

Abstract

This contribution is a strong plea for approaches in quality assessment and accreditation, which honour diversity and promote innovation and creativity in higher education.

For many reasons, accreditation has become an important issue for higher education, which has occurred during a period in which there has been a major shift in values. Higher education, always considered primarily a public good, is increasingly being transformed into a predominantly private good; a commodity that could be subject to trade rules. Basic questions should be answered before any action is taken in this field. Accreditation for what purpose and for which qualities? Who will be the gatekeepers of the system and what will be their criteria?

The implications of the concepts of quality and of accreditation, and the methods adopted in this field, will produce consequences not only at economic and financial levels but also in terms of the cultural, social and political life of institutions and nations. In 1998, during the World Conference on Higher Education (WCHE, UNESCO, Paris), a consensus was reached and the idea of evaluation was accepted, based on the general acceptance that quality in higher education is multidimensional. The WCHE favoured a system in which quality and relevance should go hand in hand. Since then, accreditation, a method already used for a long time in some countries, in particular the United States, was added more prominently to the international agenda.

The concept of quality is crucial here. A proposal of the WCHE, requesting institutions of higher education to define or redefine their missions together with society, could serve to help create the necessary conditions for appropriate evaluations, by comparing what the institutions actually achieve with what the society as a whole expects from them. Standards could be defined through this mechanism instead of using models that do not relate to the cultural environment of institutions or the specific needs of society. These standards should guarantee appropriate quality, while at the same time enhancing diversity, innovation and creativity.

Three interconnected processes are under way on the international scene at present,

which have a direct impact on the organization of higher education institutions and the way accreditation systems will be organized. They are the Bologna Declaration, the definition of guidelines for the establishment of a system of accreditation at the international level, and the increasing presence of the World Trade Organization also with regard to higher education since 1995.

The Bologna Declaration is a successful process to create a European space of higher education. Originally, it was a policy statement that now represents a kind of agreement among more than 30 European countries. One pertinent question, here, is whether a new methodology is becoming routine at the international level. It takes a long time to finalize a treaty, and the same applies to normative instruments. The elaboration of a declaration by a selected group of ministers or experts seems to be much easier.

This apparently happened with the Bologna Declaration, and the same might occur with the guidelines for quality provision in cross-border higher education, adopted in December 2005 by the OECD Council. The UNESCO General Conference (October 2005) among other things took note 'that the Director General plans to issue the Guidelines (only) as a Secretariat Document'. The International Association of Universities (IAU) and 35 other institutions launched another document, giving more importance to relevance in this process. For the purpose of ensuring accreditation, regions are being actively encouraged to revise UNESCO's normative instruments on the recognition of studies and diplomas. If the reforms are undertaken, it is essential that they take into consideration the diversity of systems in relation to the relevance of higher education in their respective societies.

Finally, it is necessary to look once again at the WTO and at the GATS – the General Agreement on Trade in Services – approved in 1994. The GATS raises a number of questions of principle. Concerns are expressed, in particular, with regard to its provisions in the clauses linked to the most favoured nations, national treatment, and recognition and accreditation.

All this brings us, in our view, to the need for

1.3 INSTITUTIONAL AND POLITICAL CHALLENGES OF ACCREDITATION AT THE INTERNATIONAL LEVEL

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reinforcing higher education as a public good, which is based on three principles: equality, continuity and adaptability. For this, the WCHE in 1998 established a courageous framework. When implemented properly, this will help higher education to truly contribute, in all countries, to a better future for all.

INTRODUCTION

Accreditation has become a major issue for higher education over the past few years. The reasons are well known: the development of new technologies, progress in distance and virtual education, multiplication of new providers, attempts to generalize the transformation of education into a commodity, internationalization of higher education¹ and, as a consequence of all these factors, the need for trustworthy systems to ensure the quality and relevance of institutions and programmes. Measures at the national, regional or international levels are presented as being justified in order to ensure quality and protect countries and students from ‘bad educational products’ and from fraudulent providers of educational services.

The accreditation systems are also considered as an instrument for allowing higher education to face transformations in the economy, society and civilization, which can, in many aspects, be considered to be more important than the changes that occurred in the world during the Industrial Revolution. The cornerstone of this evolution is knowledge. The creation of knowledge and the way it is handled, as well as the control of information, are crucial tools for developed countries to achieve and consolidate their power in a globalized world. Knowledge creation, dissemination and application, however, are also crucial to safeguard the future of developing countries.

In the economic area today, the fundamental difference is between who conceives the products and their production. The conception is directly linked to research and development based on science and on theoretical knowledge codification. As higher education is where research is undertaken and where researchers graduate, achieving the appropriate quality standards appears to be essential. This was reflected in the Declaration adopted in Paris by the participants in the World Conference on Higher Education (October 1998), the Preamble of which states:

... owing to the scope and pace of change, society has become increasingly knowledge-based so that higher learning and research now act as essential components of cultural, socioeconomic and environmentally sustainable development of individuals, communities and nations.

This evolution favoured a shift in values. Solidarity tends to disappear. Competition is paramount. Social, spiritual and collective values risk being replaced by commercial, materialistic and individual values and behaviour. As one Dutch expert, Chris Lorenz, mentioned recently in Oxford:

The notion of the ‘knowledge economy’ does not at root mean the restructuring of the economy on the basis of scientific knowledge. On the contrary, it means that the domain of knowledge production is being ‘economized’: the ‘homo academicus’ is now to be modelled after ‘homo economicus’. In comparison with the traditional Enlightenment view, the relationship between science and the economy is no longer represented as the domain in which science demonstrates its applied success, based on its truth; rather the economy is treated as the domain which determines whether ‘intellectual production’ is to be regarded as making a scientific contribution (or not). The economy now plays the role of legitimizing scientific activity, or of disqualifying it as ‘unprofitable’.

Since it is in this context that accreditation started to be treated as a pressing matter, it is not difficult to understand that there are many reasons why important and basic questions are being raised on this subject. We must make increasingly clear what we want to exactly achieve. Accreditation for what? For which qualities? What kind of qualities do we really want, who will be the gatekeepers of the system, what will be their criteria? These types of questions must be specified and answered before any serious decisions can be made (see also Ginkel, 2006).

The implications of the concepts of accreditation and of adopted methods in this field are not neutral and will produce consequences not only at the economic and financial levels but also and particularly in terms of the social, cultural and political life of institutions and nations. Many analysts consider that these methods reflect frequently a concept of world society in which the people in the developing countries are seen as passive receivers rather than as active partners. This is reinforced by the feeling that the policies adopted in rich countries tend to be oriented to keep for themselves the role of exporting know-how – whenever this is convenient for them – and maintaining the dependent status of developing nations in the production of knowledge and technology.

These analyses are not new and similar statements were made in the recent past regarding evaluation, when threats against university autonomy and academic freedom were frequently identified. A well-known Latin American

expert, José Dias Sobrinho, used to say that evaluation implies a concept of the world. This was also the opinion of a graduate sociologist from the Catholic University of Louvain, Nair Costa Muls, when she stated in 1993:

Evaluation is not neutral. There is no evaluation for evaluation. The evaluation represents always a questioning having as reference a project previously defined. Consequently, there is no unique and universal definition of what is evaluation, neither of the underlying concept of quality.

These questions were also central to the discussions held during the preparations for the WCHE (World Conference on Higher Education) that took place in Paris in UNESCO in 1998. During several decades, UNESCO and other international organizations, even if they had different objectives and targets, campaigned in favour of evaluation to improve quality and relevance, and to increase accountability with regard to society as a whole in each and every country. They were successful in this campaign.

A MULTIDIMENSIONAL CONCEPT

It was in fact a long road towards the 1998 consensus, in which participants in the WCHE stated:

quality in higher education is a multidimensional concept, which should embrace all its functions, and activities: teaching and academic programmes, research and scholarship, staffing, students, buildings, facilities, equipments, services to the community and the academic environment. Internal self-evaluation and external review conducted openly by independent specialists, if possible with international expertise, are vital for enhancing quality. Independent national bodies should be established and comparative standards of quality, recognized at international level, should be defined. Due attention should be paid to specific institutional, national and regional contexts in order to take into account diversity and to avoid uniformity. Stakeholders should be an integral part of the institutional evaluation process. (Article 11(a) of the *World Declaration on Higher Education for the Twenty-first Century: Vision and Action* – UNESCO, Paris 1998)

At that time – 1998 – the idea of evaluation was accepted by consensus. The assessment of higher education institutions became one of the vital elements of

higher education analyses and policies everywhere. Questions on how to assess, assure and improve quality became universal. Important segments of the academic community accepted the idea of evaluation as an instrument for maintaining and reinforcing quality, relevance and accountability, but without losing autonomy and freedom. Many experts and institutions also reacted against the use of evaluation as an instrument for sanctions.

Since then, accreditation procedures (a common practice in the United States for several decades now), in addition to internal and external evaluation, were added more intensively at international level to the methods used for achieving quality and relevance. But new controversies and divergences emerged immediately, this time on standards to be used as benchmarks for defining and identifying the quality of higher education institutions and programmes. In addition, the concept was not always very clear. A definition was given in the *Encyclopaedia of Higher Education* edited by Burton Clark and Guy Neave, with the International Association of Universities (IAU, Paris), in 1992, when C. Adelman stated:

Accreditation refers to a process of quality control and assurance in higher education, whereby, as a result of inspection or assessment, or both, an institution or its programmes are recognized as meeting minimum acceptable standards.

The same author informs us that by 1979, there were nine purposes of quality assurance in United States:

1. certifying that an institution has met established standards;
2. assisting prospective students in identifying acceptable institutions;
3. assisting institutions in determining the acceptability of transfer credits;
4. helping to identify institutions and programmes to apply for the investment of private funds;
5. protecting institutions against harmful internal and external pressures;
6. creating goals for self-improvement of all programmes and stimulating a general raising of standards among educational institutions;
7. involving the faculty and staff comprehensively in institutional evaluation and planning;
8. establishing criteria for professional certification and licensure, and upgrading courses offering such preparations (although only partly through accreditation);
9. providing one of several considerations used as bases for determining eligibility for federal assistance.

Accreditation – it must be emphasised – should be seen as the method for evaluating the quality and relevance of higher education institution or of a specific programme, allowing for its recognition within an existing (specified) system of higher education.

At present, the literature on quality assessment and accreditation is enormous. Mention is made to standards and accountability, the differences in institutional accreditation, the nature of the processes (voluntary or compulsory), and its legal organization (private or public, profit or non-profit). In this paper, we can only mention a few of the documents on this subject and technical questions will not be treated.

The dominant concept among participants in the World Conference on Higher Education, in 1998, favoured what Gudmund Hernes and Michaela Martin called ‘fitness for purpose’ (a terminology already adopted by the British scholar Christopher Ball in 1985) against what they defined as the ‘standard-based approach’. *In the fitness-for-purpose approach, an accreditation system should provide elements to analyse the quality of the institution’s performance and relevance in accomplishing its missions.* In the standard-based approach, detailed standards, frequently following foreign experience, are used to define the quality of an institution or programme.

According to the concept resulting from discussions at the WCHE, higher education must serve society’s needs and development goals and base its long-term orientation on societal aims and requirements, including respect for cultures and environmental protection. For this purpose, ‘higher education should reinforce its role of providing a service to society, especially its activities aimed at eliminating poverty, intolerance, violence, illiteracy, hunger, environmental degradation and disease, mainly through an interdisciplinary and cross-disciplinary approach in the analysis of problems and issues’ (Article 6(b) of the above-mentioned Declaration).

These duties, in a certain way, were renewed by the United Nations, with the definition, in September 2000, of the objectives of the millennium (the Millennium Development Goals), to:

1. Eradicate extreme poverty and hunger.
2. Achieve universal primary education.
3. Promote gender equality and the empowerment of women.
4. Reduce child mortality.
5. Improve maternal health.
6. Prevent HIV/AIDS, malaria and other diseases.
7. Ensure environmental sustainability.
8. Develop a global partnership for development.

The participation of higher education institutions in reaching these objectives could at present help to assess whether an institution is relevant. However, this is not the dominant approach today, particularly within international organizations. The winds of change, since the beginning of the 1990s, coinciding with the application of the principles of the ‘Washington Consensus’ (opening up of economies, structural adjustment, elimination of inflation and public deficit, privatization), conceived in 1990 by the English economist John Williamson, are oriented towards the adoption of principles for, and standards of, excellence as an instrument for achieving quality with no priorities for the links to relevance. This orientation was reinforced with the adoption of the Global Agreement on Trade in Services (GATS) in 1994 and the creation of the World Trade Organization (WTO) in 1995.

In the field of higher education, the application of the Washington Consensus brought about more intensively proposals such as encouraging a reduction in state participation in social expenses; decreasing the volume of public investments in higher education; stimulating the development of private education as an equity instrument; giving priority to commercial aspects rather than to educational considerations; and accepting higher education as a commercial good regulated according to principles established by the WTO.

In the developed world, but also in some emerging countries, a process of schizophrenia is affecting a significant number of public higher education institutions. Internally, in the countries where they are based, they need to be considered as public institutions delivering public goods, but at international level, in particular in their relationship with the institutions of the developing world, they serve as providers of commercial services and give absolute priority to financial benefits, instead of acting in a spirit of solidarity by sharing knowledge. Instead of cooperation the watchword is competition.

The certification of quality has now become more complex and involves more directly values that are not of an academic nature. This reality has provoked some caustic comments from Guy Neave, the editor of the *International Association of Universities* bulletin 4(1), February 1993). After stating that ‘quality’ has now been added to the ‘Gladstone bag of universal problems’ and mentioning that ‘academia finds itself beset by a growing and often cacophonous crowd of “quality assurers”’, he concluded:

the issue behind quality has very little to do with ‘quality’ per se. It has to do with who sets the criteria involved in its definition and from these to the question of control over the heart of the academic enterprise is but a short step.

The value and strength of higher education resides in its worldwide diversity. This is why the World Conference on Higher Education (WCHE) in 1998, highlighted the function of independent national bodies in evaluation exercises and requested that ‘due attention should be paid to specific institutional, national and regional contexts in order to take into account diversity and to avoid uniformity’ – and also that ‘stakeholders should be an integral part of the institutional evaluation process’ (UNESCO, 1998).

It is not without reason that UNESCO’s Regional Conventions on the Recognition of studies, diplomas and degrees (the first one for Latin America and the Caribbean was adopted on 19 July 1974) underline the wealth and diversity of national systems of higher education as a key asset, which must be preserved and further promoted. The quality and relevance of higher education institutions, together with their programmes and diplomas, cannot be judged in terms of given models, however perfect they may seem. They must ultimately be assessed within a particular context, and at a given time. Quality cannot be derived from a universal model, and it cannot emerge only from theory and abstraction or, following present attempts towards commercialization, have response to market interests as its main criteria. Quality is the result of a series of actions responding to precise social needs at a very specific moment. Real quality is *hic et nunc* (here and now), it exists in specific contexts.

The regional conventions were realistic but progressive instruments. Member states realized that the former process of equivalence could not be employed because, as René Ochs, the former Director of Higher Education at UNESCO (until 1981) emphasized, ‘*equivalence stated in terms of perfect correlation of contents, duration and quality of studies is obviously rare, given the diversity existing from one country to another*’. In fact, the majority of member states considered that equivalence was impossible to assess because of the widely differing needs, structures and contents in higher education, and this was the reason for the use of the term recognition, which was considered to be more appropriate.

It may seem obvious that cross-border educational services require multinational regulatory mechanisms to maintain an appropriate level of quality and relevance (calculations for a bridge, for example, are the same everywhere) but the regulations and their application will always be controlled by a person or an institution. UNESCO’s Regional Conventions, completed by an international recommendation (1993), offer a framework for dialogue and concertation with member states. There is a need to update the terms of reference and the reforms in its

application methods. They provide, however, if they are able to keep their commitments to respecting the cultural diversity of countries and systems, a better point of departure than rigid and strict agreements with no room for adaptations, or guidelines elaborated essentially on the basis of the experiences and models of the developed world.

At present, there is silence on these principles, and mechanisms are foreseen for defining quality more as a basis for equivalences than for recognition. During this period characterized by the commercialization of education, they can also serve trade more than providing a service to their community.

DEFINITIONS OF QUALITY

And here we face the main difficulty concerning accreditation. What, precisely, is quality? There are no clear definitions either on quality or on the related concept of excellence and a lot of subjectivism exists in this area. Definitions are frequently a ‘tautology’ or they describe a situation related to some specific cultures.

In fact, the apparent objectivity of many statements and presentations on methods for achieving quality is unable to solve this basic question. And this is not new. In opening a symposium on quality of higher education in Latin America at the Universidad de Los Andes (Bogota, July 1985), the former Minister of Education of Colombia, Ms. Doris Eder de Zambrano, emphasized that ‘Quality is a diffuse term, as beauty or goodness, which is conducive to multiplying definitions, and which is felt or perceived in absolutely different ways by different groups or individuals. Factors derived from the needs of each group and from its expectations regarding the role of education contribute to this perception’.

One Indian expert, who has lived in Europe for decades, Bikas C. Sanyal, when dealing with this question in 1992, felt it necessary to look up the Webster’s Third International Dictionary, where he found that excellence is defined as ‘the state of possessing good qualities in an eminent degree’, and quality is defined as ‘the degree of conformance to a standard’.

In this definition, conformity with standards appears to be an instrument for identifying quality. Going further, and quoting Charles F. Carter, Bikas Sanyal (1992) added, that ‘excellence in a higher education system would mean that the system possesses the characteristics of conforming to standards in an eminent degree, that is, to what extent the programme has achieved the desired outcomes. This leads to the identification of the desired outcomes or objectives of a higher education system.’ A clearer state-

ment than this would be impossible to find ... but the questions that remain without clarification are again the same ones: What are the standards? What are their foundations? Who defines them? Where do they come from? Beyond this, the issue here is that quality in higher education cannot be seen as 'conformity to a standard', as higher education is supposed to promote creativity and innovation (see Ginkel, 1994; 1995a and b).

One of the most influential experts who supports concepts such as 'global public good' and the need for international systems of accreditation, a Flemish specialist, Dirk Van Damme, who was one of the main personalities in the foundation process aimed at establishing principles and a system for international accreditation, was also very clear when he said that what is crucially important '*is the development and worldwide acceptance of a common definition of what quality in higher education actually means*'. After proposing, in particular at international level, detailed systems for accreditation, with the main *raison d'être* being quality, this expert feels obliged to acknowledge that the concept needs to be researched or, to put it in another way, that it is not evident.

The problem is, in fact, a real one. The participants in the WCHE (World Conference on Higher Education, Paris, 1998), confirming the debates that took place all over the world prior to this conference, indicated the necessary elements for integrating the whole concept of quality. In this sense, they also followed the descriptive line and referred to quality as a multidimensional concept embracing all higher education's main functions and activities. However, they did not stop at a descriptive attitude but went further, linking the concepts of quality and relevance in a pragmatic and realistic way.

In addition, they debated and made recommendations, which until now have not attracted the attention they deserve from experts and officials responsible for policies in higher education institutions. They examined hundreds of documents but adopted only two. One was *The World Declaration on Higher Education for the Twenty-first Century – Vision and Action*, in which principles were approved and a general framework established, and the other was the *Framework for Priority Action for Change and Development in Higher Education*. The first document is more permanent in nature, the second deals with suggestions for action.

Among these suggestions, there is a recommendation that higher education establishments, together with public and civil society, should define (or redefine) their missions. All stakeholders of higher education should be called upon to participate in this exercise. Clear missions, defined initially by all segments of the university in an

autonomous way and approved by the society the institutions are supposed to serve, can be used as a flag for them. They should also serve as targets to be attained, and they can create the conditions to make appropriate evaluations, comparing what the institutions actually achieve with what the whole society expects from them during one precise period of their history. In other words, the famous standards could be better established through this mechanism, and could also create an element of comparability adapted to each institution and according to the missions they defined autonomously.

This approach differs from the common patterns that stimulate higher education institutions to look for external models, expecting them to adapt to patterns that frequently do not have any connection with the cultural sources of the institution or the social needs of the society to which the higher education institutions are linked. This is the great challenge today in the adoption of evaluation and accreditation systems.

It is obvious that if a broad discussion is undertaken with all segments of society, the debate will become more open and members of the academic community, even before taking decisions on the model of universities they want, will participate in concrete debates to build a better society in a country, a region and the entire world. We should not forget, even when adapting to the present world situation and the emergence of the knowledge society and globalization, the proposal made by one of UNESCO's creators, the French philosopher Jacques Maritain, who felt nations should define their project for a 'historic ideal', that is to say, the project of a Nation, aimed at building a more just society.

MAJOR INITIATIVES

We have described, thus far, the context in which the new debate on accreditation is taking place and have tried to identify the difficulties and main challenges in defining quality in concrete situations. Now we want to focus on some major initiatives.

Why are international organizations so interested in this question? In reality, many things are happening at the same time, and it is often difficult to understand the interactions between elements that seem to be unconnected with each other but have, in actual fact, some common bases and targets. It is useful to mention three processes that have made a considerable impact on the subject we are examining, and which are clearly interconnected:

1. The Bologna Declaration and its rapid evolution. The Bologna Declaration directly concerns Europe but its

implications are relevant to the world as a whole, since international organizations have apparently decided to transform this process into a model for the entire world.

2. The definition of guidelines for the establishment of an international system of accreditation and its impacts on existing instruments, such as UNESCO's Conventions on the recognition of studies and diplomas in higher education and the position of university associations.
3. The WTO's presence and influence in the field of higher education, in particular, in accreditation matters.

THE BOLOGNA DECLARATION

The Bologna Declaration, which was preceded by the Sorbonne Declaration of 25 May 1998, was originally a policy statement that now represents a kind of agreement among more than 30 European countries. Its aim is to reform their higher education in a consistent way. Its final goal is to create a single European system with increased competitiveness. The officials responsible for the initiative took into consideration several factors:

- An increased share of new knowledge now occurs outside Europe;
- Access to higher education is still low in Europe, particularly when compared with other developed regions;
- Europe does not display great efficiency in transforming scholarly knowledge into innovation in the economy;
- Several countries in other regions are becoming more attractive poles for students from developing countries, and even many Europeans are leaving the continent to receive their training in other parts of the world.

The Bologna Declaration is not an international treaty, it does not constitute a law, it does not have the format of traditional normative instruments such as declarations, recommendations, conventions, but it is nevertheless being applied all over Europe and, through cooperation mechanisms, its influence has extended to other regions, particularly Latin America and Africa. Legally, it has no binding effect, but the reality is different.

One question can be raised if this is not a new methodology in international relations. It takes a long time to finalize a treaty, and it requires the involvement of parliaments and, frequently, of civil society, entailing numerous discussions and debates in the press, until an appropriate agreement is reached. Rules within international organizations are sometimes heavy and complex. The elaboration of a Declaration by a selected group of ministers, and its incremental implementation, seems to be much easier and more efficient; there is less control, parliaments and civil societies are not involved, and

changes and adaptations can be made during the implementation process. This methodology, of course, raises doubts about the democratic nature of the process, but until now, it does not seem to have aroused concern either in parliaments or in academic circles.

Structural reforms stimulated by the Bologna Declaration are being carried out very rapidly, and in 2003 it was felt that 80 per cent of the countries that had signed the Declaration had already adopted the system of 3 + 2, as well as the scheme of credits. The success in its operation is visible and there is no doubt that changes and reforms will facilitate the mobility of students, professors and researchers, as well as the recognition of studies and diplomas. The general impression is that even if difficulties emerge – for instance how to assess the work carried out individually by students at home, in libraries or in laboratories – for obtaining credits, the process is developing smoothly and has become irreversible.

Among the structural changes having obtained a wide consensus, or at least a widespread acceptance, which now seems to exist in Europe, one can note:

- The adoption of a system of easily readable and comparable degrees;
- The adoption of a system based on two main cycles, undergraduate and graduate, or of a basic three-cycle system (3 + 2 + 4), corresponding to a Bachelor's degree, Master's degree and a doctoral programme, following the system adopted by higher education in the United States;
- The establishment of a system of credits that can be obtained not only through traditional courses but also through contexts outside higher education;
- The promotion of mobility for students, teachers, researchers and administrative staff;
- The promotion of European dimensions in higher education;
- The promotion of European cooperation in quality assurance.

It is important to note that the promotion of cooperation in quality assurance is one of the key factors for strengthening convergence between institutions all over Europe. Credit transfer, for example, implies necessarily an appreciation of the contents and methods of learning. This explains why the ministers in question decided to set up converging paths for evaluation, quality assessment and accreditation.

A few comments should be made at this point. It should not be forgotten that when launching this process, the French Minister, Claude Allegre, made it clear that France and Europe were losing the competition to the United States, Australia and some other countries. The exporter model of these countries was presented as a pattern to be

followed, and this implied a change in the way France, and Europe in general, used to regard cooperation.

As the Dutch expert Chris Lorenz stated recently,

The EU representatives there noted that the 'export value' of higher education in US amounts to many hundreds of millions of dollars per year, while in Australia higher education even takes fifth place in terms of total export value. Given these perceived 'successes', the EU concluded that European inferiority on the global educational market could no longer be tolerated. On the basis of the presuppositions about the 'knowledge economy' and the 'knowledge society', the EU pretty inevitably came to the conclusion that European higher education had to adopt, as its ultimate goal, becoming the 'most dynamic' and 'most competitive' in the world!

Here lies one of the main obstacles to the implementation of the Bologna Process: how to establish a convergence based on the model of higher education in the USA, but respecting, as far as the content is concerned and according to the wish expressed by European universities, cultural diversity and the relevance of the missions of higher education institutions within the European space?

The risks of adopting not only a structure and organizational methods based on the experience of higher education in the USA, but also contents that are designed to suit different cultural contexts, have not yet been sufficiently analysed. And the risk of coming back to a system of equivalence based exclusively on a unique model, instead of a system of recognition where differences are respected, is real.

It is a well known fact that 30 years ago, a similar process took place in Latin America, with success in some cases, in a problematic way in others. This should stimulate the European Commission and European universities to undertake case studies on the implementation of these reforms at universities such as the Universidad de Costa Rica, the Universidad de Concepción (Chile), the Universidad de los Andes (Colombia), the Universidades de Brasilia and the Universidade Federal de Minas Gerais (Brazil). Instead, European leaders seem to act as if Latin America did not have any experience in this field. What their academic communities are being called upon to do is to adapt themselves automatically to the new European structures, with the same cycles and degrees, the same duration of programmes, eventually the same contents and – this point is essential – the same mechanisms for controlling the academic staff and for evaluating courses and programmes.

Equally relevant is the need to develop a Europe of cit-

izens, based on humanist attitudes and tolerance. Recent electoral results in some countries, such as Spain and Italy, the results of the referendum on the European constitution in France and the Netherlands, and the riots in France, were considered by many analysts as a sign that neo-liberal policies had gone too far, citizens were forgotten and reasonable limits were surpassed.

This prospect is not clearly highlighted in the actions Europe is undertaking to create a common academic space. One should bear in mind what Federico Mayor (1998) used to say when he was Director General of UNESCO:

a market economy, perhaps, but a market society, market democracy, no! It is up to the people to set their priorities, not up to the market. It is poverty and exclusion, either geographical, economic, social or cultural, which is the very root of conflict, of extremist behaviour, frustration and radicalisation. Exclusion is at the root of massive emigration flows. The market economies have not honoured their promises to facilitate endogenous development in the developing countries. This means we must defend our society and our democracy, to ensure it is fully participatory and representative.

One essential element in the strategy to modernize European systems is also integration and harmonization with the world of work. If this is not carried out, universities will train people who will surely be condemned to unemployment, the level of which is already excessively high in many European countries, as in other parts of the world, where precariousness has become a pandemic. However, as the reality shows, the unemployment rate of the active population in the EU in 2003 was 4 per cent lower for people with a high education level than for the population as a whole, and 7.5 per cent lower than for those with less than junior secondary education.

A higher education diploma is still considered essential to acquire skills for the modern world. But higher education institutions cannot train people only for today's needs. If institutions of higher education do so, the diplomas would immediately become obsolete. Programmes of continuing education should be envisaged, but students should learn to learn, learn to be, and learn to take initiatives, in addition to learning to live together. Even if the vocabulary used was rather different, all this was foreseen in UNESCO's regional conventions and strongly emphasised by the World Conference on Higher Education. To be able to prepare a personality with these skills, higher education institutions should play a role as an observatory, studying their society, analysing the evolution and working with prospects.

GUIDELINES AND INTERNATIONAL SYSTEM OF ACCREDITATION

Since the academic community and educational sectors of different governments discovered in 1999 the presence of the GATS and WTO, and felt concern about their implementation, several initiatives have been taken to face the new environment, most of them, in fact, aiming at the acceptance of the application of the GATS principles, which some experts consider to be inevitable.

The academic community in general only discovered the GATS and became aware of its implications in 1999 (see below). However, early in 1995, one organization was created for dealing with transborder education with the suggestive name of GATE – Global Alliance for Transnational Education. The official founder of GATE was Glenn R. Jones from Jones International Ltd, a powerful enterprise in the field of cable-TV, also interested in selling educational products. The launching conference of GATE, opened by Glenn Jones, took place in London, in September 1996. One of the main speakers was Sir John Daniel, at that time vice-chancellor of the Open University in the UK. Between participants, in addition to representatives of the Open University of UK, there were representatives of Monash University in Australia, of CEPES in Bucharest (Karin Berg), and of the OECD (Kari Hypponen). There were some participants from developing countries such as Maria Jose LeMaitre, from the National Accreditation Council of Chile and Johan Brink from the Committee of University Principals (South Africa). Most of them became members of the board of GATE.

GATE elaborated a set of principles for transnational education presented to the London Conference, collaborated with the Services Division of WTO (World Trade Organization) and launched a GATE certification process. It is clear that in spite of the participation of some institutions including a few from receiver countries, GATE was considered the property of an international enterprise, which suddenly was in the position of provider of educational products and of certifier of quality of those same products. One important conference of GATE took place in Paris in the week preceding the World Conference on Higher Education. The GATE Conference (30 September–2 October 1998) was held in the middle of polemics. The conference was co-sponsored by CEPES (Bucharest) and the OECD, the opening reception took place at the Australian Embassy in Paris, and was opened once again by Glenn R. Jones followed by representatives of CEPES and the OECD. There was an opening panel on regional and national planning with participants of the Soros Foundation and KPMG International, and of Finland (Kari Hypponen – OECD), Canada (Jane Knight), the

Netherlands (Hans de Wit) and Hong Kong (Nigel French). Glenn Jones gave a banquet for participants in the Château de Versailles.

A clash between the different roles GATE was trying to play was predictable. It could not work in the form envisaged, and in fact the organization ‘imploded’. According to Van Damme (2002a), in a statement given in Washington in 2002 ‘the “Global Alliance for Transnational Education” (GATE) was established as an alliance of institutions, quality assurance bodies, governmental organisations and companies with the objective of developing accreditation procedures for providers of transnational higher education programmes. With a radical change in its governance and a take-over by the corporate interests of Jones International, the stakeholders with an academic background left the initiative’. Today whoever consults the GATE web page will find the information that ‘Jones International transfers GATE to the United States Distance Learning Association’.

The idea of launching once again a set of principles for transnational education can be examined through the analysis of an important process launched internationally in 2001, with great determination and efficiency, apparently with a view to creating suitable conditions for setting up an international system of accreditation or, at least, to create a framework for agencies dealing with the accreditation process. The OECD is once again actively involved in this process, which also started to be discussed inside UNESCO when Sir John Daniel was its assistant director-general for education. Its final objective is seen as a solution for solving many problems but some important challenges are hidden.²

During the UNESCO General Conference in 2005, member states acknowledged the existence of a document on ‘guidelines for quality provision in cross-border higher education’, but did not endorse it. The General Conference took note ‘that the Director-General was planning to issue the Guidelines as a Secretariat Document’ (Resolution adopted on the Report of Commission II at the 17th Plenary meeting, 19 October 2005). In addition, disposals were adopted establishing that the Secretariat can participate in the implementation of these Guidelines. In other words, when and if one member State takes the initiative to present a request. The document was later adopted by, without any restriction, the OECD in December 2005. In this document, the views of the authors on the situation of higher education in a period of transnational education are clear. It describes how the importance of cross-border higher education has grown considerably since the 1980s.

A number of critical comments presented during its elaboration were taken into consideration, including what

was said in WTO by the Japanese delegation, which declared that ‘factory’ diplomas were unacceptable. Criticism from some regions such as Latin America, condemning foreign institutions offering programmes without quality, or at least of an inferior quality to what is provided in their countries of origin, were also used when drawing up the text. It acknowledges the important role of non-governmental organizations, such as higher education associations, student organizations, recognition and credential evaluation bodies and professional bodies, in strengthening international cooperation for quality provision in cross-border higher education.

The document, in many aspects, became ‘politically correct’. However it does not highlight the importance of relevance and the social commitment of universities. Reference to relevance is slight and appears to be a kind of formality for answering in advance criticism from receiver countries; and the document is clearly Eurocentrist (following UNESCO’s tradition, Europe includes here the United States, Canada and Israel).

Quality assurance and accreditation bodies are invited to ‘apply the principles reflected in current international documents in cross-border higher education such as the UNESCO (CEPES)/Council of Europe Code of Good Practice in the Provision of Transnational Education’ (Article 17(e)). Higher education institutions/providers delivering cross-border higher education are recommended to ‘where relevant, use codes of good practice such as UNESCO/Council of Europe Code of Good Practices in the Provision of Transnational Education and other relevant codes such as the Council of Europe/UNESCO Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications’. Academic recognition bodies are invited to ‘use codes of practices such as the Council of Europe/UNESCO Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications.’

The International Association of Universities (IAU) and 35 other regional and national associations decided to launch another document (*Sharing quality higher education across borders: a statement on behalf of higher education institutions worldwide*), which is not presented in opposition to the first one, but clearly tries to highlight the importance of relevance for higher education at present. And this makes a difference!

This document takes a position against possible limitations through trade frameworks, in the field of higher education, which ‘may have unintended consequences that can be harmful to the missions (of higher education)’ and seems to reflect more accurately the position of academic institutions. The institutional leader in this manifestation is the International Association of Universities,

with headquarters at the UNESCO premises, and the document is shared and recognized by the following institutions:

- Agence universitaire de la Francophonie (AUF)
- American Council on Education (ACE), USA
- Association of African Universities (AAU)
- Association of Arab Universities (AArU)
- Asamblea Nacional de Rectores del Perú
- Asociación Colombiana de Universidades (ASCUN), Colombia
- Asociación Iberoamericana de Educación Superior a Distancia (AIESAD)
- Asociación Nacional de Universidades e Instituciones de Educación Superior (ANUIES), Mexico
- Asociación de Universidades Grupo Montevideo, Uruguay
- Asociación Universitaria Iberoamericana de Posgrado (AIUP)
- Association of Universities of Bangladesh
- Association of Universities and Colleges of Canada (AUCC), Canada
- Association of Universities in the Netherlands (VSNU), The Netherlands
- Committee of Vice-Chancellors and Directors, Sri Lanka
- Compostela Group of Universities, Spain
- Conférence des Grandes Ecoles, France
- Consejo Nacional de Educación Superior (CONE-SUP), Ecuador
- Consejo de Rectores de Universidades de Brasil (CRUB), Brazil
- Consejo de Rectores de Universidades de España, Spain
- Consejo Superior de Universidades de Centro América (CSUCA)
- Consorcio Red de Educación a Distancia (CREAD)
- Council for Higher Education Accreditation (CHEA), USA
- European University Association (EUA)
- International Association of University Presidents (IAUP)
- The Netherlands Association of Universities of Applied Sciences (HBO-raad), The Netherlands
- Higher Education South Africa (HESA)
- Hispanic Association of Colleges and Universities (HACU), USA
- Heads of Universities Committee (HUCOM), Hong Kong
- International Association of Universities (IAU)
- International Federation of Catholic Universities (IFCU), France
- Indonesian University Rector Forum (IURF)

- La Red de Macro Universidades de América Latina y El Caribe
- Organización Universitaria Interamericana (OUI)
- La Red Iberoamericana de Estudios de Posgrado (REDIBEP)
- Unión de Universidades de América Latina y el Caribe
- Vice-Chancellors Ghana (VCG), Ghana

In the process for establishing an international system of accreditation, some risks are evident even if they are not discussed:

1. Here also, the traditional methodology for the approval of normative international instruments was not followed. Officially, the document duly noted by the UNESCO General Conference and approved by OECD is not binding, but, in practical terms, its implementation actions are taken as if it were an official normative instrument. In June 2005, in a policy-forum organized by IIEP (International Institute for Educational Planning) in Paris, it was announced that countries would be required to present information to UNESCO and the OECD on its implementation.
2. Important elements for the development of cooperation systems based on solidarity are not highlighted. No clear information is given about the question of who will be in charge of accreditation if international systems – as proposed in 2001 at the beginning of the process – are set up, or about their authority or validation. Positive recommendations are addressed to organizations of quality evaluation and accreditation, they are encouraged to respect cultural diversity, but in this case too it is not clear who will co-ordinate the process, and according to what criteria. It is clear that the document was improved during its elaboration, but the final goal of the process still appears to be the consolidation of the foundation for an international system of accreditation, which can facilitate the application of the rules related to recognition and accreditation of the GATS (General Agreement on Trade in Services).
3. Regions are being actively encouraged to revise UNESCO's regional conventions on the recognition of studies and diplomas,³ but the approach risks being Eurocentric because models of regulations under discussion were exclusively elaborated under the European Council of Europe-UNESCO Convention (Lisbon, 1997), reflecting the decisions taken by European countries. Regions should not be called upon to adopt or adapt the European convention, but to update their regional conventions according to their needs, participating also in the revision of the Interna-

tional Recommendation on the Recognition of Studies and Diplomas, whose principles could be utilized in the search for an international understanding on this subject. Of course, the content of these conventions should be analysed in the light of present realities and an effort must be made, for example, to develop concrete and trustworthy methodologies to assess knowledge obtained outside the educational system, in particular though the world of work.

An important element that the application committees of the conventions on recognition and diplomas may not have been able to implement was precisely the arrangements related to the preparation for the world of work, with the need for recognition of the value of knowledge and experience acquired outside schools, particularly through self-learning and professional activities. The promotion of lifelong education, the democratization of education, and the adoption and application of an educational policy should take structural, economic and technological developments into account, as well as the social changes and cultural contexts of each country.

The 'world of work' must not be seen as a synonym for the world of business. The universities should be modern and have a good administrative performance, and although enterprises normally aim at earning profits, higher education institutions should exist for much wider purposes, including humanitarian. In addition, given the importance of workers and the need for links with the whole of society, the world of work cannot be seen from a narrow point of view. Cooperation with private and public companies – taking into account the present state of the economy – is necessary, but it should not run against the long-term objectives of higher education and must not be guided exclusively according to the short-term and floating interests of the market. Failing which, they will no longer be relevant and cannot be considered as quality institutions. And if standards are based only on the present needs of industry and of trade, they will engender bad results in the long term (on the crucial roles of universities, see also Ginkel, 2006).

If reforms of the conventions are undertaken, it should be noted that observations on their implementation since the 1970s have revealed that the committees of application do not meet more than once every two years (sometimes even less frequently), their members are not permanent, and frequently are not familiar with the subject under discussion. Universities and their associations do not belong to these committees or are invited to participate in meetings only as observers. Bearing in mind that in many parts of the world, universities, according to the law, should enjoy autonomy and academic freedom, their

absence in this case condemns the committees of applications to complete inefficiency. Their participation as full members is indispensable.

When engaging in this process, educational authorities, as the academic community, must be aware of its nature and be well informed of its main goals as defined since the beginning of the operations in 2000/2001. The basic reference in this case are the Introductory Paper Professor Van Damme elaborated for the expert meeting in Paris in September 2001 and the WTO document on education services dated 23 September 1998 (S/C/W/49). It is in this document that the Secretariat of WTO gives elements for considering higher education as a commercial service and raises questions such as: 'how can problems of non-recognition of diplomas/degrees granted by foreign providers be prevented from frustrating the expected gains in the market access?'

Useful information for understanding this whole process is also provided on the OECD site (www.oecd.org), which contains a clarifying text presented as a foreword to the Guidelines adopted by this organization:

The Guidelines for Quality Provision in Cross-border Higher Education provide an international framework to protect students and other stakeholders from low-quality provision and disreputable providers. They will sustain the development of quality cross-border higher education that meets human, social, economic and cultural needs. The Guidelines set out how governments, higher education institutions/providers, student bodies, quality assurance and accreditation bodies, academic and professional recognition bodies of the sending country and receiving country could share responsibilities, while respecting the diversity of higher education systems. The development of the Guidelines was carried out in collaboration with UNESCO, which has also issued the Guidelines under the responsibility of the Secretariat following the decision of the 33rd session of its General Conference in October 2005. The text was prepared through three drafting meetings where all countries in the world were invited as well as various non-governmental organisations. These meetings were chaired by Jan Levy, Norway with Mala Singh (South Africa) and Stella Anthony (India) as Vice-chairs. The Guidelines were approved on 2 December 2005 by the OECD Council. Within the OECD, the Guidelines were launched in 2003 by the Governing Board of the Centre for Educational Research and Innovation (CERI) as a follow-up to work on internationalisation and trade in tertiary education. Responsibility for their implementation was then

transferred to the Education Committee. The project was initiated by Bernard Hugonnier and Kurt Larsen, and led by Keiko Momii. The project was partly sponsored by the Department of Education, Science and Training of Australia, the Ministry of Education, Culture, Sports, Science and Technology of Japan, and the Ministry of Education and Research of Norway. The Guidelines are published on the responsibility of the Secretary-General of the OECD... (OECD, 2005)

The preamble also expresses gratitude for the work done by OECD staff and for the fruitful collaboration of members of the Higher Education Division of UNESCO's Secretariat, especially Stamenka Uvalić-Trumbić and Zeynep Varoglu.

During all these discussions, the so-called North American model of accreditation, in fact being the United States' model, was analysed and presented as a good practice because its decentralization allows higher education institutions to be more active in the process. In 2005, a higher education commission in the Education Department of the United States proposed eliminating regional accreditors in that country and to replace them with one national accreditation body, perhaps a foundation that Congress could create to replace the existing system. In a document found on the Internet (<http://www.insidehighered.com/news/2006/03//accredi>, retrieved on 13.4.2006), the reasons for this proposal are mentioned: a lack of transparency, low and lax standards and outdated regionalization. To explain this last point (outdated regionalization), it is stated that 'technology has rendered the quaint jurisdictional approach to accreditation obsolete!' and 'more and more students are crossing state lines to complete their education and enrolling in multiple institutions, often simultaneously'.

The reactions of experts and of institutions inside the United States were immediate. They consider that this initiative could present risks to the diversity of the higher education system in the United States and a threat to its multiple cultural systems. A national agency could 'undermine the strength and diversity of U.S. higher education', says Judith S. Eaton (mentioned by Burton Bollage in *The Chronicle*, 4/4/2006), president of the Council for Higher Education Accreditation. For Dr Eaton, the creation of national quality standards could result in putting pressure on colleges to become more alike.

The argument seems solid, and to go back to our discussions on the internationalization of accreditation, we could ask about the effects of international quality standards in US institutions of higher education. And what would be the effects in institutions of all other countries?

IMPACT OF THE WTO AND THE GATS

Today, one cannot study evaluation and accreditation mainly at the international level without referring to the GATS (the General Agreement on Trade in Services) approved in 1994 and to the World Trade Organization (WTO) which began operations in 1995. The GATS' main aims are the lowering of tariffs and other commercial barriers to exchanges of goods but also of services. The GATS raises some questions of principles. Instead of being a right, established by law, of the citizens of states, higher education is redefined as – and is being actively transformed into – a commodity or, to put it in another way, an international service to be bought and sold through any international supplier. This concept provides the ideological framework for systems being set up all over the world.

The changes in the concept of higher education and questions raised, have had concrete consequences for all institutions and countries involved in the process of exchanges of programmes. Since then, an important issue for both governments and universities consists in knowing whether individual countries still have the right and, indeed, the opportunity and capability to regulate the functioning licences of institutions, and the recognition of studies and diplomas issued by cross-border providers. The questions are political, economic and legal, and the situation is unclear.⁴ Concern has been expressed, in particular regarding the GATS' provisions in the clauses linked to the most favoured nations, national treatment, and recognition and accreditation.

Many universities and their associations in several parts of the world have realized that if these clauses are implemented in a strict way, one immediate consequence will be that all signatory countries of the GATS might be obliged to recognize, certify, and accredit the diplomas of all other members of the GATS. Instead of being associated with a system in which results are obtained through dialogue, rigid and binding norms will be implemented. The texts are ambiguous but interpretations of this nature are possible and this explains, at least partially, the interest so many countries, experts and organizations now have on the subject of accreditation.

In addition, the risk is that any state not complying with the commitments executed within the WTO relating to higher education could be condemned to pay indemnities to the entrepreneurs or industrialists of education, who might feel impaired and could be subject to retaliation on the part of countries that provide education, especially those supplying courses through the Internet. Many representatives of the academic world also expressed concern that the GATS could provoke the erosion of funds and subsidies for higher education, as well as the govern-

ment's capacity to regulate its quality and to ensure that its higher education institutions – also beyond teaching, through their research and services to society – do contribute to the sound development of their country.

At the beginning, this agreement was ignored by the academic community and higher education institutions, until September 2001, when four organizations – the Association of Universities and Colleges of Canada, the American Council on Education, the Council for Higher Education Accreditation and the European University Association – disseminated the Joint Declaration on Higher Education and the General Agreement on Trade in Services, expressing their 'strong reluctance to the inclusion of higher education among services that are to be committed to freer trade' (Barblan, 2002). Later, the International Association of Universities also signed this document.

In February 2002, at the World Social Forum in Porto Alegre, the participants in the working day on 'Science and Technology, an instrument for the peace in the XXI century', decided to propose a global pact guaranteeing the consolidation of the principles of action approved at the World Conference on Higher Education, promoted by UNESCO, in Paris, 1998, and the exclusion of higher education from the GATS. In the same city of Porto Alegre, on 26 April 2002, the presidents who participated in the III Meeting of Rectors of Ibero-American Public Universities discussed the matter and approved a resolution, in which, after a series of considerations, they stated:

The Iberian and Latin-American academics hereby gathered, reaffirming the commitments made by the governments and by the international academic community at the World Conference on Higher Education, held in Paris in October 1998, conceiving higher education as a public good, alert the university community and the entire society about the disastrous consequences of such proceedings and require the governments of their respective countries not to subscribe any commitment on this issue within the framework of the WTO General Agreement on Trade in Services (GATS).

Students and teachers' organizations and other academic associations also expressed their disagreement with the proposals issued from the GATS regulations. But it was also during this period that representatives of some governments and universities started to believe that the GATS is inevitable and that, given this situation, there is a need to adapt to the new reality, establishing the standards to be used so that various educational services could be considered similar enough to compete on the world market. The commercial interests are obvious in this posi-

tion. However, certain experts also point to ethical motivations, for instance Andris Barblan, the former Secretary General of the European Rectors Conference who said (2002):

this is essential if we are to protect the students, if we are to reassure the parents (who often foot the bill either by paying fees or by supporting taxes), and if we are to set a path of convergence for teachers, employers and professions so that they can refer to some kind of order in the whirlwind of globalization.

Certain analysts and members of governments tried to interpret the rules of the GATS, supporting the idea that the public education sector is not covered by the GATS negotiations and member states of the WTO have the right not to make any commitment on this subject.

The reality is more complex. Declarations of this nature are well intentioned, but often somewhat naive, and at the best the result of wishful thinking. It is true that Article I, 3(b) states that 'services' include any service in any sector, except services supplied in the exercise of governmental authority. However, if we continue reading the text of the GATS, we come to the letter (c) of the same article, where it is written that 'a service supplied in the exercise of governmental authority means any service which is supplied neither on a commercial basis, nor in competition with one or more service suppliers'.

The text seems clear: any interpretation in favour of exclusion can easily lead to major conflicts. It seems to be enough that private universities do exist in a country to allow anyone to say that there is competition. In that case, major problems may arise for public universities when they try to play a commercial role by selling some products or enjoy advantages, such as public funding, exclusive degree granting authority, or research grants, that are not available to their private competitors.

In addition, Article II of the GATS contains a series of measures for immediate application. Among them, one can note the '*most favoured nation*' clause (MFN), according to which, in number 1 of this article of GATS, it is stated:

With respect to any measure covered by this Agreement, each Member shall accord immediately and unconditionally to services and service suppliers of any other Member treatment no less favourable than that it accords to like services and service suppliers of any other country.

The Canadian Association of Universities Teachers consulted jurists and published a document (*GATS –*

Impact on Education in Canada: Summary of Key Findings; which can be found on the site of the Canadian Association of Universities Teachers, www.caut.ca, retrieved on 22.05.2006), presenting a summary of the key findings contained in the legal opinion. In this document, in the part related to the unconditional obligations under the Agreement, we can read that:

- (a) 'all education services supplied on a commercial basis or in competition with one or more suppliers, regardless of whether it is in public or private hands, are subject to the "most favoured nation" treatment and other GATS unconditional obligations.'
- (b) 'thus the "most favoured nation" treatment obligation applies to all GATS services, irrespective of whether they are the object of a commitment ... Other GATS provisions that apply to all services include transparency, judicial and administrative review, monopolies and restrictive business practices'.

Exceptions to this rule are possible, but under certain conditions, and only for a certain period of time (10 years).

Another complicated clause is complementary to the MFN, and it concerns the 'national treatment' that applies to all sorts of national measures including subsidy-type measures (III part, article XVI, 1). The GATS 'defines national treatment as treatment no less favourable than accorded to like domestic services and services providers' (ibid., see www.caut.ca retrieved on 22.05.2006).

This arrangement applies to obligations arising from commitments member states decide to undertake. In other words, this clause cannot be applied if commitments are not made. But even in this case, the situation is ambiguous. The GATS established a permanent process: from time to time, countries will be called upon or submitted to pressures to open their system. This will end only when the opening is total. Recently the Brazilian press announced that following a request presented by some rich countries, the WTO started new negotiations in early May 2006 on the opening of economies and on the need for changes in national legislations to facilitate the free operation of foreign universities in the territories of each country. *Most developing countries expressed an opposition to these measures* (<http://www.estadao.com.br/ext/inc/print.htm> retrieved on 16.05.2006).

Concerning accreditation, there are provisions in GATS disposing that 'recognition should be based on multilaterally agreed criteria'. Suggestions are made to member states, in appropriate cases, to work in cooperation with relevant intergovernmental and non-governmental organizations towards the establishment and adoption of common international standards and criteria for recognition

and common international standards for the practice of relevant services trades and professions.

In keeping with this rule, at the beginning of the present process, which led to the approval by the OECD of the guidelines for quality provision in cross-border higher education, Professor Dirk Van Damme said, in October 2002 (in the First Global Forum on International Quality Assurance, Accreditation and the Recognition of Qualifications in Higher Education), that *'it could be worthwhile to formulate a set of core values that are shared by the global higher education community and that define its fundamental value system'*. He also mentioned that *'of more relevance to the learners worldwide is a set of common concepts to define basic levels of academic qualifications. The global knowledge society calls upon the international higher education community to produce degrees and credentials that are recognizable in the international labour market.'*

In Washington, in May 2002, he presented a series of measures that would reinforce the process of creating *'favourable conditions for the establishment of international quality assurance and accreditation schemes'* and *'an international system of meta-accreditation that gradually moves ahead in this direction can be expected'* (OECD/US Forum on Trade Educational Services, 23–24 May 2002).

This fits with conclusions and recommendations of the Expert meeting on the impact of globalization on quality assurance, accreditation and the recognition of qualifications in higher education, which took place in Paris, in September 2001 (UNESCO, 2001, Draft Conclusions and Recommendations – ED-2001/HED/AMQ/05 – Paris 20/09/2001), when, after noting that a *'general consensus was reached by the participants that a global forum on the international dimensions of quality assurance, accreditation and the recognition of qualifications was necessary'*, the conclusions stated that *'the need was expressed for the education community to have a common stand worldwide on this issue, bringing together different already existing networks and taking stock of recent developments'*. A plan of action was adopted for starting the process which included, among other measures:

- establishment of a Task Force, conceived as an operational working body, which will develop further the Action Plan proposed
- promotion and codification of good practices
- development of guidelines to member states in the form of international codes or other international accepted norms.

Reading the text of the GATS on recognition and accreditation shows that the academic community is right to be worried about prospects in this field:

Article VII: Recognition

1. For the purposes of the fulfillment, in whole or in part, of its standards or criteria for the authorization, licensing or certification of services suppliers, and subject to the requirements of paragraph 3, a Member may recognize the education or experience obtained, requirements met, or licenses or certifications granted in a particular country. Such recognition, which may be achieved through harmonization or otherwise, may be based upon an agreement or arrangement with the country concerned or may be accorded autonomously.
2. A Member that is a party to an agreement or arrangement of the type referred to in paragraph 1, whether existing or future, shall afford adequate opportunity for other interested Members to negotiate their accession to such an agreement or arrangement or to negotiate comparable ones with it. Where a Member accords recognition autonomously, it shall afford adequate opportunity for any other Member to demonstrate that education, experience, licences, or certifications obtained or requirements met in that other Member's territory should be recognized.
3. A Member shall not accord recognition in a manner which would constitute a means of discrimination between countries in the application of its standards or criteria for the authorization, licensing or certification of services suppliers, or a disguised restriction on trade in services.
4. Each Member shall:
 - (a) within 12 months from the date on which the WTO Agreement takes effect for it, inform the Council for Trade in Services of its existing recognition measures and state whether such measures are based on agreements or arrangements of the type referred to in paragraph 1;
 - (b) promptly inform the Council for Trade in Services as far in advance as possible of the opening of negotiations on an agreement or arrangement of the type referred to in paragraph 1 in order to provide adequate opportunity to any other Member to indicate their interest in participating in the negotiations before they enter a substantive phase;
 - (c) promptly inform the Council for Trade in Services when it adopts new recognition measures or significantly modifies existing ones and state whether the measures are based on an agreement or arrangement of the type referred to in paragraph 1.
5. Wherever appropriate, recognition should be based

on multilaterally agreed criteria. In appropriate cases, Members shall work in cooperation with relevant intergovernmental and non-governmental organizations towards the establishment and adoption of common international standards and criteria for recognition and common international standards for the practice of relevant services trades and professions.

The final texts of UNESCO's normative instruments on recognition of studies and diplomas of higher education were always the result of hard negotiations.⁵ These texts are based on an idea of cooperation among equals, where solidarity works and the transfer and sharing of knowledge is an important element. One of the greatest difficulties in their elaboration used to come from delegations, in particular from Eastern Europe, who considered that equivalences should be established and, since they felt their model was the best or the only acceptable one, they should serve as a reference for every country. In other words, a diploma to be recognized should be equal to theirs. The word standardization was not used but it was, in fact, a great accomplishment on the part of the international community to shift from the concept of equivalences to the idea of recognition, respecting different systems, whose survival would be ensured. Are we now faced by a return to the system of equivalences, in which all universities from all countries will be called to grant degrees and deliver diplomas based on programmes structured in a similar way and with the same contents? Often leading to mediocrity rather than to excellence, conformity to standards understandable for evaluators is seen as more important than creativity and innovation.

EDUCATION AS A PUBLIC GOOD

This reality, this environment, this framework brings us, yet again, to discuss the importance of keeping higher education as a public good, a service, which is based on three principles: equality, continuity and adaptability (Bartoli, 1997).

Equality means that all – on the basis of merit – must have the right of access to the public service, without discrimination. This notion is very clear concerning higher education, both in the Universal Declaration of Human Rights and in the Declaration of the CMES (Paris 1998).

Continuity or permanence means that the public service must permanently meet the needs of the citizens, and here *the notion of relevance* is more than implicit.

The notion of adaptability, (responsiveness) means that the public service must be 'reactive' and evolve upon

general interest changes, either technological or social. It can and it must, therefore, be updated, following the evolution of the society, but without abandoning its basic characteristics, which are crucial to guarantee the equality and the permanence.

In synthesis, for a service to be considered public, its provision must first of all be implemented on an equal basis, it must be continuous and permanent, and not subject to any kind of discrimination, including commercial or financial ones. This applies to all education and certainly also to higher education. In 1998, in the WCHE, a consensus was established that higher education must be considered a public service, which must be accessible to all on the *basis of merit*, no kind of discrimination being accepted. As several other public services, the provision of education can be entrusted, delegated or granted to private persons or institutions, but under rigid regulations and submission to serious evaluation practices, established following the principles mentioned above.

This subject was discussed in the Nobel Laureates' meeting at the 2nd Barcelona Conference (December 2005). We had the opportunity, on this occasion ('Social commitment of the universities against the commercialization attempts' – UPC- Barcelona, December 2005), to mention that in Europe, now, the doctrine evolves in the direction of not speaking about public services, an expression that was replaced by 'general interest services', that, according to the dossier published by the French periodical *Le Monde* dated 4 June 2002, 'refers to the activities of the service, with a commercial nature or not, which are considered of general interest by the public authorities and therefore submitted to the public service obligations'.

However, this evolution of the concepts is not always clear. It occurs inside an overall development in which, an ambiguous and conflicting liberalization movement has been growing since 1986, all over Europe, which has affected many sectors of the economy and has now reached education and, consequently, research. This is happening at a time when a new expression has been coined: instead of public services or services of general interest,⁶ reference is now being made to *services of general economic interest* (see the French newspapers *Libération* and *Le Monde* dated 15 and 16 July 2005). This clearly represents a deviation from tradition and seems to privilege the concept of finding the market that is capable of solving educational problems, and that individual interests should take precedence over social/public interests.

We believe that for this purpose a prudent but courageous framework was established by the participants (almost five thousand) at the World Conference on Higher Education (Paris, UNESCO, 1998), in which representatives of over 180 countries (more than 130 official dele-

gations headed by ministers of state) from every continent (including all European countries) approved a set of principles, always valid, that were summarized by UNESCO as follows:

SUMMARY OF THE WORLD DECLARATION ON HIGHER EDUCATION

1. Higher education shall be equally accessible to all on the basis of merit, in keeping with Article 26.1 of the Universal Declaration of Human Rights. As a consequence, no discrimination can be accepted in granting access to higher education on grounds of race, gender, language, religion or economic, cultural or social distinctions, or physical disabilities.
2. The core missions of higher education systems (to educate, to train, to undertake research and, in particular, to contribute to the sustainable development and improvement of society as a whole) should be preserved, reinforced and further expanded, namely to educate highly qualified graduates and responsible citizens and to provide opportunities (espaces ouverts) for higher learning and for learning throughout life. Moreover, higher education has acquired an unprecedented role in present-day society, as a vital component of cultural, social, economic and political development and as a pillar of endogenous capacity building, the consolidation of human rights, sustainable development, democracy and peace, in a context of justice. It is the duty of higher education to ensure that the values and ideals of a culture of peace prevail.
3. Higher education institutions and their personnel and students should preserve and develop their crucial functions, through the exercise of ethics and scientific and intellectual rigour in their various activities. They should also enhance their critical and forward-looking function, through the ongoing analysis of emerging social, economic, cultural and political trends, providing a focus for forecasting, warning and prevention. For this, they should enjoy full academic autonomy and freedom, while being fully responsible and accountable to society.
4. Relevance in higher education should be assessed in terms of the fit between what society expects of institutions and what they do. For this, institutions and systems, in particular in their reinforced relations with the world of work, should base their long-term orientations on societal aims and needs, including the respect of cultures and environment protection. Developing entrepreneurial skills and initiatives should become major concerns of higher education. Special attention should be paid to higher education's role of service to society, especially activities aimed at eliminating poverty, intolerance, violence, illiteracy, hunger, environmental degradation and disease, and to activities aiming at the development of peace, through an interdisciplinary and trans-disciplinary approach.
5. Higher education is part of a seamless system, starting with early childhood and primary education and continuing through life. The contribution of higher education to the development of the whole education system and the reordering of its links with all levels of education, in particular with secondary education, should be a priority. Secondary education should both prepare for and facilitate access to higher education as well as offer broad training and prepare students for active life.
6. Diversifying higher education models and recruitment methods and criteria is essential both to meet demand and to give students the rigorous background and training required by the twenty-first century. Learners must have an optimal range of choice and the acquisition of knowledge and know-how should be viewed in a lifelong perspective, based on flexible entry and exit points within the system.
7. Quality in higher education is a multidimensional concept, which should embrace all its functions and activities: teaching and academic programmes, research and scholarship, staffing, students, infrastructure and the academic environment. Particular attention should be paid to the advancement of knowledge through research. Higher education institutions in all regions should be committed to transparent internal and external evaluation, conducted openly by independent specialists. However, due attention should be paid to specific institutional, national and regional contexts in order to take into account diversity and to avoid uniformity. There is a perceived need for a new vision and paradigm of higher education, which should be student-oriented. To achieve this goal, curricula need to be recast so as to go beyond simple cognitive mastery of disciplines and include the acquisition of skills, competencies and abilities for communication, creative and critical analysis, independent thinking and team work in multicultural contexts.
8. A vigorous policy of staff development is an essential element for higher education institutions. Clear policies should be established concerning higher education teachers, so as to update and improve their skills, with stimulus for constant innovation in curriculum, teaching and learning methods, and with an appropriate professional and financial status, and for excellence in research and teaching, reflecting the corresponding provisions of the Recommendation

concerning the Status of Higher-Education Teaching Personnel approved by the General Conference of UNESCO in November 1997.

9. National and institutional decision-makers should place students and their needs at the centre of their concerns and should consider them as major partners and responsible stakeholders in the renewal of higher education. Guidance and counselling services should be developed, in cooperation with student organisations, to take account of the needs of ever more diversified categories of learners. Students who do drop out should have suitable opportunities to return to higher education if and when appropriate. Institutions should educate students to become well-informed and deeply motivated citizens, who can think critically, analyse problems of society, look for solutions to the problems of society, apply them and accept social responsibilities.
10. Measures must be taken or reinforced to ensure the participation of women in higher education, in particular at the decision-making level and in all disciplines in which they are under-represented. Further efforts are required to eliminate all gender stereotyping in higher education. To overcome obstacles and to enhance the access of women to higher education remains an urgent priority in the renewal process of systems and institutions.
11. The potential of new information and communication technologies for the renewal of higher education by extending and diversifying delivery, and by making knowledge and information available to a wider public should be fully utilised. Equitable access to these should be assured through international cooperation and support to countries that lack capacities to acquire such tools. Adapting these technologies to national, regional and local needs and securing technical, educational, management and institutional systems to sustain them should be a priority.
12. Higher education should be considered as a public service. While diversified sources of funding, both private and public, are necessary, public support for higher education and research remains essential to ensure a balanced achievement of its educational and social missions. Management and financing in higher education should be instruments to improve quality and relevance. This requires the development of appropriate planning and policy-analysis capacities and strategies based on partnerships between higher education institutions and responsible state authorities. Autonomy to manage internal affairs is necessary, but with clear and transparent accountability to society.

13. The international dimension of higher education is an inherent part of its quality. Networking, which has emerged as a major means of action, should be based on sharing, solidarity and equality among partners. The 'brain drain' has yet to be stemmed, since it continues to deprive the developing countries and those in transition, of the high-level expertise necessary to accelerate their socioeconomic progress. Priority should be given to training programmes in the developing countries, in centres of excellence forming regional and international networks, with short periods of specialised and intensive study abroad.
14. Regional and international normative instruments for the recognition of studies and diplomas should be ratified and implemented, including certification of skills, competencies and abilities of graduates, making it easier for students to change courses, in order to facilitate mobility within and between national systems.
15. Close partnership among all stakeholders – national and institutional policy-makers, governments and parliaments, the media, teaching and related staff, researchers, students and their families, the world of work, community groups – is required in order to set in train a movement for the in-depth reform and renewal of higher education.

We strongly believe that the outcomes of the WCHE, Paris 1998, reflect well the opinions of the experts in the field of higher education, both political and academic experts. It will, indeed, serve the future of humankind, when all efforts to enhance the quality, relevance, accessibility and internationalization of higher education worldwide would be based on the outcomes of the WCHE and respect the values of diversity, creativity and innovative approaches. Only then can higher education truly contribute, in all countries, to a better future for all.

NOTES

- 1 Some experts have a tendency to say that internationalization is new. But it is not so new ... Universities were internationalized in the Middle Ages and, more recently in 1983, the working document of an international symposium organized by UNESCO in Sofia, Bulgaria, on 'l'évolution probable des finalités et des rôles sociaux de l'enseignement supérieur au cours des prochaines décennies' stated: 'L'interdépendance des nations et, partant, la coopération internationale, ont développé une tendance très marquée: *l'internationalisation de l'enseignement supérieur*. Ainsi les universités de différents pays qui fonctionnent dans des conditions différentes, uniformisent leurs programmes, leurs plans d'études et leur cursus. L'influence mutuelle des universités en général, celles des universités novatrices en

- particulier, où le niveau des études est plus élevé et le plus apprécié, est déterminante pour le monde entier. Ce processus s'est développé suivant plusieurs canaux.'
- 2(a) Meta-accreditation can be a very powerful tool at the international level as well. A kind of recognition procedure, based on the evaluation of quality assurance and accreditation agencies on agreed standards in the professional community would produce a multilateral recognition of agencies. In turn, this would give programmes, institutions, students, employers and the general public the reassurance that assessment by such an agency is done on the basis of internationally recognized standards. Trust in quality assurance and accreditation systems would also provide a very powerful incentive for making significant progress in the field of recognition of qualifications (Trends and models in international quality assurance in higher education in relation to trade in education services – Dirk Van Damme, OECD/US Forum on Trade in Educational Services – 23–24 May 2002, Washington DC, USA).
- (b) 'The idea of an international agency that would engage in quality assurance and accreditation worldwide, or even regionally, may seem strange to many people but this strategy must not be overlooked when listing the various possible models and trends'. (ibid.).
- (c) Similar proposals, were presented by Prof. Van Damme, perhaps in an even clearer way, in the introductory paper for the UNESCO Expert Meeting held in Paris on 10–11 September 2001 (The need for a new regulatory framework for recognition, quality assurance and accreditation), in which he said: 'The impact of globalization is such that without a trustworthy international quality scheme of whatever kind that could balance the development of the global higher education market, we will have to face severe problems in the future, of which countries in the least developed parts of the world, and their students, will be the victims.'
- (d) All this fits in with what the WTO Secretariat says in document S/C/W/49, disseminated on 23 September 1998: 'the development of agreements concerning standards for professional training, licensing and accreditation might significantly benefit trade in this mode, as foreign-earned degrees become more portable.'
- 3 'UNESCO's regional conventions on recognition of studies, diplomas and degrees in higher education were adopted in Latin America and the Caribbean (1978), Arab States (1978), Europe (1979), Africa (1981), Asia and the Pacific (1983). In 1976, an interregional convention was adopted in Nice, France, concerning the Arab and European states bordering the Mediterranean. In 1997, a new European Convention was adopted under the aegis of the Council of Europe and UNESCO. In 1993, the General Conference of UNESCO adopted an International Recommendation on the same subject.
- 4 One of the more detailed studies on the legal aspects of this issue is the thesis submitted in 2004 by a professor of the Federal University of Minas Gerais, Gustavo Ferreira Ribeiro, for obtaining a graduate diploma at the Federal University of Santa Catarina, in Brazil. Additional comments can be found on the sites of several organizations, such as International Education (IE), the Association of Universities and Colleges of Canada, and the Canadian Association of Universities Teachers.
- 5 The second author was the Director of the Division of Higher Education, in Paris, from October 1981 until February 1999. During this period, four normative instruments on

recognition on studies and diplomas of higher education were adopted under UNESCO's aegis.

- 6 General interest following the Treaty of Rome (European Union) in its section 90 means activities of trade services that fulfil missions that interest to all and that should be consequently submitted, by Member States of the European Union to specific duties of the public service.

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