



## EUROPEAN COMMISSION

Brussels, 20.2.2013  
C(2013) 706 final

*Dear President,*

*The Commission would like to thank the Bundesrat for its Opinion on the Commission proposal for a Council Recommendation on the validation of non-formal and informal learning {COM(2012) 485 final} and to provide the following comments on the different issues and questions raised therein.*

*The Commission welcomes the Bundesrat's position that validation of non-formal and informal learning can have positive impacts on the individual, society and the economy. The Commission proposal seeks to enhance validation opportunities of learning outcomes acquired through non-formal and informal learning for citizens. It does not seek to formalise non-formal and informal learning nor does it envisage changing the non-formalised and non-standardised character of such learning paths.*

*The Commission shares the Bundesrat's Opinion that validation of learning outcomes should not be limited to improving employability. In fact, in its impact assessment accompanying the proposal the Commission analysed in further depth the different benefits of validation for individuals, the economy and the society at large {SWD(2012) 253 final}. However, given the current economic crisis and surging unemployment, especially among young people, the Commission chose to highlight in particular the benefits of validation for the labour market.*

*The Commission acknowledges and fully respects the fact that EU competences in the field of education and vocational training are limited by Articles 165 and 166 of the Treaty on the Functioning of the European Union. Also, the Commission proposal seeks to leave sufficient flexibility to Member States as regards the implementation of validation arrangements, which should be in accordance with Member States' needs and characteristics.*

*The Commission can assure the Bundesrat that it does not propose additional instruments for reporting. It proposes to make use of existing reporting mechanisms, such as the ones available under the Education and Training 2020 Framework. Furthermore, in order to follow up the implementation of the Recommendation, the proposal does not create additional structures, but suggests using the Advisory Group set up under the European Qualifications Framework (EQF).*

*The Commission fully respects the Member States' competences to issue qualifications and to validate learning outcomes acquired through non-formal and informal learning. The Commission proposal neither affects nor seeks to affect the legal responsibilities of Member States in this respect.*

*Mr Winfried KRETSCHMANN  
President of the Bundesrat  
Leipziger Straße 3 - 4  
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*The Commission shares the Bundesrat's opinion that a close link between validation systems and the EQF is important for the purpose of mobility. The Commission acknowledges that the EQF Recommendation is a non-binding translation tool for qualifications between Member States. Nevertheless, all Member States are developing or have developed a National Qualification Framework that will be referenced to the EQF.*

*The Commission was one of the signatories to the Bruges Communiqué and fully shares its objectives and actions. Given the current situation of economic crisis, however, the Commission thinks that there is an urgent need for action now. This is why the Commission proposed 2015 for the establishment of national systems of validation of non-formal and informal learning.*

*The Commission welcomes the development of the German Qualification Framework and that it will include suitable procedures for the validation of non-formal and informal learning.*

*The Commission takes note of the Bundesrat's rejection of the 2015 deadline by which validation systems should be in place. During negotiations within Council the Commission has shown flexibility with regard to the target date given the complexity of setting up a process involving all relevant stakeholders as well as the different starting points for the development of validation systems in Member States. The Commission reiterates nonetheless the importance of not delaying developments in the validation of non-formal and informal learning as they can provide a significant contribution to raise employability and combat the current levels of high unemployment.*

*The Commission confirms that the European Guidelines for validating non-formal and informal learning are a practical, technical tool. However, the Commission considers that it would be beneficial to update the Guidelines on a regular basis, in order to reflect new experiences and good practices. The Commission does not have the intention to turn this practical tool into a more formal instrument.*

*The Commission agrees with the Bundesrat that the self-declaration of learning experiences is not part of the assessment phase of validation. However, the Commission considers it useful to develop under the current Europass Decision {2241/2004/EC}, and in full accordance with the Committee procedure as defined in article 4 thereof, further instruments for the documentation of non-formal and informal learning experiences.*

*The Commission hopes that these clarifications address the issues raised by the Bundestag in its Opinion and looks forward to continuing our political dialogue.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*