

***STUDY OF LEGISLATION WITH PROPOSALS FOR
POLICY CHANGES AND RELATED
RECOMMENDATIONS***

Institute of Social Sciences and Humanities - Skopje / Forum for Reasonable Policies

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INTRODUCTION

In the period 2023-2025, the Forum for Reasonable Policies (FRP) together with the Institute of Social Sciences and Humanities – Skopje (ISSHS), and the Balkan Institute for Regional Cooperation (BIRC) are implementing the project “Advocacy for Inclusive Growth.” The project is financially supported by the Government of Switzerland through Civica Mobilitas Program. The main goal of the project is to improve the quality of higher education, as well to integrate it more deeply into economic flows in the country and abroad. This integration implies the incorporation of science and research into the real sector. This will make them an indispensable part of building public policies in the country, in which young successful students will find a good and secure academic and economic refuge, and thus reduce the brain drain.

The Forum for Reasonable Policies, together with the Institute of Humanities and Social Sciences, submitted a proposal - initiative for the annual Work Program of the Government of the Republic of North Macedonia for 2024 in August 2023 entitled: Proposal for Amendments and Additions to the Law on Higher Education.¹

The aim of the initiative with the proposed amendments is to bring the Law on Higher Education into line with the Bologna Process and the European Research Area, more precisely

¹Department for Cooperation with Non-Governmental Organizations in the General Secretariat "Proposal for Amendments and Supplements to the Law on Higher Education", initiative submitted by FRP and ISSHS, [Одделение за соработка со невладини организации во Генералниот секретаријат „Предлог за измени и дополнувања на Законот за високо образование“, иницијатива поднесена од ФРП и ИОХН-С] available at <https://www.nvosorabotka.gov.mk/sites/default/files/Obrazec%20na%20inicijativa%20za%20GPRV%202024%20za%20GO%20FRP%20%281%29.pdf>

aligning with ENIC/NARIC and Erasmus/EHEA guidelines about recognition and equivalence of foreign higher education qualifications. Since the proposal-initiative was submitted, no feedback has been received regarding its status, its consideration, or any possible further consultations. Therefore, the need for more active advocacy has inevitably emerged. The project “Advocacy for Inclusive Growth” is the answer to this need.

This policy study examines current legislation and offers suggestions for policy adjustments, accompanied by relevant recommendations for higher education. The focus is on emphasizing the critical importance of the Bologna Process and advocating for its full implementation. The aim is to raise awareness among both professionals and the general public about the importance of mobility, a central element of the Bologna Process. Emphasizing mobility is crucial for the smooth integration of higher education and scientific research with the economic sector. This approach aligns with the European Union’s “twin transition” strategy, which emphasizes digital and green progress.

1. Background to our analysis: The dual direction of education and curriculum reform as a prerequisite for intersectoral policy reform and vice versa

At the beginning of the project “Advocacy for Inclusive Growth”, a dozen of closed consultative meetings was held with prominent representatives from competent institutions in higher education. These meetings were closed because previous practice shows that constructiveness is greater when the general public is not involved, which allows for the free expression of views that may differ from party views. The knowledge and experience of the interviewees were used in the project activities, especially in the preparation of this study, but also in the creation of a Forum that will offer reforms in higher education, for which the project consortium will advocate in the future.

According to the respondents, who are familiar with Erasmus mobility, there is a tendency for mobility to be practiced more towards and within the Western Balkan countries. This

represents a closure towards the countries of the region, instead of properly utilizing the opportunity that North Macedonia is one of the five countries that are not EU members, but which have the status of full Erasmus members, and thus can properly use the intra-European bilateral Erasmus scheme. According to the interlocutors, the effort in this regard was lacking on the Macedonian side, not on the EU side. The data that inertia is the main culprit also stems from our recent research, which refers to data obtained from a study prepared by the National Agency for Mobility of North Macedonia in 2021. An exception to this rule is the State University “St. Cyril and Methodius” (UKIM), in terms of existing mobility agreements, but in practice, according to the 2021 Report of the National Agency, again more of the mobility is used from and to the east of the EHEA (European Higher Education Area).²

According to the findings obtained from the analysis of documents, previous research, as well as consultative interviews with experts, we can draw the following conclusions:

- (1) Internationalization of curricula and of the educational practice itself is key to the increasing of the quality of education for decision makers; let us note again, North Macedonia should be able to profit from its status of being a full member of Erasmus – its policies lead it to seclusion and improper use of it. The negative tendencies are due to twisting the Bologna principles due to the old habits of the system or the embedded authoritarian culture of education in the field of politics and public affairs, government and public policy management. The persistent isolationist or anti-mobility-oriented policies, written into our legislation, lead, among other things, to a massive brain drain.³
- (2) Interdisciplinarity, general knowledge, philosophy and humanities but also skills of governance studied through mastering policy research and management and other capacities of analysis – bringing forth a) the bigger picture but also b) how it good governance is done and planned in practice - are actually absent from curricula

² Interview with an expert from National Agency of North Macedonia in March 2024.

³ Katerina Kolozova, “De-Capturing Academia, Combatting Brain-Drain” (Skopje, 2022), available at: <https://www.isshs.edu.mk/de-capturing-academia-combatting-brain-drain/>, accessed on 5 May, 2024.

across higher education institutions (HEIs) in the country. (In-house field research by ISSHS, confirming this, published in early 2023)⁴ ;

(3) Curricula and the educational practices for the decision makers are not to be reducible to law.

We have engaged into this sort of analysis in order to provide an explanation for the underlying political culture that informs the policy setup of the public sector, and thus offer an explanation for the systematic neglect or chronic absence of ability to plan inter-sectorally. In other words, we cannot speak of education only, or higher education and science to be more specific, without embedding the conversation in the background of Cluster 3: one must plan reforms in higher education that will serve the economic development understood as part of the planetary competition in innovation, primarily technological but also encompassing all socioeconomic areas including culture (think of creative industries in the digital era).

Since 2015, the joint OECD-EU initiative SIGMA has been monitoring public administration in EU candidate countries.⁵ In the last report of 2021 (released in 2022), covering the Western Balkans and its administrative capacities, in light of the new reform methodology which is essentially intersectoral on multiple levels, including the Cluster 1 (Fundamentals) as intersecting all others (and coming down to *democratic institutions* not only as value but as effect and a way of functioning), demonstrates the disappointingly low level of ability of the public sector in North Macedonia to think in terms of policy analysis and planning.⁶ Instead it is hyperactively producing legislation and aligning with the European Acquis. Legislation often lacks detailed implementation planning, which reduces its effectiveness. This issue is not just a matter of “will of the individuals to implement the law” that marks our public administration as weak and ineffective. Instead, a deeper look at the very

⁴ “Education for Europe: Innovation in Curricula for Next Generation of Policy Creators in Western Balkan (EfE)”, 2022. In-house research.

⁵ Official website of „SIGMA- Support for Improvement in Governance and Management “, available at: <https://www.sigmaweb.org/>, accessed on 20 September 2024.

⁶ OECD/SIGMA, “The Principles of Public Administration”, Monitoring Report for North Macedonia (November 2021), available at: <https://www.sigmaweb.org/publications/Monitoring-Report-2021-Republic-of-North-Macedonia.pdf>, accessed on 5 May 2024.

structure of the laws is needed. The mantra “the laws are good, but the implementation is bad” should be reconsidered, because in many cases, the laws do not plan implementation and the conditions for implementation which should be inscribed in the laws in more general terms, and then in bylaws and guidelines in more specific terms. This is not only a matter of individual integrity but also of creating appropriate capacities and policy frameworks that will enable effective implementation of laws. A good policy setup with function properly even if mostly automated. This is what North Macedonia is lacking. And this applies to the sector/s that are object of our analysis here: higher education, science, and economic growth.

Last SIGMA 2022 Report shows that our public administration is devoid of any notion of governance as a question of management, development planning, applicability and implementation as the purpose of legislation rather than the other way around. It thinks only in the rigid terms of legislation with disregard to implementability, or simply the practice of good governance. This is certainly true when it comes to the implementation of the Bologna process, the higher education legislation and policies, it links to the economy but also to other sectors that should express its adherence to a key fundamental value – mobility. For the latter, we need intersectoral planning with immigration, the ministries of interior and foreign affairs to enable effective mobility: Erasmus (and not only Erasmus) incoming students, especially from the OECD countries in order to improve the classroom environment, but also vice versa. For an example, in the case of ISSHS’s students spending semesters in the partner Erasmus institutions, we need to ensure that their credits earned abroad would be fully recognized by the HEI’s but also by the ENIC/NARIC center. Furthermore, our returning graduates must not be subjected to a torturous procedure of qualification and diploma recognition on a central (governmental) level, discouraging them from returning to the country. This contributes vastly to the brain-drain effect which is most evidently a cross-sectoral issue.

According to the previously mentioned in-house research of ISSHS⁷ as well as going back to the question as to why we are analyzing curricula in administration, we need to understand

⁷ “Education for Europe: Innovation in Curricula for Next Generation of Policy Creators in Western Balkan (EfE)”, 2022. In-house research.

what is taught as good governance at our universities. In the context of increased efforts for internationalization and mobility in higher education, it is evident that curriculum reforms are essential. The predominance of administrative law in the area of study at issue, the reduction of governance and of policy planning and management to law, and the dominance of technocratic approaches have limited the possibility of real reforms and the advancement of democratic governance. Internationalization and mobility, through student and academic staff exchanges, can provide fresh perspectives and approaches that would mitigate this authoritarian culture.

According to data from the internal research, our public administration, based on authoritarian principles, is also reflected in the education system through curricula. International cooperation and mobility, however, offer an opportunity to break this tradition through the exchange of knowledge and experiences that foster democratic development and inclusion. Mobility and internationalization can help overcome the lack of democratic values in the education system by introducing new disciplines, especially in interdisciplinary studies, which separate policy studies from legal reductionism. This will enable a different perspective on good governance and policymaking, thus fostering a more open and democratic culture.

Obviously, the predominance of administrative law in the area of study at issue, the reduction of governance and of policy planning and management to law, explains the aforementioned SIGMA 2021 results. It also explains the authoritarian nature of our public sector: the abstract law is devoid from practice and hardly concerned with its effects on ordinary citizens. Our political culture is obviously authoritarian, and it is so across the political spectrum.

The conclusion of this recent study is that the reason for this is precisely the authoritarian understanding of good governance we have inherited in our contemporary curricula by “importing” from the old, Yugoslav system the basic precepts of studies of administration or governance or of public affairs (or what would be policy studies nowadays) only cosmetically retouched and repackaged in EU technocratic rhetoric while leaving the substance untouched. That is the only explanation how come after the fall of the authoritarian government in 2016, led for more than a decade by a Viktor Orban styled “illiberal democrat” Nikola Gruevski, North

Macedonia's score by Freedom House has not improved substantially: to this day, the country is "partly free" (essentially a hybrid regime) as it has been since its independence, unchanged to this day.⁸

It is for the reasons that the education is so embedded in the political culture and hence reflected in the presumably "value-free" system of public administration that even the reformers and democrats fail to identify the authoritarian values and approach in the rules and procedures of a sector, or all sectors for that matter. Even reformers and democrats fail to recognize authoritarian values and approaches in the rules and procedures of one sector, or even all sectors. That is why we need change in curricula, reform of the educational sector by pushing for a greater presence of interdisciplinary studies at the expense of administrative law. In order to do so, one will be faced with the difficult task of explaining to the expert public that not only administration and law are not reducible to one another but that they are more often than not marked by a mutual tension, at least according to the Western academic literature on the matter.⁹

With the previously mentioned research, policy solutions were analyzed and advocacy was worked on in order to change the sector, that is, to improve intersectoral unity. It is our task to also look for the root cause of our endemic lack of capacity for policy vision, our legalism detached from practice and our inability to create democratic institutions. When we say "we", we mean the Macedonian society and its institutions.

The root cause is an authoritarian political culture that has produced a "caste" of public administration in service of political parties – after the model of the time when there was only one party – and it is perceived as the proper way, we argue that the case is such because that is the content of what is taught as part of the subject administrative law. What is more – the very reduction of administration and governance to law, is a sufficient indicator of the authoritarian

⁸ Katerina Kolozova and Niccolo Milanese (eds.) *Illiberal Democracies in Europe: An Authoritarian Challenge to the Crisis of Liberalism* (Washington DC: George Washington University, 2022).

⁹ D.C. Dragos and P.M. Langbroek, "Law and Public Administration: A Love–Hate Relationship?" in E.Ongaro and S. Van Thiel (eds) *The Palgrave Handbook of Public Administration and Management in Europe* (London: Palgrave Macmillan, 2018), available at https://doi.org/10.1057/978-1-137-55269-3_54, accessed on 13 April 2024.

understanding of governance and a jurisprudence that keeps perceiving the Citizen as a potential abuser rather than the other way around.

With the above-mentioned findings, we seek to present the background of the problem by pointing out the dual direction of education and good and democratic governance: in order to create democratic institutions as per Cluster 1 of the EU methodology of accession and the reforms it requires, we have to engage in proposing revisions of curricula and even replacement of existing curricula with new ones offering education in policy studies, public policy affairs, studies of administration that are not reducible or subsumable under law including administrative law. Such positing of the question of policy planning will enable us to engage in a more thoroughgoing discussion of the policies concerning Cluster 3 (Competitiveness and Inclusive Growth) with a close focus of the triangular heart of it consisting of the intersecting areas of education, science and economic development.

In the context of reforms related to higher education - the integration of practical experiences, international cooperation and knowledge exchange should play a key role. The mobility of students and academic staff will contribute to the gradual overcoming of the authoritarian culture in the education system and will create the basis for new forms of leadership and good governance.

2. The most important aspect: How and whether the Bologna Process is being implemented in North Macedonia at all?

2.1. North Macedonia and Its Place in the Bologna Process in the Year 2024, the principles of the Bologna Process, and why it is important for the wider public, especially civil society to understand them

The Bologna process begins with the famous Lisbon Convention (1997), whose general idea is to promote greater mobility in the education sector, or to facilitate greater academic mobility and openness between the countries that, based on the convention, constituted the European Higher Education Area (EHEA) as we will refer to it here. Numerous innovations and updates to that convention, primarily in the form of communiqués at ministerial meetings and tasks for

“BFUG” (Bologna Follow-up Groups, which are divided in three subtopics, among which recognition of qualifications.)

Although in the past decades, especially through the “Erasmus+ Program” instrument the implementation of Bologna Process entailed several aspects such as restructuring from a 4+1 to a 3+2 study format, defining credits according to the ECTS (European Credit Transfer System) etc. However, its core principles revolve around mobility, fluidity, easy compatibility and the nearly automatic procedure of recognition of qualifications and credits among member countries of the Process. Of course, the so-called “automatic recognition” goal has been a decades-long process, and the automation in the full sense as we see it today also depends on technological advancements. The latest communique of the Council of Ministers (Rome, 2020) mandates the implementation of “block chain” digital technology and full automation of the recognition process by 2025.

Why is mobility and openness in the recognition of qualifications (diplomas) important in the higher education area of Europe? Firstly, they are essential for the economic growth of the Union, and the continent as a whole, as an increasingly united economic area relies on it. In other words, Cluster 3 of the new methodology of reforms for EU accession needs merely represents the culmination of an idea, embedded in the fundamental document of the Bologna Process. This also demonstrates the EU’s new concept, which emphasizes technological development, a knowledge-based economy, and Europe’s “geopolitical sedge” of Europe (as stated by Ursula von der Leyen)^{10 11} highlighting the significance of Europe’s scientific advantage, and consequently, the importance of the higher education sector and science. North Macedonia, appears to be neglecting higher education in favor of VET (vocational education and training). Also, it seems like there is no awareness that current EU policies expect all EHEA countries so-called “upskilling” of secondary education with “VET teaching tools” provided by higher education and scientific institutions (in the case of Western countries, these are mainly “research universities”).

¹⁰ Speech: State of the Union Address by President von der Leyen (Brussels: 13 September, 2023), available at https://ec.europa.eu/commission/presscorner/detail/en/speech_23_4426, accessed on 15 February 2024.

¹¹ Press Release: EU competitiveness beyond 2030: looking ahead at the occasion of the 30th anniversary of the Single Market] (Brussels: 16 march, 2023), available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_23_1668, accessed on: 15 February 2024.

Due to joining the European unified digital market (which is the main economic scene, and represents and includes in itself the scene of manual production and industries), the Bologna process should be consistently applied, and higher education, especially that which concentrates on research as part of the teaching process, must be at the center of the state's reform efforts.

Cluster 3 means economic development, closely linked to education, science, culture, digitalization, media and communication – this Cluster guarantees the country's prosperity. Therefore, the Bologna process is not a narrow specialist issue but a topic relevant to the wider public. Therefore, instead of the facade and simulation not implementation, we will focus on two key topics: how much the recognition policies inscribed in the laws and by-laws enable mobility, and how much the education sector builds its policies intersectorally, i.e. in communication with the economy, finances as well as ecology and communications. The last two are mentioned because the new methodology and the new concept of economic growth through scientific innovation implies that all these processes should be digitalized and focused on fight against climate changes, whereby digitalization is considered one of the key tools of green policies.

2.2. The intersectoral dimension in public administration in the relevant sectors, especially education, science and economy: opening the issue of capacities for policy analysis and planning, and thus that application of Cluster 3

Intersectoral linking of education/science/economy as required by the Cluster 3 itself – this is linked with Europe's geopolitical goal of global competitiveness in economy, based on innovation. Here we insist to consider the ERA 2030 to be taken into account, to make it clear that vocational education is no longer reduced to bare manual work, but to an innovation-driven economy, which requires the transformation and internationalization of higher education (with a strong promotion of higher professional schools and development of research centers that are competitive.) It is very important to remember that today the innovation without re-thinking the social processes, without terms of digital democracy, and therefore interdisciplinarity, and a deep one, between social-humanistic sciences and STEM sciences is urgently needed. Urgent recognition of the link between *education* and *economic development* is crucial. We require

interlocked reforms across sectors, encompassing changes in higher education, science, laws relevant for economic development, entrepreneurship, and digitalization - a map for policy reforms must be delineated, subsequently integrated into legislation, establishing logical mechanisms to connect them effectively.

Further, the alleged “realism” that some policy makers - the institutions but also experts and civil society organizations that participate in the processes - apply to vocational education is reduced to training for manual work, in an era when even the most physical work is no longer just physical. Also, the Ministry on Education and Science and the Government focus and fixate on understanding the vocational education they promote, understood for the needs of the 20th century: not even the “ordinary masters” cannot work without mastery of technologies, while on the other hand, VET education should be upgraded on a level, where elements from the higher education can and should be embedded into it. Those are the so-called micro-certificates, incorporated mobility etc. which are proposed by the Communiqué from Rome from the ministerial meeting, dedicated to the progress of the Bologna process.

We should have in mind that the European Union wants us to catch up with a new type of geopolitically motivated vision of the economy, one based on technological competition. Beside the need of manual workers (with upgraded skills), according to numerous relevant studies (for example, by the World Bank), new “factory workers” in the most massive sense, in today’s European context are/will be “the program developers” (in a sense of coders, not program innovators.)¹² The Macedonian market recognizes this, so the IT sector grows on its own, and people are acquiring knowledge at “academies” (one-year courses) like Brainster (which has since grown into a HE institution), without the Ministry of Education and Science and the Government having a vision and insight for this process and how to connect it with policy planning for Cluster 3 and higher education and science in particular; for this we can have higher professional schools, that provide greater readiness and enable an innovative edge in this part of the work force. On a “Chatam House” type of a meeting, in June 2023, organized by the Berggruen Institute-Europe in

¹² World Bank, “The World Development Report 2019: The Changing Nature of Work studies”, Washington DC: World Bank, 2019, available at: <https://www.worldbank.org/en/publication/wdr2019>, accessed on 29 August 2024.

Venice, we talked with one of the Ursula von der Leyen's advisors on this subject, and we learned that this is not only a theory but also a practice and a subject of concrete policy planning according to which manufacturing - that is the new "manual worker" - of chips as well as mass coding (computer programming) is the new "cheap labor." During the same discussion, it was noted that production is shifting from the Global South/Asia back to Europe, including the new member states and candidate countries. At the same occasion it was told that this production is moving.

In other words, even vocational education below the level of vocational school needs redefinition. It is essential to establish a connection between higher education and science, aligning them with a vision of economic growth driven by innovation. Once again, a policy vision with cross-sector analysis is needed here – the law, cross-sectorally, would only follow that vision.

2.3. Higher Education as a Driver of the Processes Related to Cluster 3

The higher education in the country is constantly neglected and its key role is not recognized in terms of issues of economic development and the overall Cluster 3 of reforms, where advanced education, innovation and economy are linked in a natural whole. Even the VET education must make connection with higher education and by means of modules that link secondary and higher education even the "less qualified" workforce should be prepared for the so-called a unified European digital market. We believe that the law, the regulations, the policies in the country do not recognize this moment in the European redefinition of innovation and the economy as a "geopolitical" weapon, nor do they recognize and read, understand the fact that such a "realignment" is also expected from the Western Balkans - if it wants not to remain economically isolated. Our goal is to include in this process the representatives of the institutions who are experienced, with a progressive view and with whom we share values - with which we will create a Forum of Cooperation, where the monitored (institutions) are also monitors of the changes, but also vice versa - where CSOs and the academic scene are testing their visions for policy changes.

Cluster 3 is entitled “Competitiveness and Inclusive Growth” and is composed of these areas (and chapters that are legislation, and policies are not designed according to chapters, in isolation, but intersectoral): education, culture, innovations and science, economy, information society and media, monetary policies (and even customs policies) because they are undermined by one key value – mobility and flexibility, as an aspect of mobility, and the basis of growth. The question is why is this all a whole, and we have answered this question in some way above. We can contribute to reforms that will make our higher education and its internationally competitive innovation capacities more open to Europe and the world, more mobile both physically and digitally. This simultaneously means creating conditions for a freer and more open economy, especially an enabling climate for small and medium-sized enterprises and attracting both physical and digital entrepreneurial initiatives from the West (in Europe primarily) here. The advanced innovation is now the driving force of any development, and it is based on complete interdisciplinarity according to the New European Research Area (or New ERA), so that one (higher education and science) and the other (economic growth) form a whole.

2.4. Monitoring of Institutions as Their Self-monitoring: Cooperation to Raise the Capacity of Institutions to Create Policy Vision (instead of constantly changing laws)

Institutions should be familiar with the intersectoral dimension of the new methodology and received their pathways already last year. The challenge is to enable the public administration to think intersectorally and in terms of building policies and not just writing and revising laws, not just using laws as the only basis for creating a policy of good governance (instead of creating decrees, guidelines, etc.). The SIGMA report for North Macedonia from 2022 confirms this – our public administration has the lowest capacity in the Western Balkans to think in terms of policies (while the adaptation to the Acquis is solid), and this is a kind of management (or even management) ability. Here is the biggest challenge. In this project, we create forum of advanced policy creators from among the high-ranking public administration, like-minded people from the media and economic spheres, and we believe that with this we will achieve the raising of public awareness, and we will help the public administration to plan intersectorally - we

monitoring we understand it as a process of cooperation with the institutions and not a sensationalist attack.

2.5. Where is Republic of North Macedonia with the Implementation of the Bologna Process

We believe that the situation inherited from 2014 has not been significantly changed by the 2018 Law on Higher Education, which only further controls parts that fall under academic autonomy or directly threatens the value – mobility. Also, ministerial oversight, regular re-accreditation of each program, and re-licensing by program is a degree of “centralization” of the sector (or ministerial control) that is in direct contradiction to the 2018 Paris Communiqué¹³ as well as the Bologna Implementation Report from 2018.¹⁴

We have a law in force that contradicts the EGS (European Guidelines and Standards), which are a tool of Bologna together with the Erasmus handbook for the recognition of credits and qualifications, and it not only contradicts but violates all the acts of the Bologna process to whom we have an obligation as a state. The 2018 implementation report shows that only North Macedonia and Albania have such a degree of centralization of the recognition of qualifications that, together with some post-Soviet republics, they are under the umbrella of ministries/central government. The 2020 report does not have any data for North Macedonia: nobody reported anything, the country data templates were entered and left empty, nobody filled them in. It is obvious that the current minister (as of May 2024) instead of leading this sector (on top of all the “brain drain”, is introducing policies that contradict Bologna and only further reduce the number of students in our universities). And the entire Government fails because in their Strategy for Education 2021-2025 they neither coincide with the Erasmus period 2021-2027, nor do they mention Erasmus. The European Educational Area - the sector where Bologna is implemented -

¹³ “Paris Communiqué” Париско коминике.“ *Communiqué of the Conference of European Ministers Responsible for Higher Education, Paris, 24-25 May, 2018*, available at: https://ehea.info/Upload/document/ministerial_declarations/EHEAParis2018_Communique_final_952771.pdf., accessed on: 29 August 2024.

¹⁴ European Commission, “The European Higher Education Area in 2018: Bologna Process Implementation Report” Eurydice, available at: <https://ehea.info/Upload/BP2018.pdf>, accessed on: 14 August 2024.

has the Erasmus+ programs as its main tool, simply Bologna without Erasmus - there is none, and our government has decided that it is not important, at least that is how it seems (probably it is a matter of ignorance and that they do not even recognize it as a tool for implementation but as a grant scheme).

2.6. How to Reach the General Public and How to Make This Initiative Understandable to the Common People?

The action sets itself the task of mobilizing parts of the informed public, in order to constantly expand the discussion by reaching out to the Forum that we are establishing, we will gradually build a network of like-minded people and even inaugurate an informal alliance/network of policy makers, media allies, student organizations, business community and civil and academic sector. It will aim to exert a constant influence on public discourse as well as direct advocacy, regardless of party affiliation – any ally at the level of a shared policy-making vision is welcome. In this way, we also contribute to the reduction of social polarization caused by inter-party tensions. And the public needs to get to know what an intersectional policy is, and support our advocacy for it in the Inclusive Growth Cluster (or Cluster 3). Namely, every ordinary person feels the inefficiency of the system when there is no cooperation and joint planning between the sectors. That is why we need to realize that this is something ordinary, common sense, and that there is nothing “academic” about advocating cross-sectoral policy planning. We can do that more clearly by explaining to the public and asking them to join us in advocating the policies already explained above.

Currently the unemployment in North Macedonia is 12.5%.¹⁵ The job market, even at its most physical, nowadays requires skills that are not just manual – the idea that we are going to train painters instead of coders is wrong. This mistake is even naturally corrected by itself: a large number of young people have decided to enroll in informal programming schools that bring them a great job at a distance, abroad (from here, but still online employees somewhere out there). There is capacity and need for higher education because the brain drain - students abroad - is

¹⁵ State Statistical Office of North Macedonia, News Release: “Active Population in the Republic of North Macedonia, second quarter of 2024 “(06.09.2024), available at: https://www.stat.gov.mk/pdf/2024/2.1.24.35_mk.pdf, accessed on 26 September 2024.

increasing like never before.¹⁶ Making access to our universities more difficult will only accelerate the exodus to the universities of the European Higher Education Area, primarily in Slovenia, and nobody will be forced to become a manual worker (if that is the vision of the Ministry of Education and Science with their so-called academic - admission - exam).

In an era of research-oriented universities in Europe, with which our closest neighbors are catching up, we are sinking in all the ranking lists, and “innovation” is not even remotely something that can compete in the world (primarily European) market. The Fund for Innovation and Technology Development (FITD), after all, was open-ended, funding everything but innovation that could compete in the international market. The Ministry of Education and Science and its funds for science, which should grow significantly, should be available to all institutes and research organizations, regardless of whether they are state or private - as long as their work serves the public good and their contribution is judged to be useful for society, institutional funding for these facilities must exist. For example, the Vienna Economic Institute or the Institute for Humanistic Research - Vienna are private non-profit institutions, but their funds are mostly provided by the Austrian state because they are assessed to contribute significantly to science and the quality vision of policies of institutions and companies, as well as to the civil society in Austrian society. This is just one example, from one country.

We would like to emphasize that according to the “New ERA” (New European Research Area), this rule applies to all member countries of the European Research Area, of which North Macedonia is also a part. Such financing should also be made possible for joint entrepreneurial initiatives of HEIs (higher education institutions), institutes, research organizations, the Academy of Sciences and Arts, and startups and other innovative entrepreneurial companies. Instead of interpreting newspaper printing with Gutenberg-era machines as an innovation, both MES and FITD should become financial support for innovative business that contributes to the tightening

¹⁶ “Slovenia takes our students - 20 years ago only 48, and last year 1516 students from Macedonia” [„Словенија ни ги зема студентите-пред 20 години само 48, а лани 1516 студенти од Македонија“] *Fakulteti* (9 October 2023), available at: <https://www.fakulteti.mk/news/09102023/slovenija-ni-gi-zema-studentite---pred-20-godini-samo-48-a-lani-1-516-studenti-od-makedonija> , accessed on 20 September 2024.

of the so-called competitive market edge of Europe, as the President of the European Union calls it.

2.7. Conclusions with embedded recommendations

- The institutions in North Macedonia do not apply the intersectoral approach, and therefore that higher education is not planned in terms of Cluster 3 (Competitiveness and inclusive growth) by establishing inherent links between the economy (as an innovation, from agricultural to information- technological) and science, which is a prerequisite for such competitiveness;
- Institutions fail to recognize the connection between vocational education and higher education, especially in the context of the Western Balkans aligning with the European agenda of techno-economic development, often referred to as a “geopolitical edge” (as stated by Ursula von der Leyen);
- It is necessary for the institutions to understand that the connection with the economy is for the needs of creating competitive products, and not producing a physical workforce for the analogue era (even the most basic manual work in Europe demands upskilling, which is obtained through micro- certificates linking higher and secondary education, and as a matter of fact the coders are the new “factory workers);
- In the Republic of North Macedonia there are numerous “remote workers”, whose work is online and they are employed by foreign companies. In light of this, the state should consider connecting the growing technological industry with higher education. This connection can serve as a platform for a competitive start up industry;
- Mobility lies at the core of ECTS, the European Higher Education Area, and the Bologna Process, which are supra-national frameworks binding the country to consistent implementation. Mobility is not only a central value of Cluster 1 (promoting institutional democratization), but also forms the essence of Cluster 3. Our analysis reveals that the 2018 Law on Higher Education, mandating the re-accreditation of each program ex nihilo every five years, contradicts the normative test period observed in most EHEA areas, 1) Prevents long-term and strategic planning and inherently prevents mobility (such as joint

accreditations), and centralizes (puts decisions under the direct authority of the Minister) in the area of qualification recognition; 2) Restricts higher education institutions and violates every Bologna Act signed by the state, preventing institutions from independently recognizing qualifications, a practice commonplace across Europe (except our country and a few Kafkaesque republics, according to the 2018 Bologna Process Implementation Report); 3) Legally obligates the state to facilitate higher education institutions in qualification recognition for further education purposes, progressively automating this process as mandated by the 2020 Report on the Implementation of the Bologna Process and the Ministerial Communiqué from Rome; 4) Warrants halting and reconsidering the initiative for the automatic recognition of qualifications in the Western Balkans (WB), for two reasons: automatic recognition is a requirement for the entire EHEA and extending it to the WB implies unnecessary favoritism, particularly given the region's prevalence of corruption in illegal diploma issuance and falsification. According to this reasoning, the WB should be the last, not the first, region in Europe to automate recognition; 5) Underscores the need for digitized/digitally verifiable recognition as much as possible to avoid corrupt practices and widespread forgeries for which we are already collecting field evidence (this need is evidenced by an ongoing empirical research process, intended for comprehensive policy analysis aimed at potential amendments to the existing Law on Higher Education).

3. Challenges and the Need for Amendments to the Law on Higher Education

Not unlike the Law on Higher Education that preceded the present one adopted in 2018, presumed to have resolved the main concerns of the academic protest movement spanning from 2014 till 2016 that dealt with the academic autonomy, our legislation in force proclaims declarative, dead letter on paper “autonomy” while postulating policies and rules of procedure that effectively undermine the principle, obstruct its implementation.

In our previous studies dedicated to the model of state capture in “illiberal democracies” or hybrid regimes, as well as to possible methodologies of “de-capturing” the public sector from

partocratic and plutocratic grip from within,¹⁷ we have demonstrated that the “devil is in the detail.”¹⁸ In the era officially diagnosed as “state capture” in the 2016 EU progress report on Macedonia preceded by the famous Priebe reports of 2015 (and followed up by the 2017 Priebe report)¹⁹ which demonstrated the partocratic grip of the institutions, one was able to govern seemingly in line with the EU Acquis and standards, while substantially undermining them. This example can also be explained by the laws relating to the media, which were passed about ten years ago. The process looked like this: the Government would propose a law to the Parliament, after successful consultation with the journalist associations and unions, that is generally in line with the EU Directive, but nonetheless allows for “government sponsored advertising of ideas and values” next to the product placement stipulation. This little detail became one of the central findings of said report and subject to a requirement for radical revision ensuing from the Przino agreement – this little line of an article enabled a nonstop party propaganda, and government legal(ized) corruption of the media and purchased control over them.²⁰

Similarly, the present Law on Higher Education declares its commitment to the preservation of the academic freedom while undercutting it by robbing the HEI’s of the right to recognize (or not) foreign qualifications, even credits (despite the declared right and obligation too; it seems that in practice one can only recognize the local and Erasmus exchange ECTS credits). The law enables centralizing the qualification recognition process in the hands of the Minister of education contradiction with the Torino Ministerial Resolution²¹ against any remnant of such centralization, “allowing” for joint degrees in line with the Bologna Process and EHEA/Erasmus while effectively disabling any such possibility in the form there simply not being a form and a

¹⁷ Institute of Social Sciences and Humanities- Skopje, “De-capturing the Administrative Mind: Polarization of the Relations between the Citizens and the State,” [available only in Macedonian], (2021) accessed on May 28, 2024.

¹⁸ Katerina Kolozova “De-capturing the Public Sector and the Administrative Apparatus: The Unfinished Business of Implementing EU’s Urgent Reform Priorities of 2015” (2021), available at: <https://tinyurl.com/4deymkuv>, accessed on June 6, 2024.

¹⁹ Institute of Social Sciences and Humanities – Skopje, “The Specificity of the Macedonian Example of ‘State Capture’ Ruminations Following the Second Priebe Report,” (Skopje, September 2017), available at: <https://tinyurl.com/4t9jy3k8>, accessed on 20 June, 2024.

²⁰ Law on Audio and Audio-Visual Media Services (Official Gazette of Republic of North Macedonia, n.184/2013.

²¹ Council of Europe, Committee of Ministers, 132nd Session of the Committee of Ministers.” Turin, Italy, 19-20 May 2022.

procedure to apply for such a degree (except some hybrid called dual degree which no one knows how works, and what are the ways to apply for it.)

After wrapping up with painting the general image of the state of affairs in the sector, with this study we want to propose specific policy solutions and their possible transposition in the present legislation through amendments and revisions.

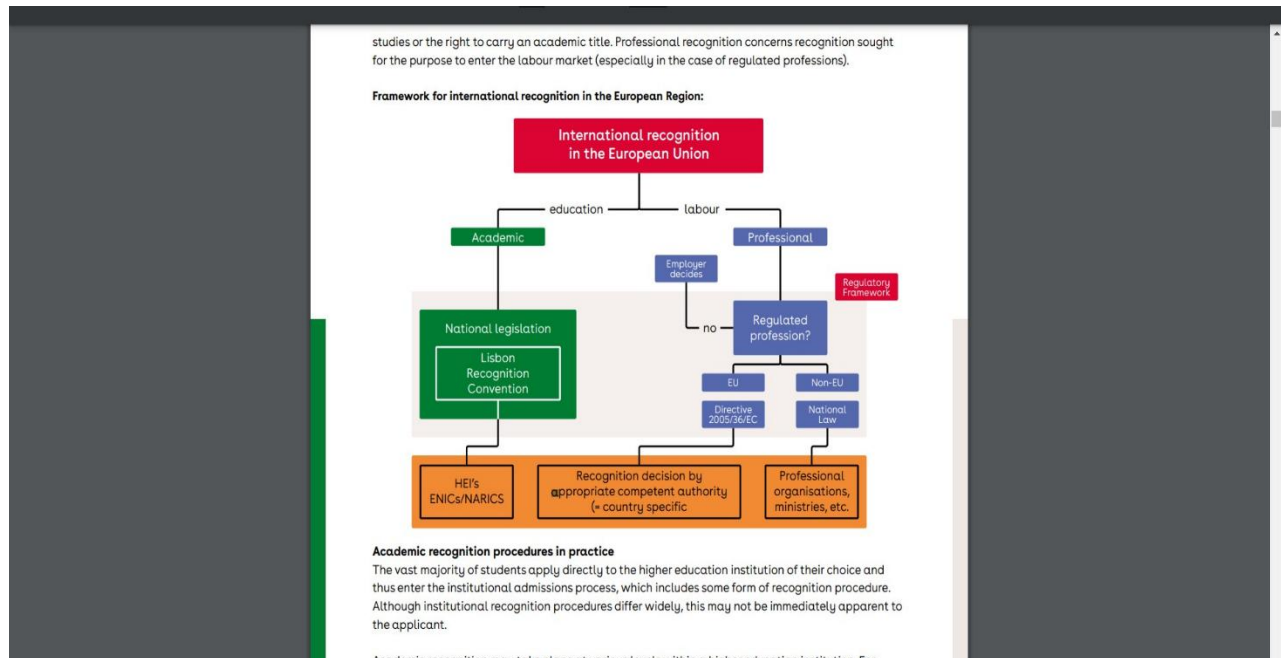
This analysis covers the present legislation and bylaws of the executive institutions, such as the Ministry of Education and Science (MES) and the Agency for Quality Assurance and Accreditation of the Higher Education (locally abbreviated A.K.V.O). The analysis detects the policies and procedures that are most problematic in terms of undermining the values of mobility and the right to study and work as part of the European Charter of the Fundamental Rights including Article 14 (Right to Education), and Article 15 (Freedom to Choose an Occupation and Right to Engage in Work).²²

The Law on Higher Education adopted in 2018,²³ is in an explicit contradiction and drives toward an effective derogation of the commitments of the HEI's in North Macedonia who signed the European Erasmus Charter of Higher Education. It explicitly prevents them from recognizing qualifications and credits too: in an overly detailed fashion, fit for a bylaw or guidelines and not articles of a law, the law stipulates that only the "Informative and Support Center" (effectively and legally part of the Ministry) can carry out the recognition at issue. Thus, the law is making it illegal for the HEI's to recognize degrees, qualifications and transcripts for the purposes of transfer. Furthermore, this very same set of articles in the law is transposed into a bylaw according to which said Center functions, and one only realizes through interacting with it in practice that it is in fact the ENIC-NARIC center. In this way, our own legislation is in breach of the Bologna Process, and all the subsequent acts and resolutions that are adopted by the ministerial councils make the Lisbon Convention implementable.

²² European Union, *European Charter of Fundamental Rights of the European Union* (26 October 2012), available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012P%2FTXT>, accessed on 6 June 2024.

²³ Law on Higher Education (Official Gazette of the Republic of Macedonia", n. 82/2018).

These issues, we argue, can be fixed by simple changes and amendments in the law in force, by applying this logic expressed visually as follows:



(Source: The European Recognition Manual for Higher Education Institutions (2016), Second Edition, published by EAR-HEI supported by the European Commission)

The image above is from the 2016 second edition, and we use it for its visual clarity of illustration. However, the more recent editions of the European Recognition Manuals of EAR-HEI (European Recognition Manual for Higher Education Institutions) are even more in favor of automatic recognition – in legal and policy terms, not (only) in the technological-digital sense. Thus Article 3 lines 6 and 9 of the Law on Higher Education argue for mobility and also lifelong learning (an indispensable aspect of genuine mobility), but the provisions in Chapter 13 of the law (Article 190 and forth) effectively disable them rendering them dead letter on paper.²⁴

In order to transform the declarative commitments of the Law into implementable practice, and allow for the full right and obligation of the HEIs to recognize not only credits but also qualifications, we propose the following amendment, i.e. the addition of line 10 in the article

²⁴ Official Gazette of the Republic of Macedonia no. 82/2018 and Official Gazette of the Republic of Macedonia no. 178/2021.

28 of the Law as it reads here: “Higher education institutions have the right and the obligation, in line with the relevant documents related to the Bologna Process and the European Education Area, to recognize credits as per the ECTS standards as well as qualifications and degrees.” To this amendment to the legislation, we would propose a policy solution that ought to be detailed in the form of guidelines and procedures, where appropriate or necessary, for the HEI to request the support of the Informative Center (ENIC/NARIC) in determining the legality of a diploma or a transcript of credits.

Furthermore, we propose the following next amendments, i.e. additions of:

Line 10 to the Article 28: seeking to render the dead letter on paper into effective and tangible implementation of the European Standards and Guidelines (ESG) in the Higher Education;

Line 11 to the Article 28: Qualifications, levels of education and credits acquired within the European Education Area and participants in the ECTS system, higher education institutions are obliged to recognize them as automatically as allowed by the National Qualifications Framework and the acts of the higher education institution aligned with it. Immediately followed by the following paragraph to be added to Article 28.

Line 12 to the Article 28: In the process of recognition of the ECTS qualifications as well as of a degree of education or a qualification, the institutions of higher education are obligated to implement the principles of the Erasmus Guide for recognition and of the EAR-HEI (European Recognition Manual for Higher Education) assigned to the ENIC-NARIC network as its fundamental document of ensuring ESG (European Standards and Guidelines). Please, note that the enumeration of the subsequent lines’ changes accordingly.

Such amendments to article 28 would render the broad statements on academic autonomy in (self)governance in Article 9 more concrete rather than merely declarative, esp. lines 6 (the right to collaborate with other institutions, which would imply the right to decide whether the institution would engage in offering joint degrees and thus next to automatic mobility and recognition) and 10 (which as in 28 mentions "autonomy in credit recognition" that is effectively disabled by a number of provision in the legislative text at issue).

The interventions proposed above concern the issue of student mobility. However, EHEA and the Erasmus Program (platforms of rendering the Bologna Process a tangible reality) require also staff and faculty mobility. The Law pays lip service to these principles by stipulating autonomy in hiring faculty and staff (Article 11), while dozens of articles further effectively disabling this right: an institution cannot employ faculty that has obtained their PhD in France or Britain unless the “Informative Center” serving as ENIC/NARIC permits to do so. The institutions are deemed incompetent it seems (or it is implied that they are corrupt? If so, strange considering the level of corruption in the ministries of this country) to recognize a potential faculty member’s degree and validity of diploma, unless it has been “nostrified” (recognized or validated through a procedure of determining programmatic proximity with the national system) by said center and signed by the Minister in doing so. In other words, the extensive Chapter 3 of this law effectively disables the implementation of all principles of autonomy mentioned so far.

Looking at article 40 which stipulates the national mechanisms of quality assurance and accreditation, at first glance, it all seems very standard. However, if one reads it carefully one realizes and understands quite clearly that “approval, re-approval and recognition of a HEI’s and (our emphasis) of the study programs...”. However if we juxtapose Article 40 and in particular it’s to article 145 we realize that the all HEI’s in the country are effectively under probation in perpetuity: an accredited institution cannot introduce a curriculum on its own accord, as each program must receive a separate accreditation and program related work-permit, and then, no matter how old, established and respected, each institutions programs must go through a reaccreditation process carried out by the Agency for quality assurance and accreditation, just as they all did until recently by the Ministry of Education and Science. The Agency is a body of the executive branch and the level of centralization of control - undermining autonomy - remains high.

The irony is that in 2014-2016 the academic protest movement (the so-called Student and Professor Plenums) demanded the establishment of such an Agency to ensure the academic autonomy in the country. However, the illiberal and undemocratic governance, and the partocratic grip is such that the sector remains captured and in the hands of the central government institutions

3.1. Specific Recommendations for Changes and Amendments to the Law on Higher Education

It is very important to note that whereas all the provisions in the law that effectively restrict the implementation of the Bologna process goals and values are excessively detailed, inappropriately so for a type of a document a law is and more fitting for a bylaw or rule of procedure type of document (decree), the ones that should ensure mobility and transparent quality assurance are vague or lack provisions that would make them implementable. For example, Article 51 dealing with quality assurance and tackles the issue of European level of quality assurance and transparency (as per the guidelines of the European Network for Quality Assurance abbreviated ENQUA) is never implemented in practice, or rendered hard to implement because it is excessively costly. To quote line (2) of Article 51 “At least two thirds of the expert committee of line (1) will consist of professors from universities from the member states of the European Network for Quality Assurance.” Considering “the external evaluation” is seen as something so “external” that it needs to be internationalized, it is worth noting that every evaluation of the national executive bodies is an external evaluation as opposed to self-evaluation. Article 51 needs to be appended by another article whereby ENQUA subjects to evaluation the national Agency (for quality assurance and accreditation) and the Ministry of Education and Sciences (MES), whereas the national executive bodies carry out evaluation with their own national resources.

Again, regarding the discrepancy between the declarative commitments of the law and the policies inscribed in the law that are supposed to render said commitments implementable, we need to consider that article 150 is in contradiction with Chapter III of this law which effectively revokes the HEI’s right to recognize degrees. Article 150 reads as follows:

“Equivalent recognition of foreign education, Article 150. (1) It is considered that also a person who has graduated abroad meets the conditions of enrollment stated in articles 134, 135 and 136 of this law. (2) It is through a general act adopted by the University

Senate that the terms as per line (1) of this Article are determined for a person who has not attained equivalent education abroad.”²⁵

The main set of interventions needs to be carried out in the rather lengthy Chapter 3 of the law, beginning with article 190 dedicated to the principles, rights, obligations and procedures concerning recognition of foreign qualifications. The very fact that an unusually long chapter, detailed in articles of a law yet containing detailed procedures and hardly any policy and principles stipulations – except implicitly – which is something that should be placed in a bylaw and/or guidelines, is indicative of the level of central authority’s control.

As per the Bologna process principles and repeated recommendations (since 2018, quite explicitly so),²⁶ higher education institutions are expected to be fully autonomous in their recognition of qualifications process. There are independent centers that can support the process with expertise, but their every little procedure is not prescribed by a law developed by the executive branch of power, or simply the government. So, yet again, we encounter a law with a level of detailed central control infantilizing the HEI’s, depriving them of the basic right within the European Higher Education Area, comparable to the amendments to the law on higher education from 2014-2016 which led to unrests, occupations of universities and mass rallies by students and professors whose freedom was stifled. Perversely, the new government, in 2018 adopted a new law that basically incorporated all the stipulations of the amendments the Student and Professor Plenums (that is how the movement named itself) marched against in 2014. Please note, these protests sparked other protest movements yielding the Colorful Revolution in 2016. That was the end of an era marked by “state capture” which was described in Reinhard Priebe’s

²⁵ The original reads as follows: Equal valuation of foreign education, Article 150, (1) It is considered that the conditions for registration from Articles 134, 135 and 136 of this law are also fulfilled by the person who completed an appropriate education abroad [Еднакво вреднување на странско образование, Член 150, (1) Се смета дека условите за запишување од членовите 134, 135 и 136 на овој закон ги исполнува и лицето кое завршило соодветно образование во странство.]

(2) The original reads as follows: With a general act adopted by the senate of the university, the conditions for enrollment from paragraph (1) of this article are determined for the person who did not complete an equivalent education abroad. [Со општ акт кој го донесува сенатот на универзитетот се утврдуваат условите за упис од ставот (1) на овој член за лицето кое не завршило еднакво образование во странство].

Decision on the number of students who enroll [Одлука за бројот на студентите кои се запишуваат].

²⁶ Council of Europe, Committee of Ministers, 132nd Session of the Committee of Ministers.” Turin, Italy, 19-20 May 2022.

Report in 2015 as an “excessive power” of the executive branch, and further refined as definition in his follow-up report of 2017 or what many in their analyses called “illiberal democracy” as defined by Viktor Orbán.²⁷ The change of government, ironically solidified the illiberal impulse of the administration already imbued in authoritarian political culture regardless of party affiliation – the Law on Higher Education of 2018 is a slap to the democratic academic movement from three years earlier, as well as to the basic principles of the Bologna Process. As we have already elaborated those principles, including what effective autonomy means as well as “decentralization” of the equivalence and recognition process, let us examine the Chapter and articles 190 and propose amendments:

- Article 190, line (3) should be revised by deleting “access to further education in Republic of Macedonia” [(3) пристап кон понатамошното образование во Република Македонија.]. The latter is the right and the duty of the HEI’s, whereas the employers can consult a special body and run checks with ENIC/NARIC if they need to do so (and in regulated professions they would have to consult with ENIC/NARIC or the so-called “Information center” this article speaks of which is, in practice, reduced to an ENIC/NARIC office;
- After Line 3, of Art. 190, we propose the inclusion of another line (4) which reads: (3) “For the purposes of academic recognition enabling further education at the institutions of Republic of North Macedonia, it is the higher education institutions that are authorized to carry out the recognition, whereas this process can be monitored and supported through quality assurance by the ENIC/NARIC center;
- Adjust the enumeration of Article 190 thereof;
- We oppose the automatic recognition of exclusively Western Balkans countries as they all are already part of EHEA and the recognition among them should be as automatic based on the very fact of being part of EHEA and signatories of the Bologna process. Recognition should be as automatic between North Macedonia and France as it is with

²⁷ Katerina Kolozova and Niccolo Milanese, *“Illiberal Democracies” in Europe: Authoritarian Challenge to the Crisis of Liberalism* (Washington DC, George Washington University: Program of Illiberalism Studies, 2023), please note the contribution by Luke Cooper.

Albania. This decision was published in the Official Gazette of RNM nr. 87/2023. Yet, in the case of Western Balkans, we caution about the corruption in the sector and fraudulent diplomas, and instead of automatic recognition we advise regular and compulsory checks with through the ENIC/NARIC center;

- Add the following line (8) into the Article 190: Higher education institutions as well as the ENIC/NARIC Information Center and the other relevant institutions such as the Agency for quality assurance in the higher education are obligated to approximate the EHEA (European Higher Education Area) goal to be achieved by 2025 - automatic recognition of ECTS credits and qualifications. [(8) Високообразовните установи како и ENIC/NARIC Информативниот центар но и другите релевантни институции, како Агенцијата за квалитет во високото образование, се должни да се приближат до целта на EHEA (Европската високообразовна област) до 2025 – автоматско признавање на ЕКТС кредитите и квалификациите.] In doing so, the institutions should apply the Erasmus Guidelines and follow the latest edition of the Erasmus Guide intended for all EHEA countries – this could be stated as part of the amendment to the law, or in a bylaw of the MES (Ministry of Education and Science) but also further detailed by the HEIs and their guiding acts such as rulebooks;
- Add also a line (9) stating that the check of document's validity should be more time and money efficient relying on digital verification [(9) За проверка на веродостојноста на документите институциите, како високообразовните така и Информативниот центар за признавање на странски високообразовни квалификации, се должни да обезбедат што е можно поекономична постапка за потенцијалниот студент која се потпира на максималното користење на дигиталните докази на веродостојност.]

In article 192, add line (5) which ensured that the Informative (ENIC/NARIC) center is supporting the HEI's with expertise in their process of recognition as per the EAR-HEI Manual, a paraphrase of the proposed amendment: (5) Информативниот центар дава поддршка и врши надзор врз високообразовните установи во однос на нивните

постапки на признавање и еквиваленција, во согласност со EAR-HEI Manual на ENIC/NARIC Network, чија членка е Информативниот центар.

The entire article 193 should be deleted because it states that it is the MES' responsibility to recognize individual qualifications and diplomas - this is an outright violation of every treaty, recommendation from 21st century (we shall exclude the 1990's and the technicalities of the Lisbon convention as their outdated transitional recommendations will be probably abused by those who want to decentralize power and control in the area of diploma and qualification recognition). It is even more outrageous that the Law does not even pretend to make any effort toward decentralization: the Information center is supposed to do the paperwork but it is the Minister of Education and Science who signs the recognition of the transcripts and the diploma of every individual applicant.

Section 2, Article 195 should also be deleted because these are essentially rulebook/guidelines provisions that can belong to a bylaw and not make up an entire part of a law. Either way, if removal is impossible, then strike out notarized original and include a digital version of the diploma wherever available. The request mentioned in line (1) of the article should be addressed to the Information center only for the regulated professions (whereas the act of academic recognition should be the authority of the HEIs), and the decision should be signed by the independent responsible person of the Center, not the Minister of Education and Science. Line (3) of the article 195 should be deleted (in case the entire article isn't deleted): in line with EAR and the Erasmus Guide, one should check the legality of an institution only when valid suspicion arises, any reason for due diligence; as it is formulated currently, our ENIC/NARIC center calls out for each case of recognition universities such as Cambridge (UK) to check their credentials. However, they do not check if the diploma at issue was truly issued by the university in case – the entire article seems like simulation of legalism and diligence only to obfuscate the effective lack of it and offer coverage for recognition of fraudulent diplomas and documents confirming qualification. The Erasmus Guide cautions against subjecting a candidate to undue scrutiny as discriminatory.

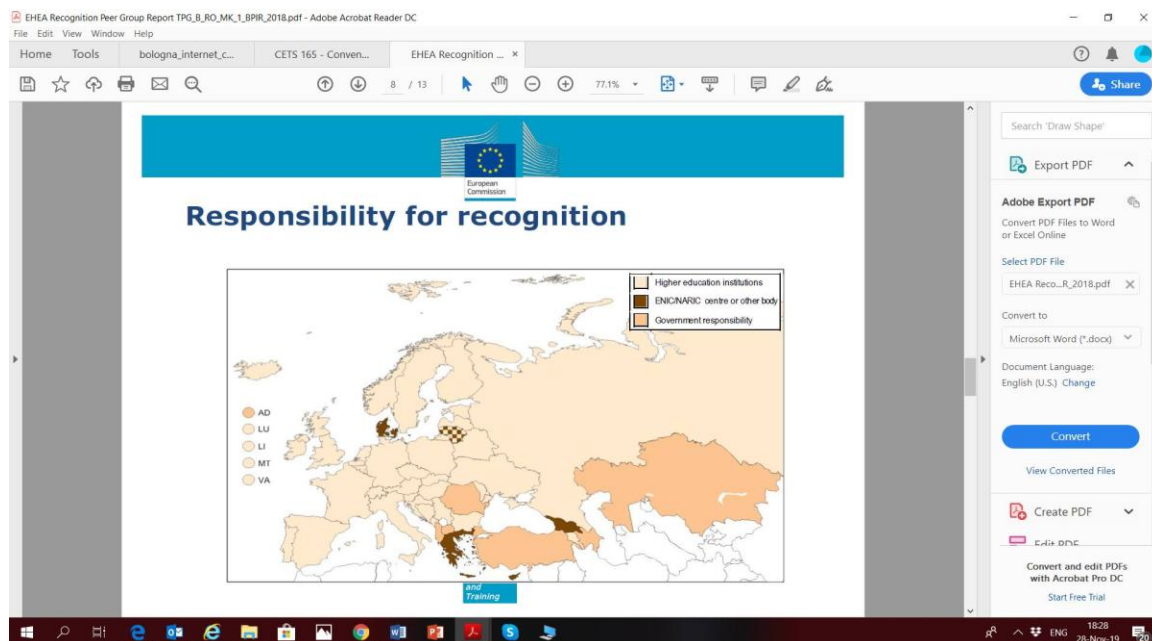
The entire 196 Article should be removed, for 2 main reasons: 1) again rules of procedure, guidelines and technicalities that belong to a bylaw or Guidelines or Rulebook document, not in a law, 2) the founding documents of the Bologna Process and all the subsequent detailed recommendations in the form of multiple documents prohibit assessment of study programs (curricula) from an academic point of view as the Bologna process and ECTS are invented to do the opposite – one compares pure form, workhours, number of credits and comparability or compatibility of degrees on a purely administrative level, without going into the academic content of program which is precisely what used to impede mobility prior to Bologna. Instead, we can suggest only administrative committees in a Center that is completely independent from the MES and certainly from the Minister's authorization of the decision. Thus, if one deletes the article at issue (196), whatever is transposed into a bylaw should follow the policies we just explained as justifying our proposal to strike out article 196.

Article 198 should be struck out for the exact same reasons as article 196.

Article 199 should be struck out for the exact same reasons as articles 196 and 198, but not only: in line (2) it legalizes favoritism and inequality in front of law for all citizens by favoring the prestigious degrees as per a ranking system that is produced under commercial terms (the Shanghai ranking). It also favors a commercial product, namely the ranking itself, of one university instead of another or another company. A law can specify a principle, such as relevance of ranking systems, but leave it up to the HEIs and companies to decide if they find the ranking relevant for their decision or not – whatever the case, rankings cannot be used as justification for discrimination or simply negating the right to “equal in front of law” for every applicant.

4. Challenges and Reforms in the Recognition of Diplomas and Qualifications: Insights from North Macedonia and the Region in the Context of the European Education Area and the Implementation of the Bologna Process

The 2018 Report on the Implementation of the Bologna Process and EHEA Member States' Participation in the Implementation of Conventions and, more importantly, the adherence to the EHEA's 'Working Guide' - or European Standards and Guidelines (ESG) - provides an overview of the data whose competence is in the recognition of diplomas and qualifications, according to which, North Macedonia is among the few countries in the entire area of the EHEA where the Ministry of Education and Science recognizes qualifications both for 1) academic advancement, i.e. further education, and for 2) professional qualification (for all, not just the regulated professions). In addition, here is the map from the chapter on Recognition (EHEA: Bologna Process Implementation Report 2018) which gives a clear overview of who has the competence during that period.²⁸



Source: EHEA: Bologna Process Implementation Report 2018

The latest Report on the implementation of Bologna process in in the EHEA Member States does not provide such an overview but it can be derived by checking the ENIC/NARIC centers. The reason that this map (see the image above) is not “updated” is that such focused

²⁸ European Commission, “The European Higher Education Area in 2018: Bologna Process Implementation Report,” Eurydice, available at: <https://ehea.info/Upload/BP2018.pdf>, accessed on 14 August 2024.

analyses are done by the special working group for recognition at EHEA. This year, the focus is on another issue, in the area of recognition, namely the effort to implement automatic recognition everywhere in the EHEA, which is defined as follows:

The understanding of automatic recognition is fully in line with agreements in the Bologna Process. Automatic mutual recognition of a qualification is the right for the holder of a qualification of a certain level issued by one country to be considered for entry to a higher education programme at the next level in another, without having to go through any separate recognition procedure. This does not prejudice the right of a higher education institution or the competent authorities to set specific evaluation and admission criteria for a specific programme.

In the same chapter, the goal towards automatic recognition is established:

Progress towards widespread automatic recognition was also given a boost when, within the European Union, a Council Recommendation of 26th November 2018 was adopted that seeks to promote the automatic mutual recognition of qualifications as well as the recognition of learning outcomes during study periods abroad (34). The Recommendation envisages achieving the automatic recognition of qualifications by 2025 throughout the EU, providing further impetus to all the countries in the Bologna Process.

In order to achieve such a goal by 2025, the Council of Ministers will insist on interventions in the legislation as well.²⁹

Automatic recognition is an advanced step and until our country succeeds in achieving it - which is also connected with essential digitization and not archiving of physically obtained and printed documents - it should first achieve the most basic principle, removing the executive power (the ministry) of direct control over the academic sphere and invasion into autonomy which implied, of course, the capacity to recognize qualifications and exercise equivalence.

²⁹ European Commission, "The European Higher Education Area in 2020: Bologna Process Implementation Report", Eurydice, available at: <https://eurydice.eacea.ec.europa.eu/publications/european-higher-education-area-2020-bologna-process-implementation-report>, accessed on 14 August 2024. pp. 88

The degree of control, which our country possesses through a detailed law, that allows the ministry to recognize qualifications in a way that follows the law – already “treating the law as a rule book” is too much control of the executive power and an invasion of autonomy - and appoints for a competent instance (authority) is an inappropriate level of intrusion into autonomy. The only similar country in the whole EHEA area with a similar degree of ministerial control is Albania.

To make things worse, the legislator, at the proposal of the ministry itself, decided that the country would fulfill one of the basic criteria of autonomy (recognition) until the country's accession to the European Union. Such a provision is a direct and brazen violation of the principles of the EHEA because there is no reason not to respect the principle of autonomy (in recognition) before becoming a member of the European Union. Many advanced members of the EHEA do not even claim to be members of the Union. The EHEA imposes obligations, the Bologna itself, and all conventions, such as the Lisbon one, which the state has signed, impose the application of the principles and directives of the EHEA before those of our laws because international conventions have greater legal binding force.

In summary, the relapses from the scandalous law from Nikola Gruevski's era, which are found in the 2018 Law on Higher Education, should be removed and replaced with the following solutions:

- Higher education institutions are responsible for recognizing academic qualifications;
- ENIC/NARIC centers should be responsible for professional qualifications, and they should operate independently from the Ministry of Education and Science.

The Communiqué from Paris in 2018 strongly advocates for the application of full autonomy and reduction of control by ministries. This year's Report on the application of the Bologna Process concentrates on this topic. Unfortunately, there is no data available for North Macedonia for the first time in the history of such reports.

We made a comparison with the other countries in the region, EU members, but also countries, which are candidates for accession, as well countries that do not pretend to become members, and yet again, it was confirmed that only in North Macedonia (and Albania), the

recognition is carried out by the Ministry of Education and Science, as for the professional, as for academic qualifications, and that both for professional and academic qualifications, and the ENIC/NARIC center is, in fact, part of the Ministry on Education and Science.

In the Republic of Serbia, the higher education institutions carry out the recognition and equivalence themselves, and the ENIC/NARIC centers are in charge of the recognition for professional needs (if necessary, but mandatory for the regulated professions).³⁰

In the Republic of Slovenia is the same as in Serbia - the higher education institutions carry out the recognition and equivalence themselves, and the ENIC/NARIC centers are in charge of the recognition for professional needs.³¹

Recognition is also closely related to the quality assessment of institutions, and its provision should be carried out by an independent body. Given that our Agency's leading persons in the past had modest academic capacities and did not know the English language, its integration with the already competent Board of Accreditation is the most logical move to quickly ensure an autonomous instance of quality.

The most important thing is that the country cannot claim to be regional innovation hub without academic credibility of country with an international reputation, and to achieve academic credibility, we need free competition and opening possibilities for work on international level –various collaborations with the EU and other advanced environments, curricula carried out in collaboration with prominent universities. In order for something like this to happen and to join the European priority of digital mobility – not only autonomy in the recognition of qualifications, but also autonomy in establishing international collaborations must be enabled.

³⁰ Qualification Agency, ENIC/NARIC Centar, available at: <https://www.enic-naric.net/serbia.aspx?fbclid=IwAR270QtPYEpHt1SdDAjLVvbx0zCm5VMA1PBKfVeiav38mW5Jax4Fj1t3nNY>, accessed on 23 August 2024.

³¹ Republic of Slovenia, Gov.SI, "Assessment of education at the ENIC-NARIC centre", available at: <https://www.gov.si/en/topics/vrednotenje-izobrazevanja-pri-enic-naric-centru/>, accessed on 23 August 2024.

As for the quality, it will be maintained by a quality agency, which will do the ranking (no need for bans and closures, legality and meeting a basic threshold and quality are different things, and quality can be disclosed as well as poor quality). Regarding the fears of breaking the law, the inspection services should be empowered and equipped with totally new and non-partisan personnel (those 2-3 persons who were active until now in the high education are corrupted themselves – big power concentrated among small group means great corruption, and the power is really great because now is in the hands of 2 or 3 persons – except if there is no change in between, which will be good news.)

However, opening of the free and international academic competition in our field, and quality assurance are parallel processes, and the former should not wait for the latter to be established (on the contrary, depending on how the academic “market” will be shaped, it will also depend on what facilities will be needed for quality assurance and evaluation.) Of course, these are processes that can go in parallel, but what needs to be ensured first is a free academic “market” - a creative agora - tied to the ambitions for academic and innovation relevance at the level of the region. The concern for quality, control, supervision should remain that, evaluation, but it must not take precedence over the free blossoming of the academic scene/creative industry (it is a form of industry, if you know how to market it that way, that is, with an international dimension) – because the “market” itself will surface the best quality ones. Namely, if the arena is set up in a quality way, it ensures quality in advance – and the solutions are simple and within reach: joint degrees with the full members of Erasmus, including us. For this to happen, it is necessary to intervene in the law, which has allowed, to prohibit this until the entry of the country into the EU (which is against the principles of Bologna and all related conventions, and in illegal conflict with them).

The 2020 Rome Ministerial Communiqué refers to the conclusions from that in Paris from 2018 and calls:

We will ensure automatic recognition of academic qualifications and periods of study within the EHEA so that students, staff and graduates are able to move freely to study, teach and do research. We will make the necessary legislative changes to

*guarantee automatic recognition at system level for qualifications delivered in EHEA countries where quality assurance operates in compliance with the ESG and where a fully operational national qualifications framework has been established. We also encourage the application of agreed and secure systems of digital certification and communication such as blockchain, as well as the further development of the Database of External Quality Assurance Results (DEQAR) to facilitate automatic recognition.*³²

Also, the same document says:

*We welcome the adoption of the UNESCO Global Convention on the Recognition of Qualifications concerning Higher Education and commit to ratifying it promptly, in order to facilitate fair recognition of qualifications and periods of study from outside the EHEA, using Lisbon Recognition Convention compliant assessment criteria and reports.*³³

The last quote is from the EHEA info website, which shows that The Lisbon Convention is the essence of EHEA, the mobility is the essence of EHEA:

*Two bodies, namely the Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region and the European Network of National Information Centres on Academic Mobility and Recognition (the ENIC Network) are to oversee, promote and facilitate the implementation of the Convention. The Committee is responsible for promoting the application of the Convention and overseeing its implementation. To this end, it can adopt, by a majority of the Parties, recommendations, declarations, protocols and models of good practice to guide the competent authorities of the Parties. Before making its decisions, the Committee seeks the opinion of the ENIC Network. As for ENIC Network, it upholds and assists the practical implementation of the Convention by the competent national authorities.*³⁴

³² EHEA Rome 2020, “Rome Ministerial Communiqué”, available at: https://www.ehea.info/Upload/Rome_Ministerial_Communique.pdf, accessed on 20 September 2024.

³³ Ibid.

³⁴ European Higher Education Area, “Lisbon Recognition Convention,” available at: <https://ehea.info/page-recognition>

5. Potential Points for Intersectoral Integration of Education, Science and the Knowledge-based Economy

As mentioned in the introduction, prior to this project, in 2023 FRP and ISSHS submitted a proposal-initiative “Proposal for Amendments and Additions to the Law on Higher Education”. Since there was none feedback from the Government, the organizations found an understanding from the Civica Mobilitas program through the project “Advocacy for Inclusive Growth.”

Within the project, the consortium held a thematic forum titled “Interweaving Education, Science and Innovation-Based Economy,” on 27th March, 2024. The event brought participants from academic, business communities, non-governmental sectors, and other stakeholders, who emphasized the importance of an intersectoral approach, and cooperation between institutions.

Subsequent discussions and briefings reiterated the necessity for collaboration among civil society organizations, institutions, the business community, and the media, with a focus on core values such as the right to education, employment, and effective governance. The active involvement of the business community in this approach proved pivotal. The formulation of new policies within Cluster 3 (Competitiveness and inclusive growth), particularly concerning the intersectoral integration of higher education and scientific endeavors with the economic sector, is of paramount importance.³⁵ This means interweaving education, science and innovation with economic development. Undertaking intersectoral reforms transcends mere academic discourse; it is a matter encompassing policy and infrastructure. Consequently, the European Union advocates for the transformation of numerous universities into research institutions and the establishment of alternative innovation frameworks. The EU’s November 2020 investment plan

³⁵ The New ERA 2030 (ERA stands for the European Research Area, of which North Macedonia is also an associate member) emphasizes that economic development, particularly technological and innovative advancements, is a priority that requires the unification of scientific and academic institutions. This unification can only be achieved through extensive mobility, both digital and physical. It is crucial to highlight that this vision necessitates the inclusion of all sciences, asserting that a competitive innovation economy cannot progress without “deep and integrative interdisciplinarity.” Therefore, the social sciences, humanities, and STEM disciplines must work together in unity.

for the Western Balkans aims to facilitate the region's alignment with these endeavors. In the ensuing discussion, we proposed recommendations emphasizing the link between education, the economy, and the business sector. Our focus on this connection stems from the belief, supported by prior knowledge and discussions, that it constitutes a critical missing link in enhancing the educational landscape. This claim was confirmed by the findings obtained from the Thematic Forum.

5.2. Macedonian Higher Education in the Context of the Labor Market

Human capital, by definition, encompasses the sum of education, knowledge, skills, and health that individuals invest in and accumulate throughout their lives, which enables them to realize their full potential and be productive members of society. It is the most important resource for one country as it integrates other factors of production (physical capital). By investments in human capital, a country significantly influences its future income and the standard of living of its citizens. Enhancing the quality of human capital is crucial for steering toward sustainable economic growth and development, as well as for addressing the emerging challenges faced by the state concerning the labor market and population aging. Improving education directly impacts the human capital of a country.

However, despite the continued commitment of the Republic of North Macedonia to improve the education system, significant results are still lacking, because some of the reforms in the education system are superficial, often poorly conceived and short-lived. Additionally, there is no integrated approach to take measures in the fields of education and the labor market, so despite the governments' declarative commitments to improving the situation in the area business representatives continue to express concern about the lack of quality staff with appropriate skills. The emigration of young and highly educated individuals from the country in order to secure better economic opportunities abroad is most often of a permanent nature and adds to the problem.

Hence, there is a necessity to connect policies across different areas and adopt an integrated approach. This approach should create a "dense tangle" where measures are interwoven with

the aim of providing better quality, highly educated staff to meet the needs of the domestic economy. Starting from the importance of these issues, the project “Advocacy for Inclusive Growth” offers certain solutions to overcome the identified weaknesses.

According to the 2021 census, the population in the Republic of North Macedonia is 1.836.713 citizens, while the Gross Domestic Product (GDP) per capita is 5,888 US dollars. The country continuously faces challenges that slow down the economic growth and hinder more intensive development. Many of these challenges are related to the labor market conditions, the quality of human capital, and productivity.

According to data from the State Statistical Office, in 2023 the active population in the Republic of North Macedonia is 791,647 people, of which 688,296 are employed, and 103,351 are unemployed. The activity rate in this period is 52.3%, the employment rate is 45.4%, while the unemployment rate is 13.1%.

Despite the fact that the unemployment rate has decreased by almost 15 percent (from 28% in 2014 to 13.1% in 2023), it remains among the highest in the region of Europe and Central Asia (ECA).

Unemployment is particularly concentrated among young people aged 15 to 24 (24,9% in 2023). The fact is partly due to the low quality of education and weak links between education and the labor market, so many young people are not sufficiently prepared for employment. There are significant skills gaps, which, if not properly addressed, will become even more apparent as job tasks change and new occupations emerge. As a result, one quarter of the large companies (with 100 or more employees) and 19% from middle-sized companies (20-99 employees) identified inadequately qualified workforce as the second biggest constraint to the business environment.³⁶

According to the Human Capital Index of World Bank³⁷, the quality of human capital in the Republic of North Macedonia was 0,56 in 2020. Although this figure is within the range of

36 World Bank, “Looking for skills in the Republic of Macedonia, 2017.

37 Human Capital Index (HCI) measured annually by the World Bank, indicates which countries are the best in mobilizing their human capital, reflecting the economic and professional potential of their citizens. The index ranges from 0 to 1, with 1 representing the achievement of maximum potential.

countries with similar level of development, it remains well below the average in low- and middle-income countries in Europe and Central Asia (63%) and significantly below the EU average (74%). This indicates that a person born in the country today, when (s)he grows up will only utilize 56% of her/his potential productivity, compared to the EU average of 74%.

The low productivity of human capital and high rates of emigration, mainly of the working population, have strong distortive effects on the labor market.

Estimates based on census data from destination countries (mainly countries in Western Europe and North America) indicate that over 500,000 citizens of the country live abroad, making the Republic of North Macedonia one of the countries with the largest diaspora in the world as a percentage of the total population.³⁸ The potential annual GDP loss is estimated at 333 million euros, which accounts for about 3.1% of GDP. Consequently, each able-bodied person who leaves the Republic of North Macedonia takes with them approximately 15,850 euros of potential future GDP. The combined impact of low population growth and emigration is projected to reduce the working-age population from 71% to 60%, while the proportion of elderly individuals will rise from 12.5% to 25%. To sustain a working population until 2050, approximately 700,000 additional workers will be required.³⁹

The Macedonian emigrants are predominantly young people, and their skills vary. Emigration, particularly intellectual emigration, tends to be permanent, with a low tendency among Macedonian emigrants to return to the country. Consequently, skills acquired abroad are unlikely to contribute significantly to domestic development goals.

High emigration rates and an aging population necessitate the enhancement of skills and productivity among the existing workforce. Therefore, it will be crucial in the future to improve the skills and productivity of the remaining workers and to alleviate the pressure of emigration, particularly among young people. Failing to do so will increase the burden on the shrinking workforce, further incentivizing migration out of the country.

38 World Bank, "Social Insurance Administration Project, Project Appraisal Document", 2020. .

39 World Bank, "Seizing a Brighter Future for All: Systematic Diagnostics of the Republic of Macedonia,"2018.

Economic growth and the competitiveness of the economy depend on the quality and functionality of human capital engaged in productive jobs. This encompasses the collective production skills, talents and knowledge of individuals. When individuals participate in value creation, they are inseparable from their knowledge, skills, health and personal values – all of which constitute a form of capital. Education and trainings (alongside health care) are crucial in shaping human capital, and the costs for education, trainings and health care represent investments in it. The national economy and the well-being of citizens are directly influenced by education.

In this context, the question arises: Does the Republic of North Macedonia have the potential to enhance its education system in a way that fosters the creation of human capital capable of driving faster, more inclusive, and sustainable growth for the country?

Partly as a legacy of the long-term underinvestment and focus on *inputs* instead of *output* (such as the knowledge accumulated in individuals), and partly due to the slow implementation of reforms in the period from the country's independence to the present, the education indicators in Macedonia are not encouraging.

Compared to countries with similar per capita incomes, public expenditure on education in the Republic of North Macedonia is low and on a downward trend, declining from 4.6% of GDP in 2012 to 4.0% in 2022. This level is below that of Western European countries, where expenditures often exceed 5% of GDP.

The situation is similar with expenditures for higher education, which faces comparable challenges and is associated with low and inefficient spending, resulting in low quality. In 2017, public spending on higher education was 0.8% of GDP, which falls below the EU average of 1%, and is also lower than countries like Serbia and Croatia, which have similar education systems. Furthermore, some comparison countries achieve better learning outcomes with similar or lower levels of education expenditure. Additionally, the public share of science funding is low, ranging between 0.2-0.4% of GDP, well below the EU average of 2%.

Despite the state's constant declarative commitment to improving the education system, significant results are missing, even though current reforms are being implemented at all levels.

Some of the reforms in the education system are shallow, often poorly thought out, and therefore short-lived (for an example - the introduction of a state exam, whose application was delayed and has not been implemented to this point etc.)

This is often the result of a lack of broad social debate and an appropriate period of preparation and adjustment. Consequently, the unpreparedness of institutions, educational staff, students, and the general public to accept specific reforms leads to these reforms becoming the subject of political compromises. Thus, although some reforms are designed according to good international practices, progress is limited by the capacity for implementation.

The general conclusion is also relevant for reforms in higher education. Namely, for a long period, the Government focused on expanding access to higher education by opening dispersed programs at the universities in small and remote cities, which undoubtedly seriously damaged the quality of educational process. This created an army of graduates, whose skills do not match those required by the job market. Diplomas for completed higher education do not reflect the actual acquisition of appropriate skills, neither in terms of level nor field.



„За да ја зголемиме атрактивноста за студирање кај нас, треба државата да им обезбеди сместување, стипендии и поквалитетни програми на студентите, но и програми на англиски јазик особено на додипломските студии. Од друга страна, **компаниите треба да се подговорни кога земаат студенти на пракса** и важно е да ги вклучат во процесот со цел да ги научат потребните вештини.“

Ана Шоповска делегат од Универзитетското собрание

Shopovska, Ana. *Delegate from a University Assembly on Thematic Forum*. 24 March 2024.

In the last fifteen years, the number of higher education institutions (both public and private) has continuously grown despite the demographic decline and the increased emigration. Consequently, the country has a relatively high number of higher education institutions considering the size of its population.

According to data from the State Statistical Office of the Republic of North Macedonia, a total of 53.821 students were enrolled in the academic year 2022/2023, which is an increase of 4,2% compared to the previous academic year (2021/2022). The majority of students (77,7%) enrolled in state higher education institutions, while the other (22,3%) enrolled on private higher education institutions.

Two-way educational exchanges have become popular in recent years, and especially popular are programs that offer Macedonian students' opportunities to work and study abroad during the summer, as well as educational exchanges through international mobility programs (for example: Erasmus+, CEEPUS, etc.)

Scientific research activity is low, and there is a significant migration of highly educated personnel. Limited funding for science reduces opportunities for academic staff to engage in research activities and to be gain greater visibility within the international academic community. Many research capacities are outdated and academic staff have few opportunities to engage in resource-intensive research, especially in the technical and natural sciences

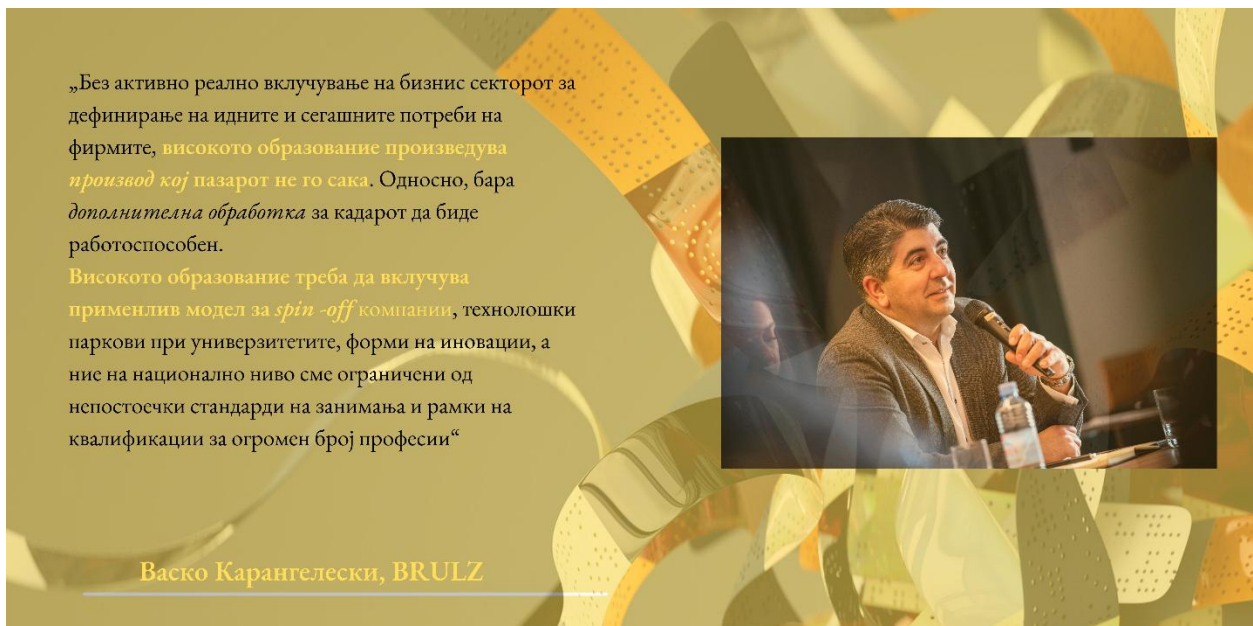
Furthermore, the system of non-formal education, shorter and more flexible educational programs, and the process of knowledge upgrading are still underdeveloped and lack standardization.

While the Republic of North Macedonia has recently begun to address the quality challenge more seriously, a fully functional quality control system is still in the early stages of implementation. The country is also in the process of establishing and consolidating its quality assurance system in higher education. The Agency for Quality in Higher Education, which comprises the Board for Accreditation of Higher Education and the Board for Evaluation of Higher Education, began with its work in 2020 following the enactment of the new Law on Higher Education, but so far, no institutional evaluation has been carried out by the Agency. However, the new manuals for evaluation and accreditation, aligned with the European Standards and

Guidelines for Quality Assurance,⁴⁰ were recently adopted in 2022. The implementation of evaluation in accordance with European standards and guidelines for quality assurance in higher education holds several potential benefits. It can enhance the quality of higher education, assist in the consolidation of the higher education system by increasing minimum work standards and rationalizing the number of higher education institutions through integration and mergers. Moreover, it can reduce duplication of study programs, minimize the number of substandard programs, and improve spending efficiency. Additionally, it has the potential to create synergies and address the demographic decline of students. Ultimately, this process can lead to an overall increase in quality and the creation of internationally competitive higher education institutions, thus producing better graduates.

Existing approaches to quality assurance typically prioritize accreditation and focus on inputs rather than outputs, such as learning outcomes and employment possibilities.

The business community continuously voices concerns about the lack of suitably qualified workforce in the labor market, as well as the absence of workforce with the appropriate skills.



„Без активно реално вклучување на бизнис секторот за дефинирање на идните и сегашните потреби на фирмите, високото образование произведува *производ кој пазарот не го сака*. Односно, бара *дополнителна обработка* за кадарот да биде работоспособен.

Високото образование треба да вклучува применлив модел за *spin-off* компании, технолошки паркови при универзитетите, форми на иновации, а нис на национално ниво сме ограничени од непостоечки стандарди на занимања и рамки на квалификации за огромен број професии“

Васко Карангелески, BRULZ

⁴⁰ Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) (2015, Brussels, Belgium, available at: [ESG_2015.pdf\(eqar.eu\)](https://eqar.eu/ESG_2015.pdf), accessed on 27 September 2024.

Karangeleski, Vasko. *Delegate from BRULZ on Thematic Forum*. 24 Mar. 2024.

In order to create mobility for our academic community and to acquire skills and knowledge in an international environment that would later be applied in the country, since 2012 the Ministry of Education and Science has been subsidizing undergraduate studies at top ten ranked universities worldwide across all disciplines. Additionally, scholarships are provided for first-year undergraduate studies in technical sciences, architecture, construction, mathematics, international law, economics and finance, physics, biology, chemistry, medical sciences, and genetics at universities ranked within the top hundred according to the latest list published by the Center for World-Class Universities at Shanghai Jiao Tong University. With this state project, enrollment fees of up to \$40,000 per year and a monthly scholarship of approximately €800 were funded using budgetary allocations.

After completing their studies and returning to the Republic of North Macedonia, the candidate was required to be available for employment in state administration bodies, as well as in state higher education and scientific institutions, for six months. If suitable employment was not offered to the candidate within six months, they were obligated to work in the country for a minimum of two years.

There is no systematically publicly available data on the number of scholarships and their value regarding the specific project. Furthermore, this project was compromised by instances where scholarship recipients either found a way around the obligation to return home or returned but were not offered suitable workplace opportunities.

According to certain calculations and public reactions, primarily from companies interested in hiring students from prestigious universities abroad, the state invested several tens of millions of euros in these students. However, data about the benefits of these investments remain unknown.

These shortcomings significantly undermined the original goal of the program, which aimed to repatriate human capital to the country and stimulate a spillover effect on the Macedonian labor market. This was intended not only to enhance knowledge and skills but also to foster work ethics and attitudes. Instead, the state inadvertently invested in human capital for other

countries. The competent authorities lack records or insight into the employment and career development paths of scholarship holders, despite the state's investment in them. Additionally, there is no record of other young individuals who pursue higher education abroad either through foreign scholarships or at their own expense.

The business sector is not extensively involved in the programming and financing of higher education and scientific research, resulting in the region's lowest participation in technological innovation activities. To address this gap, companies and universities must enhance their collaboration through various means, including developing cooperation plans, implementing integrated learning exercises, fostering cooperative learning environments, and supporting research and incubated companies. Furthermore, companies should have greater representation in higher education programs, with increased emphasis on practical work and the development of students' skills for real-world application.

Simply increasing financial resources for education does not guarantee improvement if they are not used effectively. Investing in human capital requires not only allocating more funds but also ensuring their appropriate utilization. Debates on education reforms often focus solely on enhancing skills, neglecting the issue of emigration

5.3. Proposed measures

Given the context and the aforementioned weaknesses of the system described in the "Advocacy for Inclusive Growth" Project, this proposal offers specific solutions aimed at enhancing the alignment between higher education and the development priorities of Macedonian society, especially in the direction of shaping productive and engaged citizens to meet the demands of the Macedonian labor market.

To achieve this goal, the proposed measures focus on ensuring that educational policies in higher education and labor market policies are mutually consistent. A key element of this consistency is the establishment of a triple partnership between universities, the private sector and the state. Additionally, there is a need for strengthening intersectoral coordination and cooperation is needed.

The focus of the proposed measures is on creating skills, that will match the current and anticipate future demand on the labor market, as well as measures, that will ensure that the brain drain of young and highly educated people abroad becomes a two-way process.

Formulating specific policies to align higher education programs with technological changes and trends, is essential for creating a workforce capable of meeting current and future changes and demands in the labor market. By doing so, the country can effectively navigate these processes. Additionally, using the potential of the migrations abroad and ensuring their smooth integration of the labor market in the Republic of North Macedonia should also be an integral part of these policies.

The proposed measures are aimed at improving the quality of higher education in the function of the Macedonian labor market, as well as towards increasing mobility in higher education and measures for the return of highly educated personnel to the country.

I. Establishing a system for regularly analyzing and monitoring the skills gap at the national level and developing higher education programs according to the needs of business and the labor market. The formation of a “Skills Observatory of Highly Qualified Staff” at one of the state universities is necessary. Given the limited capacity and potential of government institutions, it is necessary to network science, the business community, and relevant authorities from the Ministry of Education and Science and the Ministry of Labor and Social Policy (Agency for Employment) with the aim to establish a “Skills Observatory of Highly Qualified Staff” Center, which will use econometric models to forecast the skills needs of highly qualified personnel in the country.

II. Support for the modernization of study programs and teaching and learning methods. Based on the assessment of the “Skills Observatory of Highly Qualified Staff,” universities in cooperation with private sector should create new educational programs and modernize existing ones to meet the needs of the business community.

III. Strengthening dual diploma programs at higher education institutions, which are crucial for enhancing knowledge and skills, and introducing international programs with world universities, facilitating mobility and simplifying equivalence. All of these initiatives aim of faster inclusion in the domestic labor market.

- A comprehensive revision of the bylaws and the relevant section of the Law on Higher Education, which repeats this bylaw for the procedure for credit and qualifications recognition, should be undertaken. This revision should adhere consistently to the recommendations and guidelines outlined in the Erasmus Guide for Recognition of Credits and Qualifications;
- Advocacy for complete digitalization of credit and qualifications recognition procedure, ensuring full online transparency and the ability to track the process;
- Exclusion of the anti-Bologna principle of program assessment and the establishment of commissions of professors for the purpose of nostrification – the Lisbon Convention and the basis of ECTS, the principle of recognition and mobility is non-interference with the academic content but on formal principles (number of credits, credit counting, compatibility of qualifications). This approach aims to overcome the issue from the 1990s, where each academic tradition and environment adhered to its own practices and habits, hindering passability and mobility. Therefore, recognition process should exclude the involvement of arbitrary professorial committees and instead be managed by administrative personnel, as recommended by Erasmus;
- Validation and recognition of skills obtained outside the formal education system or abroad (mostly in informal context), are also necessary.

IV. Establishing a register of students studying abroad to monitor their potential employment opportunities with domestic companies after graduation. The establishment of such a register is necessary to facilitate collaboration aimed at supporting the development of the domestic economy through connecting expatriates with companies and research institutions in the country. An electronic database of Macedonian citizens studying abroad would contain information about the students, the educational institutions where they are pursuing their studies, their degree levels (bachelor's, master's, doctoral), contact details, and other relevant

information. This database will benefit companies, as well as scientific institutions, by enabling them to monitor the potential engagement of our young and educated personnel abroad.

This would address the shortcomings stemming from the project initiated in 2012, wherein the state subsidizes undergraduate studies at the top-ranked universities listed by the Shanghai ranking across all cycles of studies. Additionally, it would provide a framework to leverage the potential of other Macedonian students studying abroad, whether through alternative scholarships or self-directed endeavors.) Furthermore, this database could be enhanced and expanded in the future to include post-education data, such as information on employment status abroad. Participation in sharing such information would, of course, be voluntary. The objective would be to facilitate occasional engagement opportunities for students in the domestic economy and scientific endeavors, as well as to provide relevant connections and information to address various needs from abroad.

V. Exploring the option of subsidizing employment opportunities for individuals returning from abroad with deficient qualifications. Given the shortage of highly qualified personnel in specific sectors, it is imperative to explore the potential of subsidizing employment for both foreigners and Macedonian citizens who have relocated abroad. The Ministry of Labor and Social Policy, in collaboration with the Ministry of Economy and the Ministry of Finance, should contemplate the enactment of regulations to offer subsidies to employers in North Macedonia who hire recently immigrated individuals. This initiative aims to foster economic growth and enhance competitiveness in the global market.

In addition to domestic returnees (individuals who have worked or been educated outside the country) this measure also opens opportunities for the employment of foreigners, aiming to attract experts from foreign countries as well as Macedonians from the diaspora possessing high qualifications and skills. Given the salary levels and standard of living in more developed economies, our economy may appear less attractive for the mass hiring of highly qualified personnel. The implementation of this measure would yield multiple effects, that is, part of the labor shortage would be substituted for the private sector in the labor shortage.

Such similar measures exist in several other countries, which pose direct competition in the recruitment of highly qualified staff.⁴¹

GENERAL CONCLUSIONS

The specific conclusions in the separate chapters of this study highlighted the challenges in topics such as: intersectoral cooperation, mobility, recognition of qualifications, mass migration of highly educated personnel, but also their return to the country.

The general conclusions offer a broader perspective on the comprehensive reforms, needed to transform higher education in the Republic of North Macedonia. They synthesize the key findings into unified themes, focusing on systemic changes that span all sectors. The ultimate goal is to improve the country's academic and economic integration with the global standards, to

The ultimate goal is to improve the country's academic and economic integration with global standards, to foster sustainable development and to deal with the long-standing structural inefficiencies.

1. The need for intersectoral integration: There is a significant gap between the educational system and the labor market, which is exacerbated by the lack of communication between sectors such as education, science and the economy. This gap contributes to low human capital and a mismatch between the skills of graduates and market demand.

⁴¹ For example, the case of the Republic of Serbia, which in mid-2022 adopted a decree on the criteria for granting subsidies to employers employing newcomers in Serbia [УРЕДБА О КРИТЕРИЈУМИМА ЗА ДОДЕЛУ ПОДСТИЦАЈА ПОСЛОДАВЦИМА КОЈИ ЗАПОШЉАВАЈУ НОВОНАСТАЊЕНА ЛИЦА У РЕПУБЛИЦИ СРБИЈИ] ("Official Gazette of the Republic of Serbia n. 67/22], according to which a newly immigrated person is a person who does not stay in the territory of the Republic of Serbia for more than 180 days in a period of 24 months and with whom an employer (domestic or foreign legal entity) has concluded a work contract for a monthly salary of at least 300,000.00 dinars (about 2,650 euros), and subsidies are paid in the amount of 70% of the calculated and paid income tax for one or more employed newly settled persons and 100% of the calculated and paid contribution for pension and disability insurance, for a period of no more than 60 months, starting from July 1, 2022, and ending with December 31, 2028.

2. The authoritarian legacy in higher education governance: The present legislation centralizes control over higher education, especially regarding the recognition of qualifications, which contradicts the principles of the Bologna Process. North Macedonia remains one of the countries, where the Ministry of Education and Science is responsible for the recognition of academic qualifications instead of higher education institutions themselves.

3. Weak mobility policies: Mobility, a fundamental principle of the Bologna Process is hindered by centralized recognition of qualifications and the lack of educational policies that support student and staff mobility, at the regional, and international levels.

4. Brain-drain and emigration: The country is experiencing a high level of emigration, especially among young people, which drains the national economy of talents. This issue is linked to the poor alignment of the educational system with the global labor market trends, and the lack of opportunities for significant employment in the country.

5. Insufficient investment in education and research: The country invests significantly less in education and research, compared to EU standards, which results in poor-quality education, outdated research capacities and limited international visibility for academic staff.

GENERAL RECOMMENDATIONS:

Finally, the following are general recommendations, which are derived from the specific recommendations in the specific chapters of the study:

- 1. Decentralization of qualification recognition:** Amendments to the Law on Higher Education should grant full autonomy to higher education institutions for recognizing qualifications and ECTS credits, in accordance with the Bologna Process principles. This decentralization will reduce the role of the Ministry of Education and Science to an advisory capacity, enabling universities to recognize foreign higher education qualifications independently. These reforms will encourage increased mobility,

streamline administrative processes and improve institutional accountability, contributing to a more efficient and responsible higher education system.

2. **Strengthening intersectoral cooperation:** Developing and implementing a comprehensive policy framework that integrates higher education, science, and economic development with the goal of encouraging innovation and growth. The framework should foster stronger partnerships between academic community and the business sector, improve vocational education to meet contemporary technological demands, and transform universities into research institutions. Intersectoral reforms should be prioritized to align education with labor market needs, creating a skilled workforce capable of driving technological and economic progress.
3. **Improving mobility and international cooperation:** Reform of the national policies to enhance student and staff mobility through aligning the processes for recognition of qualification, especially those from the Bologna Process and the European Higher Education Area (EHEA). This should include promoting joint degrees with European institutions and implementing automatic recognition of qualifications. Digitalization recognition processes will additionally facilitate transborder academic exchange, strengthen North Macedonia's international competitiveness, and encourage greater collaboration in global academic networks.
4. **Improving research and innovation capacity:** Increasing investments in higher education and research in order to transform the universities in North Macedonia into institutions, who are based on research, and capable of fostering technological and scientific progress. Encouraging cooperation between the public and private sectors through joint research initiatives and reforming evaluation and accreditation processes to align with European Standards and Guidelines (ESG). These measures will improve education quality and will foster innovations that will improve country's international competitiveness.
5. **Preventing Brain-Drain:** A more flexible and efficient system for recognizing foreign qualifications is needed to encourage the return of qualified professionals. Reducing

bureaucratic obstacles and promoting job creation through innovation and entrepreneurship can help mitigate brain drain.

6. **Improving Quality Assurance:** Implementing a fully functional, independent system for quality guarantee, based on European Standards and Guidelines (ESG). This will improve the quality of higher education, rationalize the number of higher education institutions and increase accountability, while fostering a competitive academic environment.

These recommendations, if implemented, can significantly improve the alignment of higher education system of North Macedonia with European Union standards, promote sustainable economic growth, and help in solving the problem with brain drain.

This will not only open new avenues for the future development of education and the economy in the country but will also create new opportunities for innovation, employment, and social progress, ensuring more sustainable and optimistic future for all citizens of the Republic of North Macedonia.