

Order No. 1067 of the Minister of Education and Science of Georgia

1 December 2009, Tbilisi

On Approving the Rule for Recognition of Higher Education Obtained in the Occupied Territories

On the basis of Article 89¹(1) of the Law of Georgia “On Higher Education” and Article 3(2)(m) of the Regulation of the Ministry of Education and Science of Georgia, approved by Resolution No. 37 of the Government of Georgia of 21 May 2004, I hereby order:

1. To approve the Rule for Recognition of Higher Education Obtained in the Occupied Territories.
2. This Order shall enter into force upon its publication.

N. Gvaramia

Rule for Recognition of Higher Education Obtained in the Occupied Territories

Chapter I. General Provisions

Article 1. Scope of Regulation of the Rule

The Rule for Recognition of Higher Education Obtained in the Occupied Territories defines the conditions and procedures for the recognition of higher education obtained in the occupied territories provided for by the Law of Georgia “On Occupied Territories” (hereinafter – the occupied territory).

Article 2. Scope of Application of the Rule

1. This Rule applies to persons who obtained higher education in the occupied territory – who completed higher education or are currently receiving higher education.
2. This Rule applies to higher education obtained since 1990, except where, since 1990, higher education was obtained at a higher education institution recognized by the state, in the occupied territory, during the period when the jurisdiction of the Georgian state was in effect.

(Order No. 19/N of the Minister of Education and Science of Georgia of 20 May 2021 – website, 21.05.2021)

Article 3. Body Authorized to Recognize Higher Education Obtained in the Occupied Territory

Higher education obtained in the occupied territory is recognized by the legal entity of public law – the National Center for Education Quality Enhancement (hereinafter – the Center) – in accordance with the legislation of Georgia and this Rule.

(Order No. 155/N of the Minister of Education and Science of Georgia of 7 December 2016 – website, 07.12.2016)

Chapter II. Recognition of Higher Education Obtained in the Occupied Territory

Article 4. Submission of the Application and Documentation

1. In order to have higher education obtained in the occupied territory recognized, the interested person shall submit to the Center:

- a) a written application, drawn up in Georgian or Abkhazian in accordance with Article 78(1) of the General Administrative Code of Georgia;
- b) a copy of an identity document, or, in its absence, a document that makes it possible to identify the person;
- c) information containing data showing that the interested person completed higher education in the occupied territory or is receiving higher education there (if applicable);
- d) where possible, data on witnesses who hold information about the interested person's receipt of higher education in the occupied territory;
- e) any other information containing data about the interested person's receipt of higher education in the occupied territory;
- f) an opinion issued by a higher education institution on the conformity of the education obtained by the interested person in the occupied territory with an educational program.

2. With the consent of the interested person, the documentation provided for by paragraph 1 of this Article may be submitted to the Center through a higher education institution of Georgia or an international organization to which the Office of the State Minister of Georgia for Reconciliation and Civic Equality grants appropriate authority for this purpose, in agreement with the Ministry of Education and Science of Georgia.

(Order No. 03/N of 11 January 2017 – website, 12.01.2017; Order No. 94/N of 18 June 2018 – website, 20.06.2018; Order No. 19/N of 20 May 2021 – website, 21.05.2021, all of the Minister of Education and Science of Georgia)

Article 5. Procedure for Considering the Application

1. After the interested person submits the application, in order to confirm the receipt of higher education in the occupied territory, the Center conducts administrative proceedings in accordance with the rule established by the General Administrative Code of Georgia, investigates all circumstances relevant to the case, requests information, where possible hears the persons defined by sub-paragraph “d” of paragraph 1 of Article 4 of this Rule, as well as persons whose information may help establish circumstances relevant to the case, and takes a decision on the basis of an assessment and cross-checking of those circumstances.

1¹. The Center shall ensure the translation into Georgian of an application drawn up in Abkhazian.

2. Depending on the circumstances of the case, an oral hearing may be scheduled in accordance with the rule established by the General Administrative Code of Georgia.

3. A witness shall have the rights and obligations provided for by the legislation of Georgia.

3¹. In order to confirm the fact of receiving education in the occupied territory by the interested person, the Center is authorized to obtain the information provided for by subparagraphs “c” and “e” of paragraph 1 of Article 4 of this Rule from the higher education institution of Georgia or international organization provided for by paragraph 2 of Article 4 of this Rule.

4. If the receipt of higher education is confirmed, the Center considers whether the opinion on the compatibility of the education obtained by the interested person in the occupied territory with the educational program meets the requirements of this Rule.

5. An authorized higher education institution, by means of an examination, determines the conformity of the education obtained by the interested person in the occupied territory with the educational program offered by that institution, and issues an opinion on the recognition of the subjects completed, the grades received, and the calculation in credits.

6. Where the grades received by the interested person in the subjects completed do not correspond to the assessment system provided for by Order No. 3 of the Minister of Education and Science of Georgia of 5 January 2007 “On Approving the Rule for Calculating Higher Educational Programs in Credits” (hereinafter – the Rule for Calculating Higher Educational Programs in Credits), the institution converts the grades received by the interested person into the grades provided for by the assessment system established by the Rule for Calculating Higher Educational Programs in Credits.

7. If there is no written data on the subjects completed by the interested person and the grades received, the higher education institution provided for by paragraph 5 of this Article holds an examination in the subjects indicated by the interested person, assesses the person, and awards credits. The examination is graded out of a maximum of 100 points. In the assessment, paragraph 3 of Article 4 of the Rule for Calculating Higher Educational Programs in Credits is applied. The interested party must be notified of the examination no less than 2 weeks before it is held, except where the party requests that the examination be held within a shorter period. The Center must also be informed in advance about the holding of the examination.

7¹. The Center is authorized to monitor the course of the examination provided for by paragraph 5 of this Article.

(Order No. 155/N of 7 December 2016 – website, 07.12.2016; Order No. 03/N of 11 January 2017 – website, 12.01.2017; Order No. 94/N of 18 June 2018 – website, 20.06.2018; Order No. 19/N of 20 May 2021 – website, 21.05.2021, all of the Minister of Education and Science of Georgia)

Article 6. Making a Decision on the Recognition of Higher Education Obtained in the Occupied Territory

1. After the completion of the administrative proceedings and the receipt of the opinion from the higher education institution, the Center, in accordance with the procedure

established by the legislation of Georgia, issues an individual administrative-legal act by which it:

a) recognizes the higher education obtained in the occupied territory;

b) refuses to recognize the higher education obtained in the occupied territory.

2. The Center recognizes higher education obtained in the occupied territory, except where the administrative proceedings do not establish that the interested person received higher education in the occupied territory, or where the Center considers the information submitted insufficient/unreliable.

3. A decision on the recognition of higher education obtained in the occupied territory shall, in addition to the details provided for by Article 52 of the General Administrative Code of Georgia, contain the first name and surname of the interested person and information on the higher education obtained, including the subjects completed, the grades received, and the credits.

Article 7. Continuing Studies at an Authorized Higher Education Institution of Georgia

1. After the recognition of higher education obtained in the occupied territory, a citizen of Georgia has the right to continue studies at an authorized higher education institution of Georgia (hereinafter – the institution) without taking the Unified National Examinations, in accordance with this Rule.

2. In order to continue studies, a citizen of Georgia applies to the institution with an application, to which a copy of the decision provided for by sub-paragraph “a” of paragraph 1 of Article 6 of this Rule must be attached.

3. Within the number of students determined by the Center, the institution considers the application of the citizen of Georgia, verifies the conformity of the educational program he/she has completed with the institution’s educational program, and makes a decision on the recognition of the subjects completed and the calculation in credits.

4. Enrollment in the institution is carried out on the basis of an act of the rector, which must be submitted to the Ministry of Education and Science of Georgia and the Center within 5 days of its adoption.

(Order No. 03/N of the Minister of Education and Science of Georgia of 11 January 2017 – website, 12.01.2017)

Chapter III. Time Limit for the Recognition of Higher Education Obtained in the Occupied Territory

Article 8. Time Limit for the Recognition of Higher Education Obtained in the Occupied Territory

Higher education obtained in the occupied territory is recognized within the time limit established by the General Administrative Code of Georgia.

Source: www.matsne.gov.ge (Legislative Herald of Georgia), document code 430.210.000.22.022.013.869.