

TRANSNATIONAL EDUCATION IN THE ADRIATIC AND MEDITERRANEAN REGIONS



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Regulation, quality assurance and information
provision in 7 countries



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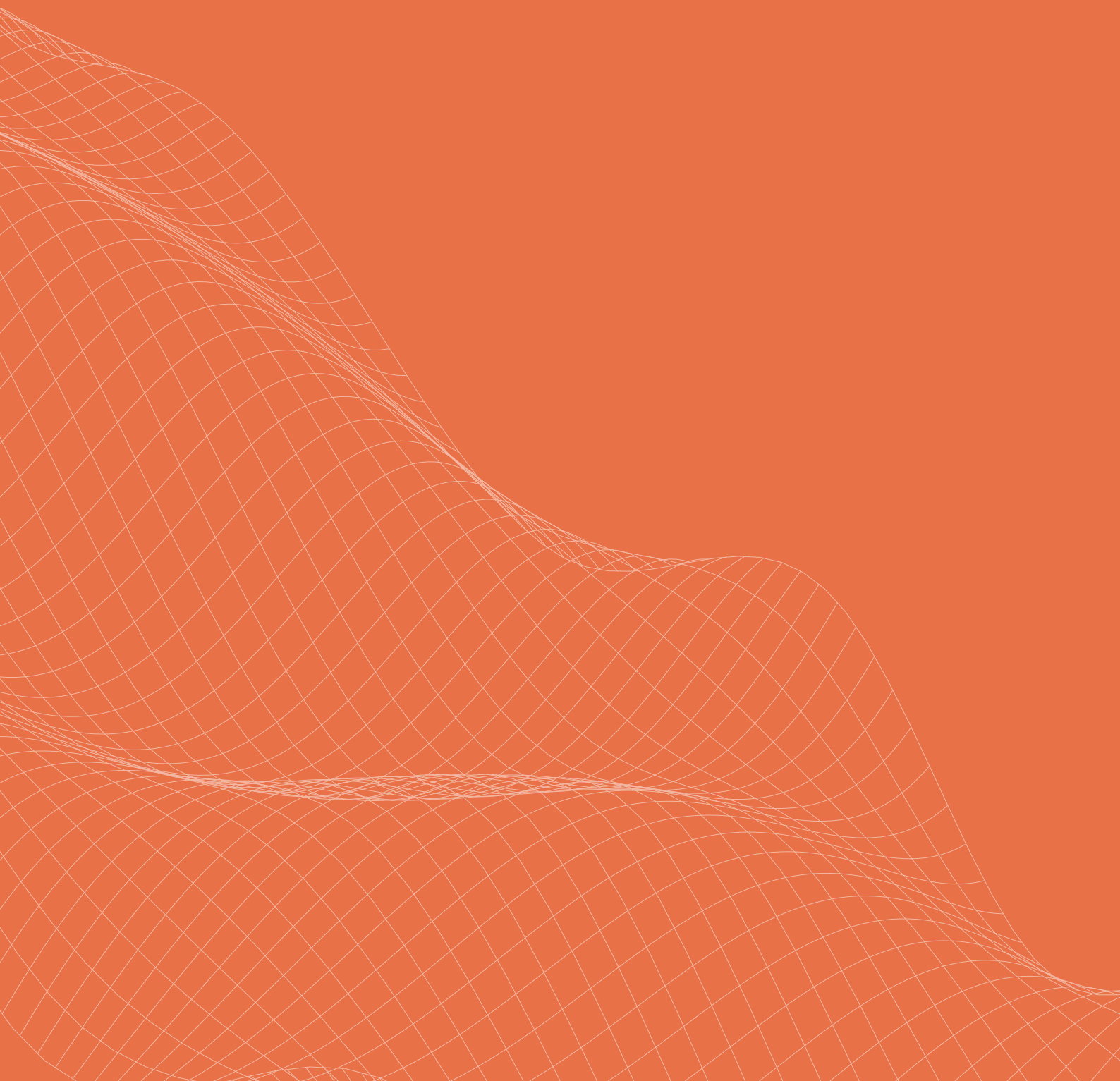
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INTRODUCTION



This document has been developed in the framework of the **MAReN project**, which has the main objective of implementing the “[Council Recommendation on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad](#)”¹ in the countries of the Mediterranean region. MAReN stems from the experience of **the AdReN project**, and the present publication is the result of this synergy, providing the reader with a comparative overview of information on regulations, quality assurance and information provision in the 7 partner countries involved in both projects, in the Adriatic and Mediterranean region.

In this light, the state of play on transnational education (TNE) in MAReN partner countries (Croatia, Italy, France, Portugal and Spain) and the revised edition of the publication previously published in the framework of the AdReN project (partner countries: Croatia, Italy, Greece, Slovenia), have been analysed with the **aim of gaining a better understanding of how and to what extent automatic recognition can be applied to TNE**.

The “[Convention on the Recognition of Qualifications concerning Higher Education in the European Region](#)”², also known in abbreviated form as the **Lisbon Recognition Convention (LRC)**, states the principle 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 qualifications³.

¹ 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.

² Convention on the Recognition of Qualifications concerning Higher Education in the European Region, 11 April 1997, ETS n. 165.

³ Ibid, art. IV.1, IV.3, V.1 and VI.1.

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” 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.

These principles also apply to TNE, object of articles IV.9 and VI.5 of the LRC. The two articles – related respectively to the qualifications giving access to higher education and to higher education qualifications – state that a Party to the Convention may make the recognition of qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions.

In subsequent years, the importance of promoting good practices in TNE as well as of ensuring quality of both institutions and study programmes has become a central point. As evidence of this, it is sufficient to think that, in the first 10 years of Lisbon Recognition Convention, 3 out of the 5 additional documents adopted by the Lisbon Recognition Convention Committee are about transnational education:

- The Recommendation on International Access Qualifications (1999)
- Code of Good Practice in the Provision of Transnational Education (2001)
- Revised Code of Good practices in the provision of transnational education (2007)⁵.

The [Monitoring the implementation of the Lisbon Recognition Convention report 2022](#)⁶ offers a wide overview on the recognition practices related to transnational education (part 3 of the document), that was not included in [the one published in 2016](#). The monitoring exercise

⁴ Ibid. art. 2, para. 1, a) i).

⁵ Council of Europe/UNESCO, [“Revised Code of Good Practice in the Provision of Transnational Education”](#), Council of Europe/UNESCO, 2007.

⁶ UNESCO & Council of Europe, Monitoring the implementation of the Lisbon Recognition Convention, 2022. URL: <https://unesdoc.unesco.org/ark:/48223/pf0000383465/PDF/383465eng.pdf.multi>

UNESCO & Council of Europe, Monitoring the implementation of the Lisbon Recognition Convention, 2016. URL: https://www.enic-naric.net/fileusers/Monitoring_Implementation_LRC-Final_Report.pdf

describes the state of play on the recognition of qualifications issued by foreign educational institutions operating in the national territory contingent upon specific requirements, and the existence at national level of list of foreign TNE institutions published and available in the LRC state parties.

In the framework of the [Global Convention on the Recognition of Qualifications concerning Higher Education](#)⁷ – entered into force on 5 March 2023, transnational education – defined as “cross-border education” – is mentioned twice in the text: connected to the recognition of higher-education Qualifications (Art. V.3 and V.6) and in the context of recognition of partial studies and prior learning (Art VI.3).

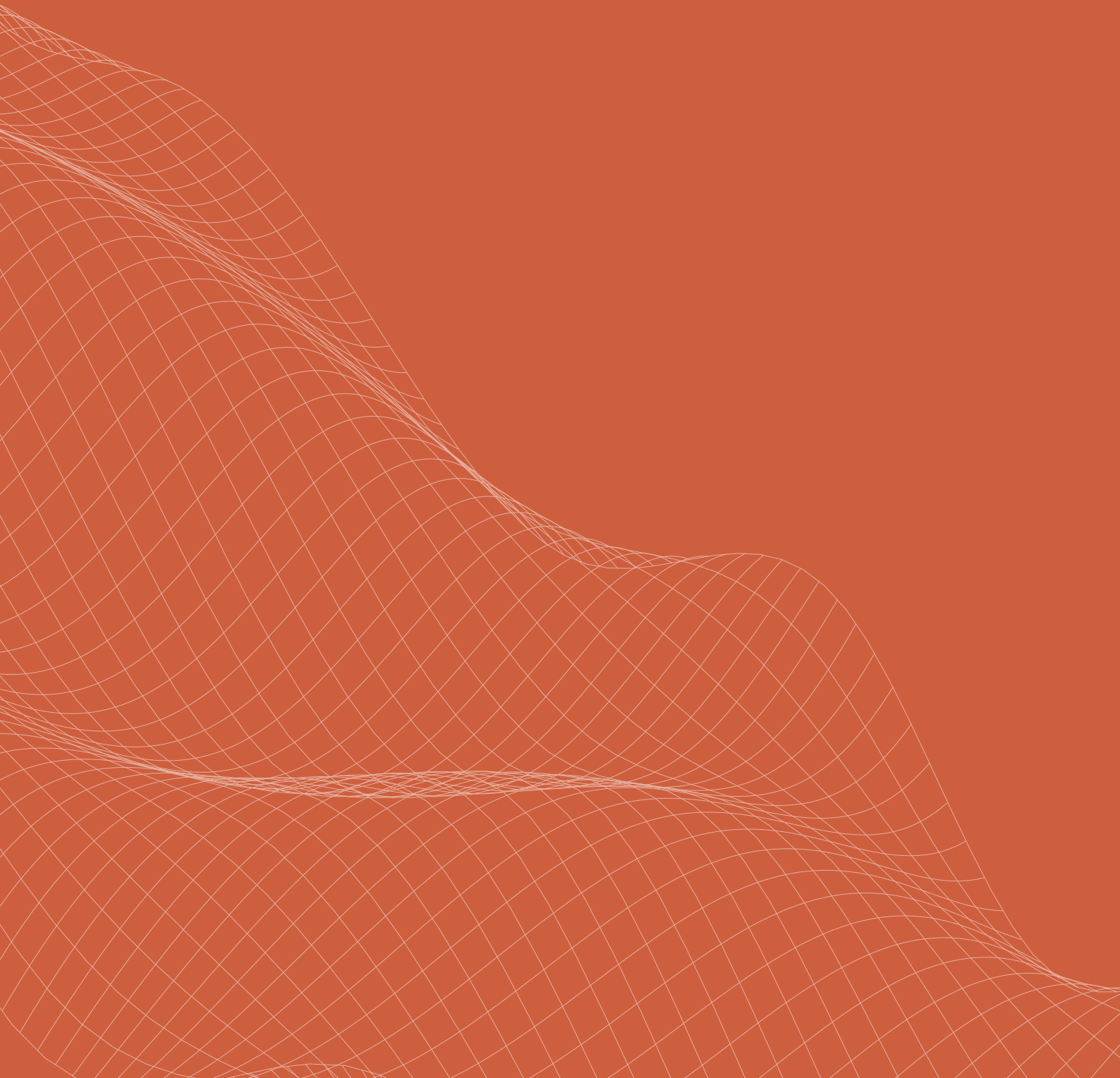
Taking into consideration that sharing information on TNE institutions and the measures taken to ensure usability and recognition of their qualifications at national level is pivotal to achieve automatic recognition, this document gives an overview of how the phenomenon is addressed by the 7 EU countries in the Adriatic and Mediterranean regions, in line with the results of the LRC Implementation Monitoring Report previously mentioned.

The document begins with a brief introduction to the concept of TNE, while the following chapter - the core section of the text - describes the state of the art on TNE in the 7 countries with a focus on:

- Implementation of the LRC, making particular reference to any specific requirements based on which qualifications issued by foreign educational institutions operating in the 7 countries are evaluated (i.e., national legislation, specific agreements, status of the institution).
- Types of TNE institutions operating in the national context.
- Information made publicly available (i.e., list of TNE institutions published and available).

⁷ Global Convention on the Recognition of Qualifications concerning Higher Education, 25 November 2019

TNE - CONCEPT AND GUIDING PRINCIPLES



The Revised Code of Good practices in the provision of transnational education contains the following definition of TNE:

“All types and modes of delivery of higher education study programmes, or sets of courses of study, or educational services (including those of distance education) in which the learners are located in a country different from the one where the awarding institution is based. Such programmes may belong to the education system of a State different from the State in which it operates or may operate independently of any national education system”⁸.

The recognition of qualifications awarded in the framework of TNE is described in articles IV.9 and VI.5 of the LRC⁹, the former related to secondary qualifications awarded by transnational education institutions and the latter concerning higher education:

- “For the purpose of admission to programmes of higher education, each Party may make the recognition of qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions.” (Art. IV.9)¹⁰.
- “Each Party may make the recognition of higher education qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions.” (Art. VI.5)¹¹.

⁸ The same definition is used in “[European Area of Recognition- EAR Manual](#)”, and in “[The European Recognition Manual for Higher Education Institutions](#)” (EAR-HEIs), third edition, February 2020.

⁹ [Ibid.](#) art. IV.9, VI.5

¹⁰ [Ibid.](#) art. IV.9

¹¹ [Ibid.](#) art. VI.5

TNE encompasses a wide range of phenomena and different types of institutions, as reported in the table below (Lantero et al., 2021)¹².

Types of TNE institutions

- **Branch Campuses:** campuses established in a country by a foreign higher education institution offering its own educational programmes/qualifications regardless of the origin of the students.
- **Off-shore institutions:** autonomous institutions established in a country but belonging, in terms of their organisation and contents, to the educational systems of other countries. These institutions are established in foreign countries but do not have parent awarding institution in the country whose educational system is used as reference.
- **Franchised Institutions/Programmes:** the teaching institution and the awarding institution do not coincide. The teaching institution operates in a country different from that of the awarding institution and offers programmes and degrees as well as issues qualifications, in accordance with the conditions stipulated in the franchise agreement. These agreements are mainly commercial in nature and not always related to academic purposes. Franchised Institutions are not checked by any Quality Assurance agencies.
- **International HE Institutions:** institutions which do not officially belong to any national higher education system. They are usually established by international organisation or are the result of international, bilateral or multilateral agreements.
- **Multinational Corporate Universities:** institutions which are usually launched by big transnational corporations and organise their own higher education study programmes, offering qualifications which do not belong to any national education system. These qualifications are more targeted towards labour market and thus accreditation is not prioritised by these institutions.

¹² Lantero, L., Finocchietti, C., & Petrucci, E., [Substantial differences. A glimpse of theory and practice](#), 2021, p. 16.

The Revised Code of Good practices in the provision of transnational education highlights the importance of promoting good practices in the area of TNE, with particular reference to the quality of the provision of study programmes and the standards of qualifications issued by the Parties to the LRC. What's more, the Revised Code states a set of principles to which TNE institutions should adhere:

- 1.** Transnational arrangements should be so elaborated as to widen access to higher education studies, to support the full development of individuals, and to comply with the national legislation regarding higher education in both receiving and sending countries.
- 2.** Academic quality and standards of TNE programmes “should be comparable to those of the parent awarding institution(s), if any, and respect the criteria and provision for quality assurance and/or accreditation systems of the home country as well as be recognized in an appropriate way by the receiving country whether as legitimate foreign education or part of the host education system”.
- 3.** The policy and the mission statement established through transnational arrangements as well as the goals, objectives and contents of specific programmes should be published.
- 4.** Provision of information given by the awarding institution, providing organisation, or agent to prospective students and to those registered for a study programme established through transnational arrangements should be appropriate, accurate, consistent and reliable.
- 5.** Proficiency of staff members in terms of qualifications, teaching, research, and other professional experience.
- 6.** TNE arrangements should encourage the awareness and knowledge of the culture and customs of both the awarding institutions and receiving country among the students and staff.
- 7.** Responsibility of the awarding institution for the agents appointed to act on behalf of the awarding institution or its partner institution.
- 8.** Responsibility of awarding institutions for issuing the qualifications resulting from their transnational study programmes.
- 9.** Comparability of admission, teaching/learning activities, examination and assessment requirements to those specific programmes delivered by the awarding institution.
- 10.** Comparability of the academic workload among transnational study programmes and awarding institution study programmes.

11. Compliance of qualification assessments with the Council of Europe/UNESCO Recognition Convention and its subsidiary texts.

The Diploma Supplement, as a tool of transparency, provides clear indications on information that should be provided in case of qualifications awarded in the framework of TNE arrangements. More specifically, information should be provided regarding the name of the qualification (point 2.1: “If the qualification is a joint/double degree or it was earned under a transnational or borderless education arrangement, this should be indicated”¹³), the name and status of the awarding institution (point 2.3: “If the provider is transnational or borderless, this should be clearly noted”¹⁴) and name and status of the institution administering the studies, if different (point 2.4: “Cases are known in which a higher education institution entitles another institution to deliver its programmes and issue its qualifications through a “franchise” or some type of “validation”, “affiliation”, etc. In some cases, a branch campus may be located in a different country. If this is the case, it should be indicated here. If there is a difference between the awarding institution and the institution delivering the programme leading to the qualification, indicate the status of both”¹⁵).

Looking to practices, so far there is no systematic analysis of how the recognition of qualifications awarded through TNE works in practice. While in the first report on “Monitoring the implementation of the Lisbon Recognition Convention” (2016)¹⁶, the only reference to TNE is linked to the recognition of joint degrees, in the second Monitoring report (2022)¹⁷ the third part is dedicated to transnational education. In particular, States parties to the Convention have been asked the following questions:

- Do you make the recognition of qualifications issued by foreign educational institutions operating in your territory contingent upon specific requirements? (Question 6)
- Is the list of foreign TNE institutions operating in your country published and available? (Question 7)
- Is a list of your official TNE institutions operating abroad published and available? (Question 8)

¹³ The Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, [Revised template for Diploma Supplement](#), 2019.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

According to the answers collected from the State parties to the LRC on transnational education, what emerges is the need to focus on quality assurance and evaluation of programmes, to “safeguard the interests of students, employers and others who may be concerned by qualifications awarded through transnational arrangements”. In the report, it is also underlined the variety of definitions lying behind the phenomena of transnational education, which makes the recognition of qualification awarded from TNE still an object of further cooperation.

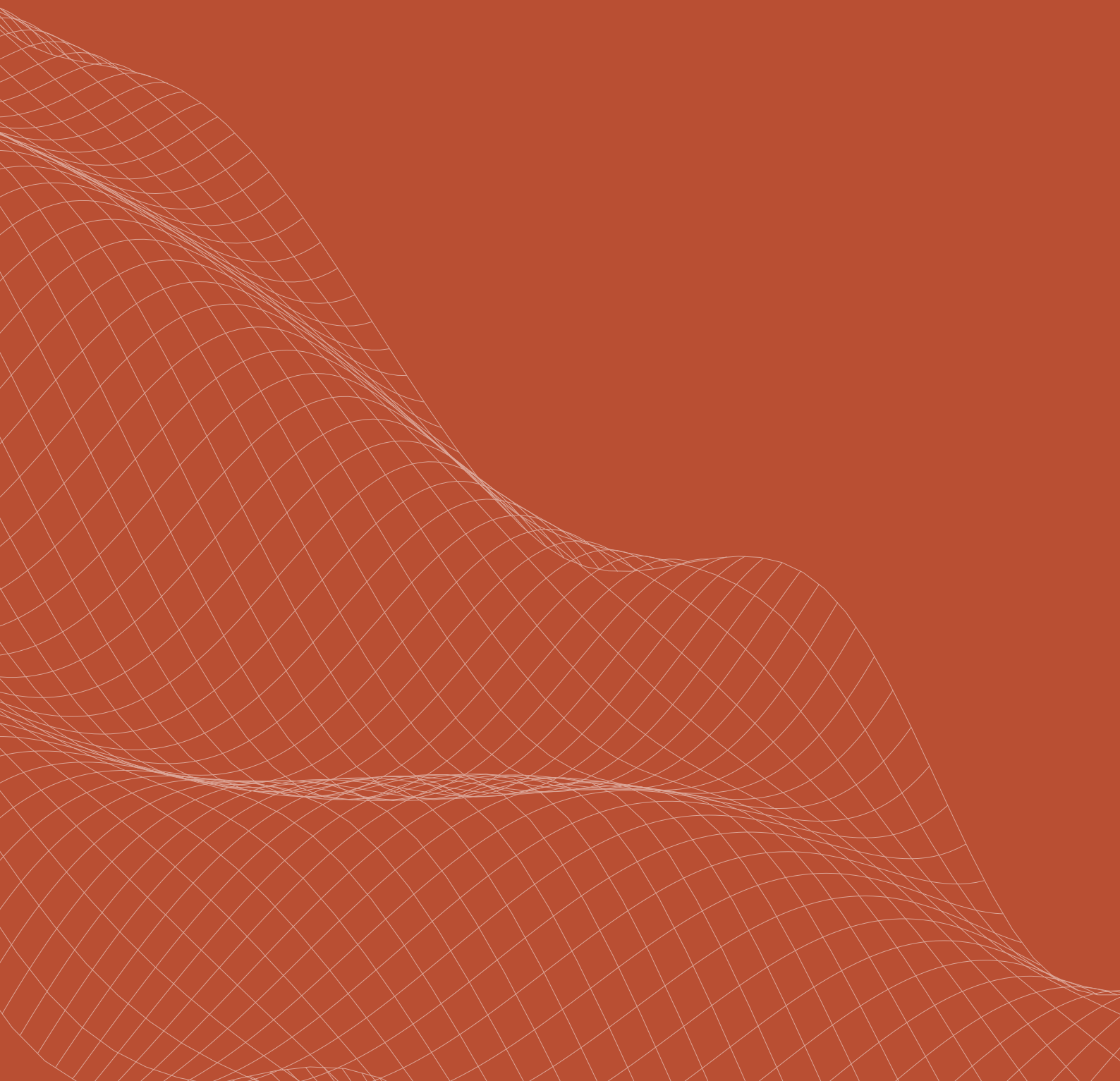
In the Global Convention on the Recognition of Qualifications concerning Higher Education transnational education is defined as “cross-border education”, intended as:

“All modes of educational delivery which involve the movement of people, knowledge, programmes, providers and curriculum across States Parties’ borders, including, but not limited to, quality-assured international joint degree programmes, cross-border higher education, transnational education, offshore education and borderless education”.

The recognition process of qualifications awarded in the framework of TNE programmes is described as follows:

- “Higher-education qualifications acquired through cross-border education with international joint degrees or through any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, shall be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to qualifications acquired through programmes undertaken in a single country” (Art. V.3)
- “Each State Party may make the recognition of higher-education qualifications acquired through cross-border education or through foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the legislation or regulations of the State Party, or of the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions” (Art. V.6)
- “Documented or certified partial completion of higher-education programmes delivered through cross-border education with international joint degrees or any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, will be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to partial studies acquired in a single country” (Art. VI.3)

STATE OF PLAY ON TNE IN THE 7 COUNTRIES



This chapter provides an overview of TNE in the 7 EU countries starting from articles IV.9 and VI.5 of the LRC and placing particular emphasis on the following topics:

- Policy context, including the existence of specific requirements based on which qualifications issued by foreign educational institutions operating in the 7 countries are evaluated (i.e., national legislation, specific agreements, etc.).
- Types of TNE institutions operating in the national context.
- Recognition of qualifications issued by TNE institutions.
- Information made publicly available (list of TNE institutions operating in the country published and available).
- Good practices.



Croatia

Policy context

Understanding of TNE is in line with the LRC and its Subsidiary Text, Code of good practice in the provision of TNE. The definition of TNE used in Croatia is the one provided in the text of the Revised code of good practice in the provision of transnational education:

“Transnational education – All types and modes of delivery of higher education study programmes, or sets of courses of study, or educational services (including those of distance education) in which the learners are located in a country different from the one where the awarding institution is based. Such programmes may belong to the education system of a State different from the State in which it operates, or may operate independently of any national education system”.

The Croatian higher education system is regulated by the new [Act on Higher Education and Scientific Activity](#) (Official Gazette no. 119/22) adopted in October 2022 and new [Act on Quality Assurance in Higher Education and Science](#) (Official Gazette no. 151/22) which entered into force in December 2022. Act on Quality Assurance in Higher Education and Science regulates internal and external quality assurance system at the national level and activities of the Agency for Science and Higher Education (ASHE) as a public institution in the Republic of Croatia tasked with quality assurance and improvement in science and higher education. External quality assurance procedures carried out by ASHE share some common characteristics, but as the processes differ in scope, goals and methodologies, there are certain differences in their outcomes and implementation, as well.

Procedures and steps of each type of external evaluation are available on [ASHE's website](#) along with detailed information.

The term 'transnational education' is not specifically covered by the legislation on higher education.

Types of TNE institutions operating in the country

The type of TNE institutions operating in Croatia is the one of branch campuses: with these regards is important to mention the [Rochester Institute of Technology](#).

Recognition of qualifications issued by TNE institutions

Recognition of higher education qualifications issued by foreign universities operating in the Croatian territory is also in line with the LRC and its Subsidiary Text – Code of good practice in the provision of TNE. Croatia ratified the LRC in 2002 with [Law on Ratification of the Convention on the Recognition of Higher Education Qualifications in Europe](#) (Official Gazette, 9/2002 and 15/2002).

By applying LRC and its Subsidiary Text, Croatia regulates recognition of higher education qualifications by the [Act on Recognition and Assessment of Foreign Educational Qualifications](#) (Official Gazette 69/2022).

In accordance with the previously mentioned legal framework, recognition of higher education qualifications issued by foreign universities operating in the Croatian territory is carried out case by case.

List of TNE institutions available

The [Directory of Study Programmes](#) lists all accredited higher education institutions and study programmes in the Republic of Croatia (there is no list specifically for TNE).



Policy context

Higher Education in France is overseen by the Ministry of higher Education and Research through different laws and decrees “[Livre VII : Les établissements d'enseignement supérieur \(Articles L711-1 à L777-2\) - Légifrance \(legifrance.gouv.fr\)](#)”. Through the implementation of the [article VI.5 of the LRC \(Lisbon Recognition Convention\)](#), France takes charge of validating academic degrees provided by foreign universities within the country. This involves making the recognition process conditional upon the completion of an accreditation procedure designed for the specific foreign institution.

The [Decret n°2000-941 du 18 septembre 2000](#) with the “Publication of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, completed in Lisbon, 11 April 1997 ratified the LRC in France.

There is no specific decree or law allowing foreign institutions to operate in France in a general sense. Foreign establishments wishing to conduct activities in France must comply with the applicable French laws and regulations. However, certain specific activities could be governed by international agreements, bilateral conventions, or memoranda of understanding between France and other countries. For instance, in the field of higher education, there might be agreements between France and other countries to facilitate the recognition of foreign degrees and to allow foreign higher education institutions to offer programs in France.

As previously indicated, it is essential for the institution and its programs to hold official recognition within the foreign reference system. The entry requirements and qualification validation procedures should closely correspond to those practiced by institutions operating in France. Furthermore, the stipulated criteria for teaching staff and the established frameworks for conducting educational activities within French territory should be well-suited for their intended purposes.

Types of TNE institutions operating in the country

Foreign higher education institutions in France have a specific legal status that allows them to operate within the French territory and offer academic programs. The institutions operate under different statuses:

- Partner Higher Education Institutions: partnerships with French universities to offer joint programs or student exchanges. These programs are delivered in collaboration with a French university and jointly recognized.
- Foreign Campuses: foreign universities that establish campuses in France with an academic program similar to those in their home country. These campuses are subject to French regulations and can confer degrees recognized in France.
- Branches or Institutes: branches or institutes in France to offer specific courses or programs. These entities might operate under the oversight of the parent institution and are subject to French laws.
- Private Foreign Institutions: private foreign higher education institutions that operate independently and might be recognized by French authorities and authorized to confer degrees.
- Bilateral Agreements: regarding mutual recognition of degrees and the establishment of foreign higher education institutions on French soil.

Regardless of their status, foreign higher education institutions in France need to adhere to education regulations and standards, and the degrees they confer might undergo a recognition process by French authorities. Students interested in these institutions should verify the recognition and quality of the programs offered before enrolling.

In France, the application of [article VI.5](#) of the LRC pertains to the regulations governing the admission of foreign higher education institutions. As stated earlier, these institutions and their academic offerings must hold recognition or accreditation within their native

education system. Concurrently, they must satisfy specific benchmarks evaluated by French establishments. This dual process aims to secure the acknowledgment of degrees conferred by these foreign educational institutions, both within France and on a global scale.

List of TNE institutions available

To date, no comprehensive list of Transnational Education (TNE) institutions beyond those provided by the Ministry of Foreign Affairs (MAE) has been identified. The existing records primarily feature French institutions, with the exception of the *Centre d'Etudes Franco Américain de Management*, representing a French American institution.

French higher education institutions abroad

France delivers more than 600 programmes abroad: 140 physical setups which include franchises (62), branch campuses (40) or joint ventures (38). About 330 French degrees are delivered with partner institutions abroad. At least 138 distance learning programmes are followed by learners outside of France. A geographical analysis of the data collected reveals that Africa and Asia are the prevalent regions for TNE activities. A total of 37,000 active enrolments were reported in the French offshore programmes. The countries hosting the highest numbers of French programmes are Morocco, Vietnam, China, Lebanon, and Tunisia. Joint ventures account for the largest enrolments (29%), followed by degrees delivered through partnerships with foreign institutions (28%).

The following types of TNE institutions, the five modes of delivery identified in the report by France Stratégie fall into two categories:

1. Physical presence overseas :
 - a) International branch campuses (e.g. HEC Paris in Qatar, Sorbonne Abu Dhabi, ESSEC Singapour, etc.)
 - b) Joint-ventures (e.g. Centrale Pékin, Institut franco-chinois de l'énergie nucléaire, Institut Sorbonne-Kazakhstan, etc.)

- c)** Franchised institutions (e.g. Vatel, ESMOD).
- 2.** Decentralised programmes:
 - a)** Courses delivered by a French higher education institution within a partner institution abroad (e.g. Université d'Égypte, Université Galatasaray à Istanbul, etc.).
 - b)** Distance learning.

List of French institutions operating abroad available

The list of French institutions operating abroad is available online: [Implantation of French Higher Education Institutions abroad \(campusfrance.org\)](#). Two examples of a French institution operating in several countries are *Institut Vatel* and *Le Cordon Bleu*.



Greece

Policy context

The Greek government has introduced a legislation draft targeting to have a new law in force by March 2024, regarding the establishment and operation of Non-State-Non-Profit universities in Greece, possibly as branches of foreign universities. In order to be considered, a university will have to operate under strict establishment criteria with a minimum of three schools and minimum number of 30 professors with PhDs. The responsibility for examining the files both in the building infrastructure and in the curriculum but also in the competence of the professors will be the Hellenic Authority for Higher Education, with the state having no reason to intervene in the context of the operation of these institutions.

[Article 16 of the Hellenic Constitution](#) states that “the establishment of higher education institutions by private individuals is prohibited”. The degrees awarded by foreign Universities after having completed a study program in a College on the basis of an agreement, are not recognized academically by DOATAP. Also, according to article 308 of the [L. 4957/2022](#) “Recognition of academic degrees, according to this law, is possible provided that all the studies are carried out outside the Greek territory, unless the studies done in the Greek territory were done in a public Higher Education Institution (HEI)”.

However, [Presidential Decree 38/2010](#) “Adaptation of Greek legislation to [Directive 2005/36/EC](#) of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications and other matters” (Government Gazette 78), as amended and still in force, incorporates all the directives for the professional recognition of such degrees.

Types of TNE institutions operating in the country

Currently, transnational education diplomas and degrees are mainly offered by franchised institutions (called “Colleges”) in Greece. Colleges are educational institutions of non-formal post-secondary education. They provide study programmes for which they are required to

have validation and franchise agreements with higher education institutions (Universities) abroad, recognised by the competent authorities in the country of residence. The studies provided in the above context lead to a first degree (bachelor) of at least three years of study, to a postgraduate degree (master) or to a doctoral degree. Colleges offer exclusive educational services under the above agreements. Colleges can also provide studies, provided that the specific study programmes have received accreditation from international certification bodies.

Recognition of qualifications issued by TNE institutions

The recognition of professional equivalence of a formal higher education degree of a Member State of the European Union with that awarded under the domestic education system, in accordance with paragraph 3 of article 2 (PD 38/2010), enables the beneficiary to gain access to Greece and to engage in a specific economic activity as an employee or self-employed worker with the same conditions and terms as the holders of comparable degrees of the domestic educational system, except in cases where increased academic qualifications are required and especially for positions of university professors, researchers and specialists.

List of TNE institutions available

There is a complete list of colleges which can be found at this [link](#).



Policy context

The Lisbon Recognition Convention was ratified in Italy with the [Law n.148 of 11 July, 2002](#): “Ratification and execution of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, completed in Lisbon, 11 April, 1997, and regulations for adaptation in national law”¹⁸.

By applying [article VI.5 of the LRC](#)¹⁹, Italy regulates recognition of academic qualifications issued by foreign universities operating in the Italian territory, subordinating the possibility of access to recognition procedures to a procedure of accreditation specific to the foreign institution, as established by [Decree n. 214 of 26 April, 2004](#): “Regulation containing criteria and procedures for foreign institutes of higher education operating in Italy with a view to recognition of the qualification issued by them (implementation of article 4 of Law n.148 of 11 July, 2002)”²⁰.

As stated in [article 2](#)²¹, the institution and its programmes must be fully officially recognised in the foreign reference system, the access criteria and the recognition of qualifications completely in line with that of the institutions operating in the foreign system, as well as the requirements in place for the teaching staff, and the structures identified for carrying out teaching activities in Italy must be adequate for the purpose.

The [Law n. 4 of 14 January 1999](#)²², article 2, paragraphs from 1 to 5 regulates **foreign university and higher education institution filiations in Italy**. In paragraph 1, “filiations” in Italy of foreign universities and higher education institutions are meant to administer part of a study

¹⁸ [Ibid.](#)

¹⁹ [Ibid.](#) art. VI.5

²⁰ [Ibid.](#)

²¹ [Ibid.](#) art.2

²² [Ibid.](#) art. 2, par.1-5

programme in Italy (for instance one semester) and addressed to students already enrolled in their respective universities or higher education institutions. Paragraph 2 establishes that, before starting their activities, filiations in Italy are authorised by the Ministry for Universities and Research, the Ministry of the Interior, and the Ministry of Foreign Affairs and International Cooperation, after a check of the requirements and criteria. The following [Ministerial directive of 23 May 2000](#) states the authorisation criteria for the activities of filiations of foreign universities and higher education institutions in Italy. Among the documents to be submitted to the Ministry for Universities and Research, the Ministry of the Interior, and the Ministry of Foreign Affairs are: copy of the institution's charter, copy of the institution's act deliberating the establishment of a filiation in Italy, copy of the last financial statement, list of the programmes taught in the university in the home country and the subjects intended to be taught in Italy.

As previously mentioned, [law n. 148 of 2002](#) incorporates the LRC within the Italian law system. [Art.4²³](#) establishes that article VI.5 of the Convention is regulated by further ministerial regulation.

Types of TNE institutions operating in the country

The following types of TNE institutions operate in Italy:

- Branch campuses.
- Filiations (regulated by [Law n.4 of 14 January 1999](#))²⁴.
- Off-shore institutions.
- Multinational corporate universities.
- Distance learning universities (regulated by Ministerial decree 17 April 2003).

²³ [Ibid.](#) art.4

²⁴ [Ibid.](#)

List of TNE institutions available

The list of TNE institutions operating in Italy is available online: “Italy and transnational education” (2004). An example of international institution operating in Italy is the European University Institute – EUI²⁵.

Good practices

The Ministerial Decree n. 214 of 26 April 2004²⁶ represents a good practice of the implementation of the article VI.5²⁷ of the LRC in Italy, setting the criteria for the establishment of foreign higher education institutions within the Italian territory. As stated above, the institution and its programmes must be accredited/recognised in the educational system of reference, and at the same time, must fulfill specific requirements checked by Italian institutions. This is meant to ensure the recognition of qualifications awarded by TNE institutions in Italy.

²⁵ More information on Italy country profile in the ENIC-NARIC website: <https://www.enic-naric.net/italy.aspx>

²⁶ [Ibid.](#)

²⁷ [Ibid.](#) art. VI.5



Portugal

Policy context

Regarding higher education in Portugal, TNE are not allowed especially while operating in a franchise mode ([Lei n.º 46/86, de 14 de outubro](#)), therefore all Higher Education institutions and/or any type of higher formations provided must be recognized and accredited by the competent authorities. For an higher education institution to operate in Portugal must be recognized by a specific law, their degrees approved by the Agência de Avaliação e Acreditação do Ensino Superior ([A3ES](#)) and registered in Direção-Geral do Ensino Superior ([DGES](#)). Any institution operating outside of that context, without the legally mandatory recognition, their degrees or their formations are not official degrees within the structure of the Portuguese higher education system. At the moment, it is not allowed to foreign Higher Education institutions to settle into Portuguese territory and award degrees according to a foreign Higher Education System. The same applies for Portuguese Institutions that operate abroad. In the eventuality of their existence, their degrees and diplomas awarded will have no effect in Portugal and cannot be linked to the Portuguese higher education system.

Types of TNE institutions operating in the country

It must be mentioned that the only exception made is to the European University Institute that works has an International HE Institutions or an institution which do not officially belong to any national higher education system. In Portugal there is specific paragraph in the Decree-Law 66/2018 that automatically recognises the diplomas and degrees issued by them.

Recognition of qualifications issued by TNE institutions

The same is applicable when we think of the recognition procedure in Portugal regulated by the [Decreto-Lei 66/2018](#) where franchise degrees are not eligible for recognition. It is mandatory for the Automatic recognition, or for any other type of recognition, that the foreign institution is recognized by the competent authorities of the foreign country and that the degree awarded is linked to the official system of higher education of the same country. If a degree

is presented has part of a franchise institution the following, at first, will not be considered for evaluation. Nevertheless, the Portuguese legislation is straightforward in the matter of automatic recognition for joint degrees while having, or not, a Portuguese institution on the consortium. So joint degrees and international partnerships of higher education formations between recognized higher education institutions will always be eligible for recognition. There is also a specific legislation - [Decreto-Lei n.º 67/2005](#) - for the recognition of Erasmus Mundus degrees that allows the circulation of foreign degrees in Portugal with no need of double certification.



Slovenia

Policy context

Slovenia understands TNE in line with the LRC and its Supplementary act Code of good practice in the provision of transnational education. Especially with the principle that transnational arrangements should comply with the national legislation in both, receiving and sending countries.

The Higher Education Act (33. article c) [Zakon o visokem šolstvu \(ZVis\) \(pisrs.si\)](#) defines and explains TNE as follows:

“The term “transnational higher education” pursuant to this Act shall mean all forms and methods of higher education in which an officially recognised study programme is carried out entirely or in part in a country other than that in which the institution responsible for the higher education programme has its registered office.

In the Republic of Slovenia, transnational higher education may be carried out or organised on the basis of a contract between a higher education institution accredited in the Republic of Slovenia and a foreign higher education institution carrying out officially recognised study programmes and issuing public documents in the country in which it has been established.

In the Republic of Slovenia, transnational higher education programmes may also be carried out by a foreign higher education institution or other foreign institution if the competent authorities of the country where the institution responsible for the higher education programme has its registered office recognise that if a transnational higher education programme is carried out the institution responsible for that programme and the programme itself are part of their higher education system, which shall be verified by the Slovenian Quality Assurance Agency for Higher Education before the transnational education programme is carried out.

Higher education institutions accredited in the Republic of Slovenia in accordance with this Act may carry out transnational higher education abroad on the basis of a contract with an appropriate higher education institution abroad and may award Slovenian public documents.

The detailed conditions, methods and forms of transnational higher education, the compulsory elements of a contract on the provision of transnational higher education referred to in paragraphs two and four of this article, and the method for determining whether the conditions referred to in paragraph three of this article have been fulfilled shall be determined by the Slovenian Quality Assurance Agency for Higher Education.

A document certifying the completion of transnational higher education carried out in the Republic of Slovenia as a part of the foreign higher education system shall be considered a foreign document and shall be subject to the procedure for the evaluation or recognition of education in the Republic of Slovenia.”

Types of TNE institutions operating in the country

In Slovenia operate and were operating the following types of TNE institutions:

- Franchised institution
- Branch campus

The detailed conditions, methods and the compulsory elements of a contract are determined by the Slovenian Quality Assurance Agency for Higher Education (SQAA-NAKVIS), which is also responsible for maintaining a public record of transnational education. Further details on transnational education with contract and past collaborations with contract can be found at Javna evidenca visokošolskega transnacionalnega izobraževanja – VTI, only in Slovene:

[Javne evidence | NAKVIS](#)

Recognition of higher education qualifications issued by TNE institutions

Recognition of higher education qualifications issued by foreign universities operating in the Slovenian territory is also in line with the LRC and its Subsidiary Text – Code of good practice in the provision of TNE. Slovenia ratified the LRC in 1999 with Act Ratifying the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Official Gazette 45/1999).

By applying LRC and its Subsidiary Text, Slovenia regulates recognition of higher education qualifications by [The Assessment and Recognition of Education Act - Zakon o vrednotenju in priznavanju izobraževanja](#) (Official Gazette 87/2011, 97/2011 and 109/2012).

In accordance with the previously mentioned legal framework, recognition of higher education qualifications issued by foreign universities operating in the Slovenian territory is carried out case by case.

List of TNE institutions available

Web page of SQAA-NAKVIS also contains informative list of transnational education without contract (Seznam izvajanja VTI brez pogodbe), only in Slovene: [VTI, Skupni študijski programi | NAKVIS](#)

On the level of short-cycle higher vocational (tertiary) education transnational education is not especially defined in the legislation. Nevertheless, Slovene short-cycle higher vocational (tertiary) institutions can have dislocated units abroad and joint programmes among Slovene and foreign institutions are allowed.



Spain

Policy context

Transnational education is regulated in Spain by [the Organic Law, 2/2023, of 22nd of March](#), which is the legal framework for Higher Education in the Spanish Education system.

Article 10 indicates that the Government, after consent of the University Council (Consejo de Universidades), is responsible for international degrees and studies accreditation. The processes for the recognition of foreign qualifications are regulated by [Royal Decree 889/2022, of 18th of October](#). The recognition process must be in line with European Higher Education Area principles, and in accordance with the Lisbon Recognition Convention.

Another goal included in the above-mentioned Law is the internationalization of the universities. As stated in article 23, universities in Spain will foster the internationalization of instruction, research, professional development, staff, and study programs. The Ministry of Universities, alongside the autonomous regions and the universities, will articulate the necessary steps to promote the internationalization of their educational system.

The Public Administrations and the universities in Spain will facilitate the implementation of interuniversity bonds as well as the participation in international projects in collaboration with Higher Education institutions from foreign countries.

The universities in Spain will encourage the internationalization of their study plans, and official and non-official degrees throughout the implementation of joint degrees and programs.

Article 29 of the Organic Law 2/2023 authorizes the universities to create overseas institutions, which can act as internationalization catalysts of the Spanish Universities, in collaboration with the State Foreign Service, according to their regulation. The foundation and suppression of university institutions abroad is competence of the Government Council of the university

and must be approved by the autonomous region, after a positive report issued by the Ministry of Universities and the Ministry of Foreign Affairs, European Union, and Cooperation.

The [Spanish Service for the Internationalization of Education](#) (SEPIE) plays a pivotal role in promoting and supporting internationalization of the Higher Education. Since 2015 SEPIE has also been responsible for the promotion of Spanish universities overseas.

Types of TNE institutions operating in the country

The [National Agency for Quality Assessment and Accreditation](#) (ANECA) notes that Spain has 84 universities (50 public, 34 private) and that almost all of them are engaged in TNE (either as participants or providers), mainly through distance learning, joint programs or double degrees. Authorised foreign centers can be found in the [Register of Universities Centers and Diplomas](#) (RUCT in Spanish).

The process for accrediting new programs (or new HEIs) can be complex, involving national and regional accreditation. Quality assurance for bachelors, master's and doctoral degrees is similarly complex, involving three stages undertaken by ANECA and 10 regional quality assurance agencies. Qualifications obtained through TNE programmes offered in Spain can be recognized, providing that they are from fully accredited teaching entities of foreign universities.

When talking about transnational education at a higher education level, we must refer also to the European Universities. This is a proposal of the Commission for the creation of a *European Education Area* by 2025 within the *European Universities Initiative*, and the *European Strategy for Universities* which is supported by the Erasmus + call. At present there is a total of 44 European Universities alliances involving 430 higher education institutions in 35 countries. Spain participates with 31 Spanish universities.

Regarding the types of TNE institutions operating in Spain we can classify them into:

- Branch campuses
- Franchise Institutions/Programmes
- International HE Institutions

Recognition of qualifications issued by TNE institutions

Higher Education qualifications obtained in TNE centres need to be recognized by one of the processes of recognition regulated in Royal Decree 889/2022, to get professional or/and academic rights in Spain. This regulation also reconfirms the status of the four-year (240 European Credit Transfer System (ECTS) credit) undergraduate degree system and recognition of degrees by foreign universities that have signed an agreement with Spain, three-year (180 ECTS credit) degrees from countries within EHEA fall into this category, too.

List of TNE institutions available

The list of TNE institutions operating in Spain is not available on-line, however, some of these higher education centres have already been included in the [Register of Universities, Centres and Diplomas \(RUCT\)](#). The RUCT is a free open online tool that is constantly updated, and the foreign centres already included can be found under the authorized centres of their corresponding autonomous region.

TNE that have been authorised to provide their degrees are registered in the registers of the autonomous regions. Their status can be checked in many cases in the Register on non University Centers RCD in Spanish [Buscar centros docentes no universitarios | Ministerio de Educación, Formación Profesional y Deportes \(educacionyfp.gob.es\)](#).

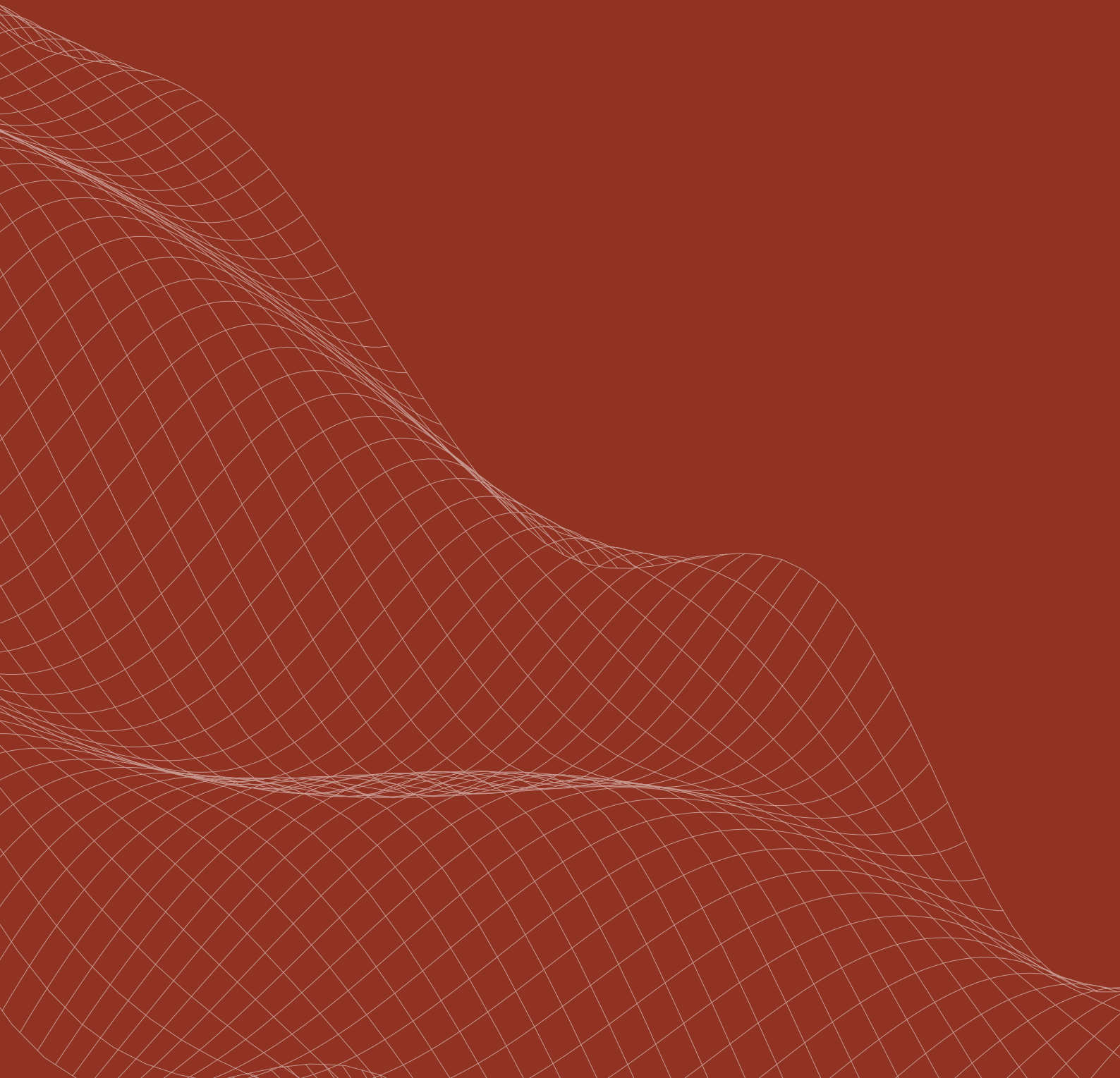
Country	National legislation	Status of the institution
Croatia	<p>There is no specific legislation on TNE, but the topic is regulated by legal texts dealing with:</p> <p>QUALITY ASSURANCE</p> <ul style="list-style-type: none"> ○ Act on Higher Education and Scientific Activity (Art. 64), 2022 ○ Act on Quality Assurance in Higher Education and Science (Art. 16), 2022 <p>LRC RATIFICATION LAW</p> <ul style="list-style-type: none"> ○ Law on Ratification of the Convention on the recognition of the Higher Education qualifications in Europe, 2002 ○ Act on Recognition and Assessment of Foreign Educational Qualifications, 2022 	<ul style="list-style-type: none"> ○ Join studies shall be accredited before the Agency or another international accreditation agency in the EU which is registered in EQAR. ○ Compliance with procedures and standards defined by the European Approach for Quality Assurance of Joint Programmes.
France	<p>There is no specific decree or law allowing foreign institutions to operate in France in a general sense, but there are several agreements signed between institutions.</p> <p>LRC RATIFICATION LAW</p> <ul style="list-style-type: none"> ○ Decret n°2000-941 du 18 septembre 2000 	<ul style="list-style-type: none"> ○ Official recognition within the foreign reference system. ○ Entry requirements and qualification validation procedures should closely correspond to those practiced by institutions operating in France. ○ Institutions offering TNE programmes must satisfy specific benchmarks evaluated by French establishment.
Greece	<ul style="list-style-type: none"> ○ A legislation about the establishment and operation of Non-State-Non-Profit universities in Greece is in the drafting process 	<ul style="list-style-type: none"> ○ N/A
Italy	<p>The Article VI.5 of LRC is implemented at the national level through the:</p> <ul style="list-style-type: none"> ○ Ministerial Decree n. 214 of 26 April 2004 ○ Law n. 4 of 14 January 1999 and Ministerial directive of 23 May 2000 <p>LRC RATIFICATION LAW</p> <ul style="list-style-type: none"> ○ Law n. 148 of 11 July 2002 	<ul style="list-style-type: none"> ○ Institution and its programmes must be fully officially recognised in the foreign reference system. ○ The access criteria and the recognition of qualifications completely in line with those of the institutions operating in the foreign system. ○ Requirements for the teaching staff, and the structures identified for carrying out teaching activities must be adequate for the purpose.
Portugal	<ul style="list-style-type: none"> ○ Lei n.º 46/86, de 14 de outubro ○ Decreto-Lei 66/2018 	<p>N/A</p>

	Types of institutions	Available list
	<ul style="list-style-type: none"> ○ Branch campuses 	<p>HIGHER EDUCATION There is not a specific list of TNE programmes offered in Croatia, but there is an available lists of accredited higher education institutions and study programmes, which can be found on the website of the Directory of Study Programmes</p>
	<p>TNE INSTITUTIONS IN FRANCE:</p> <ul style="list-style-type: none"> ○ Partner HEI ○ Foreign campuses ○ Branches or Institutes ○ Private Foreign Institutions ○ Bilateral Agreements <p>FRENCH SCHOOLS ABROAD:</p> <ul style="list-style-type: none"> ○ Franchises ○ International Branch campuses ○ Joint ventures ○ Decentralised programmes ○ Distance learning 	<p>HIGHER EDUCATION No list available.</p> <p>The list of French institutions operating abroad is available online: Implantation of French Higher Education Institutions abroad (campusfrance.org).</p>
	<ul style="list-style-type: none"> ○ Franchised institutions ("Colleges") 	<p>A complete list of colleges can be found at this link.</p>
	<ul style="list-style-type: none"> ○ Branch campuses ○ Filiations ○ Off-shore institutions ○ Multinational corporate universities ○ Distance learning universities 	<p>HIGHER EDUCATION A list of institutions offering TNE programmes in Italy is available at this link.</p>
	<ul style="list-style-type: none"> ○ Institutions offering TNE programmes are banned in Portugal ○ The only exception is represented by the European University Institute 	<p>No list available</p>

Country	National legislation	Status of the institution
Slovenia	<ul style="list-style-type: none"> ○ The Higher Education Act (33. Article c). ○ Implementation of International Education Programmes Act. ○ Slovenia ratified the LRC in 1999 with Act Ratifying the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Official Gazette 45/1999). ○ Slovenia regulates recognition of higher education qualifications by The Assessment and Recognition of Education Act - Zakon o vrednotenju in priznavanju izobraževanja (Official Gazette 87/2011, 97/2011 and 109/2012). 	<ul style="list-style-type: none"> ○ Transnational higher education may be carried out on the basis of a contract between a domestic accredited higher education institution and a foreign higher education institution carrying out officially recognised study programmes and issuing public documents in the country in which it has been established (conditions, methods, form of TNE and elements of contracts are determined by Slovenian Quality Assurance Agency for Higher Education). ○ Transnational higher education programmes may also be carried out by a foreign higher education institution or other foreign institution if the competent authorities of the reference country recognise that the institution responsible for that programme and the programme itself are part of their higher education system, which shall be verified by the Slovenian Quality Assurance Agency for Higher Education. ○ International programmes status of institution is important for recognition and assessment of education procedure; for entry of international programmes into the register the status of the institution is important in the cases of International Organization of the European School, based in Brussels ("EB Program") and International Baccalaureate Office in Geneva (the IB program).
Spain	<p>TNE is regulated in Spain by the:</p> <ul style="list-style-type: none"> ○ Organic Law, 2/2023, of 22nd of March <p>The processes for the recognition of foreign qualifications are regulated by:</p> <ul style="list-style-type: none"> ○ Royal Decree 889/2022, of 18th of October. 	<ul style="list-style-type: none"> ○ Article 29 of the Organic Law 2/2023 authorizes the universities to create overseas institutions, which can act as internationalization catalysts of the Spanish Universities, in collaboration with the State Foreign Service, according to their regulation. ○ The Spanish Service for the Internationalization of Education (SEPIE) plays a pivotal role in promoting and supporting internationalization of the Higher Education.

	Types of institutions	Available list
	<ul style="list-style-type: none"> ○ Franchised institutions ○ Branch campuses 	<ul style="list-style-type: none"> ○ Transnational education with contract and past collaborations with contract can be found at Javna evidenca visokošolskega transnacionalnega izobraževanja – VTI, only in Slovene: Javne evidence NAKVIS ○ Informative list of transnational education without contract (Seznam izvajanja VTI brez pogodbe), only in Slovene: VTI, Skupni študijski programi NAKVIS
	<ul style="list-style-type: none"> ○ Branch campuses ○ Franchise Institutions/Programmes ○ International HE Institutions 	<p>The list of TNE institutions operating in Spain is not available on-line, however, authorised foreign centers can be found in the Register of Universities Centers and Diplomas (RUCT in Spanish).</p>

CONCLUSIONS



“The “matching” articles IV.9 and VI.5 of the LRC require that recognition of qualifications issued by foreign educational/higher education institutions operating in a country different from the one they are located may be made contingent upon specific requirements. The 2007 Revised Code of Good Practice stresses the importance of focusing on the quality assurance and evaluation of programmes provided and qualifications issued. This is also meant to ensure transparency towards citizens who should have clear indications on the recognisability of the qualifications issued by the various types of TNE institutions.”²⁸

As stated in the previous publication “[Transnational Education in 4 countries of the Adriatic Region](#)”, developed within the AdReN project, the policy framework regarding institutions offering TNE programmes is variegated, and each country at the national level has different governance on the topic.

Data collected by each country give a broader overview about the status of transnational education, comprehensive of the governance structure, the policies in place and the context of foreign institutions operating at the national level. ENIC-NARIC centres from the countries involved in the analysis also contributed by giving input on how the recognition of qualifications issued by institutions offering transnational education programmes is done and, where possible, including the list of TNE institutions operating in the national context.

²⁸ CIMEA, Transnational education in 4 countries of the Adriatic region. Regulation, quality assurance and information provision, 2022. URL: <https://www.adren.info/wp-content/uploads/2022/05/Pubblicazione-TNE.pdf>

The variety in place between the countries involved in the study can be summarised on the level of legislation, types of institutions offering TNE, accreditation procedures.

Regarding **legislation**, all countries have regulations of TNE deriving from the implementation of the Lisbon Recognition Convention, set by the ratification laws of the Lisbon Recognition Convention. The only exception is represented by Italy, where the criteria and procedures for the international higher education institutions operating in Italy is regulated by the **Ministerial Decree n. 214 of 26 April 2004**.

Also concerning the **types of institutions** providing TNE programmes, the overall picture is variegated, with countries which have only one type of TNE at national level (e.g. Branch campuses in Croatia or franchised institutions in Greece), or mixed (as in the rest of countries involved in the research).

As far as **accreditation procedures** are concerned, in all countries they are set in line with the accreditation procedures established for the higher education institutions in the national system, and in line with the principles stated in the Revised Code of Good Practice in the provision of Transnational Education.

Quality assurance is, together with information on the status and recognition of the TNE institutions, a fundamental aspect for a qualification issued by such institutions to be recognised for the purposes of access to further studies or professional reasons. As a matter of fact, in all the countries involved in the study, foreign institutions and/or their programmes must be recognised in the hosting country, in order to offer recognisable qualifications.

This publication is focused on transnational education in higher education. The phenomenon of TNE in upper secondary school, whose dimensions are increasing, is object to specific regulation in some of the countries participating in the analysis. Nevertheless, the context is characterised by a certain complexity, linked to the different situations in place and related to the different approach used by competent authorities in finding regulatory measures, where this is the case.

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Developed by:

CIMEA, ENIC NARIC Italy (coordinator)

Agency for Science and Higher Education (ASHE), ENIC NARIC Croatia

France Education International (FEI), ENIC NARIC France

Ministerio de Ciencia, Innovación y Universidades, NARIC Spain

Direção-Geral do Ensino Superior (DGES), ENIC NARIC Portugal

In collaboration with:

Associazione Professionale Italiana dei Credential Evaluator (APICE)

University of Naples Federico II

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Hellenic National Recognition and Information Centre (DOATAP), NARIC Greece

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Partners:



Third parties:



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