

**BELARUSIAN HIGHER EDUCATION:  
READINESS TO EHEA ADMISSION**

**ALTERNATIVE REPORT**

**BELARUSIAN INDEPENDENT BOLOGNA COMMITTEE  
DETAILS REGARDING THE APPLICANT**

<b>Country</b>	<b>Belarus</b>
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<b>Contact person/Position</b>	<b>Belarusian Independent Bologna Committee</b>
<b>E-mail address</b>	<a href="mailto:vladimir.dounaev@gmail.com">vladimir.dounaev@gmail.com</a> <a href="mailto:belarus@eap-csf.eu">belarus@eap-csf.eu</a>
<b>Mailing address</b>	<b>Bagrationa str. 39, Minsk, Belarus</b>
<b>Telephone</b>	<b>+375 29 6251048</b>
<b>Contributors to the report</b>	<b>Vladimir Dounaev – head of the Committee</b> <b>Experts:</b> <b>Svetlana Matskevich</b> <b>Yuliya Lakina</b> <b>Natalia Artsiomenka</b> <b>Others</b>

**I. OVERVIEW OF THE NATIONAL HIGHER EDUCATION SYSTEM**

1. Please describe the national higher education system including a) an outline of the main regulatory documents b) the governance arrangements of the system (main regulatory bodies, their competences and interactions) c) the institutional structure underpinning the national higher education system (number and types of institutions, student enrolment and academic staff structure).

a) The new Education Code came in force in September 2011 and became the primary legislation regulating higher education affairs in Belarus. The current higher education legislation yields considerably to higher education legislation developed in 2002-2004 in adhering to Bologna principles and values and contrary to the Ministry of Education statement regarding continuous Bologna principles implementation starting from 2002.

In 2002 pilot 2 cycle Bachelor – Master educational model was legalized in new edition of Law on Education. During that time, Belarus adopted rules of procedures on Higher Education degrees system approved by the Council of Ministers in 2002. The Council of Ministers decision #605 on 2-cycle educational model incorporation into higher education system was published in May 2004 allowing speeding up higher education internationalization. Belarus signed Council of Europe/UNESCO Lisbon Convention on qualification recognition in 2002. In June 2004 Belarusian Parliament approved new ‘Law on Higher Education’ legalizing new 2-cycle degree structure and defining the framework for adhering to key European higher education values: academic

freedom and universities autonomy. However, later in 2004 Belarus turned away from further europeanization and fell into self-imposed isolation. This was official reaction to growing students' oppositionism claimed to be the result of western influence. All internationalization and liberalization processes were suspended. In those conditions, educational establishments, promoting European higher education fundamental values were forced to close or move out of the country. The best illustration of that is closure of European Humanities University (EHU) in Minsk and its move to neighboring Lithuania. EHU could be considered the only university in exile in peaceful time. 2004 Law on Higher Education was returned for revising in accordance with President's order. A.Lukashenko announced that Belarusian higher education system doesn't need any reform that restored old soviet era structure. This state policy on higher education was legalized in 'Law on Higher Education' in 2007, which eliminated articles supporting further higher education internationalization, institutional autonomy and academic freedom. The new Code on Education continues the tendencies set by previous law to grater extent because it codifies the legal framework developed after 2004. The Belarusian higher education development strategy is incompatible with EHEA principles and policies in principle. This clearly shows that as in Soviet Era, the new legislation doesn't attempt to eliminate higher education administrative control and its politicizing and move towards autonomous and independent HEIs. The Code on Education authors and legislators didn't plan to free education from total state control but rather decided to eliminate any sign of autonomy. The new Code doesn't even define institutional autonomy and academic freedom in its scope. It also denies national and cultural fundamentals existence in higher education as well as rejects guaranteed GDP share allocation to higher education's budget in comparison to previous law.

Belarus doesn't have legal framework allowing the implementation of Bologna higher education model, simplified academic and professional qualification recognition procedures for degrees received in EHEA countries, the establishment of independent quality assurance agencies, to set up effective social partnerships in higher education, to provide real students and employers participation in higher education study programs development as well as the implementation of other effective measures to meet Bologna standards and priorities.

b) The Ministry of Education report affirms the state-public higher education management system. In reality, the public role in higher education management is minimized. The higher education development policy is developed without any public involvement. Public Council at the Ministry of Education is not established although the law allows its existence. The Article 208 of the Code on Education strips academic community of any instruments allowing them to influence university management processes and decision-making and demonstrates legislators' adherence to making HEIs as a part of state administrative structure. HEI Council no longer elects the key university leadership position, Rector who possesses all decision making powers and manages HEI in accordance with the law, and he/she doesn't report to academic community on his/her achievements. Any Rector is appointed and dismissed by the President in state sector while the private sector it is under the competence of the Ministry of Education. HEIs Council – equivalent to Senate in European HEIs - doesn't have a final expertise rights and doesn't possess decision-making powers on key HEIs management issues. Current law doesn't provide any protection from state oppression for Rectors themselves.

National Rectors Council referred to in the Ministry of Education report, can't be considered as a public representative in state-public management system as it is composed from the government officials appointed by the state.

The absence of institutional autonomy gives way to further higher education politicizing as well as prosecution of its opponents. Article 2 of the Code prohibits any political party or other public associations pursuing political agenda establishment and functioning at HEIs but in reality, removes independent and opposition organizations from participating in HEIs management. Contrary to the law, pro-government political organizations such as Belarusian Republican Youth Union (BRYU), an exact copy of Soviet era komsomol funded by the state and National Public Association Belaya Rus (NPA Belaya Rus) continue functioning in HEIs as well as controlling all aspects of academic life. The situation where the Belarus Students Association is BRYU subdivision and consolidates its primary units can hardly correspond to universities' democratic norms.

NPA Belaya Rus is on the way to become pro-Presidential political party but still continues its presence at HEIs increasing its numbers by administratively forced faculty enrollment. As a rule, HEIs Vice-Rectors are heads of the organization's branch at respective HEI. (Annex 1)

c) The Ministry of Education report states that 10 private HEIs exist in Belarus. However, these institutions are constantly discriminated and their number decreased from 22 institutions in mid 90<sup>th</sup> to 10 nowadays.

2. Please give a description of the strategies that your country is currently pursuing in the field of higher education.

Belarusian higher education is becoming a victim of state educational policies directed towards constant funding decrease. Higher education strategy is to move its costs to public shoulders. The students' population growth has been achieved through the official introduction of tuition fee in higher education that increased the number of students from 189,000 in 1989-1990 to 442,900 in 2011/2012. Currently 2/3 of students are paying for their higher education. Number of students on state funded place is 149,000 that is significantly less than it was at the end of soviet era. The intended 25% decrease of study cycle duration, number of mandatory humanities courses for the first years of study and its structure revision are measures to cut higher education state budget further. The tuition paying students growth is achieved by decrease in the number of state funded places.

3. What are the partnership arrangements underpinning the system? Is there any specificity of your national higher education system that needs highlighting?

The Ministry of Education statement that Belarusian employers are not ready to accept graduates with BA degree is false. BA graduates in other countries easily find employment, in particular in private sector and where it is not limited by the legal acts and industries specifics. The BA graduates employment problems will be solved if the Ministry of Labor would give the existing higher education interpretation in qualification requirements up.

4. What are the main challenges that the national higher education system in your country is facing?

From the inter countries development perspectives, Belarus demonstrate non-typical case of economic ineffectiveness of human capital: high results in population education level against low income per capita. Thus it confirms the Ministry of Education information that higher education has a number of problems but the reasons of higher education low effectiveness lay in:

- excessive centralization in higher education management and total higher education administrative control
- very low level of institutional autonomy and constant suppression of academic freedom
- imposing on higher education the role of political servants:
  - \* political opponents persecution including students expulsion from HEIs for participating in peaceful protests
  - \* opposition faculty dismissal
  - \* students' forceful advance voting during election
  - \* academic life political control including students' self-governance system
  - \* teaching process dependence on state ideological policy.

5. Why does your country want to join the EHEA?

Contrary to the HEIs campaign of students' expulsion and faculty dismissal for taking part in opposition political activities, Belarusian government stepped up the efforts in joining Bologna. Belarus integration into European Higher Education Area would be a unique opportunity to reform the national education system, to internationalize and liberalize the education. Unfortunately, the Belarusian Ministry of Education strategy is to use the Bologna process for legitimizing the Belarusian regime without changing the repressive nature of higher education and bypassing the EU conditions set for starting a critical dialogue with Belarus.

The announced decision to join Bologna is reasoned by economic factors to some extent. Besides escalating economic crisis, Belarus has entered deep demographic recession visible in 2<sup>nd</sup> and 3<sup>rd</sup> decade of this century what will affect higher education financial resources to greater extent.

Belarusian Ministry of Education plans to neutralize the demographic recession by increasing the number of foreign students. In order to attract foreign students, the Ministry envisages that admission to Bologna will be the way to resolve this situation without launching any complex higher education system reforms. That is why the Ministry of Education received the green light in joining Bologna from the President. In April 2009, Alexander Radkov, the Minister of Education at that time and currently the Deputy Head of Presidential Administration, openly said “ We are working on being officially admitted to Bologna because we feel that this won't affect educational structure, content and its ideology”. (<http://otdelkadrov.by/news/show/197/>).

Belarusian academia views Bologna accession as a source to gain access to additional research funding and broader mobility options. Unfortunately, society as well

as government doesn't clearly understand that joining Bologna would rather mean opening a window for new ways to provide quality education in post-industrial era than just standards and higher education structure harmonization or academic mobility. It requires the complete and continuous implementation of Bologna Agenda 2020. The first step in this way should be setting HEIs free from repressive functions in serving state political interests. EU included a number of universities Rectors into EU travel ban list as a reaction to HEIs repressions against its students, participants of peaceful protest on December 19,2010.

The strengthening of real institutional autonomy and in particular, returning to the transparent Rector's election and his/her accountability to academic society could lead to full higher education de-politicizing and limiting administrative control should be the process. Belarus admission to EHEA should be based on condition that the political repressions in HEIs come to an end.

## **II. STRUCTURAL REFORMS**

*The EHEA is built on three structural components: quality assurance, degree structures/qualifications frameworks and the recognition of qualifications. This part of the questionnaire covers each area.*

### **1. Degree structure system/ Qualifications Frameworks/ Employability**

*A. Please describe the higher education degree system/qualifications framework of your country. Specifically, please describe how this relates to the overarching framework of qualifications of the European Higher Education Area<sup>1</sup> (QF-EHEA) adopted by Ministers in 2005 as well as the further procedure<sup>2</sup> and timetable for self certifying your national framework against the QF-EHEA. The description should specify whether any study programs are exempted from the three tier structure and, if so, describe their position in your higher education system and indicate the proportion of the student body concerned.*

The Belarusian model of 2-cycle higher educational structure is extremely artificial. The traditional lengthy educational cycle inherited by the country from Soviet Union was named as the 1<sup>st</sup> educational level. The duration of study is between 4 and 6 years pending the specializations' complexity. It is difficult to measure the equality of Belarusian 2 cycle higher education model against Bologna model in ECTS credits because Belarus doesn't have it as well as doesn't have a system compatible to ECTS. The Code on Education defines MA as professional and academic qualification and identifies it as 2<sup>nd</sup> educational level but actual qualification requirements and criteria are not developed. In fact, the existing degrees system is simple application of the European structure over the existing one without competences differentiation set by Dublin Descriptors.

Educational standards approved by the Ministry of Education in 2007 and in following years for a number of 1<sup>st</sup> level specializations clear constitute the ones for II level of Dublin Descriptors or VII level of EQF. Artificially created 2<sup>nd</sup> level of higher education still doesn't have its professional qualification standards.

Belarusian doctoral programs of traditional 2 cycle structure: Ph.D. and Doctors, equal to the 3<sup>rd</sup> level of higher education in accordance with the international treaties

between countries involved (for example Poland). In Belarus the responsibilities for professional and academic qualification are divided between Ministry of Education - higher education and academic qualification falls under the High Attestation Committee (Doctoral level) responsibilities and this division remains unchanged under the new Code on Education. This questions the Belarusian government declaration about 3-cycle higher education system that subsequently should fall under the Ministry of Education competences. In reality, the 3<sup>rd</sup> level degree programs fall under administrative vertical and Presidential control. The established system of total state control over the academic degree programs introduces a mechanism that limits academic community rights during researchers' attestation and ideological control of the actual dissertation context reasoning such actions by the need to increase the research quality. It resulted in significant decrease in a number of approved dissertations on ideological grounds without significant change in 3<sup>rd</sup> level programs quality (i.e. the dissertations were defended in HEIs or Research Institutes but were not approved by High Attestation Committee). The average effectiveness of the doctoral programs 1<sup>st</sup> cycle (Ph.D. or aspirantura) in the National Academy of Sciences is 6% while in the Ministry of Education is only 4%. Number of researchers awarded doctoral qualification decreased from 116 in 2005 to just 45 in 2010. In 2011, 28 researched were awarded Doctoral degree. In the meantime, the Ministry of Education states that annual demand in highly professional human resources is 60-70 Doctors and 400-500 Ph.Ds.

The subjects learned through educational programs for adults are not recognized when pursuing higher education study.

All educational programs and specializations offered to students by HEIs are approved by the Ministry of Education and included into the National Classifier "Specializations and Qualifications". The official report doesn't reflect that 80% of each offered educational program content is designed, approved and imposed by the Ministry of Education in accordance with their own rules and requirements. The Ministry also regulates the learning outcomes and practical skills that each graduates should possess upon completion of the program as well as it regulates what disciplines should be taught at particular program including the number of study hours allocated to each of them. HEIs role in developing educational programs comes down to obtaining the Ministry's permission to offer educational programs in chosen specializations, developing teaching methodology for 80% of mandatory and strongly regulated disciplines and developing the remaining 20% program content called 'institutional component'. In fact, students studying at the same specializations but in different HEIs obtain the same knowledge and skills without taking into account different students groups' demands and capabilities, which play an important role in mass education. Programs' unification leads to ineffective students capabilities utilization along with quality of education decrease. This can be changed only through the degrees structure reforms. The real 3 cycle educational model built on the Dublin Descriptors and EQF must be in place. In addition to this, the study programs should be students' oriented and, HEIs and potential graduates employers should have the rights to develop educational programs independently and in close cooperation with each other. This will allow linking educational standards with students' groups' capabilities and demands of labor market.

*B. The development of the national qualifications framework is, among other things, closely linked to the concern for improving the employability of higher education graduates. Please provide a description of your policies and priorities for improving the employability of higher education graduates and, in doing so, please cover the public as well as the private sector of the labor market. Please address the extent to which first cycle degrees (Bachelors or equivalent) are considered for employment, with specific reference to both the public and the private sector.*

The graduates' employability remains a grey area in developing the national qualification framework. The government decides on the economy needs in human resources in a light of specializations projected for 10 years period. This influences the decision on opening and closing one or the other specialization and number of place funded by state at HEIs. The Ministry of Education report indicates that all full-time students studied on a state funded places are employed.

In reality in Belarus, graduates, studied on state funded places, fall into the category of population that still under the influence of anti-constitutional practice of young specialists mandatory work placements. The mandatory work placement is easy and simple answer to starving for specialists state funded economy and where other workers refuse to go due to low pay and poor work conditions. Thus, mandatory work placements can be viewed as state compensation for its failed social and economic development policies. This practice is considered illegal in many countries and violates the basic constitutional rights for free education in Belarus. The agreements for such placements are obtained under threat to repay the cost of education to the state. This also violates Article 41 and 49 of the Constitution of Belarus, Article 13 of the Labor Code and breaches international treaties to which Belarus is signatory.

Mandatory placement duration of 2 years corresponds to legal term 'forced work' which means that 'any work or service demanded from an individual under punishment threat and to what an individual doesn't agree voluntarily' in accordance with Article 2 para 1 of ILO Convention #29 and constitutes students rights violation. Paradox of this situation is that tuition paid graduates who do not have mandatory work placements become victims of this rules and discriminated against other students' category because the Code on Education doesn't place them into the 'young specialists' category. The Code applies this term to those who were enrolled to the full-time study at state funded places resulting in violation of other graduates constitutional right for the first employment place and incompatible with European practices in defending graduates rights (work place quotes, defense against unfair dismissal, etc.).

This practice doesn't correspond to EHEA principles and values prohibiting discrimination in employment on any grounds.

## **2. Quality assurance**

*A. For internal quality assurance, describe whether higher education institutions in your country have quality assurance arrangements in place and, if not, what the plans and timetable are in this regard.*

The new Code on Education sets the national framework for accessing Higher Education Institutions (HEIs) quality (Chapter 12, Articles 115, 116) concentrating on establishing a full state control of the process, and institutional self-assessment. The internal institutional self-assessment process, its objectives and expected outcomes are regulated by secondary binding legal and based on the National standard for quality management system STB ISO 9001 adapted in 2009 and complies with ISO 2001 principles approved by ENQA.

Contrary to the Ministry of Education statement on quality management system implementation, the current quality management system is not adapted to the universities conditions. The system implementation and its application are not supported by the respective state certification authorities as they apply the practice common for industrial sector rather than for educational. IWA recommendations do not simplify the process. They simply provide justification and explanation related to variety of standards applying to educational establishment. The absence of unclear mechanism and guidelines for the system use resulted in increased number of HEIs internal reviews.

The official report does not point out existence of national specializations standards (educational program standards), which provide detailed description of learning outcomes and competences that each graduate should possess upon completion the study program but the mechanisms to assess these learning outcomes and competences have not been developed. The final exam still have more theoretical angle and final project is concentrated on very narrow problems thus leaving the learning outcomes outside of process.

The new Code provides the general framework for students' assessment (Chapter 40) while the Ministry of Education approves the rules of procedures to assess students learning outcomes. This includes defined testing and examination processes. The Ministry of Education claims that the existing grading system (the scale from 1 to 10) represents the most differentiated learning outcomes assessment. In spite of this there is no detailed requirements and base supporting this grading system. Grading system application analysis has not been conducted thus putting the faculty requirements for assessing students' learning outcomes unification into jeopardizing situation. The objectiveness of this grading scale can't be access either, which influences the teaching quality assessment directly linked to the grades level. This approach completely breaches the ECTS grades use guidelines. The existing grading system doesn't provide adequate information to the institutions about the effectiveness of teaching and learning even students achieve high results based on tests and exams.

The faculty assessment procedures are very formal and don't assess faculty skills and development adequately although many universities developed specific criteria for faculty assessment but they are mainly used for compensation calculation. Belarusian higher education system is not tenure based. The faculty election to their position is based on the fulfillment of formal requirements and can be for max of 5 years and min of 1 year. The option of 3 years appointment also exists. There are no criteria to assess the knowledge transfer, teaching methods innovativeness and research potential. What matters in assessing faculty is how thick the published textbook or teaching materials are.

The Ministry's claim that the information on the quality management system impact is public is not supported by the actual situation in public access to information. It is accessible only through the universities internal network leaving the main stakeholders:

students, parents, potential employers and society outside of any higher education development. The university also don't post the information on effectiveness of teachers, employability of graduates and the institution's own key performance indicator.

Universities own key performance indicators do not exist as it is solely controlled and administered by the state. Thus the further development of high quality educational program and effective management system hampered by HEIs exclusion from this process and reconfirms the total state control over its development.

Effectiveness of teachers is not accessed separately to the required position appointment criteria at the time of appointment.

The results of quality of education assessment by students are not accessible to students themselves and to public. The situation with public information shows how dependent institutions are and they are totally controlled and administered by the state.

In order to comply with the European Quality Assurance standards the following measures should be sought after:

- To develop adequate legal framework to comply with European standards and guidelines for quality assurance
- To design universities own key performance indicators
- To involve faculty, students, employers, society into the quality of education evaluation by developing legal base for their participation
- To prepare an action plan to improve the existing internal quality management system to meet European standards specifically in faculty assessment.
- To use international expertise and experience in implementing the required assessment criteria
- To provide public access to the quality assurance process information and data

*B. For external quality assurance arrangements, the description should focus on the way in which the competent authorities of your country comply with the European Standards and Guidelines (ESG) adopted by Ministers in 2005. To the extent that your country does not comply with the ESG, the description should include your plans for doing so and the timetable for achieving this. Elements that may be covered include cooperation with quality assurance agencies of other countries with a view to assessing the quality of your institutions as well as with organizations and networks such as ENQA.*

In accordance with the law, the Ministry of Education is the only state body that has a right to issue educational licenses and accredit any HEIs. The rules of procedures, requirements and guidelines for the institutions' self-assessments and those seeking accreditation and licensing are developed by the National Institute for Higher Education, Quality Assurance Department of the Ministry of Education and approved by the Ministry of Education. The detailed criteria and requirements for accreditation are not public. There is no independent quality assurance agency in Belarus as well as the country doesn't use any of the existing European agencies for its HE quality assurance or seek their assistance in developing an independent quality assurance agency. The Ministry assigned the controlling, planning and assessing role to its Quality Assurance Department that is responsible for proceeding with Institutions' quality assurance. The accreditation criteria can randomly be aligned with ENQA. Although, the official report states that there is no limitation imposed on HEIs in using the quality assurance agency of

their choice which contradict the Ministry of Education statements that they are the only official body allowing to conduct external quality assurance: accreditation and licensing in Belarus. Quality management system evaluation results are only partially related to the teaching and learning qualities. The ISO 9001 introduction and use replaced the existing complex HEI assessment once in 5 years by one in 3 years and annual partial assessment based on the increasing number of quality management system criteria, which are not adapted to the educational environment.

Belarus is officially a member of a number of international quality assurance organizations: European Organization for Quality, International Organization for Standardization and CIS Inter-Governmental Council for Standardization, metrology and certification. The country is not a member of the European Association for Quality Assurance in Higher Education until it joins the Bologna. The joining EAQA will require the evaluation of existing in Belarusian higher education quality assurance standards, requirements and procedures to incorporate international practice without undermining the national higher education system.

The presented situation confirms the limited application of European standards for internal and external quality assurance. Belarusian higher education quality assurance system remains inefficient and the Ministry of Education holds strong on its status of being the only quality assurance body in a country. The legislation doesn't leave a niche in allowing to establish any other agency accessing the quality of higher education institutions.

We propose the following measures to improve the current state of affairs:

- To develop adequate legal framework to comply with European standards and guidelines for quality assurance including the establishment of independent quality assurance body
- To use international expertise in introducing the internal and external quality assurance requirements in compliance with European standards
- To seek international accreditation for HEIs and the teaching and learning quality assurance by independent agency.

### **3. Recognition of Qualifications**

*A. The fair recognition of foreign qualifications is a prerequisite for academic mobility and the fundamental principle of the Council of Europe/UNESCO Lisbon Recognition Convention. If your country has not yet ratified the convention, please indicate your plans and timetable for doing so. Regardless of whether your country has ratified the convention or not, please outline your actions, plans and priorities in regards to the recognition of foreign qualifications in your country, with an indication of a timetable. It is suggested the description comprise the organization and competence of the national competent authorities for recognition and the role of ENICs/NARICs. Arrangements and policies for the recognition of qualifications earned through alternative learning*

*paths/lifelong learning should also be addressed.*

Belarusian Higher Education qualifications framework has been going through transformation since Belarus signed the Council of Europe/ UNESCO Lisbon Convention on qualification recognition in 2002. The new Code on Educational (Code) defines degrees structure, diploma and certificate received but provides only general norms for qualification recognition (Article 102 and 122). The qualification recognition process is regulated by the secondary legal acts and bilateral international treaties mainly with CIS countries (see Annex 2).

The rules of procedures are approved by the Council of Ministers if not otherwise set by the President of Belarus who in fact, is regulating the process and applications are reviewed on case-by-case basis.

The qualification recognition procedures are in place but the actual process doesn't meet the European standards. The Lisbon convention was only ratified 2008 with enforcing the needed administrative procedures and nominating the responsible agency (Department on Qualification Recognition at the National Institute for Higher Education [further Department]). This leaves the established ENIC-NARIC (Belarusian ENIC) information office role undefined while it supposed to handle the issues related to qualification recognition and supply the applicant with all needed information and provide the assistance through the process. The Ministry of Education issues the official recognition certificates based on the institute's application evaluation results. This setting confirms Belarusian government unwillingness to ease the administrative control over the higher education development and its internationalization.

In spite of the existing qualification recognition procedures, what we really have is that qualifications received outside of Belarus is recognized based on bilateral agreements between Belarus and other foreign countries leaving those who received their degree in other countries outside and their qualification unrecognized.

Our research results show that the main obstacle in qualification recognition lies in different degrees, programs structure and curriculum in comparison to European standards as well as ECTS type credit system absence. Belarusian HEIs programs and courses structures are not comparable with foreign ones. The difference comes in disciplines and courses taught and number of hours assigned for them. This means that the individuals' qualifications received in countries with which Belarus doesn't have bilateral treaties can't be recognized in Belarus in current context in principle. In fact, this also affects all exchange students who are obliged to pass all exams on those subjects that were not taught at the host university upon their return to home country to be able to continue studying at chosen program. The time frame for this is very limited and a number of disciplines to pass may reach 10 in some cases. This falls outside of regular examinations and considered as students' individual work.

The Bachelor degree (BA) doesn't have an equivalent in Belarusian higher education system in spite of the fact that new code provides the general framework for 2-cycle educational model. The existing requirements for qualification do not have an analogue in Belarusian higher education for this type of degree that creates obstacles in employment of BA graduates. In addition to BA recognition, we are facing serious problems with Master degree (MA) recognition. The actual MA degree was diminished when it was turned to the 1<sup>st</sup> level of Doctoral study. The new code provides the definition for MA degree formally but this is still unclear how it will affect and be

reflected within the current higher education structure. The government intention to decrease the regular 5 year study (specialist) for 25% will affect the entire degrees structures as it stands now. It is unclear to what extent and whether the structure will only include BA and MA and how it will change the qualification recognition process having in mind that there are no graduates with BA diploma on hands. All students complete full study program of 5 years but receive Bachelor diploma after the 4<sup>th</sup> and continue to the final year to obtain the state format university diploma. From our point of view, such move can affect the current higher education structure in a number of ways: the existing legal framework will have to be revised followed by complex programs and curricular reform leading to establishing the proper functional higher education system based on EHEA principles. However, this proposal may mean only one thing - further decrease in higher education funding from state and has nothing to do with reforms.

The other milestone is academic (Ph.D. and doctoral) qualification recognition received outside of the country. It is impossible to confirm it in Belarus due to the rules of procedures shortcomings as well as existing politicizing and administrative control of post-graduate and doctoral studies. The Higher Attestation Commission controls academic qualification recognition process and not the Ministry of Education. This situation is common for many CIS countries and Belarus is not an exception. However, it has distinctive feature as no other has such as that Ph.D. or Doctoral dissertations defenses are considered illegal if the Higher Attestation Commission did not approve this. This clearly breaches principles of European Convention on qualification recognition. Unfortunately, there are no visible steps made to settle this precedent. The government considers academic qualification in all forms as a strategic asset and continues to control all activities in this area.

This confirms that in spite of the ratified Convention and established procedures the qualification recognition doesn't correspond to European Convention on qualification recognition principles and EHEA principles on degree equality as majority of foreign degrees received outside of CIS countries are not recognized in Belarus due to fundamental differences in degrees structure, program structure and curriculum.

We suggest that the following measures should be taking to resolve the current situation:

- To begin the complex higher education program and curriculum reform
- To develop the comprehensive legal framework for qualifications recognition
- To involve international experts to the process to meet the EHEA requirements for higher education qualifications recognition.

*B. The Diploma Supplement and the European Credit Transfer and Accumulation System (ECTS) are important transparency instruments for improving recognition and Ministers have committed to implementing both; in the case of the Diploma Supplement to deliver it automatically, free of charge and in a widely spoken language. Please describe the current state of implementation of these instruments in your country as well as your plans, priorities and timetable for further developments.*

The qualification recognition shortcomings and total standstill in resolving the occurred problems lead to the on-going discussion regarding introduction of European format Diploma Supplement (DS) and ECTS system. In according to the official statement, 2010/2011 graduates were to receive the DS of a new format, which didn't occur and the deadline for it was moved to 2011/2012 graduates. The official statements revealed that this delay happened due to the difficulties in terminology translation as well as international assistance wasn't thought for. Our research of the situation shows that problems lay in how to interpret it and full misunderstanding of what ECTS is. The Ministry presents ECTS as a credit – modular system is calculated based on the subjects taught and student's study rating. This approach breached the ECTS principles in general. This also underlines that the system can't be changed by administrative orders that exist in higher education now and it must include universities into the process which is not the case in Belarus.

We suggest that the following measures should be taking to defuse the situation:

- To reform higher education programs and revise its curriculum based on the European standards and ECTS principles involving international community to assist in this.
- To increase the universities awareness and involvement into the process through establishing the informational offices in multiple locations.

### **III. OTHER KEY AREAS**

#### **1. Academic mobility**

*In addition to its structural reforms, the EHEA seeks to develop a common understanding and joint policies and guidelines in a number of other key areas of higher education policy. This part of the questionnaire seeks to assess the state of the implementation as well as the level of commitment of your country in two areas of key importance to making higher education in Europe both more attractive and more accessible to all.*

The new Code on Education identifies the international mobility as activities directed to students and faculty exchange, research projects and other international activities set in international agreements and provides the legal framework for this but administratively regulated by secondary legal acts, rules and procedures designed and approved by the Ministry of Education. The Ministry of Education must approve participation in all international cooperation programs including academic mobility.

Academic mobility of students and faculty remains low. Although the Ministry of Education refers to 2000 inter university exchange agreements the official report states that the annual students' mobility turn over is just 1,500. Reference to equal mobility structure doesn't correspond to reality where it is completely asymmetric. The main vector in Belarusian students mobility is in western directions while Belarusian Universities admit students mostly from the East (Turkmenistan, China, Russia). Number of European exchange programs is very limited. For example, the participation level in Erasmus Mundus program is at about 65 persons during its 4 years presence in Belarus.

As all mobility and internship programs are subject to Ministry's approval, we can identify a number of mobility types existing in Belarus at the moment:

1. Official exchange programs. They are recognized and accepted by the state in spite of the Ministry of Education official statement that participation in international exchange programs outside of the inter universities international exchange agreements is private undertakings by students. The same report clearly shows that the Ministry officially recognizes European exchange programs such as Erasmus Mundus, DAAD, Tempus, etc. This clearly shows the contradictions in the same official statements and dual face of the Ministry of Education internally and externally. This doesn't correspond to EHEA principles. The number of students participated in exchange programs (full educational cycle) within the framework of bilateral agreements is at about 100 students annually.
2. Informal mobility when students leave for studying abroad at their own expenses (parents cover the costs). These students are also enrolled to vocational study programs at Belarusian HEIs in many cases. This enables them to receive Belarusian degree (diploma) to avoid going through the qualification recognition process regularly resulting in Ministry's rejection to confirm foreign degree. Students are not always interested in providing information about their study abroad which makes difficult to access the number of students taking part in this type of mobility.
3. Alternative mobility. These are the programs launched by different countries and specifically designed for Belarusian students oppressed on political grounds. These programs are specifically designed to support academic refugees (Polish Kalinovsky program, EHU scholarships, ect.).

Until recently, Belarus didn't have any State Mobility Program to support Belarusian students study abroad. However, government announced that starting from 2012, it would support up to 50 students through the state funded mobility program in accordance with new Council of Ministers decision (#1617) from November 30, 2011. It doesn't seem to be enough to increase mobility participation. For example, in 2010/2011 academic year 149 students went to study through Kalinovsky program alone. This number is 3 times more than what Belarusian government is ready to support in attempt to boost mobility and meet Bologna requirement for raising mobility participation to 20% mobile graduates in EHEA.

Similar situation is with the faculty mobility but complicated by the timeframe when faculty can undertake it. They are not allowed to leave during the term and it leaves them with winter a summer breaks. The sabbatical leave is not envisaged in higher education system in Belarus. The informal mobility among faculty exists but the official data is not available as it is mostly private undertakings by faculty themselves. There is no data exist on the faculty mobility.

All mobility procedures are lengthy and heavily bureaucratic with political implications brought in. Thus most of the students and faculty do not consider applying and make their own private arrangements with respective universities.

The new National Program for HE development stresses the importance of international component through the exchange programs and attracting international faculty to teach at English language programs. There is a very few English language programs. Among them are MBA program at Belarusian State University funded by USAID and Telecommunication Networks and Information Security in Telecommunication at Belarusian State University of Informatics and Radio Electronics thus limiting the further internationalization of higher education. The state considers the English language programs will increase a number of foreign students at Belarusian universities as additional cash for struggling economy but not for the benefit of strained higher education finance and its development. The lack of faculty able to teach at those program as well as limited number of visiting faculty is also great concern among academic community. Current law doesn't provide any legal framework for hiring foreign faculty except Russian nationals as well as rules, procedures and guidance to do so do not exist.

We want to underline that unless administrative control and further politicizing of higher education including mobility participant selection process sees to exist there will be no progress made in this area.

We strongly believe that the following actions must be in place to boost the academic mobility:

1. Launching alternative mobility scheme that will envisage the countries based scholarship support for Belarusian students who are repressed at their home university for social active position and their political aspiration that don't fall into the state promoted policies. We do not exclude that this might turn into somewhat continuous study on the full-time bases.
2. Developing dual degree programs that will include mobility component for students, faculty and staff.
3. Developing legal framework adhering to best European practices in the field of higher education academic mobility.
4. Establishing transparent selection process without state control and run with the participation of independent evaluators.
5. Starting the complex higher education system reform to incorporate the European standards for degree division, programs and curriculum structures.

## **2. The Social Dimension of Higher Education**

*Work to strengthen the social dimension of higher education aims at realizing the aspiration expressed by the EHEA Ministers at their 2007 meeting that "the student body entering, participating in and completing higher education at all levels should reflect the diversity of our populations". Please describe the social support mechanisms for students in your country.*

*Please provide a description of the main achievements in strengthening the social dimension of higher education in your country as well as of the main challenges in strengthening it further, including your priorities, plans and timetable in this respect.*

*It is suggested the description comprises an outline of the social composition of the student body in your country, including an overview of possible under-represented groups and whether your country has any national targets for access and completion in higher education of students from under-represented groups. In this context, it may be relevant to describe whether there are systematic differences between study programs and/or institutions (e.g. in terms of the profile of study programs or the geographical location of the institutions within the country) and whether there are national or institutional strategies in place for making the student body reflect the diversity of your national population. A description of current data collection in this area as well as plans and timetable for further improving such data collection would also be welcomed.*

Constitution of the Republic of Belarus and new Education Code ensure equal opportunities and access to education to all individuals without any discrimination on sex, race and nationality grounds. Access to higher education for disadvantaged social groups is stimulated by different measures: specific admissions rules and requirements, students' stimulation mechanisms (stipends, min social standards in education, reduced transportation fare) special social packages for young specialists upon completion of their study, etc. However, government doesn't go beyond what it is already in place and doesn't apply other available mechanisms to allow access to higher education for broader social groups. For example, the educational services differentiation and modernization in accordance with the social groups need could be one of them.

Geographically, higher education is uneven. Most of the HEIs are located at the capital – Minsk with 22 public HEIs and 9 private. The Higher Education Institutions distribution by regions is as follows: Brest – 4; Vitebsk – 5; Gomel – 7; Grodno – 3; Mogilev – 5.

In 2010 53% of students population were studying in Minsk. High HEIs concentration in Minsk put youth migration at a rise and creates certain problems in settling them in another location. 65% of students in Minsk HEIs are not provided with dormitory accommodation. Those who are renting accommodation receive compensation of at about 10 euro (105,000 BLR) which is 10 times less than real rental cost but the number of students received such compensations is insignificant as the requirements are excessive and the procedure itself is very lengthy.

The study in Belarusian language remains problematic and unresolved. Based on the census results 53,2% of the populations indicated Belarusian as their native language while 41,5% referred to Russian as native. In reality, 23,4% of population uses Belarusian on a daily basis and 70,2% uses Russian. Belarusian and Russian languages are both official state languages in accordance with the law. In reality, higher education system doesn't have an educational program fully taught in Belarusian thus making it impossible to receive higher education in Belarusian language for some social groups. Civil activists have been demanding to open at least one HEI offering educational programs in Belarusian but the authorities have ignored this. The references to national and cultural values of educational policies are not acknowledged in new education code.

People with disabilities continue experiencing problems with access to higher education. The main problems among others are that HEIs are not equipped for them and don't have programs designed specifically for this group. Statistics speaks for itself: 6% of people in wheelchairs received higher education, 10,7% - people with vision disabilities and 6,3% - with hearing disabilities. E- learning programs are accessible for this category but only on tuition fee basis against other forms of study. Mentally disabled people, people with nerves system disabilities and anomaly disabilities are the most vulnerable group. There is a vivid example of disabled people discrimination in access to higher education. Female with vision disability since childhood was refused admission to the Belarusian State University at the documents submission stage. The University's administration reasoned their decision that they are not equipped for such people. However, this individual went to claim that she has the same rights to higher education as any other young person and was granted the possibility to pass entrance exams. Her results were outstanding and she was admitted to Law Faculty. However, this is one among few positive outcomes in similar situations. In fact, none of Belarusian universities is equipped to accommodate disabled people for studying there.

The Ministry of Education stated the existence to obtain low interest rate loans for covering study cost. What they didn't present that these loans are available to students studying at state universities setting the discrimination precedent against private HEIs whose students are not eligible for such loans. Beside, the loan conditions are designed in such way that student should begin repaying their loan right after the graduation irrespectively whether they are employed or not.

There is also very narrow niche in access to education for elderly people due to the fact that life learning approached was viewed as professional skills development for employed part of population leaving these groups outside.

Informal education is not considered as a higher education degree. It has not been legalized in new education code and not viewed as a part of HEIs educational services.

## **IV. VALUES AND FUNDAMENTAL PRINCIPLES**

### **1. Academic freedom and institutional autonomy**

*Please describe the fundamental values underlying your higher education system and provision. It is suggested that the description includes an outline of the legal provisions concerning academic freedom and institutional autonomy as well as a description of how these fundamental values are ensured in practice. It is further suggested that reference be made to provisions of the Magna Charta Universitatum in this respect.*

The Bologna documents state that any European higher education reforms should be based on institutional autonomy and academic freedom principles. Countries that want to join in shall respect these values on which HEIs accountability to society is built.

### **Institutional autonomy**

The approval of the new Educational Code that came in force in September 2011 once again reconfirmed the state ownership of classical universities and majority of higher education institutions. The code assigns main decision-making role to the governmental bodies such as the Ministry of Education, the Council of Ministers and the President. The Universities Rectors Council was established in the past and was supposed to play the role of educational reform initiator, advisory and monitoring role but the legal framework regulating their activities is not developed and their role has been minimized in the process of reform. The Belarusian HEIs organizational structure represents bureaucratic centralized management system.

The University's Rector, key position in HEI, is approved and appointed by the Ministry and the President. The rector is not accounted to any internal governing body, public and academic community. The private HEIs fall into the same category as state in decision on Rector's appointment. None of Belarusian HEIs signed Magna Charta Universitatum.

The new rules of procedures regulating HEI Council establishment approved by the Ministry of Education on July 18, 2011 do not assign any decision-making powers to them on the issues determining HEI autonomy. The Council doesn't have the right to elect and dismiss Rector, Vice-Rectors, Deans, approve and amend HEI Statute, approve new educational programs and study plans, approve establishing new and liquidating old departments and research labs, approve financial reports. The Council also doesn't have a right to final expertise and award academic ranks and qualifications.

The new Educational Code and the system in general don't promote fundamental values of European society: institutional autonomy and academic freedom.

### **Academic Freedom**

The perception of any European higher education reforms should be based on institutional autonomy and academic freedom principles and its countries shall respect these values and build its higher education based on these principles. The society, from its side, should take interest in HEIs policies development and application in respect to key values of academic freedom: freedom of thought, freedom of opinion, freedom of speech, freedom of movement, freedom of teaching, rights for association, etc. These rights are guaranteed by the Constitutions in many countries and are interpreted in a way that HEIs act in public interests. Belarusian law doesn't guarantee any of these rights to HEIs faculty, staff and students. The law doesn't provide the basis for their rights protection as well as it doesn't guarantee freedom of speech and opinion. The new Education Code doesn't include any of the academic freedom values at all.

Since 2008, the advocacy organizations monitoring 'ban on profession' issues noted that most socially active faculty and researchers have been ousted from the universities on political, religious and ideological grounds. Social sciences and humanities faculty were the first to experience such 'ban' as their academic profession became a subject to ideological intervention from the state. Now this practice is extended to other academic professions. HEIs faculty must form patriotism and national self-

awareness in students based on the state ideological policy in accordance with Article 18 of the Education Code. This affects all faculty irrespectively of their academic profession.

The HEIs and faculty relations are guided by the employment contracts and its addendums/amendments, which are regular designed in a conflict with academic freedom principles. Faculty choices of publishers are limited to the journals' selection approved by HEIs and if published somewhere else the faculty may be punished. In addition to this, the universities own publications and announcements as well as the other announcements are subject to censorship by administration.

Faculty academic freedom in choice of teaching methodology is limited by the educational study program standards. Article 217 of the code defines that study program of particular discipline is legally binding and sets discipline's aims and objectives, its content, number of hours taught per subject, recommends teaching methods, list of literature and other educational means. All programs are approved by the Ministry of Education and are to be used at any university. Faculty must follow Ministry's teaching guidelines.

Faculty freedom of movement is not just limited by HEIs financial resources but in many cases by lengthy and frequently politically motivated bureaucratic procedures and administrative barriers irrespectively of the travel nature undertaken by faculty. It mostly hit the faculty teaching at EHU located in Lithuania. They were asked to stop their cooperation with the university or be fired from home HEI. Most of the faculty chose to continue teaching at EHU in secret in spite of looming punishment.

The situation with students' travel is not different from the one with faculty. They have to obtain permission to leave from the Minister in accordance with its guidelines #125 from December 27, 2005. Normally, any travel request or permission to leave requires lengthy bureaucratic approval procedure and results in rejections or unexplained delays, which are politically motivated in many cases. Students have been taking risk to leave without any permission to participate in different events of their choice. For example, Ms. Tatian Shaputko was expelled from her university for participating in Eastern Partnership Civil Forum in November 2009 in spite of her outstanding academic results.

The right for association is not respected in Belarusian academic community. Article 52 of the Code on Education allows faculty to form professional associations and other civil organizations if their activities do not breach the law. In reality, pro-government organizations are allowed to pursue their activities in HEIs while alternative ones are facing numerous barriers starting at registration stage and the members of non-registered NGOs may face criminal charges filed against them in accordance with Article 193.1 of Criminal Code. HEIs leadership forces faculty and staff to join pro-government organizations such as NPA Belarya Rus by what violate their rights for association.

In general, new Code on Education, other legal acts and current higher education system don't promote and support fundamental values of EHEA: institutional autonomy

and academic freedom. Belarus continues to follow the traditional HEIs management style dated back to the USSR times using administratively regulated HE development. .

We strongly convinced that institutional autonomy and academic freedom must be installed in HEIs and the situation must to be given primarily attention and concern. Unless Belarus adheres to these principles, the higher education development in country and its position in European higher education remains questionable.

The measures to be taken to resolve this standstill must include:

- Legal framework reform to provide the basis for real institutional autonomy and academic freedom
- Higher education administrative control elimination
- Use of foreign expertise in higher education development.

## **2. Public responsibility for higher education**

*EHEA Ministers have twice – in 2001 and 2003 – stated that higher education is a public good and a public responsibility. Please describe how the public responsibility for higher education is organized and put in practice in your national higher education system. It is suggested that the description comprises a consideration of the role and responsibilities of various actors as well as a consideration of the main challenges in this area and your plans, priorities and timetable for meeting these challenges.*

Contradictory Magna Charter, excessive dependence on political trends and high bureaucracy of higher education management leads to HEIs constant decrease of their accountability to the society.

The Board of Trustees and/or similar governing bodies is the mechanism to represent public interests in higher education. The Education Code allows the Board of Trustees presence in HEIs but the newly adopted rules of procedures regulating the Board of Trustees establishment and approved by the Ministry of Education don't assign any decision making power to them. The Board doesn't have any influence on HEI development strategy as well as doesn't have any power and rights in presenting and defending the rationale related to the labor market needs. The Board of Trustees has a consultative and advisory role and its main task is to search for additional financial sources for HEIs needs in accordance with the rules of procedures. The Ministry of Education and HEIs leaderships are convinced that students must pay for their education having in mind that it is an investment in human capital i.e. higher education but at the same time, they don't allow employers and society to participate in higher education decision-making process.

The government understanding what quality of education is doesn't relate to the need of educating a high quality specialists but rather their compatibility to educational standards developed and approved by the Ministry of Education without any input from and participation of society and businesses.

### **3. Cooperation among stakeholders and student participation**

*Within the EHEA, higher education policies are developed in partnership between public authorities, the higher education community and other stakeholders. Please provide a description of who you see as the main stakeholders in higher education in your country, how these stakeholders are involved in developing higher education at present and what you see as the main challenges in this area, including your plans, priorities and timetable for addressing the challenges. In view of the fundamental role of student participation, the description should be explicit on the role of students in higher education governance at both institutional and system level, including whether student representatives are elected by the student body and whether there is an independent, democratic and representative national student union open to all students.*

Belarusian higher education is funded from multiple sources where the state contribution is constantly decreasing. This is a high time for HEIs seek cooperation with different societal players: government, businesses, civil society as well as develop strong partners network. On the other hand, it is difficult to establish effective partnerships with state being one of the main stakeholders constantly exercising its power. The result of state dominant position is the approval of new Education Code. The Code doesn't provide the framework for building social partnerships and defines the relationships between HEIs and employers in terms of 'Client' and 'Service Provider' relations where 'client' - other stakeholders, excluding government, don't participate in HEIs management and decision-making. They are considered as sponsors or donors without any influence on HEIs development strategy. There is no legal basis for establishing independent Board of Trustees and Endowment Funds.

The other main stakeholders group, students and their parents, don't have any influence whatsoever either while they are the once who are main sponsors of HEIs. Formally, parents could be elected to the Board of Trustees which will be meaningless as the Board itself doesn't have any decision-making role and powerful influence on HEIs mission and strategy, teaching methodology and program content, HEIs financing in comparison to European traditional HEIs structure and governance. The number of parents represented on Board is not regulated.

The new rules of procedures for HEIs Council establishment guarantees 25% of places to be reserved for students representatives but the Board doesn't have any power thus making such representation ineffective. Students' representation remains controversial in current situation as they are currently represented by the BRYU, students union and students' council representatives that don't provide wide students representation across the board. There is also no guarantee that Board Members election will be conducted in accordance with democratic principles of transparency and fairness due to the complete political control by the HEIs leadership and government.

There is no visible students participation in HEIs self-governance. Current legislation doesn't have any clause on students' participation, rights and responsibilities. It only describes the disciplinary measures to be taken against students in violation of HEI's norms and rules. The only recognition of students' rights comes within HEIs internal rules and procedures allowing students to challenge the faculty decisions during

the study period. There are a few cases when this was exercised in past. Students' organizations rights are limited and their activities and management are controlled and regulated by HEIs ideology departments monitoring their adherence to state ideological policies. The most vivid example of students' organizations control is that the only organization representing students is Belarus Students Association (BSA), which is a part of Belarusian Republican Youth Union, pro-government youth organization. Starting from 2001, authorities have been closing independent youth organizations whose mission and activities were different from the official line. This is symbolic that ESU, representing Belarus in European Students Union, was closed in 2001 by court order. Fortunately, this organization is still active but continues its work underground. Members of non-registered independent organizations may face criminal charges for participating in such establishments in accordance with Article 193.1 of Criminal Code. EU recognizes such actions as a violation of rights for association and views its full discharge as one of many conditions based on which the dialogue with Belarusian government can be resumed.

To conclude, the following actions must be taken:

- Legal framework on students' participation in decision-making within the university should be developed;
- Develop strategy of stakeholders' participation in higher education development;
- Develop regulatory base for their participation;

## **CONCLUSION**

**The evaluation of Belarusian higher education policies, existing legal framework, institutional autonomy and academic freedom conditions allows us to conclude that without complex higher education reforms Belarus full membership in EHEA won't be effective. We strongly believe that Belarus entrance to EHEA should be done in stages based on proposed 'Road map for reforms' (see Annex 3).**