



PROTOCOL FOR ACCESS AND ADMISSION TO UB STUDIES FOR STUDENTS RECEIVING INTERNATIONAL PROTECTION

Article 26 of the *Universal Declaration of Human Rights*, which constitutional regulation recognises as the source text for interpreting regulations related to fundamental rights within our legal system, states that “Everyone has the right to education” and that “higher education shall be equally accessible to all on the basis of merit.”

The 1951 *Convention Relating to the Status of Refugees* obliges signatory states (including Spain) to grant refugees the most favourable treatment possible with regard to studies, recognition of foreign educational certificates, exemption from fees, and the granting of scholarships.

Similarly, the European *Convention for the Protection of Human Rights and Fundamental Freedoms* states that no one may be denied the right to education, while *Directive 2011/95/EU of the European Parliament* and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, states that “Member States shall endeavour to facilitate full access for beneficiaries of international protection who cannot provide documentary evidence of their qualifications to appropriate schemes for the assessment, validation and accreditation of their prior learning.”

Section VII of the *Convention on the Recognition of Qualifications concerning Higher Education in the European Region*, signed in Lisbon in 1997, establishes the terms for recognising the qualifications held by refugees, displaced persons and persons in a refugee-like situation.

The convention stipulates that each party shall take all feasible and reasonable steps within the framework of its education system and in accordance with its constitutional, legal, and regulatory provisions to develop procedures designed to fairly and expeditiously assess whether interested parties in these circumstances meet the relevant requirements for access to higher education, to further higher education programmes or to employment opportunities, even in cases in which an individual’s qualifications cannot be proven through documentary evidence.

The United Nations High Commissioner for Refugees document on *Higher education considerations for refugees in countries affected by the Syria and Iraq crises* of July 2015 recommends that the competent authorities relax documentation requirements for admission to higher education programmes in third countries to avoid putting applicants at risk if the required documentation can be accessed only upon return to their country of origin, involving risks to candidates’ lives and refugee status.

In light of the foregoing, and in accordance with the provisions of the Lisbon agreement referenced above, the University of Barcelona hereby agrees to the procedure described below for evaluating documentation submitted by members of this group:



1. SCOPE OF APPLICATION

This procedure is applicable to beneficiaries of international protection who have begun or completed university studies in a foreign higher education institution and who have applied to continue or initiate undergraduate, master's, doctorate, or UB-specific master's degree or postgraduate studies at the University of Barcelona.

Those considered to be beneficiaries of international protection are persons who have been granted refugee status, subsidiary protection status or stateless status, regardless of whether they are seeking temporary protection or displaced person status. Candidates can prove these circumstances by submitting a copy of their application for such status, a decision granting the status and the corresponding right, or an identity document recognising these rights.

Candidates must apply for access and admission in accordance with the procedure established for the type of studies they would like to undertake (bachelor's degree, official master's degree, or UB-specific master's and postgraduate degrees).

2. DEFINITIONS

REFUGEE

A refugee is considered to be any third-country national who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, gender or sexual orientation, is outside their country of nationality and, due to this fear, is unable or unwilling to avail himself or herself of the protection of that country.

STATELESS

A stateless person is a person who is not considered a national by any state and who is not in the state in which the person formerly habitually resided due to the same reasons as those set out for refugees, and who because of these fears is unable or unwilling to return to that country.

SUBSIDIARY PROTECTION

This is the right to protection granted to persons from other countries and to stateless persons who do not qualify for refugee status for whom substantial grounds have been shown to believe that the person concerned, if returned to his or her country of origin (or in the case of a stateless person, to his or her country of former habitual residence), would face a real risk of suffering serious harm (i.e., be condemned to death, or subjected to torture or inhumane or degrading treatment) and due to this risk is unable or unwilling to avail himself or herself of the protection of that country.

ASYLUM APPLICANT

Asylum applicants include anyone who has applied for international protection or has been included in such an application as a family member within the period of reference.

DISPLACED



In Spain, displaced persons are third-country nationals from non-EU countries or stateless persons who have had to leave their country or region of origin or who have been evacuated, especially persons who have fled areas of armed conflict or ongoing violence. This also includes individuals who are or have been in serious danger of being exposed to systematic or generalised violation of their human rights (Spanish Royal Decree 1325/2003 of 24 October, transposed from European Council directive 2001/55/EC of 20 July 2001).

TEMPORARY PROTECTION

Temporary protection is an exceptional measure whereby, in the event of mass influx or imminent influx of persons from third countries unable to re-enter their country of origin, immediate temporary protection is guaranteed to them. It applies in particular when there is a risk that the standard asylum system is struggling to cope with demand stemming from a mass influx that may have a negative impact on the processing of claims.

The protection is considered to last until the situation in the country of origin allows, on a lasting basis, for the safe return of persons granted temporary protection, with due respect for their human rights and fundamental freedoms and in compliance with their non-refoulement obligations.

3. PROCEDURE FOR ANALYSING DOCUMENTATION

Different procedures must be established based on the documentation submitted by beneficiaries of international protection when applying for a study programme at the UB.

a) Complete academic documentation:

Undergraduate studies:

Together with the application for the corresponding degree, candidates must provide the documentation stipulated in Section c.5 outlining criteria complementing standards for recognition and transfer in UB official degree courses.

Master's studies and UB-specific postgraduate degrees:

Together with their application for the corresponding master's degree programme, candidates must submit the following documentation:

- A certified copy of their bachelor's degree, graduate degree or equivalent.
- Original academic transcripts showing all courses taken. Transcripts must indicate the name of the course, the number of credits, the academic year and the grade for courses passed.

Doctorate studies

Together with the application for the corresponding doctoral programme, candidate must provide the documentation stipulated in the academic regulation regarding the access and admission requirements in doctorate studies of the European Higher Education Area.



All documents submitted for access to undergraduate and master's degree programmes must be official documents issued by the competent authorities and must be accompanied by a sworn translation if the documents are not in Spanish, Catalan or English. Certificates must be duly authenticated by diplomatic channels in accordance with the provisions set out by the competent bodies.

If the documentation has not been translated, or if the translation does not meet requirements, the secretary's office for students and teaching staff at the corresponding institution can accept the documentation and arrange for it to be translated by the UB's Office of Language Services.

b) Academic documentation without requirements:

If the person requesting access provides the aforementioned academic documentation but it is not original or does not meet validation or authentication requirements, the documentation may be accepted, but the candidate will be required to provide the following additional documentation:

- A sworn statement from the interested party that studies undertaken, and the documentation provided are authentic and that it is impossible to obtain original or duly authenticated and/or certified documentation.
- Authorisation for the University of Barcelona to make necessary enquiries with the educational institutions in the applicant's country of origin about courses the applicant has declared that he or she has taken.

In the event that the student does not authorise such enquiries, or that the institution cannot be contacted, the student must provide different evidence to corroborate the information provided, such as:

- o certificates of attendance for courses, conferences, seminars, etc.;
- o student identity card;
- o degrees and professional certificates.

An interview to assess the suitability of the candidate may be conducted by the coordinating committee for the official master's degree, which is responsible for admissions; the Academic Commission of each doctoral programme; the committee of the centre specialising in the area of study as proposed by the director; the head of studies in the case of undergraduate degree programmes; or an admissions committee appointed by the academic council.

c) Incomplete documentation

If the person requesting access provides partial documentation, his or her academic curriculum vitae will be reconstructed based on information provided by the candidate, and a 'portfolio' will be prepared containing academic documents, testimonials of work experience and any other evidence that may help to confirm the information supplied.

The portfolio should include evidence for these three points:



- Detailed information on the content, level and scope of instruction, such as:
 - the applicant’s personal data (name, date of birth, place of birth, and reasons why official documents are not available);
 - the name of degree obtained, and level attained, or courses completed;
 - the name of higher education institution where the applicant studied;
 - the length of study programme;
 - the years of enrolment and year degree obtained, if applicable;
 - the title of study programme;
 - a description of programme content including modules, subjects/courses, assessment and workload (if no academic certificate is provided);
 - an affidavit from the applicant declaring the information provided in the document is accurate.

- Documents and supporting documentation verifying the information given in the previous section, such as the following:
 - Student identification number, student ID card
 - Proof of tuition payments
 - Any academic documents available (transcripts, certificates of attendance, exam certificates, diplomas, awards, etc.)
 - Document from the higher education institution certifying the award of the degree, published list of graduates
 - Testimonials of work experience, professional accreditations
 - Any other evidence such as names of professors, course descriptions, etc.

- Additional documentation:
 - Affidavit certifying courses taken and that the documentation provided is accurate
 - Authorisation for the University of Barcelona to make necessary enquiries with the educational institutions about courses the applicant has declared he or she has taken

With this information, the suitability of the candidate can be assessed, and, where appropriate, other methods of assessment such as those indicated below determined by the coordinating committee for the official master's degree, which is responsible for admissions; the Academic Commission of each doctoral programme; the committee of the centre specialising in the area of study as proposed by the director; the head of studies in the case of undergraduate degree programmes; or an admissions committee appointed by the academic council.

- Administering an exam/test to allow the candidate to demonstrate the knowledge, skills and abilities he or she has acquired, and to determine the course the student is eligible to join.
- Conducting an interview to corroborate the data provided.

Additional provision



For the purposes of this protocol, participants in the UB support program for refugees from or coming from conflict zones coordinated by the Solidaritat UB Foundation or any other program that replaces the program will be considered included in its scope of application. Previous of similar characteristics. It is the responsibility of the Fundació Solidaritat UB to certify participation in the corresponding program.