follow-Up Group and are directly relevant to the Bologna Process. For example:

- Organization of doctoral studies and qualifications
- Analysis of the policy documents and laws on higher education which have been elaborated and/or adopted since the beginning of the Bologna Process, in order to see how they are contributing to the realization of the Bologna Process
- The place of private higher education institutions in the Bologna Process, particularly with regard to accreditation standards and quality assurance requirements

But taking into account the other topic of our meeting, academic mobility, at least in its international dimension, I would like to draw your attention to the fact that UNESCO-CEPES, together with the Council of Europe, acts as co-Secretary of an Intergovernmental Committee and of the ENIC network for the implementation of the Council of Europe/UNESCO Convention on the Recognition of Qualifications Concerning Higher Education in the European Region - the Lisbon Convention. This is the main international legal text regulating the recognition of academic qualifications in the Europe Region, which refers to all countries of Europe, North America and Israel. It was adopted in April 1997 and took effect in February 1999. In the context of our meeting it should be pointed out that the Lisbon Convention is an indirect means for the recognition of professional qualifications, thus facilitating mobility of qualified labor.

Undoubtedly the Lisbon Convention is also one of the key legal and standard-setting documents relevant to the Bologna Process, which also has as one of its main goals the improved mobility of students, staff and graduates; ultimately the aim is to facilitate the recognition of qualifications, and increasing transparency, among higher education systems in Europe.

The Recognition Convention has a double function. In legal terms it is a treaty between states, and as such is valid as a legal standard for the recognition of qualifications from the higher education

systems of the parties, as well as those covered by subsidiary texts. In a broader sense the Convention also serves as a guide to good practice, and in order to assure a certain credible level of quality. It is in this context that a Code of Good Practice in the Provision of Transnational Education was elaborated, and a Diploma Supplement stipulated; their issuance is now one of the provisions of the Bologna Process.

In view of new developments and the increasing cross-border provision of higher education, there is a need to look for new international initiatives to enhance quality provision in higher education at a global level. Recently, UNESCO and the OECD launched a joint project to result in the elaboration of non-binding guidelines on 'Quality Provision in Cross-Border Higher Education'.

One of the issues which in recent years energized international discussions on higher education was the General Agreement on Trade in Services (GATS), and the interest in including 'education services' in the steps leading to further liberalization of trade in services. I hardly recall an issue or scenario which so mobilized the academic community in order to ward it off. The mere possibility that higher education might be covered by trade regulations and agreements set by the World Trade Organization (WTO) sparked a heated debate, along the lines that higher education is foremost a public good and that public funding is not transferable to foreign institutions. I have an impression that at least for the time being those who were promoting the 'liberalization of educational services' (Australia, New Zealand and the United States) lost their vigor to push such a proposal further. There is no question that if in place, this would be a global regulatory framework and would radically alter the policy environment for all aspects of higher education at local, regional and international levels. The 'higher education under GATS' debate also revealed that even if not always fully recognized, higher education touches delicate nerves in the organization of the world – sovereignty and the according right of a country to regulate its own educational system.

A European example of growing awareness of accreditation systems, particularly at a supra-national level, is the system developed for business education by the European Foundation for Management Development (EFMD) called EQUIS - the European Quality Improvement System. It is quite an elaborate system, based on two types of quality benchmarking including an accreditation procedure leading to the award of a European Quality Label, and a more quality improvement-oriented 'audit procedure'. Understandably, an important area taken into account is 'internationalization', with explicit reference to students, faculty and programs (2).

At the same time there is growing consensus on the need for serious discussion on cross-border higher education, both in its traditional and 'cyberspace' forms of delivery. This leads me to one more general conclusion, namely that we are in great need for ideas that better reflect the world we live in. Education has to be considered not only as an instrument for economic development, but as a foundation for the development of a new architecture of international relations. Consequently, relations between global, regional and local needs must be reconsidered.

Increasingly, national and institutional policies are being developed in view of international requirements. Higher education is directly and indirectly affected by the agenda of the international community, and by its organizational expressions. We can observe that the geopolitics of international relations are currently under scrutiny, their extreme form being unilateralism; but at the same time we also see serious attempts to go beyond traditional reforms, which would not

necessarily speak to systemic and structural change. We are all interested in building world-class universities and this is relevant not only for Europe, with its ambitious plan to establish the European Higher Education Area by 2010 and even more ambitious goal of transforming the EU into the world's most dynamic and competitive knowledge-based economy by 2015. It is also relevant for developing countries, whose standing in a global economic system is tied to that in a global knowledge system. The challenge for development policy is to connect these countries to the rest of the world; otherwise we persist in a sense of enhanced vulnerability, which nowadays prevails in so many places.

## References

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2. T. Proitz, B. Stensker and L. Harvey, 'Accreditation, Standards and Diversity: An Analysis of EQUIS Accreditation Reports'. Assessment & Evaluation in Higher Education, Vol. 29, No. 6, 2004, pp. 735-750.