

Screening Report

Serbia

Chapter 26 – Education and Culture

Dates of screening meetings:

Explanatory meeting: 20. February 2014

Bilateral meeting: 4 April 2014

I. CHAPTER CONTENT

The areas of education and training, youth, sport and culture are primarily the competence of the Member States. The Treaty on the Functioning of the European Union (TFEU) provides that the Union shall encourage cooperation between Member States and support and supplement their actions, while fully respecting their responsibility for the content of teaching, organisation of education and vocational training systems, and their national and regional cultural diversity. The TFEU also provides that the Union shall contribute to promoting European sporting issues.

The *acquis* on education and culture consists mainly of a cooperation framework, using programmes and the open method of coordination (OMC) to move towards convergence of national policies and attainment of shared objectives. In the field of education, training and youth, Member States need to have the legal, administrative and financial framework as well as the necessary implementing capacity in place to ensure sound management, including financial management, of decentralised EU programmes.

The *acquis* also includes a Council Directive 77/486/EEC on education of the children of migrant workers and the judgments of the European Court of Justice on cases related to non-discrimination between nationals of an EU Member State and other EU nationals.

The objectives of education and training systems are endorsed by the Council conclusions of 13 July 2001, as well as embedded in the Copenhagen process for vocational training and the Bologna process for higher education. The strategic framework Education and Training 2020 endorsed by the Council conclusions of 12 May 2009 integrates all actions at European level, and contributes to improving the quality of education and training systems. The four strategic objectives are: 1) Making lifelong learning and mobility a reality; 2) Improving the quality and efficiency of education and training; 3) Promoting equity, social cohesion and active citizenship; and 4) Enhancing creativity and innovation, including entrepreneurship, at all levels of education and training.

As regards youth, the EU Youth Strategy (2010-2018) is outlined in the Council conclusions of 27 November 2009 on a renewed framework for European cooperation in the youth field. It outlines the overall objectives of European cooperation: the creation of more and equal opportunities for all young people in education and in the labour market and the promotion of active citizenship, social inclusion and solidarity of all young people.

In the field of sport, the Council in 2014 endorsed a multi-annual work plan for sport entitled "Developing the European Dimension in Sport." It complements and reinforces the impact of activities launched under the Erasmus+ programme in this field. It also aims to further strengthen the cooperation in the field of sport between Member States and the Commission.

As regards cultural policy, Member States need to uphold the principles enshrined in Article 167 of the TFEU and, in particular, ensure that their international commitments allow for the development and implementation of policies and instruments aimed at preserving and promoting cultural diversity. In accordance with these principles, the UNESCO Convention on the protection and promotion of the diversity of cultural expressions is a major element of the *acquis* in the field of culture.

The Commission Communication on a European agenda for culture in a globalised world, endorsed by the Council conclusions of 16 November 2007 introduced a structured dialogue with the cultural sector and an open method of coordination, in order to implement three common sets of objectives:

cultural diversity and intercultural dialogue; culture as a catalyst for creativity; and culture as a key component in international relations.

II. COUNTRY ALIGNMENT AND IMPLEMENTATION CAPACITY

This part summarises the information provided by Serbia and the discussion at the screening meeting.

Serbia accepted the *acquis* regarding education and culture and indicated that it did not anticipate any difficulties in implementing the *acquis* by accession.

II.a. Education, training, youth and sports

Cooperation in the field of policies

Serbia indicated that it was willing to achieve the common goals agreed by the EU for the education and training systems as part of the broader Europe 2020 and Education and Training 2020 strategies.

In Serbia, the Ministry of Education, Science and Technological Development bears the overall responsibility for developing and implementing education policy. It is also responsible for the national framework of qualifications and the implementation of international financial assistance to this sector. Dedicated councils such as the National Council for Higher Education submit policy proposals and monitor the development of education. The National Education Council and Council for Vocational and Adult Education monitor and accompany the development and implementation of education policies. The law on the Foundations of the Education System lays the basis for preschool, primary and secondary education, while higher education is regulated by a separate law. Specific laws regulate the various sectors of education. The goals and policies of the education system are defined by the Strategy for Education Development in Serbia 2020 (adopted in 2012) and an Action Plan for this strategy is in the process of being adopted.

Serbia stated that its education policies were in line with those of the EU. Serbia defines the goal of its education system as increasing both the quality of the provision and outcomes in all areas of education as well as the access and coverage at all education levels. According to Serbia, relevance, efficiency, mobility and lifelong learning are key long-term goals. The education system is primarily financed from the State budget with the exception of pre-school education which is financed from municipal budgets. In 2011, Serbian total expenditure for education was equivalent to 4.8% of GDP. Serbia participated in the 2006 and 2009 Pisa exercises. It achieved comparatively good results in comparison with its peers in the Western Balkans, but below the OECD and EU average.

According to Serbia, in the school year 2012/2013, 16% of children between 6 months and 3 years were enrolled in nursery school and 39% of children aged 3 to 5.5 were covered by pre-school education (46% of 4-year-olds). Approximately 93% of children were covered by the obligatory pre-school preparatory programme, which is, according to the Serbian authorities, operating at its capacity limits.

Serbia stated that its strategy on pre-school and primary education is aimed at increasing participation of children from disadvantaged backgrounds in early childhood education, at reducing the share of early leavers from primary education and, more generally, at improving the quality of education. Serbia indicated that it was undertaking efforts to facilitate the inclusion of Roma pupils into the education system.

Serbia has a compulsory education system starting from the age of 7 until the end of primary school, which lasts 8 years. Secondary education offers two alternative paths: first, vocational education of 3 or 4 years to achieve necessary professional and other key competences; second, the gymnasium, i.e. general secondary and art education, preparing students for higher education. In 2012/13, 76% of pupils chose the vocational path, and 24% the general secondary education. Serbia aims at increasing the share of gymnasium education to 37%. Passing the final exam of the 4-year vocational cycle gives access to post-secondary vocational education as well as to university education. Currently, about 46% of secondary graduates enrol in universities. This means that more university students have passed through the vocational system rather than through gymnasiums. Serbia aims at increasing university enrolments to 50% of the secondary school graduates.

Serbia's tertiary educational system consists of sixteen universities as well as colleges and academies of professional studies. Higher education is structured as a three-cycle structure including undergraduate, graduate and doctoral studies. Access is competitive on the basis of admission exams. The number of students which can be admitted into cost programmes without fees is decided by the government.

Serbia states that its higher education system complies with the Bologna objectives regarding the structure. Serbia is a signatory of the Bologna Process and as such committed to its goals and objectives. According to Serbia, its strategy on higher education is aligned with the Bologna principles. Future short-term plans include the adoption of an Action Plan for developing the education system until 2020, new legislation on higher education to enhance transparency, improve student self-organisation and new initiatives on teacher training.

Since November 2010, a comprehensive National Qualification Framework for higher education (NQF-HE) is being developed by the National Council for Higher Education. Draft NQF for secondary education (NFQ-S) was adopted by the Council for Vocational and Adult Education in 2013, with suggestion to the Minister of Education to establish a unified NQF. In autumn 2014, a task force for preparation of a unified NQF was formed. According to Serbia, the system is in substance compatible with the European Qualifications Framework with the exception of referencing.

The development of lifelong learning (LLL) is governed by various laws as well as the strategies for the "Development of Adult Education" and for the "Development of Education in Serbia 2020". The strategy for adult education aims at a participation of at least 7% of adults in LLL. The strategy for the Development of Education in Serbia 2020 is based on the concept of allowing all persons – from pre-school to higher education – to acquire key competences based on knowledge and skills, in order to better integrate into society and contribute to the economy. A multitude of organisations and institutions are involved in LLL. Various EU projects are being realised. Further plans under LLL include, among others, the development of programmes for elementary and professional education, quality evaluation of LLL institutions, training courses for LLL teachers, participation in the OECD Programme for the International Assessment of Adult Competencies (PIAAC) and e-learning.

Since 2013, the Commission has invited Serbia to participate in all OMC thematic groups, such as on adult learning, modernisation of higher education, school policy, vocational education and training (VET), transversal skills and digital and online learning. In order to benefit from this opportunity, Serbia stated that it would set up similar "shadow" working groups domestically. As

from 2015, the Ministry of Education, Science and Technological Development plans to provide a support function for Serb representatives in OMC fora.

The Ministry of Youth and Sport is responsible for Serbia's youth policy. In 2008, the Ministry of Youth and Sport drafted Serbia's first National Youth Strategy. The 2009 Action Plan sets out the tools and activities needed for the implementation of the Strategy. The Ministry is supported by the Advisory Youth Council responsible for facilitating dialogue between youth and the government. Serbia stated that the National Law on Youth sets out the framework and conditions for youth organisation and youth structures at governmental and non-governmental level and for the personal and social development of young people. According to Serbia, career guidance is a priority under Serbia's youth policy. Serbia has expressed its interest in participating in the 2015 Joint EU Youth Report.

The sports' sector is regulated by the Law on sports and several more specific acts. A new law on sports, a new national strategy for sport development 2014-2018 and an action plan as well as a central registry for sports are being developed. There are 96 national sports federations. Serbia has expressed interest to participate in any actions supporting cooperation in sport under the Erasmus+ programme.

Access to education for EU citizens

There is no specific legislation in Serbia concerning education of children of migrant workers. However, Serbia states that the non-discrimination principle is largely implemented. Foreign nationals with permanent or temporary residence, including asylum seekers, are equal to Serb citizens in their right to primary and secondary education. For accession to the public institutions of higher education, foreign nationals are eligible under the same conditions as Serb citizens who pay tuition fees.

EU programmes

Serbia's higher education institutions have participated in the higher education assistance and cooperation programmes such as Tempus, Erasmus Mundus and Jean Monnet. Serbia participated in certain centralised actions of the Lifelong Learning programme. Serbia stated that it wants to become a programme country under Erasmus+ by 2018, by establishing the corresponding legal, institutional and administrative framework and appointing a National Agency. Serbia estimates that the first preparatory measures will be implemented as of 2015.

Serbia also participated in the EU programme "Youth in Action" (2007 – 2013). During the Programme's duration, more than 12,000 young people and youth workers from Serbia were involved in projects at centralised (Education, Audiovisual and Culture Executive Agency) and decentralised level (Youth in Action National Agencies).

II.b. Culture

Cooperation in the field of policies

Serbia defines culture as a good of general (public) interest. This objective includes the freedom of cultural and artistic creativity; respect of the right to culture; equality of cultures within Serbia and promotion of intercultural dialogue; preservation of cultural identity and the diversity of cultural expressions; rehabilitation of cultural heritage for reconciliation, economic development, artistic quality and innovations; establishment of modern management systems; as well as transparency of actions.

The central responsibility for developing and implementing cultural policies lies with the Ministry of Culture and Information. A national strategy for cultural development is to be adopted in 2014. Various laws regulate cultural policy, covering areas like culture in general, cultural property, cinematography, library and information activity, legal deposit of publications, old and rare library materials, publications as well as endowments and foundations.

In 2009, Serbia ratified the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Serbia submitted a quadrennial implementation report to the UNESCO in 2013.

Serbia provides public financial support for activities within the cultural sector. The Ministry of Culture and Information has signed a protocol on cooperation with a federation of 78 cultural civil society organisations (2011-2013) and has established a working group for cooperation with civil society. From 2008 to 2012, a total of €125 million has been invested yearly on all levels of government for the protection and promotion of diversity of cultural expressions.

EU Programmes

Since 2008 Serbia has participated in the EU Culture programme. It has set up a Cultural Contact Point ("Creative Europe Desk") to promote the programme and help potential applicants. It has signed a Memorandum of Understanding and has been participating in the Europe for Citizens programme since November 2012. Serbia expressed its interest to increase its participation in the Creative Europe programme and to fulfil all requirements for full participation in all EU programmes for the cultural sector as well as in the European Capitals of Culture.

III. ASSESSMENT OF THE DEGREE OF ALIGNMENT AND IMPLEMENTING CAPACITY

Overall, Serbia has reached a good level of alignment and has the capacity to participate in the programmes for education, training, youth, sport and culture .

However, further efforts will be required to upgrade Serbia's administrative and financial capacity to fully implement the national policies, participate in the OMC and implement the *acquis* in all areas. Serbia will need to establish a national agency with appropriate capacity to manage the decentralised parts of the Erasmus+ programme and to ensure the monitoring of this agency by the time of accession.

Serbia will need to ensure that all measures and legislation necessary for the full implementation of the non-discrimination principle between EU and Serbian citizens regarding access to education are in place before and at the latest by the date of accession. In particular, Serbia has to ensure equal access of EU citizens to education as well as the integration and assistance to the education of the children of migrant workers as required by Directive 77/486/EEC.

III.a. Education, training, youth and sport

Cooperation in the field of policies

Serbia has a relatively well-functioning education system, which has further developed during recent years in line with the EU principles in this area. Serbia is willing to achieve the set of goals and objectives agreed upon by the EU as part of the broader Europe 2020 strategy and Education and Training 2020 (ET) objectives. However, it lacks the relevant data/statistics by which to track

its progress on the ET 2020 indicators and benchmarks. Convergence to the ET 2020 strategic objectives and improving the quality of education at all levels is needed to enhance capacity to participate in EU programmes.

Serbia has advanced in developing a National Qualifications Framework but has not yet referenced it to the European Qualifications Framework. This will need to be accomplished by accession in order to support the recognition of qualifications throughout the EU, thus supporting the free movement of people.

Serbia's youth policy is already largely in line with the common objectives established at EU level following the European Commission's White Paper on Youth. Serbia has already taken part in expert meetings with EU peers and used indicators to have a better evidence base for understanding young people's needs. As a candidate country, Serbia will be invited to contribute on a voluntary basis to the next EU Youth Report.

Serbia's sports policy is largely aligned with EU principles in this area. Serbia involves stakeholders including government bodies and non-governmental organisations (NGOs). The sports' sector holds intensive international contacts.

Cooperation in Programmes

Serbian higher education institutions demonstrated good capacity to participate in the Tempus, Erasmus Mundus and Jean Monnet Programmes. Serbia has signed an agreement for partial participation in their successor, the Erasmus+ programme.

In order to be able to participate fully in the EU's education and training programme Erasmus+, Serbia will need to establish a national agency with the appropriate capacity for implementing all actions of the programme and ensuring sound decentralised management of EU funds. Serbia will need to take necessary implementing measures establishing the legal, institutional and administrative framework in which a future national agency will be operating, monitored and controlled at the latest by the time of accession.

Young people and youth workers from Serbia can participate in Erasmus+ youth related activities under Key Action 1 (Mobility projects for young people and youth workers) and Key Action 3 (Meetings between young people and decision makers in the field of youth) as a Partner Country Neighbouring the EU. Serbian organisations can participate in these activities as partners. As of 2015, Serbian youth organisations will also be able to submit applications to the Education, Audiovisual and Culture Executive Agency under Key Action 2 (Capacity building in the field of youth).

Access to education for EU citizens

Legislation for equal access of EU nationals to higher education, including access to scholarships on the same footing as Serbian nationals, needs to be aligned before Serbia's accession to the EU. Serbia also needs to align its legislation with the Directive on the education of children of migrant workers ensuring their smooth integration in the education system, including provisions for increasing their opportunities to learn the teaching language. Related issues such as residents' permits for foreign students will be treated under Chapter 23 on judiciary and fundamental rights.

III.b. Culture

Serbia's objectives in the field of culture are broadly in line with those of the EU. Serbia is committed to the objectives set by the TFEU and willing to promote culture and the development of cultural policies in accordance with the provisions of Article 167. It also showed commitment to participate in the EU policy cooperation framework in the field of culture.

Following its ratification of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions in 2009, Serbia has been streamlining and developing its policies in this field.

With regard to participation in EU programmes for culture, Serbia has satisfactorily participated in these programmes.