

AdREN.

ADRIATIC RECOGNITION NETWORK

**SUBSTANTIAL DIFFERENCES
IN 4 COUNTRIES OF THE
ADRIATIC REGION**

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INTRODUCTION

This document has been developed in the framework of the AdReN project, which has the main objective of supporting automatic recognition among the countries of the Adriatic Area, starting from project partners, the ENIC-NARIC centres of Italy, Croatia, Greece and Slovenia, extending it to the members of the [AdReN network](#) and to the entire Area, with a concentric-circle structure.

One of the basic principles of the the [Lisbon Recognition Convention](#) (LRC)¹ is that a qualification giving access to higher education in a State which is party to the Convention will also give access in other countries that are party to the same convention, unless a substantial difference can be demonstrated between the qualifications². In line with this principle, the “[Recommendation of the Council of the European Union on promoting automatic mutual recognition of higher education and higher secondary education and training qualifications and the outcomes of learning periods abroad](#)”³ states that if a qualification allows access to higher education in one Member State, the same qualification also allows access in the other countries of the EU, without prejudice to the autonomy of higher education institutions to establish their own admission requirements⁴.

Improving the ability of competent recognition authorities to deal with substantial differences constitutes one of the elements in the direction of supporting the implementation of automatic recognition. Against this background, the state of play on substantial differences in AdReN partner countries has been analysed with the aim of contributing to the identification of the various elements that can constitute a case of substantial difference and sharing practices implemented in dealing with such cases.

This document begins with a brief introduction to the concept of substantial differences, then describes the state of play in the 4 partner countries and summarises the main findings concerning the definition of the concept at the national level and the key elements taken into consideration to ascertain a case of substantial difference.

¹ [Convention on the Recognition of Qualifications concerning Higher Education in the European Region](#), Lisbon, 11 April 1997, ETS n. 165.

² [Ibid.](#), art. IV.1, IV.3, V.1 and VI.1.

³ [Council of the European Union \(2018\), Council Recommendation 2018/C 444/01 of 26 November 2010](#) on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad.

⁴ [Ibid.](#), Key principles, para. 1, a) i).

Concept and definition of substantial differences

The concept of **substantial differences** was introduced in the LRC, which states that: “To the extent that a recognition decision is based on the knowledge and skills certified by the higher education qualification, each Party shall recognise the higher education qualifications conferred in another Party, unless a substantial difference can be shown between the qualification for which recognition is sought and the corresponding qualification in the Party in which recognition is sought”⁵. The LRC also takes into consideration the recognition of periods of study in higher education: “Each Party shall recognise periods of study completed within the framework of a higher education programme in another Party. This recognition shall comprise such periods of study towards the completion of a higher education programme in the Party in which recognition is sought, unless substantial differences can be shown between the periods of study completed in another Party and the part of the higher education programme which they would replace in the Party in which recognition is sought”⁶.

Over the years following the LRC, most conventions on recognition of qualification have addressed the concept of substantial differences without including a definition⁷, which only appeared in 2019 in the text of the UNESCO [Global Convention on the Recognition of Qualifications concerning Higher Education](#)⁸: “significant differences between the foreign qualification and the qualification of the State Party which would most likely prevent the applicant from succeeding in a desired activity, such as, but not limited to, further study, research activities, or employment opportunities”⁹.

⁵ [Lisbon Recognition Convention](#), cit.

⁶ [Ibid.](#), article V.1

⁷ Lantero, L., Finocchietti, C., & Petrucci, E. (2021), “[Substantial differences. A glimpse of theory and practice](#)”, 2021.

⁸ [Global Convention on the Recognition of Qualifications concerning Higher Education](#), Paris, 25 November 2019.

⁹ [Ibid.](#), article I.

State of play on substantial differences

Croatia



The procedure of recognition of foreign higher education qualifications is carried out in accordance with the Act on the Recognition of Foreign Educational Qualifications (OG 158/2003, 198/2003, 138/2006 and 45/2011), which is based on the principles of the LRC¹⁰, and the Act on Ascertaining of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Official Gazette – International Treaties 9/02 and 15/02), and the Criteria for evaluation of foreign higher education qualifications of the Agency for Science and Higher Education (2008).

In accordance with the national regulations, the Agency for Science and Higher Education (within which the Croatian ENIC-NARIC office operates) carries out the procedure of professional recognition of foreign higher education qualifications (for the purpose of enabling access to employment in Croatia) and the following key criteria have to be met in order to recognise a foreign higher education qualification:

- That a higher education qualification was awarded by an accredited higher education institution.
- That a foreign higher education programme has been accredited by a competent accreditation body of the respective state.
- When a joint degree is concerned, all institutions participating in the delivery of the study programme, as well as the study programme itself, have to be accredited by a competent accreditation body of the respective state in which the institution participating in the joint degree is located.

The evaluation (assessment) of the foreign higher education qualification is possible if the key criteria are met.

¹⁰ [Lisbon Recognition Convention](#), cit.

During the evaluation of foreign higher education qualifications, the following points are taken into account:

- Minimum level of the qualification necessary to access the study programme which leads to sought qualification.
- Characteristics of the most important content of the study programme which awards the foreign higher education qualification for which recognition is sought.

The evaluation of foreign higher education qualifications in Croatia recognises the qualification that is most similar to a national qualification in level, volume and type of acquired competences, taking into account purpose recognition is sought for.

If all the recognition criteria are met, foreign higher education qualifications shall be recognised as far as a recognition decision is based on the knowledge, skills and competences acquired within a foreign higher education qualification, without comparison of study programmes.

Otherwise, a substantial difference can be shown between the qualification for which recognition is sought and the corresponding qualification in Croatia.

The definition of substantial difference used in Croatia is the one provided in the text of the Global Convention on the Recognition of Qualifications concerning Higher Education (2019)¹¹.

According to the Criteria for evaluation of foreign higher education qualifications of the Agency for Science and Higher Education Evaluation, the evaluation of foreign higher education qualifications ascertains the following:

- If differences in acquired competences between a foreign higher education qualification and a corresponding qualification in Croatia are substantial enough to prevent the recognition of a foreign higher education qualification.

¹¹ [Global Convention on the Recognition of Qualifications concerning Higher Education](#), cit.

- If differences in access to further education and/or employment between a foreign higher education qualification and a corresponding higher education qualification in Croatia are substantial enough to allow the recognition of a foreign higher education qualification.
- If differences in key elements of one or more programmes leading to a foreign higher education qualification compared to a programme leading to a higher education qualification in Croatia are substantial enough to prevent the recognition of the foreign higher education qualification.

Greece



Tertiary Education Legislation (Law 4485/2017) complies with the basic principles of the LRC¹² in Greece and there is no reference to the term “substantial difference”. However, the academic recognition process that DOATAP follows according to its establishment law (Law 3328/2005) implies substantial differences in terms of the recognition of foreign Universities and the duration of studies.

Article 3 of the Law 3328/2005 sets the requirements for recognised foreign Universities: **“Recognised as equivalent to the Greek Universities”** is considered the foreign Institution of Higher Education which is recognised by the competent authorities of the country where it is located, provided that (a) it awards at least one of the following degrees : bachelor or master or doctoral degrees, (b) the duration of studies is at least three years for the undergraduate and one year for the postgraduate programme, and students have completed secondary education in order to register to the Institution, and (c) the majority of the teaching staff is a doctorate holder. The latter does not apply to Higher Schools of Fine Arts (visual arts, music, theater, dance, cinema).

Article 4 of the Law 3328/2005 “defines” substantial differences accordingly:
The “equivalence” of a foreign degree is recognised if “the duration of studies, the teaching

¹² [Lisbon Recognition Convention](#), cit.

and learning process and the conditions for evaluation, promotion and graduation meet the requirements of universities and Institutes of Technology of Higher Education in Greece”.

Although the Institutes of Technology of Higher Education (TEI) ceased to exist in 2019 according to Law 4610/2019, DOATAP continues to recognise 3-year bachelor degrees as “equivalent” to those conferred by the Greek TEI.

Additionally, article 4 of Law 3328/2005 provides a way of dealing with matters that have to do with issues of duration of time.

“In order to recognise a foreign degree obtained after three years of study, when for the respective programmes of the country (Greece), four-year or five-year study is provided, “equivalence” or “equivalence and correspondence” is recognised only if the holder of the degree is also a holder of a master degree. In this case the master degree is not recognised separately. The possession of a master degree is not considered necessary in order to be equivalent to a technological education degree institution”.

Italy



The Ministry for Universities and Research, every year, publishes the “[Procedures for entry, residency and enrolment of International students and the respective recognition of qualifications, for higher education courses in Italy](#)”¹³.

This document is aimed at giving higher education institutions guidance on issues related to access requirements together with those associated with study visas, residency permits and knowledge of the Italian language. The guidelines do not include a detailed description of what substantial difference means but provide some examples (i.e., the number of years of

¹³ Ministry for Universities and Research, “[Procedures for entry, residency and enrolment of International students and the respective recognition of qualifications, for higher education courses in Italy](#)”.

schooling needed in Italy to access to higher education)¹⁴.

The definition of substantial difference used in the Italian context is the one provided in the text of the Global Convention on the Recognition of Qualifications concerning Higher Education (2019)¹⁵.

Over the last years, several initiatives have been organised to share knowledge and practices related to substantial differences among the stakeholders involved in recognition. During the public seminar on substantial differences, organised in Bologna on the 26th of June 2019, in the framework of the [Thematic Peer Group on the implementation of the Lisbon Recognition Convention in EHEA countries](#) (TPG-LRC) project¹⁶, Italian higher education institutions were invited to discuss the topic and deepen their knowledge of it by sharing the international experience with the representatives of ministries, ENIC-NARIC centres and other higher education institutions invited, comparing their practices and verifying their compliance with the LRC¹⁷ and its ratification in the Italian law.

In addition to this event, Italian admission officers participating in the courses organised by CIMEA in cooperation with the Università Europea di Roma leading to the first [micro-credential on Credential Evaluation](#), were invited, as part of the final project to be awarded the micro-credential, to reflect on the concept of substantial difference and verify its application within the institutions they represented.

The [Ministerial Decree 204 of 26 April 2004](#)¹⁸ represents a good practice example of the application of the concept of substantial difference. The decree is meant to regulate the

¹⁴ The document is drawn up on the basis of the results of the annual Services Conference held by the Ministry for University and Research, together with the Ministry of Education, the Ministry of Foreign Affairs and International Cooperation and the Ministry of the Interior.

¹⁵ [Global Convention on the Recognition of Qualifications concerning Higher Education](#), cit.

¹⁶ EU co-funded project under the Erasmus+ programme. Further information on [CIMEA website](#).

¹⁷ [Lisbon Recognition Convention](#), cit.

¹⁸ [Decreto 26 aprile 2004, n. 214](#), "Regolamento recante criteri e procedure per gli istituti stranieri di istruzione superiore che operano in Italia ai fini del riconoscimento del titolo di studio da essi rilasciato (attuazione dell'articolo 4 della legge 11 luglio 2002, n. 148), GU Serie Generale n.192 del 17-08-2004.

international higher education institutions operating in Italy in order to ensure their quality and, therefore, have the qualifications they issue recognised in Italy.

In fact, “The assessment of the foreign qualification is only possible for official qualifications in the system of reference, that is, as issued by accredited/recognised institutions: not all qualifications considered official in a foreign system will be found acceptable for recognition in Italy in cases where one or more substantial differences exist”; therefore, the aforementioned decree, prevents the recognition of the qualifications issued by institutions lacking quality assurance.

Slovenia



The current assessment and recognition legal act does not have a special definition of the term substantial difference.

In the assessment procedure (for the purpose of work) we accept all accredited foreign qualifications that are part of a foreign education system (we give a “positive” opinion).

Otherwise, a substantial difference can be found in our assessment procedure in cases where foreign and Slovenian education systems are not compatible (by type of qualification) or there are two differences: for example, in duration of more than one year and no access to further study – some 3+1 Master level cases.

Concerning the relative practices and practical application of the concept of substantial differences, two examples can be shared:

1 3+1 model master degrees.

In the higher education system and legislation in Slovenia the following models of master degree programmes can be found: 3+2, 4+1 or 5+0 master degree programmes. A 1-year

master degree with a previously finished 3-year bachelor degree is assessed as comparable to national master degree level programmes. This means that a 1-year less duration of a master study programme together with a bachelor degree is not considered a substantial difference. However, when in some cases a 3+1 model master degree lacks other significant components, it is not recognised as comparable to national master degrees. For example: when a 3+1 model master degree does not give access to doctoral degrees, then already two comparable components are missing, and in such rare cases, this means that there is a substantial difference between a foreign and national master degree, so it is not possible to recognise it as comparable to national master degrees. **Lack of more than one significant comparable component.**

2 Master degree, without previously finished bachelor degree.

A master degree, where a candidate was enrolled in on a basis of good work experiences is not comparable to national master degrees, where such study path is not possible. 1 year studying on a higher education level cannot be comparable to national, together with a bachelor degree, years study on higher educational level. **Lack of a whole or not finished previous level of education is a substantial difference.**

The previously mentioned example of 3+1 master degrees with access to doctoral degrees comparable to national master degrees represents a good practice to address a case of substantial difference.

Key findings

Concerning the definition of substantial differences, none of the countries reported having the term defined in their national legislation. Nonetheless, Croatia and Italy stated that they refer to the one provided in the Global Convention on the Recognition of Qualifications concerning Higher Education¹⁹, whereas Greece defines the concept in such a way that is line with the LRC²⁰.

When it comes to the practices employed to ascertain the existence of a substantial difference, the information provided by all countries confirms the importance of applying a case-by-case approach to the recognition process. Another point that clearly emerged is that the lack of quality assurance is always considered as a substantial difference. This was mentioned by all 4 countries and emphasised in the case of Italy which reported as a good practice the ministerial decree stating that qualifications can be assessed only if “issued by accredited/recognised institutions: not all qualifications considered official in a foreign system will be found acceptable for recognition in Italy in cases where one or more substantial differences exist”²¹.

Among the elements to be taken into consideration, the following were also reported:

- Differences in acquired competences.
- Differences in access requirements.
- Differences in key elements of one or more programmes.
- Different nominal duration of study.
- Lack of more than one significant comparable component.
- Lack of a whole or not finished previous level of education.

The practices reported by Slovenia underline the need for flexibility on this topic and the importance of considering whether a single criterion can be enough to justify withholding full recognition.

¹⁹ [Global Convention on the Recognition of Qualifications concerning Higher Education](#), cit.

²⁰ [Lisbon Recognition Convention](#), cit.

²¹ [Ministerial Decree 204 of 26 April 2004](#), cit.

Finally, another point that emerged from the information gathered is the effort to share information and guidelines with the competent recognition authorities on this topic.

The “Procedures for entry, residency and enrolment of International students and the respective recognition of qualifications, for higher education courses in Italy”²² published by the Italian Ministry for University and research provide higher education institutions with indications concerning access requirements, including examples on what can be considered a substantial difference. Moreover, the activities carried out in the framework of European funded projects such as the seminar on information provision organised in 2020 within the TPG-LRC project, represent opportunities to share practices and tools at both the national and international level.

²² [Procedures for entry, residency and enrolment of International students and the respective recognition of qualifications, for higher education courses in Italy](#), cit.

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