REPORT OF THE REPUBLIC OF SERBIA
ON THE IMPLEMENTATION OF THE CONVENTION AND RECOMMENDATIONS AGAINST DISCRIMINATION IN EDUCATION FOR THE PERIOD 2012-2015

June, 2016
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All terms used in the report in male grammatical gender shall cover both male and female gender of persons to which they refer.
Introduction
In addition to the collected materials and consultations within the Ministry of Education, Science and Technological Development with all the sectors, relevant non-government organisations and professional institutions also participated in the preparation of the periodical Report of the Republic of Serbia on the Implementation of the Convention and Recommendations against Discrimination in Education for the period 2012-2015, through the organisation of public consultation (received comments are given in the Annex to the Report).

The first objective of this Report is to present the current situation and results achieved in the education system of the Republic of Serbia through the lens of fight against discrimination in education, in line with the implementation of the Convention and Recommendations against discrimination in education of 1960. The second objective is focused on the presentation of pooled experience in the field of taken measures in laws and by-laws, within the strategic and action plans and public policies for prevention of discrimination in education, but also the identification of weak points of the system, identification of subjects responsible for its prevention, and creation of the platform for future cooperation and networking for further fight against discrimination and for development of inclusive policy, culture and practice in education system in the Republic of Serbia.

Even though the reporting period covered three different convocations of the National Assembly and the Government based on regular parliamentary elections held in 2012 and early election in 2014, the Republic of Serbia remained consistent to achieving the national priorities in the context of its accession to the European Union and initiated the negotiation process for its membership in the European Union in 2014.

Also, in 2014, and partly in 2015, two thirds of the territory of the Republic of Serbia were hit by disastrous floods, and the recovery from the consequences of the floods was the Government’s priority in terms of allocated funds, but also the preparation of measures and policies.

Finally, in order to achieve the fiscal consolidation and the comprehensive reforms of the public administration, the Government of the Republic of Serbia had created and adopted austerity measures which had significant implications, in particular, on the employees in the public, i.e. education sector.

However, in spite of the mentioned objective circumstances, which contributed to slowing down of certain processes to a certain extent, particularly the implementation of certain legal solutions, results have been achieved and the achievements are much better and more significant than in the previous reporting period.

Methodology
National Report of the Republic of Serbia on the implementation of the UN Convention and Recommendations against discrimination in education for the period 2012-2015, was created in coordination of the Ministry of Education, Science and Technological Development of the Republic of Serbia and other institutions competent for that field. A significant contribution to the creation process was made by the Team for Social Inclusion and Poverty Reduction of the Government of the Republic of Serbia. Preparations of the Report was contributed by organised consultations in which professional associations, civil society organisations, independent regulatory bodies, international organisations, etc. made their own contribution.
In addition to adopted regulations, official documents of the Government, competent line ministries and services of the Government, educational institutions, work reports of independent regulatory bodies, international organisations and other civil society organisations working and acting in the field of education were used for the creation of this Report.

Used data are mostly statistical, collected and published by the National Statistical Office of the Republic of Serbia within the framework of education statistics, and the line Ministry of Education, Science and Technological Development. Of special importance is the processing of data of the National Statistical Office of the Republic of Serbia which performed the population census in the Republic of Serbia in 2011. The Report also includes administrative data, collected from different most relevant sources. Line ministries and other institutions within certain fields of work have their own systems for data collection, depending on the competence, and a good part of those data represent the results of various conducted analyses and research.

Also, the data and results of the Multiple Indicator Cluster Survey on Children and Women in Serbia in 2014 and Roma Settlement Multiple Indicator Cluster Survey in Serbia in 2014 (MICS 5), Second and Third periodical report on the implementation of the Convention on the Rights of the Child, Reports of the expert mission on the state of minority rights in the Republic of Serbia, Third periodical Report on the implementation of the European Charter for Regional or Minority Languages in the Republic of Serbia, Annual Reports of the Ombudsman, Commissioner for Protection of Equality, as well as other reports of numerous civil society organisations and international organisations, were used.

Terminology used in the preparation of the Report is shown in its original form as it exists in the legal regulations and the education system of the Republic of Serbia, due to which all the terms are used in male gender, with the note that the gender dimension of the language is recognised and that the gender differentiated language is one of the basic postulates of anti-discrimination measures with the aim to achieve gender and comprehensive equality and consistency in respect for human and minority rights.

Note: Due to the manner in which the questions are formed, actually their content in terms of multidimensionality and, at the same time, the coverage of different levels of education and target groups, answers to one question can be largely found within other questions in several different chapters.
Basic information on population in the Republic of Serbia

Republic of Serbia is a European country, located in the central part of the Balkan Peninsula. The area of the territory of the Republic of Serbia is 88,361 km².

According to the population census from 2011⁹, the total number of the population of the Republic of Serbia is 7,186,862 citizens, out of which 51.3% (3,687,686) are women, 48.7% (3,499,176) are men. Comparing to 2002, the number of the population was reduced by 4.1% (311,139 people), which is the consequence of both negative birth-rate and emigration of the population. On January 1, 2013, there were 7,181,505 citizens in total, which represents a decrease by 35 thousand in comparison with January 1, 2012. In the period 2002-2011, the average rate of birth was −4.3 (in 1,000 citizens), the number of the citizens was deceased by even 300 thousand people. The average age of the population was increased in the same period of time from 40.2 years to 42.2 years, and the share of the young in the total number of the population is decreasing (0-14 years), while the share of the population of 65 and older is increasing. In 2002, it was the first time that a number old people (65 years and older) was bigger than the number of young people (younger than 15) (16.5% and 15.7%), and in 2011, the difference increased, so that the share of people who are 65 and older was 17.4%, and of those younger than 15 was 14.3%. Basic reasons of negative birth-rate are found in low fertility and in a relatively high specific rates of mortality. Postponement of birth is another cause of the low fertility in the Republic of Serbia. Two direct measures important for encouraging birth are implemented. Parental allowance is paid for the first, second, third and fourth child in a family. Full compensation of salaries for mothers during their maternity leave has been provided for the period of one year for the first and second child, i.e. two years for the third and every subsequent child. Compulsory health insurance covers 95.8% of the population (6,866,904 insured citizens on December 31, 2012) and the share has not changed since 2010¹⁰.

| Population of the Republic of Serbia according to ethnicity¹¹ |
|-----------------|-----------------|----------|
| Nationality     | total           | %        |
| Serbs           | 5,988,150       | 83,32    |
| Albanians       | 5,809           | 0,08     |
| Bosniaks        | 145,278         | 2,02     |
| Bulgarians      | 18,543          | 0,26     |
| Bunjevci        | 16,706          | 0,23     |
| Vlachs          | 35,330          | 0,49     |
| Goranci         | 7,767           | 0,11     |
| Yugoslavs       | 23,303          | 0,32     |
| Hungarians      | 253,899         | 3,53     |
| Macedonians     | 22,755          | 0,32     |
| Muslims         | 22,301          | 0,31     |
| Germans         | 4,064           | 0,06     |
| Roma people     | 147,604         | 2,05     |
| Romanians       | 29,332          | 0,41     |

⁹ Note: in line with Article 47 of the Constitution of the Republic of Serbia, national affiliation may be expressed freely and no person shall be obliged to declare his national affiliation.

¹⁰ National Health Insurance Fund, available at the web page www.rfzo.rs

¹¹ Note: In line with Article 47 of the Constitution of the Republic of Serbia, national affiliation may be expressed freely and no person shall be obliged to declare his national affiliation.
Russinians 3 247 0,05
Ruthenians 14 246 0,20
Slovaks 52 750 0,73
Slovenians 4 033 0,06
Ukrainians 4 903 0,07
Croats 57 900 0,81
Montenegrins 38 527 0,54

Source: Statistical Office of the Republic of Serbia, Census 2011
Note: Data are provided for ethnic communities having more than 2000 members.
* In municipalities of Preševo and Bujanovac a reduced coverage of census units was registered, due to the boycott of the Census by the majority of the members of the Albanian national minority.

| Total number of citizens of the Republic of Serbia and the total number of the member of the Roma national minority, by regions |
|---|---|---|
| Number of citizens | Roma |
| Republic of Serbia | 7 186 862 | 147 604 |
| Belgrade region | 1 659 440 | 27 325 |
| Region of Vojvodina | 1 931 697 | 42 391 |
| Šumadija and West Serbia region | 2 031 697 | 20 649 |
| South and East Serbia region | 1 563 916 | 57 239 |

<table>
<thead>
<tr>
<th>Total</th>
<th>% in the total number of the population</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,1</td>
<td>1,7</td>
</tr>
<tr>
<td>2,2</td>
<td>1,0</td>
</tr>
<tr>
<td>3,7</td>
<td></td>
</tr>
</tbody>
</table>


In the period 2002-2011, the share of the Roma in the total number of citizens increased from 1.4% to 2.1%. The average age is significantly lower than the average age of the total population in Serbia, and the Roma is the only ethnic community which average age is below 30 years (28.3 years). Gender structure of the Roma is characterised by a slightly higher percentage of men (51%) than the women (49%). The largest number (60%) live in urban areas, while 40% live in other settlements. A new procedure of registration of “legally invisible persons” is conducted. Even though there was a big progress regarding the position of the Roma national minority in the reporting period, primarily in the field of education and health, the Roma still belong to the most vulnerable population group. They are exposed to the highest risk from poverty, social issues, lack of proper accommodation, higher level of unemployment and inactivity, low qualifications, lack of education and higher uncertainty than the majority of the population. Life conditions in informal (substandard) settlements are particularly bad, where there is no proper access to water and electricity.12

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12 In late 2013, activities were initiated regarding the mapping and creation of geographic information system (GIS) of the Roma settlements, development of adequate residential models and creation of urban planning and technical documentation for the improvement of infrastructure and housing conditions in the Roma settlements, implementation coordinated by the Office of Human and Minority Rights.
Educational structure of the population in the Republic of Serbia

Based on the Census 2011, 2% of the population older than 10 years of age are illiterate (there are five times more women than men), 11% of the population older than 15 years of age has incomplete primary education, 20.8% have only primary education, and 48.9% of the population have secondary education, while 16.2% of the population have high or higher education. There are significant regional differences in respect to the level of education, in urban settlements, it is about 23%, and in the settlements outside the urban environment there are only 6% of the population with high or higher education, while the ration is opposite when it comes to the rate of people with primary education and below it – in urban environment that rate is around 23%, while in the areas outside of cities the rate is even 51%. There is a similar percentage between men and women when it comes to high and higher education (about 16%), but in the population of women, the number of people with primary education or below it is slightly higher than in men (39% vs. 29%). Educational level of the Roma population is significantly unfavourable, where 87% of the population has primary education or below it, and less than 1% of the population have high or higher education. The educational structure of people with disabilities is rather unfavourable: 52.7% of people with disabilities older than 15 have primary education or incomplete primary education, while 6.5% have high or higher education.

Educational level of economically active population (15-64) is low: around 27% of the population do not have primary education or have only primary education, while more than a half (56.4%) have secondary education. Only around 11% of the population have high education. The number of the young who are unemployed, not in education, nor are involved in trainings reduced in the period 2011-2013 and in 2013 it was around 150 thousand (19.5% of the total number of the young aged 15-24).

<table>
<thead>
<tr>
<th>Literacy rate for the population of the Republic of Serbia, aged 10 and older and children(10-17 years of age), according to gender, Census 2011</th>
<th>Republic of Serbia</th>
<th>Males</th>
<th>Females</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total of the population of 10+</td>
<td>98.04</td>
<td>99.28</td>
<td>96.88</td>
</tr>
<tr>
<td>Children</td>
<td>99.42</td>
<td>99.43</td>
<td>99.41</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Republic of Serbia

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14 With no data for the AP of Kosovo and Metohija. In municipalities of Preševo and Bujanovac a reduced coverage of census units was registered, due to the boycott of the Census by the majority of the members of the Albanian national minority.
The total number of educational institutions in the Republic of Serbia (public and private of all levels of education)

<table>
<thead>
<tr>
<th>Educational institutions in the Republic of Serbia</th>
<th>2011/12</th>
<th>2012/13</th>
<th>2013/14</th>
<th>2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preschool institutions</td>
<td>total</td>
<td>public</td>
<td>private</td>
<td>total</td>
</tr>
<tr>
<td>facilities</td>
<td>2427</td>
<td>2336</td>
<td>91</td>
<td>2411</td>
</tr>
<tr>
<td>Regular primary schools</td>
<td>Central school</td>
<td>1113</td>
<td>1107</td>
<td>6</td>
</tr>
<tr>
<td>Regional/satellite units</td>
<td>2354</td>
<td>2354</td>
<td>0</td>
<td>2337</td>
</tr>
<tr>
<td>Special primary schools/special units within regular primary schools</td>
<td>236</td>
<td>236</td>
<td>0</td>
<td>233</td>
</tr>
<tr>
<td>Regular secondary schools</td>
<td>497</td>
<td>457</td>
<td>40</td>
<td>494</td>
</tr>
<tr>
<td>Schools/special units within regular secondary schools</td>
<td>43</td>
<td>43</td>
<td>0</td>
<td>42</td>
</tr>
<tr>
<td>Higher schools</td>
<td>58</td>
<td>42</td>
<td>16</td>
<td>57</td>
</tr>
<tr>
<td>Faculties</td>
<td>129</td>
<td>78</td>
<td>51</td>
<td>125</td>
</tr>
</tbody>
</table>

Note: Before 2014/2015, the total number of the institutions also includes primary schools with preschool education.
REPORT

I. Information on regulatory, legal, administrative and other measures taken by the Government at the national level

1. Accession measures – ratification of the Convention against Discrimination in Education

The UN Convention against Discrimination in Education was ratified in 1964, by the former state, Socialist Federal Republic of Yugoslavia – SFRY. After the break-up of the SFRY, the Federal Republic of Yugoslavia - FRY was established as a successor to the SFRY. After the secession of Montenegro from the FRY, the Republic of Serbia became the successor to the FRY. In line with that, the Republic of Serbia is the legal successor to the SFRY, which means that all the acts of the former state ratified by former SFRY are now binding for it.15

2. Implementation of the Convention against Discrimination in Education – national legal basis

Regulations of the Republic of Serbia

In the Republic of Serbia there is a big number of legal acts which refer to the fight against discrimination, both in the society in general, and in the education system. Those are primarily the Constitution of the Republic of Serbia, and the Anti-Discrimination Law, but also many other regulations (in the field of education) which make a set of norms which must be respected and implemented in daily education and school practice.

Constitution of the Republic of Serbia16 is the highest legal act containing several provisions which refer to education and prevention of discrimination. Article 21 defines anti-discrimination and that all are equal before the Constitution and the law, and that everyone shall have the right to equal legal protection. Every form of discrimination is prohibited, both direct or indirect, based on any grounds, particularly on race, sex, national origin, social origin, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability, but it is in line with modern standards and valid legislation prohibited based on any other grounds not explicitly stated in the Constitution (e.g. sexual orientation, body constitution, etc.). The Constitution of the Republic of Serbia defines a legal framework for exercising human and minority rights and freedoms.

According to the Constitutions, in the event when the exercising of equality and elimination of discrimination are difficult to achieve, state bodies can undertake special measures to achieve improvement of rights and eradication of discrimination. Those measures cover the opportunity to have favourable conditions for the realisation of the rights, of individuals or groups, such are certain national minorities or people with disabilities. The Constitution defines that every citizen of the Republic of Serbia shall have the freedom of thought, conscience, beliefs and religion (Article 43). This right includes that one has the right to stand by one’s belief or religion or change them by choice. The Constitution defines that no person shall

15 “Official Gazette of the SFRY” – International Treaties Number/year of publishing: 04/64 Regulation type: Regulation; Name of the level act: Regulation on ratification of the Convection against Discrimination in Education
16 “Official Gazette of RS”, No 98/06
be obliged to declare his religious beliefs (Article 47). Freedom of expressing religion cover the ability of every citizen to attend religious service and classes by one’s choice, and to express in public or in private is religious beliefs. However, the state can limit the freedom of expressing religion and beliefs using laws, if necessary, in order to protect health of the population and moral of democratic society, freedom and rights of the citizens guaranteed by the Constitution, public safety and public order or in order to prevent occurrence or encouragement of religious, national or racial hatred. In that respect, the law can, for example, in the education system, limit the expression of religious beliefs which are contrary to the guaranteed human rights and contrary to equality of the citizens (e.g. discrimination of the members of other religions or minority sexual orientation). In line with Article 43 of the Constitution, parents (and legal guardians) shall have the right to provide their children with religious and moral education in line with their beliefs.

Members of the national minorities are guaranteed, in addition to the rights belonging to all the citizens, the special individual and collective rights realized together with other members of the minority group. Those rights include the use of language and letters in education and communication with state bodies. With the collective rights which the members of the national minorities have, they have the opportunity to have education and information in their own language together with the others. In realising the right to education, the Constitution guarantees free primary and secondary education and provides access to higher education to all the citizens of Serbia under equal conditions, and free high education to the pupils who achieve certain results at entrance exams (Article 71).

**General anti-discrimination regulations**

**Anti-Discrimination Law** is a vital document regulating the matter of discrimination in all the fields, including education. It regulates general prohibition of discrimination, forms and cases of discriminations and procedures for protection against discrimination.

Article 3 defines that everyone shall have the right to efficient protection from every form of discrimination provided by the competent courts and other public bodies of the Republic of Serbia. The Law also protects foreign citizens in the Republic of Serbia, who in line with the international agreements shall have all the rights defined by the Constitution and the law, except from the rights which, according to the Constitution and the law, can be enjoyed only by the citizens of the Republic of Serbia. By the rule, those are only election and certain property rights, so that the rights of foreign citizens, when it comes to discrimination in education system, must be protected equally as those of the nationals. Rights defined by the law must not be realized contrary to the aim for which they are recognized or with an intention to deny, violate or limit the rights and freedoms of others (Article 3). The law defines general prohibition of discrimination, and that all are equal and can enjoy equal treatment and equal legal protection, irrespective to personal characteristics. Everybody shall be obliged to respect the principle of equality, i.e. prohibition of discrimination. The law defines special cases of discrimination (Articles 15-27): discrimination in the processes before public authorities; discrimination in the field of labour; discrimination in provision of public services and use of facilities and areas; prohibition of religious discrimination; discrimination in education and professional development; discrimination based on gender; discrimination based on sexual

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17 More details in the section 3.9 – National minorities

18 “Official Gazette of RS”, No 22/2009
orientation; discrimination of children; discrimination based on age; discrimination of national minorities; discrimination due to political or trade union membership; discrimination of people with disabilities; discrimination related to health status.

The law, inter alia, defines that every individual shall have the right to equal access to the facilities in public use (facilities of central offices of the government, facilities in the field of education, health, social welfare, culture, sport, tourism, and facilities used for environmental protection, for protection against natural disasters, etc.), and to public areas (parks, squares, streets, pedestrian crossing, and other public roads, etc.), in line with the law (Article 17). Everybody shall have the right to the access to all levels of education (preschool, primary, secondary and high) under equal conditions, as well as to professional development in line with the law and with no discrimination. It is prohibited by the law to hinder or prevent an individual or a group of individuals, based on their personal characteristics, to enrol into an educational institution, to be excluded from these institutions, to hinder or deny the possibility to learn and participate in other educational activities.

It is also prohibited to sort pupils according to their personal characteristics, abuse them or make any other unfair distinction and treat them unequally. The law also prohibits discrimination of educational institutions performing their activity in line with this law and other regulations. In line with the valid regulations, it is prohibited to discriminate people who use or used the services of those institutions (Article 19).

**Law on Prevention of Discrimination against Persons with Disabilities**\(^\text{19}\) in addition to the norms on general prohibition of discrimination, contains the norms which specifically refer to the education process. In line with Article 18, discrimination based on disability shall be prohibited at all levels of education. This discrimination includes the following:

1) denial of the enrolment of a child of preschool age, pupils or students with disabilities into an educational institution which corresponds to his previous acquired knowledge, i.e. educational abilities;

2) exclusion of a child of preschool age, pupil or a student with disabilities from the educational institution which the child already attends for the reason based on his disability;

3) setting non-disability as a special requirement for enrolment in the educational institution, including the provision of the certificate on health status and previous assessment of physical and mental abilities, unless that requirement is defined in the regulations defining the field of education.

Article 19 defines that discrimination in education based on disability shall not be the following:

1) assessment of special preferences of children of preschool age, pupils and students, i.e. candidates for the enrolment into the educational institution, according to defined subjects or subject group, assessment of their artistic preferences or forms of special talents;

2) organisation of special forms of teaching, i.e. education for pupils, i.e. children of preschool age, who, due to a lack of intellectual abilities, cannot follow the regular teaching contents, as well as referral of the pupils, or children of preschool age to those teaching, i.e. education forms, if the enrolment is done based

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\(^{19}\) “Official Gazette of RS”, No 33/2006
on the act of the competent body defining the need for such form of education for pupils or children of preschool age.

Finally, as a specifically difficult form of discrimination based on disability, as defined by the law, shall be considered harassment, insults and humiliation of disabled children of preschool age, or pupils or students due to their disability, when done by the teacher or other employees in the educational institution (Article 20).

**Law on Gender Equality**\(^{20}\) regulates in details the issues of equality in education. Article 30 defines that educational and scientific institution, and the institutions for professional training must not discriminate based on gender, in particular when it comes to the following:

1) requirements for enrolment and rejection of enrolment into the institution;
2) requirements and opportunities for the access to permanent education, including all the educational programmes and functional literacy programmes;
3) requirements for exclusion from the process of education, scientific work and professional development;
4) manner of provision of services, benefits and information;
5) knowledge scores and assessment of achieved results;
6) requirements for obtaining scholarships and other types of assistance for schooling and studying;
7) requirements for a selection or acquisition of vocation, professional career and obtaining a diploma;
8) requirements for improvement, additional training or retraining.

The law defines gender equality as an integral part of education, and Article 31 defines that education on gender equality is an integral part of preschool, primary, secondary and higher education, as well as lifelong learning. In line with the Law, the curricula, or study programmes, provide education on gender equality, with the aim to overcome the limiting roles based on gender, liberation from stereotypes based on gender and prejudice based on gender. Also, the curricula provide specifically relevant information and education in the field of sexual education and reproductive health. When adopting the curricula, or study programmes, and when defining the standards for textbooks, teaching methods and norms for school premises and equipment, state administration bodies competent for education, i.e. educational institutions, shall be obliged to provide the implementation of the policy of equal opportunities for women and men. Educational institutions shall be also obliged to ensure conditions for active participation in sports, irrespective to gender, and to undertake measures for encouraging physical exercise and sport activities for girls and women.

**Regulations in the field of education**

Legal regulation, by-laws and strategic documents directly or indirectly dealing with education fully integrate and, in line with the purpose, from various aspects develop the contents of mentioned constitutional provisions.

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\(^{20}\) “Official Gazette of RS”, No 104/2009
Law on the Foundations of the Education System is entirely based on the constitutional principles in the field of realisation of the right to education. According to Article 3, the education system for all children, pupils and adults must provide equal right and access to education without discrimination and exclusion based on gender, social, cultural, ethnic, religious or other affiliation, place of residence or domicile, financial and health status, developmental impairments and disabilities, and other grounds (therefore, based on all those grounds stated in the Constitution and the Anti-Discrimination Law).

Article 3 of the Law expressly defines that in realisation of general principles of the education system, a special attention is placed on “the opportunity for children, pupils and adults with developmental impairments and disabilities, regardless of their financial status, to gain access to all levels of education in institutions, and for persons living in social welfare institutions, sick children and students, to exercise their right to education while in an institution, hospital or receiving treatment at home” and on “the reduction of the number of pupils and students leaving the education system, in particular the persons with developmental impairments and disabilities and other persons with specific learning difficulties and support to their reintegration in the system, in line with the principles of inclusive education”.

In addition to that, Article 4, as one of the education objectives, defines “the acquisition of high quality knowledge, skills and opinions necessary to everyone for personal achievements and development, inclusion and employment and acquisition and development of basic competences for communication in the native language, communication in a foreign languages, mathematical literacy and basic competences in science and technology, digital competences, competencies for learning how to study, interpersonal and civic competences and cultural expression.”

Right to education is in more details defined by Article 6 of this law, covering the position in education of persons with developmental impairments and disabilities, persons with exceptional abilities, and foreign nationals, as well as by Article 9, defining the right to use of the language of national minorities, and the right of persons with developmental impairments and disabilities to use sign language or special scripts or formats, and other technical solutions which can be used when the education process is delivered in sign language with the use of means of that language.

Article 14, which regulates the scope of competences of the National Education Council, to “monitor and analyse and provide recommendations for prevention of early school leaving by children and pupils in the education system and determines the measures for continuation of education of persons who left the system”. The Council for Vocational Training and Education of Adults also has this competency, which shall be obliged by the new regulations to “monitor, analyse and give recommendations for prevention of early school leaving by children and pupils in the education system and to define measures for continuation of education of persons who left the system”.

Discrimination, violence, abuse and neglect of pupils in the education system are forms of serious violation of human rights and freedoms guaranteed by the constitution.

Provisions of Article 44 of the law refer to identification of forms and prohibition of discrimination in schools, where the activities aimed at threatening, belittling, discriminating or singling out groups or individuals on the basis of their racial, national, ethnic, linguistic, religious background or gender, physical...
and psychological characteristics, developmental impairments and disabilities, health condition, age, social and cultural origin, financial status or political views as well as encouraging or not preventing such activities, and other types of activities stipulated by the law prescribing the prohibition of discrimination, shall be prohibited in an institution. Discrimination of a group or individual shall imply each and every direct or indirect, covert or overt exclusion or limitation of rights and freedoms, unequal treatment or failure to act or unjustified differentiations through lax discipline or giving precedence. Special measures introduced for the purpose of achieving full equality, protection and progress of disadvantaged persons or groups shall not be considered as discrimination. More detailed criteria to detect different forms of discrimination shall jointly be prescribed by the minister and the minister in charge of human rights.

In order to create better conditions for the implementation of the inclusive education, the content of the individual education plan (IEP) is regulated in detail, adopted for a child and pupil who is socially deprived, has developmental or other disabilities or for any other reason, and who requires additional support in education, the institution shall ensure the elimination of physical and communication obstacles and shall adopt the individual education plan. Article 77 defines the aim of the IEP which is the “optimal development of a child or pupil, inclusion in the peer group and achieving general and special outcomes of education, i.e. meeting the educational needs of a child and pupil”. The manner and procedure of creation of the IEP, and its assessment are regulated in details, and the detailed instruction for realisation of the IEP, its implementation and assessment shall be passed by the minister (Article 77, paragraph 14). In this manner, legal conditions are created for efficient fight against indirect discrimination of children who are socially deprived, with developmental impairments, disabilities or for any other reasons require additional assistance in education in the field of education.

Provisions on enrolment of children, pupils and adults into primary and secondary school (Articles 98, 99 and 100) contain exceptions and special measures of assistance for the members of vulnerable social groups, foreign national, refugees and displaced persons, with the aim to avoid discrimination of children, pupils and adults based on any grounds. Assistance also covers the financial support through the provision of free picnics, food, textbooks, etc., programme support (preparatory and additional classes for refugees and displaced persons), technical support (enrolment of children from vulnerable social groups without the evidence on place of residence of parents and necessary documentation), or support defined by special conditions (affirmative action of enrolment of Roma pupils into secondary schools and faculties):

Staff support is also a measure defined by the law for the provision of assistance in adjustment of certain groups of children or pupils to the conditions of educational work (Article 117). Pedagogue assistant shall extend assistance and additional support to children and pupils, in line with their needs, but also to teachers, preschool teachers and psychologist/ pedagogues for the purpose of improving their performance when working with children and pupils in need of additional education support. While performing his/her activities he/she shall establish cooperation with parents or guardians, while at the same time he/she shall cooperate with the principal so as to establish cooperation with competent institutions, organisations, associations and the local self-government unit. Andragogue assistant shall provide support to adults in joining the education system and support in eliminating difficulties in education, in realisation of individualised curricula, additional and supplementary teaching activities; assistance to teachers and teacher

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associates in achieving the education programme; operate with social partners in local self-government units with the aim to realise the rights of adults, in particular those from vulnerable social and special target groups for inclusion in education process and attainment of education.

This law provides precise definition of the issues related to the following:

- Keeping of records and public documents;
- Performance of interministerial commissions (instead of the recommendations of selected physician, the commissions provide opinions on additional support in education and enrolment into school for children with disabilities) – for definition of health status of children and pupils, collection of data obtained based on the assessments of needs for the provision of additional educational, health and social support defined by the interministerial commission;
- Law defines that for the pupils with development impairments and disabilities, textbooks shall be adjusted in line with their needs, and they will be provided with other (additional) assistance in the manner defined by the special regulation23;
- Provision of support to educational, health or social institution for the purpose of adjustment of conditions and environment and procurement of equipment for work with children in need of additional educational support;
- Use of adjusted teaching tools and assisting technologies;
- Provision of training for pupils on using the Braille code, independent movement, use of assisting technologies, sign language or other alternative means of communication;
- Role of the National Minority Council in situations in which the majority of a class deliver the educational work in the language of a national minority;
- Giving authorisation to the National Education Council and the Council for Vocational Education and Education of Adults, to monitor, analyse and give recommendations for reducing the early school leaving by children and pupils in the education system and to determine draft measures for continuation of education of persons who left the education system.

**Law on Preschool Education**24 in its basic function is primarily a support to a comprehensive development and well-being of a child so that he/she could, in the most proper and best way, join the social community. Preschool education is accessible to everyone, regardless of gender, social, cultural, ethnic, religious or other affiliation, place of residence, or domicile, financial or health status, developmental impairments and disability, or other grounds, in line with the law (here we refer to the Anti-Discrimination Law). In addition to anti-discrimination and equality, preschool education is based on the principles of democracy, openness, authenticity and development (Article 4). Article 13 defines the form of the affirmative action by giving enrolment precedence to children from vulnerable groups.

**Law on Primary Education**25, in Article 9 expressly defines that the basic test of a school is to provide “quality education for every child and pupil, under equal conditions, regardless of the place of the school, or where the education is delivered”, and that “persons performing education work and other employees in the school will promote equality among the pupils and actively fight against all types of discrimination and violence.” The law defines the compulsory and free primary education. Compulsory education implies the

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23 Rulebook on additional educational, health and social support of children and pupils (“Official Gazette of RS”, No 63/2010)
24 “Official Gazette of RS”, No 18/2010
25 “Official Gazette of RS”, No 55/20013
The preparatory preschool programme and primary education which lasts eight years. The preparatory preschool programme shall be realised in the year prior to enrolment into school, and should last four hours per day for at least nine months. Children with developmental impairments and disabilities can be educated in regular schools with additional support or in school for children with developmental impairments based on the opinion of the interministerial commission and upon the consent of the parents, or guardians. Pupils shall complete the primary education by taking the final exam after successfully finished eighth grade and thus gain the right to enrol into a secondary school. For pupils with developmental impairments and disabilities, the final exam shall be adjusted depending on the type of necessary additional support and shall carried out in line with the individual education plan. The law defines the implementation of regular national and international assessments of the achievements of pupils. A possibility of organisation of teaching at home and distance-learning have been introduced as well.

Article 10 regulates the rights of pupils with developmental impairments and disabilities, and those are pupils with intellectual, sensory and motoric developmental disorders. As a foundation and support to inclusive education, it is defined that every child with developmental impairments shall acquire education as a rule at school together with other pupils, and when it is for the best interest of the pupil, at school for pupils with developmental impairments, in line with the law. Pupil with developmental impairments and disabilities shall have the right to the individual education plan (IEP). Article 12 of the law, defining the language in which education is delivered, also defines that education shall be delivered in Serbian language. The same Article, paragraph 2, regulates that for the members of national minorities the education shall be delivered in the language and script of that national minority, i.e. bilingually, if when enrolling into school at least 15 pupils agree on that, while the school has the right to deliver education in the language and script of a national minority, i.e. bilingually, for less than 15 pupils of the first grade, upon the consent of the ministry competent for education. This consent shall be given by the ministry upon the obtained opinion from a competent national council of national minorities in line with the law regulating the competences of the national council of national minorities. It is expressly defined that the opinion shall be considered as given if the national council of the national minority fails to submit it within 15 days from the day of receiving the request. Legal obligation of schools is defined to organise classes of Serbian language for the pupils if the educational work is delivered in a language and script of a national minority, and to organise the educational work in a language of a national minority with the elements of the national culture as an elective school subject for the pupil who is a member of a national minority, if the educational work is delivered in Serbian language. Law defines the ability to deliver the educational work in a foreign language, i.e. bilingually, with the consent of the ministry, while for those pupils the classes of Serbian language are organised if the educational work is delivered in a foreign language. When it comes to the educational work for pupils using the sign language, i.e. script or other technical solutions, it is defined that such work shall be delivered in line with the law, without any closer definition.

Law does not abolish schools for education of pupils with developmental impairments, but Article 18 defines that these schools shall educate all children regardless of the type of impairment. It is also defined that with the aim of improvement of inclusive education, schools for education of pupils with developmental impairments shall provide support to schools in the system of regular education. Schools in the system of regular education teaching also the pupils with developmental impairments and disabilities are provided with the ability to hire a preschool teacher, teacher or psychologist/pedagogue, employed in a school for education of pupils with developmental impairments, but the hiring shall be done based on the
opinion of the interministerial commission for the assessment of the need for the provision of additional educational, health or social support to pupils.

It is important to underline that the objectives of primary education (Article 21) include, inter alia: “full and harmonised intellectual, emotional, social, moral and physical development of every child and pupil, in line with his/her age, developmental needs and interests”; “development of abilities for the role of a responsible citizen, for a life in democratically organised and humane society based on respect of human and civil rights, as well as fundamental values of justice, truth, freedom, honesty, and personal responsibility; creation of opinions, beliefs and value system, development of personal and national identity, development of the awareness and feeling of belonging to the state of Serbia, respect and nurture of Serbian language and native language, tradition and culture of Serbian people, national minorities and ethnic communities, other peoples, development of multiculturalism, respect and preservation of the national and world cultural heritage”; “development and respect of racial, national, cultural, language, religious, gender and age equality and tolerance”.

Law defines that the school library should collect textbooks and other teaching materials intended for the pupils with developmental impairments and disabilities, and that every school shall be obliged to have its web page26.

**Law on Secondary Education**27 defines secondary education which is free and is not compulsory. There is also the ability to organise distance-learning. For pupils and adults with developmental impairments and disabilities attending regular schools, the law defines additional support, so that school shall ensure the elimination of physical and communication obstacles and, depending on the needs, adopts the individual education plan. Schools for pupils with developmental impairments shall deliver education for certain vocations for pupils who enrol into this school type based on the opinion of the interministerial commission and with the consent of parents, or guardians. If the classes are organised in the language of a national minority or in a foreign language, the Law defines that classes of Serbian language shall be also organised for the pupils. A pupil shall finish secondary school by passing the final exam and/or secondary school graduation exam (matura). Provisions regulating the use of language in secondary education are identical to those regulating the performance of educational work in primary schools.

Article 2 defines as one of the objectives of secondary education the respect of racial, national, cultural, language, religious, gender, sexual, and age equality, tolerance and respect of diversity. The law does not abolish the schools for education of pupils with developmental impairments, but it defines that these schools deliver education for certain vocations for pupils attending this school based on the opinion of the interministerial commission for assessment of additional educational, health and social support to the pupils with the consent of the parents (Article 4).

Regarding the religious education, it is defined that the curriculum shall be adopted by the minister, based on the aligned proposal of the traditional churches and religious communities, upon the obtained opinion of the body competent for relations with churches and religious communities (Article 7). According to the regulation referred to in Article 8 of the law, organisation and delivery of religious education shall be

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26 According to the data of the Ministry of Internal and Foreign Trade and Telecommunications for 2013, collected during the realisation of the project “Digital School”, 842 schools had their internet presentations.
27 “Official Gazette of RS”, No 55/2013
monitored by the Committee for religious education in schools, established by the Government for the period of six years.

It is important to underline that the law regulates the manner of provision of additional support in education, creating the legal conditions for the implementation of inclusive secondary education. Article 12 defines that for a pupil and an adult, who due to his/her developmental impairments and disabilities, specific difficulties in learning, who is socially deprived of has other reasons for additional support in education, school shall provide elimination of physical and communication obstacles and depending on the needs it shall also adopt the individual education plan, in line with the law. The objective of the additional support in education is to achieve optimal inclusion of pupils and adults into regular educational work, independence in peer group and their improvement in education and preparation for the world of labour. For the realisation of the additional support in education, the principal, teacher, psychologist/pedagogue, preschool teacher, pedagogue and andragogue assistant and parent, or guardian, can receive special expert support for the implementation of the inclusive education. It is defined that for the realisation of additional support in education, school shall establish a cooperation with local self-government bodies, and other organisations, institutions at local and higher level. In addition to that, it is defined that special expert support can be provided by the persons competent in the field of inclusive education and schools which activities made themselves a good example of good practice in the implementation of inclusive education.

Candidates for enrolment shall have the right to take the entrance exam in the language in which they finished primary and secondary education, if they enrol into the school where entrance exam is taken for the assessment of special preferences and abilities (Article 38). When it comes to the conditions for enrolment into secondary school and ranking of the candidates, the law does not define the possibility of introduction of special measures for pupils from deprived and marginalised social groups.

**Law on Higher Education**\(^28\) in addition to the principles of higher education in Article 4 defines respect of human rights and civil liberties, including the prohibition of all forms of discrimination. Right to higher education (Article 8, paragraph 1) shall have all persons who have completed their secondary education irrespective of the race, colour, gender, sexual orientation, ethnicity, national origin or social background, language, religion, political or any other opinion, birth, existence of a sense or movement handicap or property. Pursuant to Article 86, a student of a higher education institution shall have the rights and obligations established by this Law and the general act of the higher institution. A student shall have the right to:

1) enrolment, quality education and objective grading;
2) timely and accurate information about all issues related to studies;
3) active participation in decision-making, in accordance with the law;
4) self-organisation and expression of his/her opinion;
5) privileges deriving from the status of student;
6) study conditions of equal quality for all students;
7) education in the language of a national minority, in accordance with the law;
8) difference and protection against discrimination;

9) elect and be elected to Students’ Parliament and other bodies of a higher education institution.

Student with disabilities shall have the right to take an exam at the place and in the manner adapted to his/her abilities, in accordance with the general act of a higher education institution (Article 90).

**Law on Adult Education** defines education and life-long learning of adults as a part of a single education system in the Republic of Serbia. Adult education is realised through formal and informal education, and informal learning which can be delivered by primary or secondary school or other organisation, if registered for education and if obtains the license by the Ministry of Education, Science and Technological Development. Law defines equal opportunities as one of the principles of this form of education. Article 3 defines the principle of equal opportunity as an inclusion and education acquisition regardless of age, gender, developmental impairments and disabilities, disability, racial, national, social, cultural, ethnic or religious background, language, sexual orientation, place of residence, financial or health status and other personal traits. The objectives of adult education also cover development of democracy, interculturality and tolerance (Article 4). As for the language use, it is defined that adult education shall be delivered in Serbian language, and for the members of national minorities, adult education shall be delivered in their native language, or bilingually, if no less than 50% of attendants or candidates choose to, upon their enrolment into the programme. A member of a national minority, having been included in the procedure for recognition of prior learning, shall elect whether the procedures shall be conducted in his/her native language or Serbian language. It is defined that education of candidates and attendants using sign language or special script or formats, shall be delivered in accordance with the law, but it is not stated according to which law.

Law defines the establishment of sectoral committees, as professional bodies formed with respect to relevant working sector, according to the Uniform Classification of Activities (Article 12). For more efficient monitoring and delivery of adult education, local self-government units may establish adult education council, and for adoption of the Annual Adult Education Plan. A number of local self-government units may establish a common adult education council (Article 15).

**Law on Pupil and Student Standard** defines the prohibition, in the institutions of pupils and student standard, any activities aimed at cover or overt belittling, discriminating groups or individuals on the basis of their race, religion, nationality, origin, birth, religious affiliation, political or other opinion, property, culture, language, age, sexual orientation, psychological or physical disability, constitution. Encouragement of such behaviour is also forbidden. Any type of insult, violent behaviour and abuse is strongly prohibited (Article 36). Also, for the purpose of introduction and achieving full equality it is allowed to undertake different affirmative measures, primarily in order to help the groups and individuals who are in unequal position.

Law also defines the right to scholarships for exceptionally talented pupils and students, which shall be paid monthly, without the obligation of repayment. Pupil, or student scholarships or loans, based on this decision, can be also granted by local self-government unit. It also regulates the issues of keeping of records.

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29 "Official Gazette of RS", No 55/13
30 Adults, in terms of this law, are people of 17 years of age acquiring secondary education according to the programme for adults and people older than 18 years of age who are involved in other forms of informal education and informal learning.
31 “Official Gazette of RS”, No 18/2010 and 55/2013
on the institution, employees, on social status of pupils and families, and the manner of collection, keeping and processing of data.

According to the Law on Textbooks and other Teaching Materials\(^{32}\), for the delivery of adapted educational work with blind and sight-impaired pupils, the textbook, or teaching materials, can be issued in Braille code, in electronic form or format adapted for blind and sight-impaired persons. Law sorts textbooks adapted to the needs of pupils with developmental impairments and disability into the category of low-circulation textbooks, and their publishing is regulated by the Rulebook on publishing of low-circulation textbooks\(^{33}\), which defines the possibility that the Government, in line with available funds, from the budget, finance or co-finance the procurement of textbooks, handbooks for adult education and teaching materials, with the aim to provide equal availability of textbooks, handbooks and teaching aids to pupils and attendants from socially/financially vulnerable families (Article 9).

Pursuant to the Law on Local Self-Government\(^{34}\), local self-governments have executive power at the local level. In the field of education, pursuant to the Law on the Fundamentals of the Education System, local self-government shall: establish preschool institutions, primary and secondary schools; prepare and adopt the act on preschool institution network and the act on primary school network based on the defined criteria; establish the centre for professional development; appoint and dismiss members to the steering board in preschool institution and school board in schools (primary school, secondary school and schools for adult education); perform inspection control as entrusted activity; finance preschool education\(^{35}\), professional development of employees, anniversary rewards, transportation of children and employees and other current expenditure. In addition to that, it shall keep a record and inform the preschool institution, i.e. primary school, on children who are of age appropriate for the preparatory preschool programme, i.e. primary school.

II Information on the implementation of the Convention or Recommendations against discrimination in education

1. PROHIBITION OF DISCRIMINATION IN EDUCATION

1.1 To which extent is discrimination in education based on the foundations defined by the Convention placed outside of legal framework in your country?

In addition to the stated comprehensive anti-discrimination legal framework in education in the Republic of Serbia, an entire set of by-laws has been developed which more closely regulate the field with the aim to prevent discrimination in education and ensure the implementation of the stated legal solutions. In the reporting period, in addition to the package of stated and other laws, a number of by-laws (rulebooks) have been adopted and entered into force, which more closely regulate the issue of quality of education, and

\(^{32}\) “Official Gazette of RS”, No 68/2015
\(^{33}\) “Official Gazette of RS”, No 30/2010
\(^{34}\) “Official Gazette of RS”, No 129/2007 and 83/2014 – other law
\(^{35}\) Pursuant to Article 50 of the Law on Preschool Education, 80% of expenditures of preschool education are covered by local self-governments, while 20% of necessary funds are financed by the households which children are beneficiaries of the services.
\(^{36}\) Local self-government shall be obliged to finance the transportation of children and their and persons accompanying them for attending the preparatory preschool programme for a distance greater than 2 km, pupils of primary school for a distance greater than 4 km, and in case of children and pupils with disabilities regardless of the distance of their residence from the school. In addition to that, local self-government shall be obliged to finance the transportation of pupils to national competitions.
which also refer to: standards (of achievements of students for the end of primary and general secondary education, competences of teachers, preschool teachers and principals, quality of work of the institution and quality of textbooks); professional development and acquisition of the title of a teacher, psychologist/pedagogue and preschool teacher; final exam in primary education; rulebooks which closely regulate the grading of pupils in primary schools, training programmes for pedagogical assistants, work load of when directly working with pupils, low-circulation textbooks, etc. The most significant among the acts which preparation and adoption were ongoing in the reporting period are the following:

**Rulebook on more detailed criteria enabling an employee, student or another person in an institution to detect different forms of discrimination**\(^{37}\), pursuant to Article 44 of the Law on the Fundamentals of Education System. The Rulebook is a comprehensive document serving all the participants in the education system to identify different forms of discrimination in concrete situations they face in practice. Rulebook defines and regulates: discrimination in education, right to protection from discrimination, direct discrimination, indirect discrimination, violation of the principle of equal rights and obligations, prohibition of referral to accountability (for seeking protection), association for performance of discrimination, hate speech, as well as harassment and degrading treatment. According to this rulebook, discrimination in education implies every unjustified differentiations or unequal treatment, lax discipline or giving precedence to individuals or groups in an overt or covert manner based on personal traits. General prohibition of discrimination is significant since it applies to every situation which may violate the equality principle, which cause is motivated by personal characteristics of an individual or a group of individuals.

It is also significant to mention the **Rulebook on standards and procedure for enrolment of pupils – members of the Roma national minority into secondary school under favourable conditions to achieve full equality**\(^{38}\).

**Rulebook on technical standards of accessibility**\(^{39}\) defines the requirements to be met while designing, building, adapting, change of purpose and reconstruction of facilities for public use, which significantly facilitates life in the community for persons with disabilities and persons with motion disabilities. All educational institutions shall be obliged to respect the standards stated in this rulebook.

**Rulebook on professional development and acquisition of the title of a teacher, preschool teacher, and psychologist/pedagogue**\(^{40}\) defines the priority fields of professional development which are of importance for development of education, which, inter alia, is the prevention of discrimination and inclusion of children and pupils with disabilities and from socially marginalised groups.

**Guidelines for the promotion of the role of the information and communication technologies in education**\(^{41}\) were created and adopted by the National Education Council in 2013, with the support of the

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\(^{37}\)“Official Gazette of RS”, No 22/16. Note: even though the stated Rulebook was adopted in 2016, after the reporting period, it is mentioned because of its huge importance for the implementation, and for the entire process of its definition which lasted in the reporting period.

\(^{38}\)“Official Gazette of RS”, No 12/2016

\(^{39}\)“Official Gazette of RS”, No 46/2013

\(^{40}\)“Official Gazette of RS”, No 85/2013

Team for social inclusion and reduction of poverty of the Government of the Republic of Serbia. The guidelines in particular refer to the application of the ICT in the function of social inclusion through the recommendations in the field of development of accessibility of digital teaching materials, application of assisting technologies, new teaching models, more flexible use of school equipment, etc.

Also, when it comes to the field of anti-discrimination, and social inclusion of deprived and marginalised groups, it is of importance to mention the expected definition of the Rulebook on distance learning, Rulebook on on-line learning, and the Rulebook on teaching children on home and hospital treatment.

In addition to the legal framework, the existing national strategic framework covering measures and programmes for fight against discrimination in education, and protection of human and minority rights is rather wide and inclusive, and will be largely mentioned in the very report, within each of the questions.

With the adoption of the Strategy of Prevention and Protection against Discrimination for the period 2013-2018\textsuperscript{42}, the Republic of Serbia committed itself to a systematic creation of the institutional and legal framework and mechanism for fighting against discrimination. The objective of this strategic document is the respect of the constitutional principle of prohibition of discrimination, directed towards a person or a group on the grounds of his/her personal traits, in particular the prohibition of discrimination of vulnerable social groups. The main part of the Strategy deals with the promotion of the position of nine vulnerable social groups which are most exposed to discrimination and discriminatory behaviour, involving: women, children, LBBT people, people with disabilities, elderly people, national minorities, refugees, internally displaced persons, and other vulnerable migrant groups, people whose health conditions can be a reason for discrimination and members of small religious communities and religious groups.

Framework for the implementation of strategic objectives is made precise in the Action Plan for the implementation of the Strategy of Prevention and Protection against Discrimination for the period 2014-2018\textsuperscript{43}, which defines concrete measures and activities, responsible subjects and resources, necessary for the realisation of the strategic objectives. It also defines the indicators for implementation of activities, based on which the level of their realisation will be monitored, indicators for the assessment of successfulness of set objectives and necessary resources for the realisation of defined measures. This is an important step in the general process of the European integrations and reforms in the field of anti-discrimination, in particular from the aspect of the harmonisation with the Action Plans for the negotiation chapters 23 and 24 in the process of accession of the Republic of Serbia to the European Union.

Action Plan for Chapter 23\textsuperscript{44} (judiciary and fundamental rights), defines measures and activities in this chapter, which is an important precondition for a successful opening and completion of the process of accession of the Republic of Serbia to the EU. It defines the activities harmonised with the European standards, which refer to strengthening of independence, impartiality and professionalism in judiciary, implementation of measures of prevention and fight against corruption, and preservation of high standards for protection of human and minority rights, covering the adoption of efficient mechanisms in the fight against all forms of discrimination, protection of national minorities in realising civil, political, economic

\textsuperscript{42} Adopted in 2012

\textsuperscript{43} Adopted in October in 2014

\textsuperscript{44} Available at the web page of the Ministry of Justice http://www.mpravde.gov.rs/files/Akcioni\%20plan\%20PG\%2023.pdf
and social rights of citizens concerning the respect of fundamental freedoms, equality and solidarity. Within this action plan, two other important strategic documents were created, AP for minority rights and Strategy of Social Inclusion of the Roma in the Republic of Serbia for the period 2016-2025, where the field of education is particularly stressed.

1.2 Please describe the measures adopted with the aim to eliminate and prevent discrimination in the sense envisaged by the Convention/Recommendation, including the prohibition of discrimination in the enrolment of pupils into educational institutions, equal treatment, support provided by public educational services to the educational institution for treatment of foreign nationals with the residence in the country.

Preschool education has an important role in prevention of social exclusion. Increase of the number of children covered by preschool education, in particular of 3-7 years of age, provides a higher enrolment rate and reduction of early primary school leaving, particularly by the children from socially and culturally deprived communities, who were not sufficiently encouraged in their environment to develop and who because of that fall behind and leave primary school. Even though a significant progress has been achieved in the coverage of children, a key issues in preschool education are still the insufficient coverage of children from vulnerable groups, insufficient number of preschool institutions which also includes their inadequate geographical distribution network and unfavourable material status of the preschool activity in whole.

Based on the Law on the Fundamentals of the Education System, starting from the school year 2006/2007, at the central level, the compulsory preparatory preschool programme (PPP) was introduced, for all children aged 5.5 up to 6.5, for the duration of at least 9 months, aiming at increasing the coverage of children and their further retention in the system. The preparatory preschool programme is a part of the regular programme of preschool institutions in part-time or full-time stay, which is realised in the year before the enrolment into school, and it is free in the institutions established by the Republic of Serbia, autonomous province or local self-government unit.

Adoption of the Law on Preschool Education is of special importance for the development of preschool education, as well as of bylaws which more closely define specific issues for this activity. Having in mind the fact that attending the preparatory preschool programme is compulsory for all children in the year preceding the enrolment into school, the law defines that a local self-government unit shall keep a record and inform the preschool institution, or school realising the preparatory preschool programme and parents, or guardians, on the children who are of age appropriate for the preparatory preschool programme, not later than April 1 of the current year for the next year (Article 23). Also, with the aim to create conditions for monitoring and larger coverage of children in the year preceding their enrolment into school, the same law

47 Article 93 of the Law on the Fundamentals of the Education System
48 Note: Data of the Statistical Office of the Republic of Serbia and the Ministry of Education, Science and Technological Development on the number of children in the system of preschool education differ due to a different methodology of collection of data and time periods in which the data were collected (SORS collects the data on October 1, and children enrol the PPP after that date).
49 “Official Gazette of RS”, No 18/2010
defines that the institution, or school realising the preparatory preschool programme, shall be obliged to inform the parents, or guardians and local self-government unit on the children who did not enrol, who do not attend the regular or stopped attending the preparatory preschool programme, not later than 15 days from the day of the end of enrolment period, i.e. from the day when they stopped attending the preparatory preschool programme. Law defines that the parent shall be obliged to enrol the child into the preschool institution, or school for the purpose of attending the preparatory preschool programme (Article 24). Also, the priority in the process of enrolment shall have the children from vulnerable groups (Article 13), while pursuant to Article 14, child-foreign national and stateless child, child from a vulnerable group, shall enrol into a preschool institution, or school, which realises the PPP, under the same conditions and in the manner defined for the citizens of the Republic of Serbia.

According to the Law on the Fundamentals of the Education System, the school shall be obliged to enrol each and every child from its territory, and the parent or guardian can select into which he/she will enrol his/her child by submitting an application to the selected school not later than February 1 of the current year, i.e. the year of enrolment. The school can enrol a child from the territory of other school, upon the request of a parent, and in line with the school capacities. Testing of a child enrolled into the school shall be performed by a psychologist or pedagogue of the school in the native language of the child, using the standard procedure and instruments.

Support provided by the public educational services to the educational institutions is realised, inter alia, by defining the infidel education plan (Article 77) and additional support to children and pupils with developmental impairments and disabilities, and to every child or pupil who requires additional educational support (Article 98). Testing of children with sensory and motoric developmental disorders shall be performed using the test form to which the child can optimally respond. If there is no possibility to test a child in his/her native language, the school shall hire a translator upon the proposal of the National council of national minority.

For the children who are foreign nationals, and for the children from vulnerable groups and children without the proof of their parents’ residence and other personal documents, refugees or displaced persons, the enrolment into preschool institution or school realising the preparatory preschool programme is possible under the same conditions and in the manner defined for the nationals of the Republic of Serbia. Parent of the child – foreign national, for the stay in the preschool institution shall pay the economic price per child, and the stateless parent, refugee and displaced person shall pay the price per child defined by the founder, in line with the law regulating financial support of the families with children (Article 14).

Share of children in preschool education has increased since the introduction of the compulsory preparatory preschool programme, but it is still low. The lowest is the coverage of nursery age children (0-3 years) which is 15.9%, while the coverage of three-year-old children until they enrol into school is 58.1% (over 90% in the EU). The preschool education has a significantly lower coverage of the poor, Roma, and children with disabilities, and children from rural areas. In the school year 2012/2013, the preschool education

covered 188,340 children\textsuperscript{51}, divided into 9,359 educational groups, and the total number of employees at this level of education was 24,360.\textsuperscript{52} When all the data are compared with the data from the school year 2011/2012,\textsuperscript{53} the increase of children is evident by around 3,440 (in the mentioned school year the total number of children was 184,900, number of educational groups was 9,264). In 2014, around 93\% of children were covered by the compulsory preschool preparatory programme which functions at the limits of its capacities\textsuperscript{54}.

Coverage of four-year-olds in school 2012/2013 was 49.7\%, and the coverage of children who were three years old and of the age before enrolling into school was 58.1\%.\textsuperscript{55} In comparison with the school year 2010/2011, the coverage of children with compulsory preparatory preschool programme in school year 2011/2012 increased by 5.6\% and was 93.16\% (comparing to 87.54\%), while the coverage of children in school year 2012/2013 was 92.65\%.

### Coverage of children with preschool education

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<tbody>
<tr>
<td>total</td>
<td>93.2</td>
<td>92.7</td>
<td>94.5</td>
<td>95.3</td>
</tr>
<tr>
<td>boys</td>
<td>93.4</td>
<td>92</td>
<td>94.3</td>
<td>95.7</td>
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<tr>
<td>girls</td>
<td>93</td>
<td>93.3</td>
<td>94.7</td>
<td>94.9</td>
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In 2014, the coverage of children aged 36–59 months with the preschool programmes, for the general population in the Republic of Serbia was 50.2\%, while the coverage of children from Roma settlements was 5.7\%.\textsuperscript{56} Share of children in preschool education from the families with higher social and financial status is significantly higher than the share of children from the poorest families (82\% vs. 9\%)\textsuperscript{57}. Access to the system of preschool education for children in rural areas is half as less than in cities: 27.3\% vs. 62.6\%. Also children with disabilities are insufficiently covered by this system. While about 5\% of children in this age group have a disability, only 1.2\% of the enrolled children are children with disabilities.\textsuperscript{58} Data indicate the correlation between the level of municipal development and the coverage with preschool education, and that poor municipalities have no funds to co-finance poor children, and thus they do not enrol them\textsuperscript{59}.

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\textsuperscript{51} Number of children covered by the system of preschool education aged 6 months until they enrol into school in the institutions which realise the preschool education programme.

\textsuperscript{52} Data downloaded from http://webrzs.stat.gov.rs/WebSite/repository/documents/00/00/99/66/dd20042013.pdf

\textsuperscript{53} Data source: http://webrzs.stat.gov.rs/WebSite/repository/documents/00/01/17/33/05_Obrazovanje.pdf


\textsuperscript{55} Statistical Office of the Republic of Serbia, Statistics on education


\textsuperscript{57} Ibid

\textsuperscript{58} Investment in education in early childhood in Serbia, UNICEF, 2012

\textsuperscript{59} Ibid
According to the data from 2014, 50% of children aged 3-4 years attend programmes of preschool education. The coverage is 63% in urban areas, in comparison with 27% in other settlements. 82% of children from the richest households attend such programmes, while the coverage of children from the poorest households is only 9%. Share of children aged 36-47 months who attend programmes of preschool education is 44%, while of the children aged 48-59 months the share is 56%. The main reason of non-attending the programmes of preschool education is because there is someone who can take care of the child at home (66%), while the issues of access are only obstacle for 38% of children. Expensive services are the obstacle mostly for children from Belgrade region (34%) and urban areas (21%), while the lack of space in the institution is more often the reason for children in Vojvodina (21%) and those from the poorest households (17%).

From the same source, only 6% of children aged 3-4 years from Roma settlements attend programmes of preschool education, with a slightly higher level in urban areas (6%) in comparison to other areas (3%). 28% of children whose mothers have secondary or high education attend such programmes, while the number goes down to 2% for the children whose mothers have only primary education. The rate of attending of programmes of preschool education is higher in older children aged 48-59 months (10%) than the younger of 36-47 months (2%). The main reason of not attending the programmes of preschool education is because there is someone who can look after the child at home (44%). The access issue is the reason for not attending the programme of preschool education for 43% of children, and the main obstacle is expensive service (2%) and other excessive expenditures (22%).

98% of children who are currently attending the first grade of primary school, attended the preschool education last school year, with lower values only for those children from the poorest households (92%). 98% of children of preschool age attend or attended the preparatory preschool programme (PPP) at the relevant age – 81% of children attended the PPP in public preschool institution, and 19% attend the PPP in schools. 63% of children of preschool age from Roma settlements attend or attended the PPP at relevant age. There is a visible difference in percentage between the children attending the PPP comparing to the social and financial status. PPP is attended by 59% of children from poor households (from three lowest quintiles of well-being), in comparison with 72% of children from rich households (from two highest quintiles of well-being).

The price of stay of children in kindergartens in some cities was not in line with the law. Amendments to bylaws and pressure by the Ministry of Education, Science and Technological Development to make local self-governments apply the law, reduced the price of kindergartens. For example, in Belgrade, the price for kindergarten which parents must pay is halved from about ten to five thousand dinars.

As for the availability of books for children, 72% of children younger than five live in households where there are at least 3 books for children, while the share of children who have 10 or more books goes down to 55%. Only 44% of children from the poorest households have 3 or more books for children in comparison

61 Ibid
62 According to the data of the Ministry of Education, Science and Technological Development.
with 83% of children from the richest households. 75% of children aged 0-59 months have 2 or more types of toys. 1% of children were left without adequate surveillance during last week, i.e. children were left alone or attended by other child. It is striking, however, that in Roma settlement this percentage fell down in comparison with 2010, from 25% to 12%. In Roma settlements in Serbia, only 12% of children younger than 5 live in households where there is at least 3 books for children, while the share of children having 10 or more books goes down to 2%. 4% of children from the poorest households have at least 3 books, comparing to 24% of children from the richest households. 53% of children aged 0-59 months have 2 or more types of toys. 4% of children were left without proper surveillance during a week before the survey, i.e. children were left alone or under surveillance of other child.

Within the project “Improvement of Preschool Education in the Republic of Serbia” (IMPRES – EU IPA 2009), the general objective of the project was achieved, which was to give contribution to social inclusion and reduction of poverty by improving the services in the field of preschool education for children from marginalised groups, including children from rural areas, the poor, the Roma. The project, which lasted during the reporting period, by the middle of 2014, achieved the following: developed Manual and methodology for planning, managing and optimization of the network of preschool institutions at the level of municipality; developed Guide for self-evaluation of preschool institutions as a support in the process of evaluation of preschool institutions; published Manual for diversification of programmes of preschool education. The activities of the project included 15 pilot municipalities and cities. For nine municipalities, movable kindergartens were procured or vehicles for transportation of children who cannot come to the existing preschool institutions. More than 1000 children from marginalised groups, who were not enrolled into kindergartens, were included into special and specialised programmes and the availability of preschool education in selected municipalities was increased by about 30%. 27 solutions were created on verification of preschool institutions and three solutions on giving consent to the change of the name of preschool institutions.

Project “Kindergartens without borders – more opportunities for early learning for children from vulnerable groups” was realised in the period from 2011 to 2013 in 10 local self-governments, where the coverage of children from 3 to 5.5 years of age was increased by around 13%. Two modalities of quality four-hour programmes were developed, and new standards for appearance, equipment and content of work in preschool institutions were introduced. The project was realised by UNICEF in cooperation with the Ministry of Education, Science and Technological Development, Centre for Interactive Pedagogy, 10 local self-government units and preschool institutions. The most significant results are the larger coverage of children of 3 to 5.5 years of age in 10 local self-government units by around 13%, i.e. by 713 children, and the developed two modalities of quality four-hour programmes.

Based on the loan of the World Bank in the amount of 50 million euros, the project “Support to early education and inclusion in Serbia” was started. In cooperation with UNICEF and Novak Đoković Foundation, the construction of new kindergartens and reconstruction of the existing ones will improve the

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64 More information available at [http://www.unicef.rs/novosti/vrtici_bez_granica.html](http://www.unicef.rs/novosti/vrtici_bez_granica.html)
infrastructure, staff capacity and programmes so that all children would get equal chance in their early childhood, i.e. so that all children could enrol kindergartens.

2. EQUAL EDUCATION OPPORTUNITIES AIMED AT EDUCATION FOR EVERYONE

2.1 What has the Government done to guarantee equal access to education at all levels in your country?

Undertaken anti-discrimination measures, financial measures, grant of scholarships, measures of positive or affirmative actions have been explained in details in chapter I (2.1-2.3), II (2.3) and III (3.1-3.9).

2.2 Please, explain how the laws and policies in the field of education were developed and how the strategies and programmes are implemented in your country with the aim to achieve equality of education opportunities (in terms of access, participation and completion).

The entire legislative framework with the aim to achieve full realisation of rights of every person to education, and equal education opportunities, is given in details in chapter I.2.

Strategic documents, i.e. public policies in the field of education in the reporting period were created in a wide participatory process, including all relevant subjects from the field of education (competent line Ministry of Education, Science and Technological Development, other state, provincial and municipal bodies, institutes, civil society organisations, international organisations, independent regulatory bodies, etc.) in the process of their definition, and then the implementation and monitoring of realisation of objectives. Numerous national strategic documents dealing with vulnerable population groups define certain measures for prevention and overcoming all discrimination in various forms of social life, including education as well.

Need for higher inclusion of children in the process of education, particularly children from vulnerable groups, has been recognised in numerous national strategic documents, which include measures and programmes implemented in order to ensure the availability and quality of compulsory and free education, in the widest possible sense include the following: Strategy of Reduction of Poverty, National Action Plan for Children, National Millennium Development Goals in the Republic of Serbia, Strategy of Prevention and Protection against Discrimination, Strategy of Development in Serbia until 2020, Strategy of Development of the Free Legal Aid System in the Republic of Serbia, Strategy of Career Guidance and

66 Adopted in 2003
67 Adopted in 2004
68 “Official Gazette of RS”, No 101/06
69 Adopted 2013
70 “Official Gazette of RS” No 107/2012
71 “Official Gazette of RS” No 74/2010
Counselling in the Republic of Serbia\textsuperscript{72}, Strategy of Broadband Access Development in the Republic of Serbia until 2012\textsuperscript{73}, Strategy for Improving the status of the Roma in the Republic of Serbia\textsuperscript{74}, National Strategy for the Advancement of Women and Gender Equality\textsuperscript{75}, National Strategy for Prevention and Protection of Children from Violence\textsuperscript{76}, Sports Development Strategy in the Republic of Serbia for the period 2009-2013\textsuperscript{77}, National Strategy for Sustainable Development\textsuperscript{78}, National Youth Strategy\textsuperscript{79}, Strategy of Adult Education Development in the Republic of Serbia\textsuperscript{80}, Strategy for improving the position of people with disabilities in the Republic of Serbia\textsuperscript{81}, National Strategy for fighting HIV/AIDS\textsuperscript{82}, Strategy for Social Protection Development\textsuperscript{83}, Strategy of Youth Health Development\textsuperscript{84}, Strategy for Personal Data Protection\textsuperscript{85}, Strategy for fight against drugs in the Republic of Serbia for the period 2009-2013\textsuperscript{86} etc.

For the implementation of most relevant strategic documents, the key action plans for their implementation will be listed: Action Plan for the Implementation of the Strategy for the Advancement of Women and Gender Equality for the period from 2010 until 2015, Action Plan for the implementation of the Strategy for improving the position of people with disabilities in the Republic of Serbia for the period from 2013 until 2015, Action Plan for the implementation of the Strategy of prevention and protection against discrimination for the period 2014-2018, Action Plan for the implementation of the Strategy of Education Development in Serbia until 2020\textsuperscript{87}, Action Plan for Chapter 23\textsuperscript{88}, Action Plan for the implementation of the Strategy for Improving the status of the Roma in the Republic of Serbia, Action Plan for the realisation of minority rights\textsuperscript{89} etc.

**Strategy of Education Development in Serbia until 2020\textsuperscript{90}** is a comprehensive national strategic document defining the integrate framework for designing the key laws and bylaws, and other regulatory institutions and instruments of functioning and developing of education in Serbia. Strategy deals with the definition of the purpose, goals, direction, instruments and mechanisms of development of the overall education system in the Republic of Serbia until 2020. Objectives of the long-term education development which are binding for the education system as a whole and each its part, are defined by the Strategy as the following: 1) promotion of quality of the process and outcome of education to the maximum level – the one arising from scientific knowledge on education and reputable education practice; 2) increase of coverage of the population of the Republic of Serbia at all educational levels, from preschool education to life-long

\textsuperscript{72} “Official Gazette of RS”, No 16/2010
\textsuperscript{73} Adopted in 2009
\textsuperscript{74} “Official Gazette of RS”, No 16/09
\textsuperscript{75} “Official Gazette of RS”, No 15/09
\textsuperscript{76} “Official Gazette of RS”, No 122/08
\textsuperscript{77} “Official Gazette of RS”, No 110/08
\textsuperscript{78} “Official Gazette of RS”, No 57/08
\textsuperscript{79} “Official Gazette of RS”, No 55/08
\textsuperscript{80} “Official Gazette of RS”, No 1/07
\textsuperscript{81} “Official Gazette of RS”, No1/2007
\textsuperscript{82} Adopted in 2005
\textsuperscript{83} “Official Gazette of RS”, No 108/05
\textsuperscript{84} “Official Gazette of RS”, No 104/06
\textsuperscript{85} “Official Gazette of RS”, No 58/10
\textsuperscript{86} “Official Gazette of RS”, No 16/09
\textsuperscript{87} AP adopted in 2012
\textsuperscript{88} Available at the web page of the Ministry of Justice [http://www.mpravde.gov.rs/files/Akcioni\%20plan\%20PG\%2023.pdf](http://www.mpravde.gov.rs/files/Akcioni%20plan%20PG%2023.pdf)
\textsuperscript{89} Planned within the AP for the negotiation chapter 23, adopted in 2016
\textsuperscript{90} “Official Gazette of RS”, No 107/12
learning; 3) acquiring and retaining relevant education, particularly the one partially or fully financed from public sources, by harmonising the system structure with direct and developmental needs of individuals, economic, cultural, media, research, education, public, administration and other systems; 4) increase of efficient use of all educational resources, i.e. completion of education within the defined period of time, with minimal extensions of duration and reduction of early leaving of education.

**Action Plan for the implementation of the Strategy of Education Development in Serbia until 2020** closely defines individual activities (actions) defined by objectives and priorities of the Strategy, developed manner of implementation, deadlines, key holders and executors, instruments for monitoring and indicators of progress, as well as the procedures for reporting and assessment of effects of the planned strategic measures. This document (all action plans) is consisted of action plans for the implementation of the following strategies of education development, defined by the Strategy: 1) Strategy of development of pre-university education; 2) Strategy of high education; 3) Thorough Strategy of Education Development. The basis for monitoring the implementation of the Strategy and the assessment of the Action Plan are indicators for monitoring the progress which are defined by the Action Plan.

### 2.3 Actions and measures implemented in your countries to ensure inclusive education for all participants in the learning process (measures which should be particularly focus on gender equality and equality in education and educational needs of the poor, economically and socially marginalised and vulnerable population groups, measures taken against gender-based violence).

Issues of inclusive education are also contained in the frame of other answers of all the chapters in the Report.

Inclusive education is a legal obligation of the Republic of Serbia and is regulated by the Law on the Fundamentals of the Education System, which sets the foundations of inclusive education, which are further developed through special laws and number of bylaws, adopted in the reporting period and which will be explained in details in the Report. The most important elements of the legally regulated policy of inclusive education in the Republic of Serbia are the following:

1) **prohibition of discrimination, segregation, and all other forms of singling out which are not in the interest of a child**;
2) **new enrolment policy**: instead of testing prior to enrolment into school, assessment is done of those enrolled and identification of children who require special/additional support;
3) **new programme policy**: new possibility of education through individualisation of the work manner or according to the individual education plan – IEP1 (work according to adapted programme), IEP2 (work according to the changed programme) and IEP3 (enrichment and expansion of the programme for talented children);
4) **new policy in the field of assessment and evaluation**: formative assessment, assessment according to the IEP, final exam according to the adapted procedure, external evaluation according to the quality standards based on the defined indicators;
5) **new staff policy**: introduction of a pedagogical assistant, definition of competence standards for the profession of a teacher and principal, formulation of priorities of professional development including also inclusive education;

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6) **new policy of school management:** establishing new expert teams for inclusive education, involving the representatives of parents of children from vulnerable groups into the Parent’s Council; new policy of support; local intersecotral commissions for assessment of the need for educational, health and social support, which include schools, Centre for social work and healthcare institution to which a child belongs and additional members who know the child very well; preparation of individual education plan of support which financing comes from the municipal budget with certain exceptions, work of interministerial commission supervised by the Joint body;

7) **new role of special schools:** inclusion of children with multiple disabilities, children who have been invisible and outside of the education system due to their disability, multifunctional schools (instead of those specialised for one type of disability, provision of support to regular schools upon request);

8) **new financial policy:** financing of schools according to the number of children (“money follows children”), with additional coefficient and for children from vulnerable groups the reform has been postponed, as well in multifunctional special schools and their new role as a resource centre.

With the efforts of the Ministry of Education, Science and Technological Development in the last two years, the inclusive education was supported by a number of measures which ensure that all citizens enjoy equal rights to education, regardless of gender, race, national, religious or language affiliation, social and cultural origin, property status, age, physical and mental constitution, developmental impairments or disabilities. Provision of early availability of education and inclusion of each child in education is vital for the realisation of children and human rights, social inclusion and development of human capital. **Group for social inclusion** was established within the Sector for Development and High Education, which aim is to work on availability and fairness of education in the Republic of Serbia, to create safe and encouraging physical and social environment for all children, pupils, students and adults for realising their rights to education and additional support. In the previous period, the Group worked on the following:

- **national framework for monitoring of inclusive education** was done and the process of monitoring was conducted with the aim to improve both policy and practice;
- **draft Action Plan for inclusive education 2016-2020** was done, which is in the phase of obtaining opinion from relevant ministries and partners;
- special attention is paid to the **improvement of competences of employees for the field of inclusive education** and the campaign for increasing the coverage of children was realised, in particular for the Roma national minority with the preparatory preschool programme;
- **free info line for parents on inclusive education** was introduced;
- **Peer inclusive education support network** was established;
- **Rulebook on affirmative measures of enrolment into secondary schools** was adopted, as well as the **Decision on enrolment into faculties of pupils from vulnerable social groups.**

**Framework for monitoring inclusive education in Serbia** has been developed with the aim to monitor the realisation of inclusive education and improvement of quality inclusive education and developed at

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92 Expert and financial support to the work of the Group for social inclusion are provided by UNICEF and Swiss Development and Cooperation Agency (SDC).

93 This document is a result of the project “Development of framework for monitoring inclusive education in Serbia”, prepared by the team of the Institute of Psychology for the needs of the Team for social inclusion and reduction of poverty and UNICEF.
three levels (national, municipal and school) through defined indicators for monitoring the progress in the field of inclusive education.

According to the Law on Preschool Education\textsuperscript{94}, when enrolling a child into a preschool institution, founded by the Republic of Serbia, autonomous province or local self-government units, the priority of enrollment have the children from vulnerable groups (Article 24). \textbf{Rulebook defining closer conditions for definition of priorities for enrolling children into preschool institution}\textsuperscript{95}, defines that the children from vulnerable groups are: children who are victims of family violence, children from families using social protection and children without parental care, children of single parents, children from socially unstimulating environments, children with psychophysical development impairments, children from families in which the child became seriously ill or has psychophysical developmental impairments, children of seriously ill parents, children whose parents are disabled was veterans or who have the status of a displaced person or refugee, children proposed by the Centre for social work, and children from the environments in which, due to family and other life circumstances, their health, safety and development are threatened.

Article 10 of the Law on Primary Education\textsuperscript{96}, regulates the rights of pupils with developmental impairments and disability, which is every child with intellectual, sensory and motoric developmental impairments. As the basis and support to inclusive education, it is defined that a child with developmental impairments will acquire education in school together with other children, and when it is in the best interest of the pupil, in the school for pupils with developmental impairments, in line with the law. Pupil with developmental impairments and disability has the right to individual education plan (IEP).

The law does not abolish schools for education of pupils with developmental impairments, but Article 18 defines that these schools educate children regardless of the type of impairment. It also defines that aiming at improvement of inclusive education, schools for education of pupils with developmental impairments shall provide support to the school in the system of regular education. Schools in the system of regular education where pupils with developmental impairments and disabilities acquire education have the possibility to hire a preschool teacher, teacher or psychologist/pedagogue, who is employed in the school for education of pupils with developmental impairments, but that the hiring shall be done based on the opinion of the interministerial commission for the assessment of the needs for provision of additional educational, health or social support to pupils.

Creation of this document was supported by the Ministry of Education, Science and Technological Development of the Republic of Serbia and the Open Society Foundation, Serbia. Project was initiated so that the Ministry of Education, Science and Technological Development and the Institute for Education Quality and Evaluation could get the support for objective monitoring of the progress in the field of inclusive education, with the aim of further implementation and improvement of inclusive education in Serbia based on the collected data. Goal of the project is to define methodological framework for monitoring the quality of inclusive education, which could give insight into the current situation of the inclusive education and propose mechanisms for its correction and improvement. Creation of the framework was based on the analysis of the existing resources and undertaken activities directed towards the implementation of inclusive education, on the review of surveys on inclusive education in the Republic of Serbia and comparative analysis of foreign systems for monitoring of quality of inclusive education. The stated analyses indicated the need for comprehensive, detailed framework with clear goals, indicators and benchmarks set at different levels (school, municipal and national), and which will provide systematic monitoring of various aspects of implementation of inclusive education, at the level of input, process and output parameters.

\textsuperscript{94} “Official Gazette of RS”, No 18/2010
\textsuperscript{95} “Official Gazette of RS”, No 44/2011
\textsuperscript{96} “Official Gazette of RS”, No 55/2013
Entire set of bylaws has been adopted which closely regulates the entire field of support to pupils in the process of inclusive education. The most important are:

**Rulebook on close instructions for definition of rights to individual education plan, its implementation and evaluation**\(^97\) defines closer instructions for definition of rights to individual education plan, its implementation and evaluation in preschool institutions, primary and secondary schools, with the aim to reach optimal inclusion of children and pupils into a regular educational work and their improvement and independence in the peer environment, and for the IEP for pupils with exceptional abilities.

**Rulebook on training programme for pedagogical assistants**\(^98\) defines the training programme for pedagogical assistant, its aim is to train a person for independent performance of activities of a pedagogical assistant. Training programme contains the introductory module, six compulsory modules and four offered elective modules out of which the candidate for the training programme must choose two. Training programme for the introductory module is realised in the duration of five days, and for six compulsory and two elective modules for the duration of one year. The introductory module aims to prepare the pedagogical assistant for the work in a preschool institution, or school. After attending the introductory module, the person gets a certificate, based on which he/she becomes eligible to apply for the job position of the pedagogical assistant.

**Rulebook on additional educational, health and social support to children and pupils**\(^99\) defines close conditions for the evaluation of needs for additional educational, Health or social support to children and pupils and the manner of work of the interministerial commission.

**Rulebook on special programme for delivery of education work in relevant healthcare institutions**\(^100\) defines a special programme for delivery of education work in relevant healthcare institutions for children at hospital treatment.

In 2015, **the Law on Use of Sign Language**\(^101\) was adopted, introducing special measures for achieving equality between persons with disabilities and other citizens, and full inclusion of deaf persons in decision making process referring to the standardisation and use of sign language interpretation services for sign language, manner of use of interpretation services, measures for encouraging the use and improvement of sign language through information and education in sign language and other issues of importance for the use of sign language.

Capacities for the implementation of inclusive education are continuously built at the national level through various measures and solutions, such as:

- Inclusive education support network, providing support to educational institutions in developing the available, quality and fair education for all and every child, particularly for children from vulnerable groups\(^102\);

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\(^{97}\) “Official Gazette of RS”, No 76/2010  
\(^{98}\) “Education Gazette” No 110-00-242/2010-07  
\(^{99}\) “Official Gazette of RS”, No 63/2010  
\(^{100}\) “Official Gazette of RS”, No 124/2012  
\(^{101}\) “Official Gazette of RS”, No 38/15
Team for inclusive education, as an expert team established at the level of institution and the recommendation is to have three to five members of the institution (teachers, psychologist/pedagogue, representatives of expert councils);

Interministerial commissions, which perform the evaluation of needs for additional support in health, social care and education;

Also, the system includes the pedagogical assistants (there are more than 170 pedagogical assistants involved in the system, and their salaries are financed from the budget of the Republic of Serbia. Work of pedagogical assistants has proved to be of extreme importance for the improvement of education process.

Even though the data on the number of pupils from vulnerable groups who attend regular schools speak about a solid rate of integrity of these pupils in the education system, a relatively high rate of leaving school and repeating grades (both in regular and special schools) show that the education system after the enrolment of these children did not sufficiently performed all those activities contributing to their retention in schools and quality further education – there is a significant number of pupils from vulnerable groups which needs are not successfully met. Quantitative indicators show that a particular attention should be paid to the transition into the fifth grade of primary school, and that the readiness for the implementation of inclusion in regular secondary schools is small. Most of regular schools have no proper material and staff conditions, and the support is either rarely sought or not received.

Percentage of pupils who require additional support because they leave school or repeat grades is approximately the same in regular and special schools. In regular schools (primary and secondary) 10% of the pupils who require additional support fail to complete the grade (unlike 1% of other pupils). The most successful are those pupils with developmental impairments and disabilities, and the least successful are pupils from socially unstimulating environments. In regular primary schools over 5% of pupils from socially unstimulating environments leave schools in all grades, except from the eighth grade. For the beginning of individual school subject instruction the main characteristic is a high percentage of pupils involved in the inclusive programme who repeat the grade (8%), as well as those who leave school (11%). It seems that this change is rather difficult for pupils from socially unstimulating environments – 15.4% of these pupils leave school in the fifth grade. Situation (according to the criteria of completion, repetition of grades or school leaving) in regular schools is worst for the pupils who require additional support, especially for those with learning difficulties. Even 30% of pupils with learning difficulties fail to complete the enrolled grade of secondary school, and that about 13% of them leave school in the first two grades of secondary school. In the first grade of secondary school, a large number of pupils from socially unstimulating environments leave school (11.5%).

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103 Through the project „Education for All – improving the availability of quality education to children from marginalised groups“(EU IPA 2008), the Rulebook on pedagogical assistants has been created and new 128 assistants have been trained. The IPA 2012 plans the project which refers to further training of pedagogical assistants and prevention, through scholarships, the leaving of education system by the pupils of the Roma nationality.


**Education with additional support** is provided, i.e. preparation of individual education plan (IEP). The trainings have been participated by more than 18,000 principals, pedagogues, psychologists and teachers; 360 schools and preschool institutions were specially educated for the implementation of inclusive education – 10 training packages, 334 trainings, around 11,500 employees. All Roma children enrolled into special schools without the decision of the Interministerial commission, are included in the regular education of primary schools and programmes of additional educational support have been created for children who need it, with regular monitoring of the progress. Based on the notice by the Ministry, special schools are obliged to make special programmes of support with additional contents for pupils of older grades in order to enrol into regular secondary schools and prepare the pupils for taking the final exam. Work of the Joint body for support in work and coordination of surveillance over the work of interministerial commission for assessment of needs for provision of additional educational, health or social support to children and pupils, formed in the previous period, has not been continuous.

**Pedagogical profile and IEP** are more often created for pupils with developmental impairments, and most rarely for those from socially unstimulating environments. Professional development of employees in schools is realised through trainings, and these aspects are the least concern of the employees in arts schools and regular secondary schools. The largest number of schools still do not have access ramps and toilets adapted for the people with disabilities. This applies also to special schools (over 70%) and grant schools, and the situation is worst in 117 arts school (over 90%). Work organisation in which class timetable, use of school premises and use of equipment and teaching materials are adapted to the needs of all pupils is the best in special schools, while about a half of primary, arts and secondary schools meet the criteria. In 15-20% of schools the required support by the interministerial commission was not received, and school psychologists are rarely members of the interministerial commission. Involvement of parents is highest in case of children with developmental impairments and disabilities who attend special schools, and most frequent form of involvement is the membership in the team for providing additional support precisely to this group of pupils.

The role of a pedagogical assistant, from the period of previous Roma to today’s pedagogical assistants, has significantly developed through trainings and practical everyday work with children in the institutions and in line with the needs and changing situations on the field. In preschool institutions and primary schools pedagogical assistants provide additional support and additional assistance to children, in line with their needs, cooperate with preschool teachers and psychologists/pedagogues, parents, or guardians, and together with the principal cooperate with competent institutions, organisations and associations and local self-government units and perform other activities, in line with the Law on the Fundamentals of the Education System. Concurrently with the evolution of the status of pedagogical assistants, there is an increase in the list of their tasks, but also of the effects of their work. Data obtained during the consultation meetings and analyses of the results of conducted surveys show that pedagogical assistants today are a significant form of support to children, pupils, their families, preschool teachers, teachers and institutions as a whole. Institutions which have pedagogical assistants today highly value this systematic measure.

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107 Ibid.
108 It refers to schools within the DILS project
According to the data of the Ministry of Education, Science and Technological Development of the Republic of Serbia, in August 2015, the work of pedagogical assistants is performed by 173 hired associates at the level of 72 local self-government units, which is slightly lower than a half of local self-governments in Serbia. In municipalities in which pedagogical assistant are hired, there are 72 preschool institutions and 783 primary schools, so the number of hired pedagogical assistants insufficient for the needs of these local self-governments. Out of the total of 171 preschool institutions, 38 of them hire a pedagogical assistant, and out of the total of 1256 primary schools, only 12% (149) hire at least one pedagogical assistant. “Average” pedagogical assistant is between 31 and 40 years of age, over five years of work experience on this position, more often women (101 women vs. 74 men), with secondary education (45%) and mostly know Roma language (135). Every fifth pedagogical assistant says that he/she does not know or that he/she partially know Roma language. The youngest pedagogical assistant is 20, and the oldest is 58. There are seven pedagogical assistants without the work experience, while 31 (18%) pedagogical assistants has been in the position from 7 to 13 years. Educational structure of pedagogical assistant is different: 26% of them has third degree of professional qualification, slightly less than a half (45%) of them have fourth degree of professional qualification, and less than a third of them (28%) have more higher or university education. Practice of the Commissioner for Equality Protection shows that, except from the resistance to inclusive education which is still present in some education workers and expert associations, a big obstacle to exercising of the right to quality education is the fact that additional support for a child is funded mostly from the budget of local self-governments. Having in mind the fact that in Serbia there are poorer and devastated local self-governments, without adequate financial resources for funding the necessary support, it can be said that education of children with developmental impairments who need additional support depends on their place of residence.

The Mental Disability Rights Initiative (MDRI) has conducted a survey “Education and life in the community as a precondition of equality of children with developmental impairments” in 2015, within the project “Children with developmental impairments in residential institutions as victims of multiple discrimination”. The survey ensured new insights into the education situation of children with developmental impairments living in residential institutions, but also the perception of the employees in the institutions of social care and education when it comes to the respect of the fundamental rights of children with developmental impairments. Namely, more than a half of the children with developmental impairments in residential accommodation are excluded from the education system, there are additional difficulties in terms of the limited number of schools with which residential institutions cooperate, limited capacities in schools for children from the residential institutions, architecture unconformity, lack of additional support. All children covered with the survey attend schools for education of children with developmental impairments, more precisely not a single child is in a regular school. However, more serious barriers are negative attitudes of employees in the residential centres and schools towards the education of children with developmental impairments. Education and life in the community as a precondition of equality of children with developmental impairments is realised by the Mental Disorder Rights Initiative MDRI together with the Initiative for Inclusion VelikiMali, in cooperation with the Commissioner for Equality Protection. Project is supported by the European Union within the Civil Society Facility programme 2013.

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111 Objective of the project is to contribute to the fight against discrimination of children with developmental impairments in the education system, and is realised by the Mental Disorder Rights Initiative MDRI together with the Initiative for Inclusion VelikiMali, in cooperation with the Commissioner for Equality Protection. Project is supported by the European Union within the Civil Society Facility programme 2013.
developmental impairments and the prevailing medical model in analysing the child’s needs. It is of particular importance are to have the insights in provision of equality of children with developmental impairments at the level of institutional accommodation, i.e. the fact that they do not exercise the right to education on the equal basis like others.

As for the institutional mechanism, a particular importance has the Team for social inclusion and reduction of poverty of the Government of the Republic of Serbia established in 2009. The team is competent for building capacities of the Government in order to develop and implement policies of social inclusion based on the examples of good practice in Europa and to provide support to the line ministries in developing and implementing the social inclusion, with regular consultations with the civil society organisations. The team works on the building of the capacities and processes in order to have an efficient development and implementation of social inclusion policies in its bodies of public administration, so that the Republic of Serbia could report on: the establishment of the monitoring system based on the social inclusion indicators, created and integrated policies of social inclusion, strengthened and developed capacities of state administration for the implementation and reporting on the process of social inclusion, and establishment and sustainable unit which will have the function of the mechanism for coordination of further development and reporting on the progress in the process of social inclusion. The team participated during the reporting period in the creation of the largest number of stated regulations and analyses of public policies in the field of education, and in partnership with the competent ministry, local self-governments and numerous civil society organisations, supported a large number of projects in the field of inclusive education, promotion of availability of education to all, education of Roma children and numerous other activities.

An important role also has the Inclusive Education Support Network which was developed through the activities of the DILS project of the Ministry of Education, Science and Technological Development of the Republic of Serbia and is one significant pillar in the implementation of the Law on the Foundations of the Education System. In order to be available to the beneficiaries, the Inclusive Education Support Network was set so to cover the entire territory of the Republic of Serbia and today has 120 members and has 14 model schools. In the previous period, the Inclusive Education Support Network realised the following: study visits to model schools by institutions developing inclusive education (123 visits); reaction upon complaint on violation of child rights (41 interventions); promotion of examples of good inclusive practice and collection of need in continuity (eight regional meetings of the Network); information of the institutions, expert bodies and individuals on inclusive education (521 interventions); provision of support in making important decision for education of children from vulnerable groups (68 interventions); provision of support in the creation of pedagogical profiles and IEPs for children and pupils and development of the best strategy of individual education (282 interventions); visits of the Network members to schools/institution with the aim to have an insight into the education practice and its improvement, based on the initiative of parents,

112 Swiss Confederation provides support to the Government of the Republic of Serbia in improving the social inclusion in the Republic of Serbia, in the period from 2009 until 2017, through the project “Support to the improvement of social inclusion in Serbia”, available at the web page http://socijalnoukljucivanje.gov.rs/sr/

113 DILS programme (Delivery of Improved Local Service)s, project supported by a World Bank loan, covers health, social care and education, i.e. programmes of support related to the availability and quality of inclusive education, available at the web page http://www.dils.gov.rs/
employees in schools, school administration offices, NGOs; support to expert teams for inclusive education and interministerial commissions; promotion in public meetings and through the media the culture of inclusive education as a quality education for everyone.

After many years of pilot projects, the project of free textbooks has been transformed and found its place in the Law on Textbooks, which made this important issue regulated in a right manner. Instead of procuring the textbooks for all pupils of only lower grades of primary school, which used to be the practice, now there is a model for financing the textbooks for the pupils from socially vulnerable families in all grades. In addition to textbooks, the Law defines that the Government can finance the development of missing textbooks and handbooks in order to ensure full availability.

In the school year 2012/2013, free textbooks were provided for all the pupils of the first cycle of primary education (pupils of first to fourth grade). The funds were allocated from the budget of the Republic of Serbia, and this programme was realised in the school year 2013/2014. The City of Belgrade provided textbooks for every pupil of the second cycle of primary school (from fifth to eighth grade). In the project on free textbooks for the school year 2015/2016, the Ministry of Education, Science and Technological Development provided textbooks for more than 130,000 pupils in the total value of 630 million dinars. Starting from the school year 2015/2016, children of single parents, foster families and homes for children without parents, will receive free textbooks from the state, regardless of whether they attend primary or secondary school, and it will not be necessary to return these textbooks. In the previous years, the free textbooks were given to all pupils of the Republic of Serbia for use, from first to fourth grade of primary school, for the following subjects: native language, mathematics, world around us, while for other subjects the textbooks had to be provided by the parents themselves. However, that model has shown numerous mistakes, which will be eliminated with the implementation of the new criteria, since the assistance is necessary to a certain number of pupils in older grades of primary, as well as of secondary school.

Free textbooks were given to the pupils who are members of all national minorities who attend education in Albanian, Bosnian, Bulgarian, Hungarian, Croatian, Slovak, Romanian, and Ruthenian language. Pupils of secondary vocational schools, who lack textbooks for 901 subjects, thanks to the Ministry will receive the free handbooks in electronic form, starting from the school year 2016/2017. In order to select the best quality textbooks, teachers and preschool teachers can have enough time for a detailed insight into approved textbooks from the Textbook Catalogue with almost 1,700 approved titles.

Realisation of the loan of the Council of Europe Development Bank (CEB) “Education for social inclusion”, which amounted to 20 million euros, will provide 1,800 spaces in accommodation capacities of the institutions for pupils and students, and it will significantly increase the accessibility to the people with special needs. The work in the Students’ City in Belgrade have been completed (88.8 million dinars),

115 Available at the database of the Ministry of Education, Science and Technological Development http://opendata.mpn.gov.rs/listaudzbenika.php
reconstruction and upgrading of the students’ dormitory “Karadorđe” in Belgrade (148.6 million dinars), construction of a wing of the Dormitory for students of agricultural school in Svilajnac (53.1 million dinars), upgrading of the Pupils’ dormitory in Leskovac (43.3 million dinars), construction of a wing of the Student Centre in Čačak (82.8 million dinars) and procurement of full equipment for the residential block (47.3 million dinars), and the first phase of construction of the biggest student resort centre in the Balkans – in Palić (138.2 million dinars) and Students’ centre of Užice (84.5 million dinars). The works are ongoing on the construction of the wing for pupils’ dormitory in Kragujevac and Čačak, construction of the pupils’ dormitory in Trstenik and the continuation of the works on the Student Resort in Palić.

Several national projects provided support to the introduction of inclusive education. The most significant is definitely the mentioned project DILS\textsuperscript{117} - Provision of advanced services at the local level in the field of health, education and social care, completed in December 2013. It was financed by the loan from the World Bank and at the same time was implemented by three ministries competent for education, health and social policy, and the total value of the loan was 32 million euros, out of which the Ministry of Education, Science and Technological Development used about 12 million euros for the realisation of project goals. The basic objectives were: capacity building of local self-governments and local institutions in the process of decentralisation; better quality, better accessibility, efficiency and equality in provision of services at the local level (education of Roma children, children with disabilities and developmental impairments, children from villages, displaced and poor children). The realisation was performed through the national training for all schools, provision of grants, training of permanent members of interministerial commissions, training of special schools, for piloting of new services to special schools, creation of handbooks and guides, national survey on inclusive education, establishment and coordination of the inclusive education support network, etc. Grants were approved to about 450 schools and 56 preschool institutions. An important part of the funds (2 million euros in total, in average 35,000 euros per municipality) was intended for the realisation of projects in 56 municipalities with numerous Roma population, large number of Roma children of school age, which are among the least developed municipalities in Serbia. For the support to inclusive education, a campaign was held in 100 municipalities throughout the country, in cooperation with the Foundation for open society of Serbia, Interactive Pedagogy Centre, Preschool Teacher Association of the Republic of Serbia and the Education Policy Centre. The goal of the campaign was to inform, educate, connect and encourage to act those responsible for and interested in quality education which is available for every child. Within the campaign, public debates and media events were organised where about 12,000 people participated. Over 120 examples of good practice were presented, while education materials were printed in Serbian, Albanian, Roma and Hungarian language and in Braille script. In 2013, the funds were provided for the procurement of assisting technologies for pupils with developmental impairments and disabilities and a minibus vehicles for 21 municipalities, in order to ensure a better access and quality education and overcoming the barriers in learning.

Children organisation network of Serbia (MODS) published Guidelines for planning and providing adequate interministerial support for inclusive education in local community\textsuperscript{118}, emphasising the fact

\textsuperscript{116} According to the data of the Ministry of Education, Science and Technological Development
\textsuperscript{117} Delivery of Improved Local Services (DILS) – project supported by the loan of the World Bank, covering health, social care and education, available at the web page [http://www.dils.gov.rs/](http://www.dils.gov.rs/)
that inclusion is most often considered as a process related to the education system and to provision of educational support to children from vulnerable groups, while it is forgotten to bear in mind that apart from the educational support, the children sometimes require other forms of support – health or social, as well as the support which is sometimes necessary for families of the child or the entire environment. The recommendation from this analysis include the establishment and strengthening of the local inclusive education support network, formalisation of the cooperation among the municipality, school, healthcare centre, centre for social work, and other institutions of importance for individual child and his/her well-being by creating clearly defined procedures and protocols on the cooperation between the institutions, development of special resources in the local community, improvement of the work of the interministerial commission, establishment of special units/services/points in municipalities in charge of inclusive education, creation of record keeping system for children from vulnerable groups, financing of the support to inclusive education and promotion of inclusive education and inclusive education in local community.

Coalition for monitoring of inclusive education\(^{119}\) prepared “Guide for Parents – recognising and reporting discrimination in education”, containing relevant information on how to recognise and to whom to report discrimination at the local and national level.\(^{120}\) The aim is to encourage parents to recognise discrimination in education, to report the cases of discrimination in order to establish better and more efficient procedures for identification of cases of discrimination and other forms of violation of children rights.

Child Rights Centre has created an adapted publication of “Nobody mustn’t hurt you – Book for children and the young for helping them understand what abuse and neglect are”, which is primarily intended for the children and young with developmental impairments, but children of general population as well\(^{121}\), prepared by the children and young from the Club of health changes with the support of the Child Rights Centre, international voluntary organisation Lumos and Centre for socially preventive activities GRI\(G\).

Violence

When it comes to the fight against all forms of violence, the legal and strategic framework are improved and a number of measures and actions have been undertaken in the reporting period.

Law on the Foundations of the Education System\(^{122}\) in Article 45, defines the prohibition of physical, mental and social violence; abuse and neglect of children and students; corporal punishment and insults, sexual abuse of children, students and employees in an institution. Violence and abuse shall imply all forms of once or repeatedly inflicted verbal or nonverbal conduct which results in real or potential hazard to health, development and dignity of a child, student or an employee. Neglect or careless treatment shall imply the omission on behalf of the institution or an employee to provide conditions for a child’s or student’s proper development. The institution shall be obliged to immediately file a complaint with a competent authority if

\(^{119}\) Coalition is consisted of: Society for development of children and young – Open Club from Niš, Child Rights Centre of Užice, Citizen Association Parent from Belgrade and Heksus from Vranje.

\(^{120}\) Available at the web page http://oknis.org.rs/koalicija-Za-monitoring-inkluzivnog-obrazovanja/doc/vodic-za-roditelje.pdf

\(^{121}\) Publication available at the web page http://www.cpd.org.rs/system/home/newsplus/viewsingle/_params/newsplus_news_id/5988.html

signs of violence, abuse or neglect are perceived. Every form of violence and abuse referred to in paragraph 2 of this Article by a pupils, his/her parent, or guardian or adult, directed towards a teacher, preschool teacher, psychologist/pedagogue, and other employees shall be prohibited in an institution. A misdemeanour or criminal procedure shall be launched against a parent or child’s guardian, or a student for the violation of the prohibition referred to in paragraph 8 of this Article.

The law insists on tolerance and introduces rules for sanctioning the procedures which disrupt the atmosphere in school by the employees, and a detailed procedure has been developed for cases of violation of the prohibition of violence by teachers towards a child. Teacher whose labour contract terminates due to the defined violence against a child shall be deprived of the license. For a more efficient implementation of these provision, and encouragement of the overall importance of the issue of child protection from violence, the Rulebook on the protocol of conduct in the institutions and response to violence, abuse and neglect¹²³ has been adopted, which significantly has a preventive role and which in details precisely defines the assessment and conduct. Trainings for the implementation of the protocol by one part of inspectors and education advisors have been organised with the aim to support the implementation, but also to sanction the failure to implement the new regulations. The protocol was printed in addition to this rulebook and is its integral part.

Article 41 of the Law on Primary Education and Article 17 of the Law on Secondary Education additionally define the programme for protection from violence, abuse, and neglect and the programme of prevention of other forms of risk behaviour such as, in particular, use of alcohol, tobacco, psychoactive substances and juvenile delinquency, which are an integral part of the school programme and are realised in line with the Law.

Survey¹²⁴ shows that even 43% of children aged 1–14 years were exposed to at least one type of psychological or physical violence by a family member in the previous month, and a combination of violent practice of discipline is used in most cases at home. While 39% of children were exposed to psychological around 17% were exposed to corporal punishment, where young children are more exposed to a type of physical discipline than older children. At the age of 1-2 years, corporal punishment was present in 25% of children, and at the age 10-14 years, even 8%. As for corporal punishment of children, the most visible difference is in the families where heads of the families do not have education, and more children were physically punished (24%) than in families in which the head of the families have high education (13%).

National study on social issue of sexual abuse of children in the Republic of Serbia¹²⁵ has shown that at the age of 10 – 18 years, in every school class in Serbia there are four children who have suffered a certain

¹²³ “Official Gazette of RS”, No 30/2010
¹²⁵ National study was realised within the dimension “Impact on legislation and education”of the official campaign of the Council of Europe “1 of 5” by the Incest trauma centre, in cooperation with the Ministry of Education, Science and Technological Development of the Republic of Serbia – Violence Prevention Unit, Group for protection from violence and discrimination and Centre for promotion of women health in Belgrade. It is a starting basis for the creation of the Strategy of Prevention of Sexual Violence in Children. Results of the study are available at the address:
type of sexual abuse and another four children who know someone who has suffered it. Even 22% of attacks take place in “virtual space”, i.e. on social networks, while in school sexual abuse takes place in 7% of the cases. Almost a half of the interviewed school age children who had personal experience, or were victims of sexual abuse, had for the first time talked about this topic in the interview, while the second half had talked to mother, grandmother or sister. The claim that a child with disabilities and developmental impairment would not be abused by anyone, was not approved by 56% of parents and 26% of children. 56% of parents and 50% of children agree with the sentence that girls who dress in a provocative manner are more likely to be victims of abuse. Even though over 90% of interviewed children and parents agree that child abuse should always be reported to the police and that the assaulter should be incarcerated, only 7% of such cases are reported. Only 22% of parents and only 11% of children believe that the recovery of a victim from sexual violence is possible.

All preschool institutions, primary schools, secondary schools and students’ dormitories in the Republic of Serbia, have their teams for protection of children from violence. The team is obliged to prepare the 

**Programme of protection of children from violence**, which has two parts, one referring to prevention and the other referring to intervention and it should be made for every school year. In line with the situation analysis regarding the protection of children from violence, the Team plans the activities for children, parents, seminars and professional development, selects topics to be covered in a school year, seminars for professional development of teachers, etc.

In the Ministry of Education, Science and Technological Development, in 2012 the **Violence Prevention Unit** was established, with expert and financial support by UNICEF, with the aim to make better planning, coordination and monitoring of the activities in the field of protection of children from violence within the education system, and to ensure quality programme implementation “**Violence-Free School**”. In April 2015, the Violence Prevention Unit was systematised as a Group for protection from violence and discrimination. Except from the general aim, the specific objectives have been set: strengthening the capacities of school administrations in provision of necessary support to schools; provision of expert support in creation of strategies, bylaws and establishment of cooperation with other institutions in the field of violence prevention; implementation of the programme “**Violence-Free School**”; support to school networks and model schools in order to introduce the practice of experience exchange into the prevention of violence and response; development of the regular monitoring and reporting system on violence in the education system; establishment of a cooperation with relevant institutions and organisations, participation in the public/media and other activities in line with the priorities and needs of the Ministry of Education, Science and Technological Development and the institutions.

**Programme “Violence-Free School”** started to be realised in the school year 2005/2006 and is still ongoing. Violence Prevention Unit is implementing it with the professional and financial support of the UNICEF in cooperation with the Ministry of Health, Ministry of Labour, Employment, Veteran and Social Affairs, former Council for Children Rights of the Government of the Republic of Serbia, Institute for the

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126 Available at the web page http://www.mpn.gov.rs/grupa-za-prevenciju-nasilja/
Improvement of Education, and in 2008/2009, the partnership was joined by the Ministry of Interior and the Ministry of Sports and Youth. Last year, 28 new schools were included in the programme, and 24 schools received the plaque of “Violence-Free School”, which means a recognition for independent work on further development of safe and encouraging environment for children in their school. “Violence-Free School” is currently implemented in 274 schools (253 primary and 24 secondary schools), and the programme covers about 17,000 teachers and 229,000 pupils, and over 60 active mentors, while 35 schools are on the waiting list. Now 177 schools have the plaque of the Violence-Free School. Interactive site www.sbn.rs has been also created and the instrument for assessment of safety in school environment. After the evaluation of the results of the five-year implemented programme “Violence-Free School – my school is a safe school”, done by the Institute of Psychology, the following is concluded: most of children (56%, in some up to 85%) feel safe at school thanks to this programme, severe forms of violence have been reduced (physical violence is reduced most), and in younger grades there is significantly less violence. The number of pupils who repeatedly suffer violence has been reduced by 6%, and in some schools by 50%. A bit weaker impact of the programme was when it comes to the pupils of older grades, big schools in urban areas (especially in Belgrade), while the readiness of pupils to ask teacher for help in the situations of violence has increased.

In the first semester of the school year 2013/2014, the Violence Prevention Unit, within the programme “Violence-Free School”, started with the activities of the project “Prevention of Gender Based Violence” with the aim to research the presence of violence and prevention of this type of violence related to gender roles, implemented in 50 primary and secondary schools in Serbia. The total number included 11,669 boys, 10,708 girls and 3258 teachers participated in the research. The Rulebook on prevention of gender based violence was created, and the publication and the results of the research were published in 2015. The project was realised in cooperation with the UNICEF, and other institutions and organisations, with a long experience in the field of gender-based violence, with the support of the Provincial Secretariat for Education, Administration and National Communities of Vojvodina.

In addition to the mentioned activities, the Violence Prevention Unit worked also on the introduction of model schools for prevention of violence and lists of experts for support to schools in prevention of violence into the relevant legal acts, participated in the creation of the Strategy of Prevention of Violent Behaviour at Sport Events, in a working group of the Ministry of Interior for identification of children victims of trafficking, and participated in the project Prevention of Hate Speech at the Internet of the Ministry of Youth and Sport. Also, a great cooperation was started between a large number of relevant partners working on the plan for protection of children from violence, abuse and neglect.

In the project “Protection of children from violence in South-Eastern Europe”, funded by the European Union in cooperation with the UNHCR, trainings for identification of and reaction in the situations when children are victims of family violence, trafficking and exploitation and sexual abuse were held in four

127 Available at the web page http://www.unicef.rs/files/Rezultati_5_godina_skole_bez_nasilja.pdf
128 Available at the web page http://www.unicef.org/serbia/Istrazivanje_rodno_zasnovanog_nasilja_u_skolama_u_Srbiji.pdf
129 Available at the web page of the Ministry of Education, Science and Technological Development http://www.unicef.rs/files/Prirucnik%20za%20prevenciju%20RZN.pdf
cities in Serbia. They covered 160 employees in education institutions. The second part of the training was devoted to the cooperation of the Centres of social work and education institutions where the participants had a chance to learn about all the procedures and steps of cooperation necessary for a proper protection and action in case of family violence.

In cooperation with the German organisation GIZ, the **programme for training the Teams for crisis interventions and reaction in crisis situations** was realised. The trainings were focused on the assistance to schools in dramatic situations which can disturb the functioning of the institution or school for a long time (suicide of a pupil, death of a pupil or teacher). The goal of the work of experts from these teams is to ensure a rapid, efficient and professional assistance to pupils, parents and employees in schools in stated specific situations, since it has been proved that they can be a cause of new violence. **About 130 employees in the education system were educated how to react in emergency situations**, and a **Handbook “Psychological crisis interventions in education institutions”** was prepared and which was delivered to all the institutions. The training covered school institutions on the territory of the Republic of Serbia, stable and mobile Teams for crisis interventions. Stable Teams for crisis interventions are consisted of the principal, psychologist/pedagogue and selected member of the personnel, while the mobile teams are consisted of the trained professionals who will come to the school upon the invitation of the principal in crisis situation, which disturb the functioning of the regular life in school for a short or a long period of time.

As for the important preventive activities implemented by the **Ministry of Interior** with the aim to prevent violence against and among children, there are the following actions: School without drugs and violence, programmes of School Police Officer, projects Safe childhood – development of safety culture of the young, Sport-School-Police and in line with the Strategy of Police in community 17 projects of local character are intended for the information of children and families, peer violence and hooliganism.

Through the project **“Let’s stop digital violence”**, over 8,000 pupils and employees were trained for safe use of the Internet and to react in the situations of digital violence, while in order to provide adequate support an SOS application was created at a Facebook page (“Choose words, prevent hate”) which is available to all pupils who suffer any type of digital violence and trained students of the final year of psychology university are always on duty, every day, from 7 a.m. to 12 p.m. This campaign was supported by the Ambassadors of UNICEF. The Project also conducted a survey on the frequency of digital violence in 34 schools (17 primary and 17 secondary schools). There are **3784 pupils, 2031 parents and 1349 teachers involved**. The Rulebook for prevention of digital violence has been prepared **“Digital violence – prevention and reaction”**, in cooperation with the Pedagogical Society of Serbia and UNICEF. Every school in Serbia was provided with a handbook and methodological instruction of how to use it.

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In 86 schools a survey was conducted on the issue of sexual abuse of children and the **SOS phone line** has been established for reporting violence in school. In the stated period, the activities were conducted for the improvement of the work of the SOS line for prevention of violence in schools. In cooperation with the PE “Telekom Serbia”, the work of the service “SOS line for prevention of violence in school” continued, for reception of children and youth, i.e. pupils, parents and citizens who have suffered violence in school133.

Project “**Multiplication – Living in Tolerance**”134, supported by the Pestalozzi children foundation from Switzerland, was realised in eight cities in Vojvodina. The main objective of the nine-year-old project, until 2006, was to create a developed intercultural society where every citizen, particularly the young, would have the opportunity to actively participate in development of democratic values. Specific objectives of the project were: intercultural education becomes a part of regular curriculum and extracurricular activities, strengthening the young for the involvement in the decision making process at the level of school and local community and strengthening and building regional youth network. The first phase was devoted to the promotion of intercultural values through extracurricular activities, education of teachers and the establishment of youth clubs in partner schools. The second phase was devoted to the establishment of the network of schools and partner organisations, introduction of bilingual workshops, education of the young for voluntary work, strengthening the participation of pupils in active participation at the level of schools and local communities. The third phase of the project, from 2012-2014, was devoted to the development and implementation of teaching units with the elements of intercultural education in the regular curriculum, encouraging the young to actively participate in the life of school and community where they live, and promotion of voluntary work.

Project “**Equal chances in secondary education**”135 realised by the Centre for interactive pedagogy, in cooperation with the Open Society Foundation Serbia, Pestolozzi Children Foundation and secondary vocational schools, was devoted to the development of the model of successful inclusion of Roma children and other children from minority and marginalised groups in secondary education, establishment of school team in charge of development of schools of equal opportunities and successful inclusive model, establishment of peer educators and encouraging participation of pupils. The model schools at the local level have been recognised as examples of good practice, especially when it comes to inclusion of the Roma. The project was implemented in the period 20105-2013.

### 3. PROGRESS RELATED TO THE EXERCISE OF THE RIGHT TO EDUCATION

#### 3.1 UNIVERSAL PRIMARY EDUCATION

Please, indicate all the information on progress achieved pertaining to ensuring the universal access to primary education. Is primary education free of charge for everyone? If yes, which laws and policies regulate the free of charge and universal access to primary education? If no, how does your state intend to ensure free primary education?

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133 Ibid.
Please, find enclosed a detailed overview of the legal framework in the chapter I. 2.

Pursuant to Article 71 of the Constitution of the Republic of Serbia, everyone shall have the right to education, and primary education is mandatory and free. In accordance with the Law on the Foundations of the Education System, in an institution founded by the Republic of Serbia, an autonomous province or a local self-government unit, primary education for students and adults shall be free of charge. According to Article 3 of this Law, the education and pedagogy system must provide all children, students and adults with equality and accessibility of education and pedagogy without discrimination and segregation based on gender, social, cultural, ethnic, religious or other background, place of residence or domicile, financial or health status, developmental impairments and disabilities, as well as per other grounds. The Law on Primary Education and Pedagogy defines in Article 4 that every person has the right to free of charge and good quality primary education in a public school.

Based on the Second National Report on Social Inclusion and Poverty Reduction in the Republic of Serbia, for the period 2011-2014, number of students in the primary education keeps decreasing due to a negative demographic trend. The total of 70,192 pupils enrolled in the first grade of primary school in the school year 2012/2013, while there are 565,199 students within the primary education system. Compared to the school year 2011/2012 the numbers show a decrease by 6,900 students, when the total number of students was 572,099. According to the data for 2014, 97% of children aged appropriately for enrolling the first grade of primary education, attended the first grade of primary school, whereas this was the case in 91% of children coming from the poorest welfare quintile. 99% of primary school children (aged 6-13) are attending primary school. The rate of primary school completion is 93%, whereas the gender equality index is 0.99 for primary schools. Only 69% of children aged appropriately for enrolling the first grade of primary education from Roma communities are attending the first grade of primary school (82% in other settlements and 65% in urban settlements). 85% of primary school children (aged 6-13) are attending primary schools, whereas 15% of children are not attending school. Primary school attendance rates are lower in the case of Roma children coming from the poorest quintile of households (66%), compared to children coming from the richest households (97%).

Coverage of primary school children by the primary education system in the school year 2011/2012 was somewhat lower compared to the previous school year when it was 95.25%. Even though primary education is mandatory, coverage by the primary education system of children aged 7 in the school year 2011/2012, was 92.60%, whereas it was slightly higher in the school year 2012/2013, when it was

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136 “Official Gazette of the RS“, No 98/06
138 “Official Gazette of the RS“, No 55/2013
139 Report is available on the web page http://socijalnoukljucivanje.gov.rs/rs/usvojen-drugi-nacionalni-izvestaj-o-socijalnom-ukljucivanju-i-smanjenju-siromastva/
140 The data concern the beginning of the school year.
142 Coverage of primary school children by primary education represents the ratio of the number of children aged 7-14 who attend primary school and an estimated number of children aged 7-14.
95.70%. Percentage of children in the general population who started the first grade of primary school in the school year when they reached the age appropriate for enrolment in primary schools in the school year 2013/2014 was 97%, whereas in terms of children from Roma communities, it was significantly lower; specifically, it was 69.1%. Majority of children from Roma settlements who are enrolled in the first grade of primary school fail to complete primary education on time (36%), whereas in terms of children from the general population, the percentage is significantly lower (6.6%).

### Primary Education Coverage

<table>
<thead>
<tr>
<th>Year</th>
<th>Boys</th>
<th>Girls</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/2012</td>
<td>95.3</td>
<td>95.5</td>
</tr>
<tr>
<td>2012/2013</td>
<td>97.2</td>
<td>97</td>
</tr>
<tr>
<td>2013/2014</td>
<td>97.9</td>
<td>98.1</td>
</tr>
<tr>
<td>2014/2015</td>
<td>97.6</td>
<td>97.5</td>
</tr>
</tbody>
</table>


Education dropout rate in the school year 2011/2012 was 0.90%, whereas in school year 2012/2013, the dropout rate was 0.70%. Children who drop out from regular schooling most often come from marginalised groups (Roma communities), who either fully quit education or continue it in schools for adults. Most of the dropout rate for the indicated period happened between the fifth and sixth grade being 3.1%, and the least rate was observed between the third and fourth grade when it was 0.7%. Primary school completion rate in the school year 2012/2013 was 96.60%.

In regular primary schools, over 5% of students from socially not stimulating environments drop out of schools in all grades, except in the eighth grade. What marks the beginning of a subject classes is a large percentage of students involved in the incursion programme who repeat a grade (8%), as well as those who drop out of school (11%). It seems that this change is particularly difficult for the students coming from socially not stimulating environments, since 15.4% of such students drop out of the fifth grade.

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143 Coverage of children aged 7 by primary education represents the ratio of the number of children aged 7 who attend primary school and an estimated number of children aged 7.
145 Statistical Office of the Republic of Serbia, Education statistics – Dropout rate represents the difference between the number of students at the beginning of a school year and the number of students at the end of it, when compared to the number of students at the beginning of the school year. This method of calculating the dropout rate cannot record those students who dropped out between the end of a school year and the beginning of a new one.
147 Statistical Office of the Republic of Serbia, Education statistics – Primary education completion rate shall mean the relation between the students who completed the final (eighth) grade of primary education and the age group of children envisioned to complete primary education.
According to a survey of the Ministry of Education, Science and Technological Development\textsuperscript{149}, it has been determined in terms of four fifths of all primary and secondary schools in the Republic of Serbia, included in education who need additional support, 92.2\% attend regular schools (the others attend special schools). It has been noticed that higher percentage of children who are in need of additional support enrol in regular primary schools as opposed to secondary schools.\textsuperscript{150}

The total of 18,651 students enrolled in the first grade of primary education in the school year 2013/2014, in the territory of the AP of Vojvodina\textsuperscript{151}, which is by 2.31\% less compared to the school year 2012/2013. Within the enrolled number of students, 6.49\% of enrolled students belong to the Roma national community. According to the same source, the total of 94 students with developmental impairments enrolled in the school year 2013/2014 in the territory of the AP of Vojvodina. From the enrolled number of students, 21 attend classes in regular primary schools, whereas 73 students attend classes in primary schools for children with developmental impairments. The total of 164 first grade students are included in classes of an elective subject “Roma Language with the National Culture Elements”, which is by 76 students (86.36\%) more than the previous school year.

Project “Preventing Dropping out of Children and Students from the Educational System of the Republic of Serbia”\textsuperscript{152} was initiated in 2014, through establishing and implementing mechanisms for early identification of children with the risk of dropping out, reacting and implementing prevention and intervention measures on the school level. The purpose of the project is to contribute to the decreasing of children and young people by establishing and implementing mechanisms for early identification of children with the risk of dropping out, reacting and implementing efficient prevention and intervention measures on the school level. The project is being implemented by UNICEF and the Centre for Educational Policies, in cooperation with the Ministry of Education, Science and Technological Development, and it is being implemented in four primary and six secondary vocational schools. The project shall be conducted in 10 primary and secondary schools whose founder was the Republic of Serbia, autonomous province or a local self-government unit. The aim of the project is to reduce dropping out of students in chosen schools, test the created recommended measures and provide system recommendations, as well as to strengthen capacities of schools to independently create and implement policies in the area. The project shall go through the school years 2014/2015 and 2015/2016.

3.2 SECONDARY EDUCATION

General availability and access to all types/levels of secondary education, including technical and vocational education as well as training. To which level is such secondary education free of charge? Please, provide information on the achieved progress and difficulties that were encountered, including gender equality in such an approach.

\textsuperscript{149}Ibid
\textsuperscript{150}DILS (Delivery of Improved Local Services) is a project of the Government funded from the loan of the European Bank for Reconstruction and Development - EBRD No 7510, ("Official Gazette of the RS", No 121/08).
\textsuperscript{151}Provincial Secretariat for Education, Administration and National Communities
\textsuperscript{152}Available on the web page http://www.unicef.rs/?action=page&id=sprecavanje_osipanja_ucenika_iz_obrazovnog_sistema
Please, find enclosed a detailed overview of the relevant legal framework in the chapter I. 2.

The Republic of Serbia is one of the rare countries where the secondary education is not mandatory, but is free of charge. Formally speaking, there are no obstacles to having access to secondary education for any group of students, including adult students. Education Development Strategy in Serbia by 2020 envisions introduction of mandatory secondary education.

Even though secondary education is free of charge and unmandatory, the secondary education coverage is still not satisfactory and is approximately 85%, while the coverage of children from Roma settlements was only 21.6% in the school year 2012/2013. Education continuance rate after the completed primary school is higher than 99%. This only means that of all students who finish primary school, less than one per cent fails to continue their education on the secondary school level. Nevertheless, following the enrolment in secondary schools, dropping out ensues; therefore, the coverage of secondary school children by the secondary education system is 85.40%. Drop-out rate before finishing secondary education is 3.21% in three-year educational profiles, whereas in the one which last four years it is 1.29% (on the level of entire secondary education, the dropout rate is 1.54%). Percentage of secondary school attendance is less among children coming from vulnerable and marginalised groups, and therefore, when talking about the poorest communities, secondary school is attended by only 74% of children (68.2% boys and 83.3% of children). Percentage of children from Roma settlements who attend secondary education is 21.6%, i.e. only 14.9% of secondary school girls and 28% of boys.

Indicator value in the field of secondary education remained mostly unchanged compared to the measuring conducted in 2010. According to data from 2014, unmandatory secondary school in the Republic of Serbia is attended by 89% of children (aged 14-18) from the general population. 11% of secondary school children do not attend secondary school: 3% attend primary school, while the rest of 8% do not attend school at all. In the wealthiest households, the share of children attending secondary school is around 97%, whereas in terms of the children coming from the poorest families it is around 74%. Transfer rate from primary to secondary schools is 96%. Gender equality index is 1.08 in terms of secondary schools.

22% of secondary school children from Roma settlements (aged 14-18) attend secondary schools, 14% of them still attends primary schools, while 64% of them do not attend school at all. There are discernable

155 Statistical Office of the Republic of Serbia, Education statistics. Rate of education continual after the finished primary school represents ratio of the number of newly enrolled students in the first grade of secondary school and pupils who enrolled in the final, eighth grade of primary school in the previous school year.
157 Note: Statistics about the children dropout from the educational system is necessary to improve in the sense of precise definition of such an indicator, measuring method and data collection.
160 Ibid MICS 4, UNICEF
161 See ibid 143
differences regarding attendance of secondary school when comparing girls (15%) and boys (28%), as well as between children from the poorest (5%) and wealthiest families (40%). Primary school completion rate is 64%, whereas the transfer rate to secondary schools is 59%. As for the girls from Roma settlements, the situation is far more difficult, since only 15% of them attend secondary schools. In secondary schools, 30% of students with learning disabilities fail to complete the enrolled grade of secondary education, and in first two grades of secondary school around 13% of them drops out of school. A large number of students from socially non-stimulating environments drops out of the first grade of secondary schools (11.5%).

Situation (based on the completion criteria, repeating or leaving grades) in regular secondary schools is the worst for the students who need additional support, particularly when it comes to the ones with learning disabilities. As much as 30% of students with learning disabilities fail to complete the enrolled grade of secondary school, and in the first two grades of secondary school about 13% of them drops out of the enrolled grade. A large number of students from socially non-stimulating environments drop out of the first grade of secondary schools (11.5%).

Secondary education offers two alternative directions: first, vocational education obtained after three to four years intended to provide required professional and other key competences; second, gymnasium, i.e. general secondary education which prepares students for higher education. In 2012/2013, 76% of students opted for the vocational direction, and 24% of them chose general secondary education. In 2014, 46% of secondary school graduates enrolled in universities. This means that there are more university students with the secondary school background than the ones who came from the gymnasium system of education.

Ministry of Education, Science and Technological Development passed the Rulebook on the Criteria and Procedures for Enrolling Students – Members of the Roma National Minority, in Secondary School under More Favourable Conditions for the Purpose of Achieving Full Equality. The main change is that the affirmative action is conducted in line with two criteria (ethical and social), for which this way students of the Roma national minority, are covered in a better way by the “educational support”.

Pursuant to the Law on Pupil and Student Standard, Article 3 paragraphs 1 and 2, a pupil, i.e. student coming from vulnerable social groups (financially challenged families, children without parental care, single-parent families, Roma national minority, disabled persons, persons with chronic illness, persons whose parents are missing or were kidnapped in the territory of Kosovo and Metohija and in the territory of the former FRY republics, refugees and displaced persons, returnees under the readmission agreement and deported pupils and students, etc.), shall exercise the rights from the field of pupil and student standard (under the conditions prescribed by this Law and by applying softer criteria, prescribed by the minister competent for education activities in accordance with the authorisations referred to in this Law). A pupil, i.e. student with special needs shall exercise the right to education, i.e. accommodation in a pupil and/or student standard facility, with respect of his/her special needs. Ministry of Education, Science and

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166 “Official Gazette of the RS”, No 18/2010 and 55/2013
Technological Development shall pass special decisions for pupils and students or Roma nationality on awarding scholarships and accommodation and food in pupil and student standard facilities.

**Number of pupil and student beneficiaries of student scholarships and loans (SOS does not have access to data regarding gender)**

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<tbody>
<tr>
<td><strong>Scholarships</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>total pupils</td>
<td>25,363</td>
<td>11,995</td>
<td>13,368</td>
<td>19,512</td>
</tr>
<tr>
<td>students</td>
<td>13,368</td>
<td>12,210</td>
<td>14,015</td>
<td>11,472</td>
</tr>
<tr>
<td><strong>Loans</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>total pupils</td>
<td>14,625</td>
<td>375</td>
<td>14,250</td>
<td>11,358</td>
</tr>
<tr>
<td>students</td>
<td>14,250</td>
<td>322</td>
<td>14,148</td>
<td>11,110</td>
</tr>
<tr>
<td><strong>total</strong></td>
<td>40,008</td>
<td>12,370</td>
<td>27,618</td>
<td>30,870</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Republic of Serbia, Sector for investing in pupil and student’s standard, 2016

By virtue of pupil and student enrolment in secondary schools and universities, respectively, by applying the affirmative action measures, Roma Education Fund\(^{167}\) financed many projects which ensured for Roma population higher motivation to acquire education and provided support to continuing education\(^{168}\). Some of them are the following:

- Creating conditions for increasing the coverage and education accomplishments of Roma pupils in secondary schools, during which 150 Roma pupils were provided with support in terms of achieving better success in school and facilitating mobility from primary to secondary education, by ensuring supplementary and preparatory classes in the subjects such as the Serbian language and Math;
- Creating conditions for expanding access to national scholarships and increasing accomplishments of Roma children in secondary education during which 330 Roma pupils of seventh and eighth grade from ten primary schools and 267 of them for whom individual tutoring and advising were organised, were provided with support in terms of logistics;
- Empowering Roma students in Novi Sad, during which time they were provided with mentorship.

Provincial Secretariat for Education, Administration and National Communities, Roma Integration Council of AP Vojvodina and Roma Student Association, realised a project “**Inclusion of Roma Pupils in Secondary Schools in AP Vojvodina**”\(^{169}\), with the aim of having Roma secondary school pupils ensured with financial and mentoring support. From 2007-2014, the project has funded 1,643 scholarships, financing for purchasing textbooks and school supplies, mentoring support and a whole range of additional and associated activities, such as field trips and prizes for the most successful pupils, a course in the English language, summer school for Roma girls, tours and informing on the conditions and possibilities for continuing education in four-year secondary vocational schools for the ones who completed three-year secondary vocational schools, mandatory education for mentor teachers, printing mentor guides, seminar accreditation for mentor teachers by the Ministry of Education, Science and Technological Development. The total of 860 pupils, 110 teachers, mentors from 90 regular secondary schools in the territory of the AP of Vojvodina were included in the project. What has contributed to the positive results of the project was the fact that the dropout percentage of secondary school pupils, members of the Roma national community, decreased from 25%, which was before the beginning of the project, already after the first school year, to

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\(^{167}\)Roma Education Fund, [http://www.romaeducationfund.hu/scholarship-program-tertiary-education](http://www.romaeducationfund.hu/scholarship-program-tertiary-education)


\(^{169}\)Available on the site [http://www.puma.vojvodina.gov.rs/etext.php?ID_mat=1241&PHPSESSID=enpi5bijghsqqvfc1atev3702g3](http://www.puma.vojvodina.gov.rs/etext.php?ID_mat=1241&PHPSESSID=enpi5bijghsqqvfc1atev3702g3)
7.30%, i.e. throughout four years the total dropout percentage was 4.15%. The mentorship system in the territory of the AP of Vojvodina provided continuity in education.

The government of the AP of Vojvodina, Roma Inclusion Office of Novi Sad, Council for Roma Integration in APV, Union of Roma Students of the University in Novi Sad, have prepared a Fact Sheet – Affirmative Action Measures for Enrolling Pupils of Roma Nationality.

The project entitled “Professional Orientation upon Transferring to Secondary Schools, Preparing Young People for the Encounter with the World of Labour and Specific Professions” was implemented in the period from 2013-2015, in 11 towns/cities, where 112 primary schools were covered, and 110 new ones are planned. The Rulebook on Detailed Criteria for Identifying Discrimination Forms by Employees, Children, Pupils or a Third Entity in the Facility has been composed.

In cooperation with GIZ, the project “Reform of Secondary Vocational Education, Fifth Phase” has continued to be implemented and in eight secondary vocational schools students have been enrolled in three-year educational profiles, while there are ongoing equipping activates being conducted in two other schools.

In cooperation with GIZ, implementation of the project “Improvement of Cooperating Vocational and Technical Education in Serbia” was initiated in 2013, and qualification standards and curricula for three-year educational profiles are in the process of preparation. A procedure for passing the Methodological Framework for Development, Realisation, Monitoring and Evaluation of Experiment Programmes in secondary vocational Education has been initiated.

Based on the Law on the Foundations of the Education System, Article 100, foreign nationals shall exercise their right to education under the same conditions and in the same manner as prescribed by the law applicable to the citizens of the Republic of Serbia, i.e., they shall be treated the same upon enrolling, attending and completing secondary schools, with the previously conducted procedure for nostrification of diplomas-certificates on the education acquired abroad or in a foreign school.

As of 2014, the Republic of Serbia has been involved in work of six theme-based groups within the Open Method of Coordination in Education on the level of the European Union. One of them is also Secondary Vocational Education and Training, which is in the focus of educational policy of the European Union. Functions of this type of education are the following: efficient reaction to the labour market needs as well as preparation for further education, developing awareness of the necessity for lifelong learning. The task of the representatives of the Republic of Serbia in this theme-based group has been to participate in meetings.

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171“Official Gazette of the RS”, No 22/2016
172Open method of coordination is an instrument of the European Union, ensuring harmonisation of the so-called “soft legislation among the EU member states. This instrument was established in 2000, with adopting the Lisbon Strategy and it represents a form of voluntary harmonisation of the member states’ legislation, primarily in the fields of social policy and employment policy, which would later expand to other fields as well. By applying the Open method of coordination, member states share experiences and examples of good practice in a particular field and have the opportunity to further develop their education policies in line with their needs and specificities.
and workshops the purpose of which is sharing experiences among the work group participating countries, informing on the best mechanisms for promoting cooperation among main parties responsible for connecting vocational education and labour market and examples of good practice, as well as preparing guidelines for improving and increasing effectiveness of the already existing solutions in the field. An important part of work of this work group is seen in improving secondary vocational education through popularising practice and development of career guidance and counselling.

Within the project EU IPA 07 “Modernisation of Secondary Vocational Education and Training in Serbia, “the following results have been achieved: the Council for Vocational and Adult Education was established, the concept of the NCF was defined and agreed with the relevant interest groups and social partners, a mechanism for validating former learning/learning through experience was developed and an experiment was tested. **Efforts were made in terms of ensuring quality** in the sense of having established indicators and defined procedures for monitoring and evaluating the entire system, while self-evaluating procedures were being promoted and tested – procedures for accrediting education institutions/training and programme providers were established. **Continuing vocational education and training were ensured (adult education)** (also established for the needs of databases on the continuing vocational education programmes and training providers which are in accordance with the requirements and standards, and ensured cooperation in terms of continuing vocational education by the former Ministry of Education and Ministry of Economy and Regional Development). Throughout the entire process, there has been regular communication and public relations, which followed construction of new schools. In the process, 77 schools were equipped with specialised equipment and 316 schools were provided with ICT equipment.

Within the project EU IPA 2012 “Social Development (sector project),“ the Ministry of Education, Science and Technological Development achieved results in terms of **quality improvement, coverage and relevance of education through modernising the system of secondary vocational education and training:** assessment, proposals and revision of the pilot programme for implementing it in 140 new secondary vocational schools; assessment, proposals and realisation of actions with the aim of improving the system of secondary education management; composing the concept of final and graduation examinations in the secondary vocational education and ensuing implementation); developing the National Qualifications Framework); purchasing equipment for secondary vocational schools. Moreover, **technical support was ensured in terms of implementing the project idea of the Government of the Republic of Serbia in the field of social development pertaining to realisation of the Roma Inclusion Strategy,** by implementing it across the country, realising prevention programmes with the aim of preventing Roma children dropout from schools, developing scholarship programme for Roma secondary school pupils with the aim of achieving successful secondary school completion.

As of the school year 2014/2015, the total of 35 educational profiles have been transferred into the regular system of secondary vocational education from the status of an experiment, following the monitoring and evaluation process, such as the following: recycling technician, computer network administrator, mechanical processing operator, leather product design operator, etc. From the school year 2016/2017, realisation of eight additional transferred experimental profiles shall be introduced, being the following: mechanical technician for repairs, multimedia electrical technician, air traffic safety technician, air traffic rescue technician, air traffic technician, air craft technician, mechatronics technician for airport transport systems, banking and insurance officer. Prior to the beginning of the new school year it is expected that the
following profiles will also be transferred into the system: viticulturist – vintner and hunting and fishing technician.

In accordance with the Education Development Strategy of the Republic of Serbia by 2020, all of the new programmes are based on qualifications standards, competences and learning outcomes and are developed and realised in accordance with the economy. The total number of such profiles in the system is currently 58, including 4 new education profiles of which three (industrial mechanic, locksmith welder and electrician) have been developed in accordance with the German Technical Cooperation Agency (GIZ), and one profile (operator for furniture making) with the support of the Regional Economy and Entrepreneurship Agency of Pcinja District (VEEDA), i.e. Swiss Agency for Development and Cooperation (SDC), based on the cooperative learning model.

There is an ongoing realisation of a regional project within the South East European Centre for Entrepreneurial Learning (SEECEL)173 which has for its aim development and implementation of entrepreneurial competences in our educational system. The total of 9 primary schools, 2 gymnasiums, 2 secondary vocational schools, Pedagogical Faculty in Jagodina, Faculty of Economics and Engineering Management in Novi Sad, Business Technology Incubator of Technical Faculties of the University in Belgrade and the Cacak Regional Centre for Professional Development of Teachers.

As part of the project “Inclusion of Employers and Reform of Vocational Education in the Western Balkans”, the British Council, with the support of the British Embassy and Ministry of Education, Science and Technological Development, produced a Handbook – Guide for Cooperation with Employers, which is intended for all secondary vocational schools in the region and for the respective employers.

3.3 HIGHER EDUCATION

To which scale the access to higher education enabled in your country, is based on individual capacities, including technical and vocational education and training? What efforts is the Government investing in order to ensure that there is no discrimination upon enrolling or completing higher education (in state and private educational institutions) on the grounds prohibited by the Convention?

The Law on Higher Education174, Article 8 paragraph 1, prescribes that the right to higher education shall have all persons who have completed their secondary education irrespective of the race, colour, gender, sexual orientation, ethnicity, national origin or social background, language, religion, political or any other opinion, birth, existence of a sense or movement handicap or property. Article 80 of the same law prescribes that a higher education institution shall organise and implement studies in the Serbian language. A higher education institution may organise and implement studies and/or certain parts of studies, and organise the preparation and defence of a Master’s, specialist or doctoral dissertation in the language of a national minority or in a foreign

173 Available on the site http://www.seecel.hr/
language, in accordance with the Statute. A higher education institution may carry out a study programme in the language of a national minority or in a foreign language if such a programme has been approved and/or accredited. For students with disabilities, a higher education institution may organise and implement studies and/or certain parts of studies, in a sign language. (Article 80).

The system of higher (tertiary) education is consisted of universities, colleges and academies for vocational studies in the Republic of Serbia. Higher education is organised as a structure made of three cycles which includes bachelor academic studies, MA studies and doctoral studies. Access to higher education is competitive, based on entrance exams. The number of students who can enrol in self-funded study programmes without any compensation, shall be determined by the Government.

The Republic of Serbia is a Bologna Process signatory and as such, it is devoted to its objectives and tasks. At the level of higher education, the Bologna Process is entering its eighth year of implementation, while the realisation process was assessed with the mark 3.11 (on the scale from 1 to 5) at the ministry conference in Bucharest, 2012. Implementation of Bologna Declaration is also being appraised as insufficiently successful by other parties, such as students, professors and labour market. In the reporting period, the number of students enrolled in higher education institutions was growing. In the school year 2011/2012, the number of students in faculties and colleges increased by 1.4% compared to the previous year. Coverage of the generation attending faculties and colleges increased by approximately 42% and shows further moderate growth tendency. Over the last couple of years, around 53,000 students enrol for the first time in the first year of academic or vocational studies. Compared to the data collected from census in 2011, it can be seen that approximately two thirds of eighteen-year-olds decide to continue with their education on the tertiary level of education. Coverage of the generation attending faculties and colleges is approximately 42% and shows further moderate growth tendency. Around 25% of people aged 18-24 are concurrently outside the education and training process (compared to 13.5% in the EU). In 2012, one out of four persons in the age group from 25 to 34 years of age, completed some form of higher education (24.9%), which is still significantly lower percentage than the EU mean - 28 (35.2%).

Higher education enrolment trends in the Republic of Serbia

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<tbody>
<tr>
<td>Number of new students in the first year of academic or vocational studies</td>
<td>53,082</td>
<td>53,179</td>
<td>53,564</td>
<td>51,855</td>
</tr>
</tbody>
</table>


176 Statistical Yearbook of the Republic of Serbia, 2013


178 EUROSTAT (2014), data from the Labour Force Survey
<table>
<thead>
<tr>
<th>No of eighteen-year-olds in overall population(^{179})</th>
<th>82,839</th>
<th>81,888</th>
<th>81,049</th>
<th>78,987</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ratio of 18-year-olds in the cohort of students enrolled in higher education</td>
<td>64.1%</td>
<td>64.9%</td>
<td>66.1%</td>
<td>65.65%</td>
</tr>
</tbody>
</table>


The Law on Protection of Rights and Freedoms of National Minorities\(^{180}\) (Article 4 paragraph 2), envisions obligation of authorities to take actions for the purpose of improving the position of persons of Roma national minority as well as Article 4 of the Framework Convention for Protection of National Minorities of the Council of Europe which envisions the obligation of member states to take actions in order to improve and reach full and effective equality of the national minorities members, but also considers the possibility to implement affirmative action measures upon enrolment of candidates coming from national minorities.

With consideration to the abovementioned, the Ministry of Education, Science and Technological Development prescribes, each year, in the Technical Manual for the Implementation of Enrolment in the First Year of Bachelor and Integrated Studies Study Programmes in Higher Education Institutions whose founder is the Republic of Serbia,\(^{181}\) enrolment of disabled persons, as well as enrolment of Roma national minority members by applying the affirmative action. Hereby, higher education institutions are notified that all requests pertaining to members of minority groups should be forwarded to the competent ministry, with the authority to produce lists of candidates, check documentation and deliver the case to the Ministry for further actions.

The students enrolled by applying the affirmative action measures, shall exercise their right to free of charge food in student restaurants and accommodation in student dormitories. With regards to the school year 2015/2016, it was decided that the entire studying period shall be supported and funded for the candidates who apply for and enrol in the study programmes by the use of affirmative action measures. This means that students who enrol in the first year of study programmes by the use of the affirmative action measures and are funded from the budget allocations, shall obtain the right to use accommodation in student dormitories and eat in student restaurants free of charge. Upon enrolment in senior studying, these students shall retain their budget status as well as other benefits ensured by the affirmative action measures provided that they realise 36 ECTS credits during the previous school year. Based on the decision of the Government of the Republic of Serbia on the number of students envisioned to enrol in the first year of study programmes in the school year 2015/2016\(^{182}\) in vocational academic, academic and integrated studies funded from the budget of the Republic of Serbia and allocated for higher education institutions, whose founder was the Republic of Serbia, the University of Belgrade has been allowed to enrol 96 Roma national minority

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\(^{179}\)Projections based on data from the 2011 Census


\(^{182}\)Official Gazette of the RS", No 48/2015
students (43 male students and 53 female students), as well as 90 disabled persons, by applying the affirmative action measures.

**Overview of Situation in Higher Education**

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</thead>
<tbody>
<tr>
<td>Number of enrolled in higher education institutions total</td>
<td>231,661</td>
<td>238,945</td>
<td>242,848</td>
<td>241,054</td>
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<tr>
<td>No of students based on gender men</td>
<td>129,220</td>
<td>133,427</td>
<td>134,448</td>
<td>134,460</td>
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<tr>
<td>women</td>
<td>102,441</td>
<td>105,518</td>
<td>108,400</td>
<td>106,594</td>
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<tr>
<td>No of Roma population enrolled in higher education institutions based on affirmative action measures total</td>
<td>230</td>
<td>303</td>
<td>4907</td>
<td>396</td>
</tr>
<tr>
<td>men</td>
<td>113</td>
<td>167</td>
<td>206</td>
<td>211</td>
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<tr>
<td>women</td>
<td>117</td>
<td>136</td>
<td>201</td>
<td>185</td>
</tr>
<tr>
<td>No of disabled students enrolled based on the affirmative action measures total</td>
<td>4,230</td>
<td>3,159</td>
<td>2,537</td>
<td>4,579</td>
</tr>
<tr>
<td>Total No of foreign national who enrol in faculties</td>
<td>8,931</td>
<td>8,931</td>
<td>8,941</td>
<td>9,945</td>
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<tr>
<td>No of students who are beneficiaries of the financial support granted by the state</td>
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<td></td>
<td>5,176</td>
</tr>
<tr>
<td>Total No of allocated student scholarships total</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>men</td>
<td></td>
<td></td>
<td></td>
<td>7,881</td>
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<tr>
<td>women</td>
<td></td>
<td></td>
<td></td>
<td>4,859</td>
</tr>
<tr>
<td>Roma</td>
<td></td>
<td></td>
<td></td>
<td>72</td>
</tr>
</tbody>
</table>


Members of the Roma national minority have a low share in higher education. Among the total student population, Roma presence measures less than one primal which is far less than their share in total population where the share is between 3-5%. Majority of these students (50%) studies in the AP of
Vojvodina. The affirmative action measures are also conducted upon the enrolment into faculties, and in the school year 2012/2013, the total of 120 graduated secondary school pupils of Roma nationality enrolled in faculties.

The Ministry of Education, Science and Technological Development encourages enrolment of the Roma national minority members into higher education schools. Amendments in the Technical Manual for the Implementation of Enrolment in the First Year of Bachelor and Integrated Studies Study Programmes in Higher Education Institutions whose founder was the Republic of Serbia, for the school year 2015/2016, have contributed to the promotion of implementation of affirmative action measures regarding Roma nationality population. Apart from the free of charge preparatory lessons for enrolling a desired university, which may be used by the Roma students, the enrolment procedure has been changed and a decision has been passed in order to support and fund the entire studying period of the candidates who apply and enrol in study programmes based on the applied affirmative action measures. Based on the Government decision, the University in Belgrade has been approved to enrol 90 persons of Roma nationality, via the affirmative action measures (and not the total percentage of 2% of students all along with disabled persons, as was the case in the previous years). The students who enrol in the first year of study programmes, via the affirmative action measures and are funded from the budget of the Republic of Serbia, shall acquire the right to use accommodation free of charge as well as to eat in student dormitories and restaurants. Moreover, they will retain their budget status, under more favourable conditions, which represents significant measures of support to studying completion, along with student scholarships and loans being funded from the budget. The ombudsman referred in his 2015 Yearbook that resolving the issue of affirmative action measures implementation in the field of education, which are intended to support Roma in achieving equality with the rest of our citizens, deserves to be praised.

In the academic year 2011/2012, there were 121 disabled students in the University of Belgrade, 49 of them in the University in Novi Sad, 20 in the University of Niš, and 8 disabled students in the University of Kragujevac. Even though there is no precise statistics, it is discernable that their number shows an increasing trend over the last few years. Disabled students also enrol based on the note received from the Association of Students with Disabilities along with the delivered medical documentation. Students with disabilities are still facing physical obstacles as well as obstacles in terms of lectures and textbooks themselves, but also in terms of information and student service desks. Even though young people with disabilities have a more difficult access to higher education, and despite introduction of special enrolment measures in higher education institutions, what should also be mentioned is the responsibility to ensure equal opportunities in providing access to higher education of young population coming from under-represented groups, including disabled persons, by introducing special measures and amending the higher education institutions accreditation standard pertaining to accessibility of premises, by ensuring assisting technologies and appropriate student support services. What should also be indicated is the recommendation

183 According to the data from the Tempus Project “Equal access for all, empowering the social dimension in order to strengthen the European higher education space”, 2011-2014, available on the site: http://www.equied.ni.ac.rs/
184 Source: Ministry of Education, Science and Technological Development
185 Association of Students with Disabilities from Belgrade, Kragujevac, Niš and Novi Sad.
An average of 100 students who are beneficiaries of financial support of the state enrol every school year. With respect to the Universities’ autonomy, The Ministry of Education, Science and Technological Development takes actions in the form of a recommendation to the dean or director of the higher education institution about the students who are financially challenged, to support the such students, as much as their capacities allow, and liberate the student from paying tuition or at least, to reduce it. A survey shows that scholarships and loans were used only by 12% of students in the school year 2011/2012, only 7% students lived in student dormitories, and a fifth of them were the beneficiaries of subsidised meals in student restaurants. Data show that as many as 80% of students did not use any form of grants, while 60% did not even qualify for receiving them.

Higher education institutions in the Republic of Serbia participated in the reporting period in programmes of assistance and cooperation in the field of higher education such as Tempus, Erasmus Mundus and Jean Monnet (2007-2013). The new European Union cooperation programme covers the fields of education young people and sport (in the period 2014-2020). Erasmus + inherited three programmes for education where the Republic of Serbia has participated so far – Tempus, Erasmus Mundus, Lifelong Learning Programme, and Youth in Action. The Republic of Serbia expects to become a participating country in the programme Erasmus + by the end of 2018, by establishing an appropriate legislative, institutional and administrative framework and by appointing a National Agency, based on the originally conducted preparatory measures during 2015.

The Republic of Serbia signed participation in accession to the new framework programme of the European Union in 2014 regarding research and innovations called “Horizon 2020”, which is of exceptional importance for the Serbian science and scientists, but also for companies and other organisations which can participate in it. With the budget of approximately €78 billion, this has so far been the largest research and innovations programme of the European Union. University research groups can participate in this programme, but also researching institutes, individual researchers, small and medium companies, large companies, as well as other governmental, non-governmental and private organisations and institutions.

Within the IPA 2010 Project “Infrastructural Higher Education Project,” the following was realised: higher education facilities projects were obtained and selected for financing from project funds, 12 faculties for construction works and reconstruction and 15 for furnishing, premises for the project implementation team was provided and equipment purchasing and reconstruction specification was developed and tendering procedure was conducted.

Establishing of a more efficient system for funding higher education is expected along with the support of the project “Toward Sustainable and Equitable Financing of Higher Education in Bosnia and

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187CPE 2015 Report, available on the site [http://www.ravnopravnost.gov.rs/sr/hrve%C5%A1taaj/hrve%C5%A1taaj](http://www.ravnopravnost.gov.rs/sr/hrve%C5%A1taaj/hrve%C5%A1taaj)
188Based on data of the Tempus Project "Equal access for all, empowering the social dimension in order to strengthen the European higher education space", 2011-2014, available on the site: [http://www.equied.ni.ac.rs/](http://www.equied.ni.ac.rs/)
189Framework Agreement signed in 2014
Herzegovina, Montenegro and Serbia“ (FINHED)\textsuperscript{191}, realised within the programme TEMPUS of the European Union in the period from 2013-2015 which is regional by its character. The project has for its purpose contribution to a more efficient, effective and equitable system of financing of higher education in Bosnia and Herzegovina, Montenegro and Serbia. More specifically, the existing models of the systemic and institutional financing were comprehensively analysed within the project, as well as availability and equitability of higher education in all of the mentioned countries. \textit{Inter alia}, this also considers that within the project, our countries are going to participate for the first time in an international comparative study on the social dimension in higher education – EUROSTUDENT. In the second stage of the Project, work was invested in developing a systemic framework for ensuring a more efficient, effective and equitable system of higher education in all of the three countries, as well as on developing a model of institutional financing based on the smart diversification of income source. The Project belong to the category of the so-called structural projects, meaning that aside from the universities, all of the competent ministries from the region are also going to participate and that the focus is on the systemic approach to solving the matter of funding and creating a sustainable, efficient and open system of higher education.

**Modernisation of higher education** represents another theme-based group within the participation of the Republic of Serbia in the Open Method of Coordination in Education\textsuperscript{192}, as a field where continuous efforts are being made and which as such, is very important for the European Union as a supranational entity wanting to establish the best possible quality of higher education. The focus of work of the mentioned group is on mutual learning of member states on the methods of supporting modernisation of higher education, education quality improvement through identifying and implementing examples of good practice in the curricula, modernisation of higher education management, as well as reform of higher education funding. The task of the representatives of the Republic of Serbia in this theme-based group is to participate in meetings and workshops which objective is to share experiences among the work group state members, informing on the best ways of supporting modernisation of higher education institutions, as well as ensuring guidelines for monitoring and evaluating the management and funding system quality.

### 3.4 ADULT EDUCATION AND LIFELONG LEARNING

What efforts has the Government invested into establishing a system of continuing education on the basis of individual capacity, especially primary education for those who have not completed primary school? What are the measures in place to ensure equal access to primary and lifelong education?

Adult education is regulated by the **Law on Adult Education**\textsuperscript{193}, and the national strategic framework defined by the **Strategy for development of adult education in the Republic of Serbia**\textsuperscript{194}. Pursuant to Article 17, paragraph 5 of the Law, the **Rulebook on the precise conditions of the program, staff, space, equipment and teaching aids for acquiring the status of a publicly recognized organizer of adult education activities**\textsuperscript{195} was adopted, which lays down detailed conditions with regard to the program, teaching staff, space, equipment and teaching aids, including the conditions for ensuring the accessibility

\textsuperscript{191} More information available on the site [http://www.finhed.org/](http://www.finhed.org/)

\textsuperscript{192} Ibid as footnote No 173

\textsuperscript{193}“Official Gazette of RS”, no. 55/2013

\textsuperscript{194}“Official Gazette of RS” no. 1/07

\textsuperscript{195}“Official Gazette of RS”, no.89/2015
of classes and programs for persons with disabilities, based on which other organizations can acquire the status of a publicly recognized organizer of adult education activities (PROA).

In addition, pursuant to Article 35, paragraph 3, Article 38, paragraph 4 and Article 39 paragraph 3 of the Law, Rulebook on the type, name and content of forms and methods of record keeping and the title, content and appearance of the forms of public documents and certificates in adult education\(^{196}\). These Regulations prescribe the type, name and content of the form and method of keeping records by the publicly recognized organizer of adult activities: registration book, register of the realization of programs and records of persons engaged in adult education, as well as the title, content and form of public documents and certificates in adult education, managed and issued by the PROA.

These Rulebooks allows adults to choose the way of acquiring education and training and acquiring a qualification, in accordance with their capabilities: the formal way, through the school system, enrolment in a specific programme of education with the status of a full-time student (if younger than 17 years), or with the status of a part-time student (if the adult is older than 17 years) and/or the informal way, through the training system at PROA adult education (whether it is an institution or other organization).

Primary adult education is conceived and realized as a model of functional primary adult education (FPAE) and provides access to and appropriateness of primary education to the adult population. FPAE is an organizational and programmatic entity in the formal education system in which adults acquire primary education appropriate to their needs, learning opportunities and labour market needs. In addition to primary education, adults are able to acquire appropriate qualifications through training. Two accompanying bylaws regulate this field in more detail, namely the Rulebook on the curriculum of adult primary education\(^{197}\) and the Rulebook on detailed conditions for the realization of the curriculum of adult primary education\(^{198}\), also defined and adopted in the reporting period.

In the area of formal adult education (primary and secondary adult education), new curricula have been developed, which are adapted to the needs of the labour market and the needs of adults. Measures have also been taken to ensure the registration of adults in higher education under favourable conditions. In the field of non-formal adult education, conditions for acquiring competences and skills through non-formal education system have been ensured, through a publicly recognized accreditation of these activities and adult education programs (PROA).

Fifty programs of informal education are currently in the process of accreditation in different fields (foreign languages, ICT skills, tourism, hospitality, food processing, health and safety at work, transport, services, and training for professions which are not attractive to young people through the regular education system and which the labour market requires, such as: bender, welder, smelter, forest cutter, make-up artist, bartender, maid....).

The curriculum of primary adult education is carried out in specially trained and prepared primary schools and schools for primary adult education. The school team that realizes adult education programs

\(^{196}\)“Official Gazette of RS” no. 89/2015  
\(^{197}\)“Official Gazette of RS” – Education Gazette no. 13/13  
\(^{198}\)“Official Gazette of RS” – Education Gazette no. 13/13, 18/13
consists of teachers, expert associates, head teacher and adult education assistant, who are specially trained through the compulsory training programme for the implementation of programs of primary adult education\textsuperscript{199}. Primary education of adults, according to the model FPAE, lasts three years and is carried out in three cycles each lasting a year: in the first cycle, the basics of functional literacy are acquired, in the second and third, the basics of general education and professional competence are acquired. Professional competences are acquired through training as one of the forms of qualification based on labour standards and the needs of the labour market. The curriculum of primary adult education according to the FPAE model, is aimed at achieving the established general outcomes, i.e. key competences. Achievement of general outcomes, i.e. key competences as subject outcomes of the FPAE programmes verified based on common standards of achievement in basic education of adults, laid down in the framework of the \textbf{Rulebook on the general standards of achievement in primary adult education}\textsuperscript{200}.

In cooperation with the Directorate for Execution of Criminal Sanctions of the Ministry of Justice, mechanisms are in place to address the issue of the system of adult education in the institutions for execution of criminal sanctions – detention and rehabilitation centres (DRC) and reformatory homes (RH). Protégés of these institutions now have the opportunity to start or continue their interrupted education within regular primary schools in DRC and RH. So far, five primary schools have been verified in five reformatory homes (in Kruševac, Valjevo, Sremska Mitrovica, Niš and Požarevac) and there are currently 316 protégés in the primary education process who are on execution of criminal sanctions. After the program, students are able to obtain a certificate of completion for a specific grade in which it is not stated whether the grade or the school was completed during the execution of criminal sanctions or not.

\textbf{Secondary adult education} is carried out in accordance with the objectives defined by the law governing the foundations of the education system and special laws. Special two-year or three-year programs for adult education, professional training programs, specialist, i.e. artisan education, training programs and other adult education programs are realized in secondary school, i.e. secondary school for adult education. During the year, candidates enrol in the school in order to acquire specialist, i.e. artisan education, vocational training, retraining, additional training and training, with the consent of the Ministry of Education, Science and Technological Development.

\textbf{Specialist and artisan education} lasts one or two years, and it can be acquired by the candidate who completed the relevant school and with at least two years of work experience. Upon the completion of the programme of specialist, i.e. artisan education, an examination is taken to check the skills and knowledge necessary to perform professions for which the candidate has applied. The programme of the artisan's exam is issued by the Minister at the proposal of the Council for Vocational and Adult Education. After passing the exam, the candidate will be issued a public document to that effect in accordance with the Law on Secondary Education.

After completing secondary education, adults can enrol in a school for retraining or additional training. \textbf{Retraining} is aimed at candidates who want to educate themselves for another educational profile in relation to the one they have completed, regardless of the field of work. \textbf{Additional training} is aimed at

\textsuperscript{199} Integrated training programme for realizing FPAE can be downloaded at \url{http://drugasansa.rs/}
\textsuperscript{200} „Official Gazette of RS“, no. 50/2013 and 115/2013
candidates who want to be educated for another educational profile of a longer duration, regardless of the field of work.

Pursuant to Article 20 of the Law on the Foundations of the Education System\textsuperscript{201}, the Institute for Improvement of Education, as a part of the Centre for Vocational and Adult Education carries out professional activities related to adult education, and it also prepares the catalogue of the programme of continuous professional development of teachers, pre-school teachers, expert associates located on the website of the Institute for the Improvement of Education\textsuperscript{202}.

As regards statistical data, there is still an insufficient number of adults involved in lifelong education programs. Based on the results of the Survey on adult education in the Republic of Serbia in 2011, 16.5\% of adults (aged 25-64 years) participated in education, which is a significant increase if we look at the Eurostat data from 2008, according to which only 3\% of adults (25-64 years old) participated in a programme of adult education in the Republic of Serbia. However, the percentage of adult involvement in education is significantly below the average for member countries of the European Union, where 40.8\% of adults participate in education\textsuperscript{203}.

\textbf{Primary adult education}

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<td>49</td>
<td>4561</td>
<td>1929</td>
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Regarding some form of formal or informal education in the Republic of Serbia, the prevalent representatives are those of the male gender, age 26 to 34, with a high degree of vocational education, who are employed and live in an urban environment. Participation in informal education programs that are linked to employment, maintaining employment or career advancement is more prevalent. Reasons for non-participation in some form of education are most often the high cost of education/training (51.7\%) and family obligations (29.2\%). Particularly worrisome are the data on the involvement of persons with the lowest educational attainment, with 99.2\% of women and 98.7\% of men who do not participate in any form of education/training aimed at adults. Also, in the Republic of Serbia over 91\% of unemployed women and men do not participate in education and training. On the other hand, over 77\% of employed men and over 71\% of women do not participate in any form of education/training intended for adults. According to the Ministry of Education, Science and Technological Development, only 3.5\% of adults aged 25-64 participated in education and training in 2013. Although progress has been made, it is still important to work on harmonization with EU targets and indicators in adult education.


\textsuperscript{202}Available on the website \url{www.zuov.rs}

\textsuperscript{203}Luxembourg and Sweden have the highest rate of participation in adult education (over 70\%), and Romania and Greece have the lowest rate.
The EU IPA 08 project "Second Chance – system development for functional primary education of adults in Serbia", which was implemented in the period 2011 to 2013, reached about 4,000 adult participants, primarily from vulnerable and marginalized groups, potentially vulnerable to discrimination. The project aimed to meet the needs for knowledge and skills of persons with no professional qualifications, unemployed, redundant workers, persons with disabilities, ethnic minorities, women, rural and farm population, the people who are on execution of criminal sanctions, who are illiterate or who have not completed primary education. General objective of the project was to build a modern system of functional adult education in the Republic of Serbia, which would effectively contribute to employability of the workforce, as well as the reduction of poverty, greater social cohesion and economic development of the country.

The FPAE pilot was conducted by school teams in 80 elementary schools (head teachers, teachers, psychologists and pedagogical assistants) and teams of teachers in 75 secondary vocational schools. More than 1,000 teachers were trained to implement the FPAE programme by 50 instructors. Standards of achievement in adult education were adopted, and a new concept of plans and programs, as well as a new approach to teaching and learning was developed. Assistants were introduced into the system of adult education, and teachers were trained to work with adults in 78 primary schools. The results of the project enabled the introduction of the concept of FEEA as a systemic solution to the overall system of education in the Republic of Serbia. A campaign to raise awareness about the importance of education and the acquisition of competences was continuously conducted.

The "Adult Education in South-East Europe" project, which is being implemented in the region with the financial support of the German government is aimed at, among other things, increasing employment opportunities through continuous vocational education and training and the promotion of socially disadvantaged groups and ethnic minorities.

The Republic of Serbia is participating in the EU Life Long Learning Programme. Until it becomes a permanent member, the Republic of Serbia has the right to use centralized programs, i.e. programs managed by the European Commission.

Since 2014, the Republic of Serbia is participating in the work of the Adult Education thematic group within the Open Method of Coordination in education at EU level. This is one of the priority areas with a view to training as many people as possible to join the labour market. The conclusion of the European Commission is that the percentage is very low, and that the participation of adults in education remains insufficient. Adult education is seen as a way of retraining the unemployed, acquiring new knowledge and skills, as well as creating new employment opportunities. European Agenda for Adult Education underlines the need for identifying those educational practices that will help adults who need education the most, such as immigrants, low-skilled workers and the unemployed. The work focus in this thematic working group is evaluating the quality of policies dealing with adult education, identifying strengths and weaknesses in this area between the EU Member States, proposing adequate solutions which can be found and presenting

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204 Memorandum for the programme was signed between the Serbian government and the European Commission in December 2011.
205 Same as footnote 173
examples of good practice. Special attention is focused on developing the skills for using ICT as a precondition for the inclusion of adults in the labour market, but also the overall social inclusion.

The National Employment Service\textsuperscript{206} regularly involves all stakeholders in programs of additional education and training, thus providing an opportunity for acquiring new knowledge and increasing opportunities in finding a job. Depending on one’s needs, we offer free programs for additional education. In addition to gaining new knowledge, the National Employment Service provides free support in the process of presenting oneself to the employer in a job interview, resume and cover letter writing. This knowledge can be acquired through job clubs, as well as training for active job search.

3.5 EDUCATION QUALITY

Provide information on measures that are taken in your country in order to ensure equality in all educational institutions (standards in education, quality of education (infrastructure, the teacher/student relationship, learning and teaching materials, etc.), provisions that allow children to learn in a safe environment free from violence or harassment, including gender-based violence at school); Provide information on public policies, protocols or Codes of Conduct.

Based on the Strategy for the Development of Education in Serbia until 2020\textsuperscript{207}, the quality of education consists of several basic components: quality conditions for teaching and learning, quality education programs, quality teaching and learning process, the quality of teachers, the quality of educational achievements of students (which are objectively determined) and the quality of schools as institutions. In the reporting period, significant progress was made in achieving quality education in the context of all these components.

Pursuant to Article 17 of the Law on the Foundations of the Education System, and with a view to monitoring, providing and improving the quality and development of the education system, for performing development, advisory, research and other professional activities in preschool, primary and secondary education, the Republic of Serbia established the Institute for the Improvement of Education\textsuperscript{208} laid down by Article 18 of the Law with the purpose of performing professional activities in the field of education and participation in the preparation of regulations within the competence of the Ministry, the National Education Council, the Council for Vocational and Adult Education, as well as other activities in accordance with the law, the founding act and the statute. Pursuant to Article 22 of the Law, the Institute for Education Quality and Evaluation\textsuperscript{209} carries out professional activities in the area of monitoring and evaluation of degrees, implementation of the general principles, achievement of the objectives of education, standards of achievement levels and types of education, and other activities, in accordance with by law, the founding act and the statute.

The process of objective and transparent monitoring and quality assurance of the system of education was started with the adoption of a set of indicators for monitoring the situation in the education system,\textsuperscript{206} Available at http://www.nsz.gov.rs/live/trazite-posao/svi-poslovi  
207 “Official Gazette of RS”, no. 107/2012  
208 Available at http://www.zuov.gov.rs/  
209 Available at http://www.ceo.edu.rs/
adopting different standards of achievement and the establishment of external quality evaluation of school work210. In order to ensure and improve the quality of the education system the following was adopted: general standards of achievement for the end of compulsory education, the Rulebook on general standards of achievement - educational standards for the end of compulsory education211, which have a multiple role in the system of education as a prerequisite for ensuring the quality of education, measures of the quality of education, the basis for the development of curricula and the basis for the final exam and graduation. In addition, their introduction has significantly changed the manner and approach of teachers in the classroom.

Afterwards, the following was adopted - educational standards for the end of the first cycle of compulsory education212, textbook quality standards213, competency standards for the profession of teachers and their professional development214, standards for the quality of schools and preschool institutions215 and standards for competence of head teachers of educational institutions216, and pre-school institutions quality standards, whose implementation is being realized in cooperation with UNICEF217. Apart from that, in November 2013 the National Education Council adopted the achievement standards for general subjects for the end of secondary education218 in eight general education subjects in secondary education, as well as general and cross-curricular competences, based on the European framework of key competences.

**Rulebook on expert pedagogical supervision**219 regulates the manner of performing expert supervision over the work of preschool institutions, primary and secondary schools and performing the work of advisors - external associates for subjects, groups and subject areas, activities and professional activities, the criteria for evaluating the quality of the institution and the manner of evaluating the work of educational advisers and counsellors.

**Rulebook on the evaluation of quality of work of institutions**220 governs authorities and bodies of institutions, the procedures for monitoring the realization of the programme of education, other forms of educational work, the basis and criteria for self-assessment and evaluation, content and manner of publication of the results of self-evaluation and evaluation of the quality of the institution, in order to ensure the realization of all forms of educational work and the conditions in which they are exercised.

**Rulebook on continuous professional development and acquisition of the title of a teacher, pre-school teacher and expert associates**221 governing: forms of professional development, priority areas for professional development for a period of three years, programs and ways of organizing continuous professional development; conditions, the body that decides on acquiring the title and the advancement

215 “Official Gazette of RS”, no. 7/11 and 68/12.
219 “Official Gazette of RS”, no. 34/2012
220 “Official Gazette of RS”, no. 9/2012
221 “Official Gazette of RS”, no. 13/2012
procedure during the training of teachers, pre-school teachers and expert associates; certificate form for completed professional development and other issues of importance for the development of professional development.

**Rulebook on the standards of the quality of work of an institution** laying down the quality standards of the institution. Standards of the quality of work of institutions are attached to this document and are an integral part thereof.

The **textbook market** has been regulated; in previous years, it was faced with the problem caused by uncontrolled liberalization envisaged by the previous legal solution, the Ministry of Education, Science and Technological Development prepared a new **Law on textbooks**. Namely, earlier there was a system in which the teacher chooses a textbook, the parent buys it and the publisher is not limited to rewarding teachers and the school that selects their textbook. Such circumstances triggered high price of textbooks, corruption and a large number of publishers that printed the textbooks for subjects with a large circulation. On the other hand, there were a lot of missing titles with low-circulation textbooks. In addition to minorities and students with special needs, textbooks were missing in secondary vocational schools as well, with over 900 cases of secondary vocational schools without textbooks. Despite great pressure from publishing houses and lobby groups, in August 2015 a new Law on textbooks was adopted which regulated the textbook market so that it guarantees: a high quality textbook available to every student, solving the problem of corruption, improvement of standards, weight relief of schoolbags by downsizing textbooks, parental budget relief by reducing the price of textbooks, textbooks in minority languages, textbooks tailored for students with disabilities, introduction of an electronic supplement. In the opinion of the academic community, it is a high quality, anti-corruption law which introduced systematic changes in the textbook market, and which has had the support of a good part of the opposition in the Parliament.

**Rulebook on quality standards of textbooks and instruction on their use** sets the quality standards of textbooks and instruction on their use, which must be fulfilled by textbooks and teaching sets and books which are, based on the statutory procedure, approved for use in primary and secondary education. **Rulebook on publishing low-circulation textbooks** prescribes detailed requirements regarding the type and number of textbooks of low-circulation textbooks, elements for determining the selling price, providing funds for their publication, publication of the competition and other issues of importance to low-circulation textbooks.

**The results of the final exam** at the end of primary education in the 2012/2013 school year were not taken into account in the assignment of students to secondary schools due to failures in the organization and implementation of the final exam. The average achievement of students in the Serbian language test, expressed in points, stood at 11.59, and 10.86 out of possible 20 points in mathematics. Only students from municipalities that belong to the first category of development (above the national average) stood out by significant achievement. Students from other municipalities, regardless of their level of development,

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222 “Official Gazette of RS”, no. 7/2011
223 “Official Gazette of RS”, no.68/2015
224 According to the Ministry of Education, Science and Technological Development
225 “Official Gazette of RS – Education Gazette„, no 1/2010
226 “Official Gazette of RS“, no.30/2010
achieve similar outcomes on average\textsuperscript{227}. Analysis of the final exam in the 2013/2014 school year showed that the average student achievement expressed in points, amounted to 9.22 in Serbian language and 8.57 in mathematics (out of a maximum of 16 points), and 4.87 at the combined test, which was conducted in this school year for the first time (out of a maximum of eight points)\textsuperscript{228}.

The education system in the Republic of Serbia achieves lower outcomes compared to the international average. Analysis of educational achievements of fifteen-year olds in the Republic of Serbia, based on PISA\textsuperscript{229} tests, showed that the results of students from the Republic of Serbia are significantly lower than the OECD average, as well as compared to other European countries (except Bulgaria and Romania). However, the educational achievements of students from the Republic of Serbia have improved in the period from 2006 to 2012. In the domain of reading literacy, average achievements in 2012 were higher by 45 points compared to 2006, while less progress was achieved in the fields of scientific and mathematical literacy (14 points in mathematics and nine in the field of science). In addition, progress has been made in terms of reducing the percentage of students who have not reached the level of functional literacy - from 52% in 2006 in the area of reading literacy to 33% in 2012. In the Republic of Serbia, socio-economic status of students allows for about 12% of variance on a scale of mathematical competence, by which the Republic of Serbia is among the countries where equality of education is at a similar level as in OECD countries.\textsuperscript{230} TIMSS\textsuperscript{231} test results from 2011 showed that the average achievement in mathematics (in fourth grade) is 516 points. The difference in achievement between boys and girls was six points in favour of boys, but the difference is not statistically significant. Furthermore, 10\% of fourth grade students did not reach the limit of the lowest level of knowledge in mathematics, a smaller number of students (9\%) reached advanced levels of achievement, which coincides with the international median. In the field of natural sciences, the average achievement was also 516 points, and the difference in achievement between boys and girls was not significant. Eight percent of students reached the advanced level, while 9\% of them did not reach the limit of the lowest level of knowledge. In relation to the achievement of the neighbouring countries, Serbia achieved better results than the Republic of Croatia (490 points) and the Republic of Slovenia (513 points) in the field of mathematics, and the Republic of Slovenia is better than Serbia with 520 points in the sciences. Croatia and Serbia have the same achievement when it comes to the field of natural sciences.

As far as the efficiency of the education system is concerned, there is still no adequate application of the Act on the criteria for passing the act on preschool institutions network and the act on primary

\textsuperscript{227}Institute for Education Quality and Evaluation, "Report on the implementation and results of the final exam at the end of primary education in the 2012/2013 school year", Belgrade, October 2013
\textsuperscript{228}http://www.mpn.gov.rs/vesti?start=40, (accessed 18 July 2014)
\textsuperscript{229}PISA (Programme for International Student Assessment) is one of the instruments used to monitor the achievement of the Lisbon objectives at the level of EU, and its results are indicators of the quality of education provided for by the National Programme for the Adoption of the EU Acquis, the Poverty Reduction Strategy in Serbia, as well as national specific indicators of social exclusion. Retrieved from http://socijalnoukljucivanje.gov.rs/rs/uvoven-drugi-nacionalni-izvestaj-o-socijalnom-uključivanju-i-smanjenju-siromastva/
\textsuperscript{230}In 2009 in the Republic of Serbia, socio-economic status of the students explained only 10\% of the variance of educational achievements in the domain of reading literacy, while in 2006 it was used to explain 14\% of the variance. The average difference in the domain of reading literacy among students who differ by one standards deviation on a scale socio-economic status (average 0, standard deviation 1) in 2009 totalled 27 points on the PISA scale, while in 2006 it was slightly higher, at 36 points.
\textsuperscript{231}Trends in International Mathematics and Science Study. More information at http://www.doiserbia.nb.rs/img/doi/0579-6431/2012/0579-64311202243G.pdf
The act defined the criteria for optimizing the network of primary schools without a negative impact on equity and access to education. The act did not prescribe the minimum number of students in satellite units, nor did it prescribe the rules for closing rural schools. Namely, the criteria were directed towards irrational networks of primary schools in the cities - central schools that have fewer than 400 students, while there is another central school in the immediate vicinity (a radius of less than 2 km). Applying this criterion would abolish the legal entity status of irrational, extremely small primary schools in urban areas. It is important to note that the application of this criterion does not jeopardize the availability of basic education because of the proximity of another, larger central school that would receive students or manage the school facility of the closed school, where the learning process would still take place. Optimizing the network of primary schools would lead to a reduction in the teaching and non-teaching staff, without affecting the availability and quality of education. The reduction of number of classes is not followed by the abolition of the legal entity status for small, urban schools. Local governments have failed to meet the legal deadline of one year from the entry into force of this act and did not provide for the closing of certain central primary schools with the Act on primary schools network.

The system of funding based on the number of students should provide the inclusion of various forms of educational needs of students and the specifics of the local environment in which the learning process takes place in a formula on the basis of which the level of resources that each educational institution receives from the central and local budgets is calculated. In the new system of funding, a more important role of the local level is envisaged, so the piloting process included testing the design of the central formula on the case of 16 local governments. It is envisaged that, in addition to testing the central formula, models of local formula be developed, but the completion of the piloting process has failed.

National qualifications framework in Serbia (NQFS) in whose preparation educational institutions, relevant ministries, the economy, the National Employment Service and other stakeholders are involved, should be useful to pupils and students, as well as to the economy and it should ensure compatibility with the European educational space. Namely, a qualification intends to show what a certain person can do, not only which degree or certificate the person has or which school he/she has completed. NQFS need to support reform processes that will improve the education system so that it forms competent individuals who can respond to the needs of the labour market, society as a whole, but also meet their personal needs. Council for Vocational Education and Training and the National Council for Higher Education adopted the main elements of the National Qualifications Framework in Serbia (NQFS). Qualifications have been classified into eight levels of qualifications with sublevels on the sixth, seventh and eighth level. Descriptions and methods of classification of current and previously acquired qualifications according to the NQFS have been established for all levels. The preparation of a draft law on NFQS, the feasibility study for the institutional and financial framework for the establishment of the system, as well as making a qualifications base is underway. Along with these processes, consultations with various social partners are taking place, and positioning NFQS in relation to the European Qualifications Framework is planned in the coming period.

232"Official Gazette of RS", no 80/10
234 Ibid.
After several unsuccessful attempts to establish a **unified information system in education** (UISE) and needlessly spent millions for this purpose, the education system in the Republic of Serbia has been lagging behind the region and the world in terms of available data on the education system. Any approach to decision making based on empirical data was initially impossible. Using its own capacity only, the Ministry of Education, Science and Technological Development formed a Group for the development of an information system which develops software and information system registers without any costs. Today, the information system contains data on institutions (schools and universities), details of all the employees of these institutions, information on the curriculum for primary and secondary schools, information on study programs for faculties, information on the structure of classes for primary and secondary schools and information on teachers who teach each class, as well as other important information for making educational policy. Further development plan provides for detailed data on students, while, with the support of UNICEF, the development of an information system for pre-school institutions has begun.

Ministry of Education, Science and Technological Development is one of the first state authorities that opened their data because it is the best way for a more efficient and accountable operation of the ministry itself and quality education. Through the **concept of open data**\(^{235}\), for the first time, all citizens are allowed to get real-time information about schools, job vacancies and their filling, textbooks, study programs, enrolment in secondary schools, etc. through the website of the Ministry in a simple and freeware. Data were opened in a form that can be mechanically processed so that they could be used to create applications and services (e.g., applications for freshmen which allows insight into study programs).

Changing the Law on Scientific Research, the Republic of Serbia got the first law that obliges a state body to keep data in the form of open data. The data refers to research organizations, researchers, research projects and scientific results. Open and accessible information is crucial to reduce the gap between the state and the innovative community because these data represent scientific potential to the scientific community. The Ministry of Education, Science and Technological Development received recognition from the Ministry of State Administration, UNDP and the World Bank for great progress in this area.

With the purpose of easier, faster and more efficient retrieval of information of the Ministry of Education, Science and Technological Development, a **new website** was created, which contains a large number of documents and data in the public interest. On the site, among other things, it is possible to download the financial plan of the Ministry, the public procurement plan, quarterly reports on implementation of public procurement, as well as other relevant financial documents. The site contains interactive content, and a single click can lead you to any educational institution in Serbia. Ministry of Education, Science and Technological Development also joined the modern ways of communicating with interested citizens, who can also get information through social networks such as Facebook and Twitter.

In the previous period, increasing the efficiency of the education system was based on reducing the number of classes. Continued implementation of the **Technical guidelines for the formation of classes and financing for primary and secondary schools**\(^{236}\) led to a reduction in the number of classes in the period up to 2012 and an increase in the number of students per class. The decreasing trend in the number of pupils

\(^{235}\)Detailed overview on page [http://opendata.mpn.gov.rs/?lang=sr](http://opendata.mpn.gov.rs/?lang=sr)

in primary education until 2012/2013 school year was less pronounced than in the previous period (the decline amounted to 2.7%), but at the same time the number of classes was reduced by 15.6%, resulting in an increase in the number of students per class. In AP Vojvodina trend of increasing efficiency is the least pronounced because of the realization of teaching in minority languages. Positive fiscal effects of optimizing the number of classes in primary schools can be expected within three to five years\textsuperscript{237}. Unlike primary education, number of classes in secondary education has been fairly stable in the past decade, ranging between 10,700 classes and 11,100 classes\textsuperscript{238}. The average number of students per class in secondary education is generally higher than in primary education, so the applied form of optimization could not have affected the significant reduction in the number of classes.

By participating in the working group Digital and Online Learning (Digital skills and competences, from 2016) in the framework of the Open Coordination Method in education at the level of the European Union\textsuperscript{239}, it has been recognized as an area that has the potential to improve the quality of education and training. Topics of this thematic working groups are focused on creating a supportive and innovative school environment for the use of information and communication technologies (ICT) in education and training. The focus of this working group is, inter alia, the development of an analytical framework for assessing the degree to which the education system and institutions in it are strengthened for the use of new technologies in education and the creation of innovative and stimulating learning environment supported by new technologies.

In the framework of the EU IPA 08 project "Support for quality assurance within the national primary and secondary education examination system", the following results were achieved: the elements of the final examinations in primary education were evaluated, manuals for the final examination were developed and distributed and the final examination in primary education was realized. In addition, instruments have been developed to identify weaknesses in existing processes of technical baccalaureate and final examination in secondary vocational education, and a comparative analysis of technical baccalaureate in six EU countries (Austria, Denmark, France, Germany, Romania and Slovenia). The concept of the National Qualifications Framework (NQF) was presented and accepted by the Council for Vocational and Adult Education, and video material was recorded with the practical guidelines for primary schools on how to use the results of the final examination for the purpose of self-evaluation of school results. This material was distributed to all primary schools in Serbia.

Within the EU IPA 2011 project "General education and human capital development", the following results were achieved: the document under the title the National Curriculum Framework - the basis of learning and teaching in general education based on standards and focused on building key competencies, and general and specific achievement standards for the end of compulsory education were followed, and outcomes for general secondary education were defined. In accordance with the new competencies, teachers have been trained to implement curricula based on learning outcomes, general and special standards of knowledge and achievements of students. Teachers have been trained and are able to apply modern information technology and digital technology in education, and to develop of these competencies in their

\textsuperscript{237}The second national report on social inclusion and poverty reduction (for the period 2011- 2014), available at http://socijalnoukljucivanje.gov.rs/rs/usvojen-drugi-nacionalni-izvestaj-o-socijalnom-ukljucivanju-i-smanjenju-siromastva/

\textsuperscript{238}Source: Statistical Office of the Republic of Serbia, 2014

\textsuperscript{239}Same as footnote 173
students. A platform for e-learning was created. The relevance and quality of educational research was also improved, as well as the capacity of researchers in education to inform policy and practice, and training courses, seminars, study visits and mentoring was conducted in order to build the capacity of the Ministry of Education, Science and Technological Development and other key educational institutions. Finally, laboratories were set up and equipped as a teaching base for the professional development of teachers at the local level.

The Republic of Serbia is participating in the Open Coordination Method in education at the level of the European Union, in the thematic working group Development of transversal skills, where higher mobility through occupations and increased employment through entrepreneurship activities are considered, as well as the development of these skills that are compatible with the principle of lifelong learning. In educational practice in Serbia, transversal skills are recognized through general and cross-curricular competences. These are: lifelong learning competence, communication, working with data and information, digital competence, problem solving, collaboration, responsible participation in a democratic society, responsible attitude towards health, responsible attitude towards the environment, aesthetic competence, entrepreneurship and orientation towards entrepreneurship. The task of the thematic working groups relating to transversal skills includes modernizing education and training systems in a way that involves the inclusion of a greater number of skills in the curriculum that can facilitate and speed up the process of entering the labour market. In fact, most of the attention is focused on entrepreneurship, the use of ICT and language skills.

3.6 TEACHERS

Has there been a case of discrimination in terms of teacher training in your country? If so, what was the response to this situation with a view to guaranteed training for teachers without discrimination? Describe the status of the teaching staff at all levels in your country.

What are the average salaries of teachers in relation to the salaries of other civil servants with the same qualifications? What measures is your country taking or considering to improve living and working conditions of teaching staff?

Based on the annual reports of the Ombudsman and the Commissioner for Equality, there was no single case of discrimination in terms of teacher training during the reporting period.

In the Republic of Serbia, there is a network of teacher education faculties and colleges of pre-school teacher training, which is sufficient capacity for the needs of the Republic of Serbia (even too extensive in some areas). Faculties belong to seven state universities. Faculties for teacher education for lower grades are specific since they are present even in smaller communities, while the faculties for teacher education for higher grades are almost entirely located in bigger cities, i.e. at university headquarters. Specialized interdisciplinary master programs are non-existent or in their infancy. These programs would allow experts to deal with the development of educational policy or other important segments for the development of education in addition to teacher education. All teachers in education are formed at the level of higher education (vocational or academic studies), except pre-school teachers-nurses (who work in the nursery

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240 Same as footnote 173
and other institutions for implementing the programs for early age) and artisans in secondary vocational schools, which are formed at the secondary school level.

Education of students, future teachers, pre-school teachers and expert associates is an important prerequisite for ensuring and improving the quality of education. Law on the Foundations of the Education System stipulates that this education is realized through a higher education institution within the framework of an accredited study programme or as a programme of lifelong learning. The Law also stipulates that higher education institutions that educate future teachers have to offer them programs of psychological, pedagogical and methodological disciplines. Student practice is especially prominent, which has not been organized at the system level so far, but at the level of individual faculties and schools.

The National Education Council has adopted Standards of competence for the profession of teachers and their professional development for defining the capacity of teacher competences of the individual (set of necessary knowledge, skills and attitudes), which is expressed in the performance of complex activities in educational work. Teaching competences are determined in relation to the objectives and learning outcomes, and they should ensure professional standards about what is considered successful teaching: teaching field, subject and teaching methodologies, teaching and learning; supporting the development of students' personality and communication and cooperation.

According to the regulations in force in the Republic of Serbia, in addition to the necessary professional qualifications and personal characteristics, a teacher, by law, must be a citizen of the Republic of Serbia, and must know the language of instruction, if the instruction is carried out in the minority language or if it is bilingual. Also, if a teacher works with vulnerable groups of students (students with disabilities, adults), he/she is required to possess specific knowledge and skills. Pedagogical assistants are hired to work with Roma pupils for their easy adaptation to the requirements of language and environment, and to work with students who need additional educational support for whatever reason.

In order to organize a system-level student practice of future teachers through the project "Support to the development of human capital and research - general education and human capital development", a system of student practice is developed through networking of higher education institutions that educate future teachers and school laboratories. In school laboratories, of which there are 41, teachers are trained for the role of student mentors to future teachers and for cooperation with the professors of the faculty.

242 In order to organize a system-level student practice of future teachers through the project "Support to the development of human capital and research - general education and human capital development", a system of student practice is developed through networking of higher education institutions that educate future teachers and school laboratories. In school laboratories, of which there are 41, teachers are trained for the role of student mentors to future teachers and for cooperation with the professors of the faculty.
243 Available at http://www.cep.edu.rs/sites/default/files/Standardi_kompetencija.za.profesiju.nastavnika.pdf
During the reporting period, Rulebook on the degree and type of education teachers and expert associates in elementary school and in secondary school has been adopted, which obliges all teachers to have a university degree and a license to teach in a school. The license examination is organized by the Ministry of Education, Science and Technological Development and it includes verification of practical teaching skills and theoretical knowledge in psychology, pedagogy, legislation and solving pedagogical situations. There are accredited programs in all subject areas and teachers have an obligation to follow 100 lessons over five years. Teachers have an obligation to prepare for their lessons and they have half an hour for every lesson. Professional development is regulated by the Rulebook on permanent professional development of teachers and expert associates and the Rulebook on permanent professional development and acquisition of the title of a teacher, pre-school teacher and expert associate, under Article 6, paragraph 1, item 1, which provides for a continuous professional development program, approved by the Institute for the Improvement of Education on a competitive basis, while the programs in the languages of national minorities in which educational work in AP Vojvodina is realized are approved by the Pedagogical Institute of Vojvodina. Professional development programs which are realized by training, professional conferences, and summer and winter schools are approved by the Institute and published on its website.

Institute for the Improvement of Education regularly prepares and implements programs for professional development of employees in education by means of: preparing competency standards for the profession of teachers and pre-school teachers and their professional development and competences of head teachers; improving the system of continuous vocational training and professional development of employees in preschool, primary and secondary education; preparation of programs for trainees and programs for taking the licence exam; approving the programme of continuous professional development of teachers and expert associates and head teachers; participation in the implementation of European and international programs in the field of professional development of employees; preparation of additional materials and manuals for teachers and pre-school teachers that support the achievement of education objectives and standards of achievement, as well as adherence to the principles of the education system and other.

Priority areas of professional development relevant to the development of education are: 1. strengthening the professional capacity of staff, especially in the field of innovative teaching methods and class management 2. learning how to study and develop motivation for learning 3. health education and

245 “Official Gazette of RS – Education Gazette”, no. 11/2012 and 15/2013
246 “Official Gazette of RS”, no.13/2012 and 31/2012
247 “Official Gazette of RS”, no. 85/2013 and 86/2015 – state rulebook
248 Pre-school teacher training also takes place in the Roma language as part of vocational studies "Mihajlo Palov" in Vršac. An international project, QUALIROM, Quality Education in Romani for Europe is being realized, coordinated by the University Of Belgrade Faculty Of Philology, with University of Novi Sad as its second partner from Serbia. In the preparatory phase of the project, Faculty of Philology of the University of Belgrade translated all the documents of the Council of Europe from English into Serbian. Since the beginning of the project there have been three seminars for the training of teachers of Roma language and teaching materials have been prepared for A1 and A2 level of knowledge A1 for primary school (the Common European Framework of Reference for Languages and Curriculum framework for teaching and learning Romani language of the Council of Europe) for two Roma dialects from the territory of Serbia: Gurbeti and Arli. The next step in the project involves testing of teaching materials prepared in accordance with the European language portfolio for the Romani language and curriculum framework for the Romani language of instruction in two primary schools in Serbia.
249 Available at http://www.zuov.gov.rs/centri-zavoda/cprzo/
250 Available at http://www.zuov.gov.rs/
development of healthy lifestyles; 4. communication skills 5. sustainable development and environmental protection; 6. prevention of violence, abuse and neglect 7. prevention of discrimination 8. inclusion of children and students with disabilities from socially marginalized groups 9. cooperation with parents, students and student parliaments 10. ICT.

In education statistics in the Republic of Serbia, no data are kept on the number of teachers in secondary schools, broken down by professions, profiles and types of schools in which they work, except for special and artistic secondary schools. It is estimated that more than 3,000 employees work in the field of artistic education with more than 26,000 students. According to assessments and insights from the field, there are enough teachers in general and artistic secondary education (in some less developed areas there is a shortage of teachers of English language and mathematics). The qualification structure of teachers is good and appropriate.

According to OECD TALIS 2013 research data, most teachers enjoy their work, despite the fact that they consider that their profession is not valued in society, and that they are not supported in what they do. Characteristics of teachers in the Republic of Serbia are very similar to that of teachers in other countries surveyed: they are predominantly female (66%), their mean age is 43 years, 81% works full-time and teach in a classroom with 22 students on average. The differences are most apparent in the percentage of teachers with a higher education degree (83% in the Republic of Serbia, compared to 91% in other countries). A typical head teacher in the Republic of Serbia works in a school with 555 students and 45 teachers on average, his/her average age is 49 years and 55% is female. The visible difference to other countries lies in the proportion of directors who are employed full-time without teaching (99% vs. 62%), as well as full-time employees who also teach (1% versus 35%). From the time that a teacher spends in the classroom, 82% refers to teaching, 10% to maintaining order in the classroom and 8% to administrative tasks. About 70% of teachers in the Republic of Serbia participated in 2013 in one of the professional development programs for teachers, compared to 90% which is the average for other countries. Teachers from the Republic of Serbia participate in educational conferences and seminars considerably more than the average in other countries (60% vs. 44%). As regards head teachers, there is a noticeable difference in the proportion of head teachers who were trained for school administration (49% vs. 85%), as well as for management (47% versus 78%). Teachers from the Republic of Serbia believe that they need programs of professional development for working with students with disabilities the most (35% of teachers) and in the field of using new technologies in the workplace (21%).

One of the thematic working groups under the Open Coordination Method in education at the level of the European Union is School policy, which covers two areas - the dropout rate of students from the education system and teacher education. The policy of the school is one of the main areas for ensuring the quality of education, and therefore the right place for launching reforms. In the field of school policy, the following challenges have been identified: development of competences and their assessment, equality

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254 Same as footnote 173
of education (particularly in the field of preventing early school leaving) and improvement of the teaching profession.

Teachers’ salaries in primary and secondary schools, which are financed from the national budget, are governed by the **Act on the coefficients for the calculation and payment of salaries of employees in public service**\(^{255}\). The calculation of the salary, in addition to the coefficient, includes the base which is determined periodically, as it is adjusted in accordance with the applicable cost of living index. The salary of the teaching staff is influenced by education, length of service, educational standards, additional activities (incentives), special conditions (working with students with disabilities in schools for the education of these students, working in combined classes), as well as the title in education, acquired in accordance with the regulations, but is still not used in practice as a stimulating measure. Compared to the salaries in the civil service, teachers' salaries are in the range of salaries of advisors for a particular area of education who are employees in the Ministry of Education, Science and Technological Development.

With the aim of performing fiscal budgetary consolidation implemented by the Government in the last three years, teachers' salaries, as well as salaries of employees in the public sector have been reduced by 10% of the net amount of salaries, according to categories, on the basis of the **Law on temporary regulation of the basis for calculation and payment of salaries, i.e. earnings and other regular income of public funds users**\(^{256}\). This law temporarily regulates the base, and the value of working hours, the value of points and the value of the basic salary for the calculation and payment of salaries, i.e. earnings and other regular income of elected, nominated, appointed and employed persons which are public funds users, in order to preserve the financial system in the Republic of Serbia and the system of salaries and earnings in the public sector. Salaries of employees in primary, secondary schools and student standard institutions were increased from January 1 2016 to about 4%, while the increase for employees in higher education was 2%.

<table>
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<th>Sector</th>
<th>#</th>
<th>Average annual cost per employee(^1)</th>
<th>Total annual earnings of employees(^1)</th>
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<td>RSD</td>
<td>Mil RSD</td>
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\(^{255}\) “Official Gazette of RS”, no. 44/01, 15/02, 30/02, 32/02, 69/02, 78/02, 61/03, 121/03, 130/03, 67/04, 120/04, 5/05, 26/05, 81/05, 105/05, 109/05, 27/06, 32/06, 58/06, 82/06, 106/06, 100/07, 40/07, 60/07, 91/07, 106/07, 7/08, 9/08, 24/08, 26/08, 31/08, 44/08, 54/08, 108/08, 113/08, 79/09, 25/10, 91/10, 20/11, 65/11, 100/11, 11/12, 124/12, 8/13 and 4/14

\(^{256}\) “Official Gazette of RS”, no. 116/2014
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<td>Jobs</td>
<td>40,469</td>
<td>705,880</td>
<td></td>
</tr>
<tr>
<td>Employees</td>
<td>37,798</td>
<td>755,761</td>
<td>28,566</td>
</tr>
<tr>
<td>Full-time employees</td>
<td>35,190</td>
<td>811,773</td>
<td></td>
</tr>
<tr>
<td><strong>Higher education</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jobs</td>
<td>23,431</td>
<td>1,521,525</td>
<td></td>
</tr>
<tr>
<td>Employees</td>
<td>22,235</td>
<td>1,603,366</td>
<td>35,651</td>
</tr>
<tr>
<td>Full-time employees</td>
<td>21,617</td>
<td>1,649,214</td>
<td></td>
</tr>
<tr>
<td><strong>Other education</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jobs</td>
<td>9,558</td>
<td>882,594</td>
<td></td>
</tr>
<tr>
<td>Employees</td>
<td>9,477</td>
<td>890,137</td>
<td>8,436</td>
</tr>
<tr>
<td>Full-time employees</td>
<td>9,450</td>
<td>892,726</td>
<td></td>
</tr>
</tbody>
</table>

Source: Ministry of State Administration and Local Self-Government, 2015

* By 0.6-0.7 percentage points of GDP higher than shown by the final budget, for the reasons stated in footnote

1 Total costs are approximated, by annualizing the gross income of employees in March 2015. The total employee income also includes some items that do not belong to the expense of employees in the budget, as well as the income paid from institution resources.

### 3.7 RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Actual efforts to complete the development of the human personality, as well as strengthening of respect for human rights and fundamental freedoms (as education promotes understanding, respect and progress towards gender equality, through, for example presenting human rights in the curriculum).

The Republic of Serbia actively participates in the work of bodies and mechanisms of the United Nations and other international organisations dealing with human rights. Special attention the Republic of Serbia pays to the work of the United Nations Human Rights Council and its mechanisms; it also takes part in the work of the Third Committee of the UN General Assembly, which is responsible for human rights issues. The Republic of Serbia actively cooperates with the Office of the High Commissioner for Human Rights, as well as with special procedures of the United Nations that deal with human rights. Starting from the premise that improvement and protection of human rights should be based on the principles of cooperation and open dialogues, the Republic of Serbia actively participates in the Universal Periodic Review - a unique mechanism of the Human Rights Council, which investigates the situation of human rights in all countries of the world. In January 2013, the Second Period Report on the situation of human rights in the Republic of Serbia was presented within this mechanism.

The Republic of Serbia has ratified the greatest number of leading international instruments of the UN in the field of human rights, and in accordance with its contractual obligations, the Republic of Serbia
periodically submits reports on the implementation of ratified conventions, in relation to which regularly reports on the progress, to the competent committees of the UN.

The Constitution of the Republic of Serbia\(^257\) guarantees human rights determined by ratified international contracts, generally accepted rules of the international regulations and law, whereby the law in no case should affect the substance of the guaranteed rights (Article 18, paragraph 1). Article 19 states that the purpose of constitutional guarantees is "to preserve human dignity and exercise full freedom and equality of each individual" while Article 15 defines the policy of equal possibilities being the obligation of the state, and it guarantees gender equality.

Key laws, which are relevant for this issue, are the Anti-Discrimination Law, Law on the Protector of Citizens and Law on Gender Equality (presented in details in the chapter I.2)

When it comes to the **gender aspect of education**, according to data provided by the UNICEF in Serbia for the year 2014\(^258\), Roma girls and women are disadvantaged in all social areas, primarily in education. They are also in much worse position when it comes to domestic violence. In addition, women with disabilities are in a very bad position, since they are invisible in public life, and they are facing great obstacles and barriers when trying to exercise their rights, and often they are exposed to violence. Ninety-nine % of young women in Serbia are literate, and this status varies only in women with primary education coming from the poorest households. When it comes to women with the primary education being their highest level of education, 90% of them could actually read the given stated, and it was the case with 94 % of women coming from the poorest households. Eighty percent of young women from Roma settlements are literate. When it comes to women with the primary education being their highest level of education, 88 % of them could actually read the given statement. Socioeconomic status is positively correlated with the literacy rate, since 51 % of the poorest women is literate, compared to 98% of the richest.

Results of the same survey show that there is a problem of so-called juvenile marriages, especially among the Roma, which also violates human rights, endangers growth of girls and frequently leads to early pregnancy, school leaving and social isolation. About 4% of young women from the general population, aged between 15 and 19 is currently married or lives in an extramarital union, while when it comes to the Roma population this proportion is significantly greater and amounts to 43%. Early marriages are directly connected to education, and within the general population- 35% of women with primary level of education are married before turning 18 and less than 1% of women with higher education, while among the Roma population- 57% of women aged between 20 and 49 is married before turning 18, with similar differences in education levels.

The survey "**Education for gender equality- The analysis of teaching materials for civic education**\(^259\) was conducted. In this survey curricula, books and workbooks for the subjects of the different classes in

\(^{257}\) "Official Gazette of the RS", No. 98/2006


\(^{259}\) A survey/analysis has been conducted by the Centre for Gender Studies and Politics at the Faculty of Political Science in Belgrade, Mena Group and the organisation of a civil society "Committee for Civic Initiative" which was created in cooperation with the Gender Equality Directorate, and with financial support of UNDP and the Delegation of the European Commission in
elementary and high schools: World Around Us, Science and Social Studies, Biology, Geography, Sociology, Constitution and Rights of Civilians and Civic Education were analysed as well as textbooks of five different publishing houses. The results show that issues relevant for understanding relations of gender (in)equality are not present in curricula, nor in analysed contents of textbooks for elementary and high schools.

Contents, through which the stereotypical gender roles are transmitted, are related to the presentation of professional roles. Professions, a work sphere and managerial positions are almost exclusively presented by using males. So-called female professions are exceptions: schoolteachers, kindergarten teachers, nurses, cleaning ladies and similar-and they are mostly given to female characters. Quantitative presence of male and female characters in the schoolbooks is not balanced- since there is a greater number of a male character, presented both in pictures and in texts than female characters. This quantitative presence is especially imbalanced in case of famous people mentioned in the textbooks, as well as of cited authors (who are predominantly males). Minimum of work has been done in the field of disintegration of stereotypical gender division of labour, according to which a professional sphere 'naturally' belongs to men. A biological foundation of gender inequality is identified in contents of the textbooks under the topics and in representations of women in which they are presented primarily through their reproductive functions and fulfilling of their own biological function by giving birth to a child.

Socially imposed gender division of labour has been recognized through the presentation of asymmetrical professions, activities and interests, so that men are presented as ones who earn and support their families, and present themselves in public, while women take care of the home, husband and children. Culturally "desirable" traits are recognized through the personal qualities of male and female characters shown, that is, where women are portrayed as canny, manipulative, irresponsible, foolish, temptress, and men as aggressive, disobedient, ambitious and active, dynamic, enterprising, serious, strong character, winners. However, the analysis suggests positive examples as well. Textbooks for lower grades of primary school promote to a greater extent notions and ideas of gender equality than textbooks for higher grades of primary school and secondary school. The greatest progress was made regarding the use of gender sensitive language, overcoming stereotypical representations of male and female characteristics, and in trying to overcome the stereotypical division of labour within a family. The analysis shows that there are no publisher who are completely insensitive to the gender equality. However, publisher who have consistently introduced the principles of gender equality in all its aspects also cannot be found.

In the field related to schooling and professional education, the Commissioner for Equality Protection has proscribed a measure for improving quality of textbooks, syllabuses and curricula, as well as of textbook contents and other teaching materials for all levels of education. This measure has been prescribed in order to eliminate discriminatory contents, especially those related to national minorities, gender, sexual orientation and gender identity, i.e. contents that do not encourage stereotypes and prejudices. Additional improvement is necessary in terms of informing and providing necessary textbooks so to create

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260 Ibid.
261 Regular annual report by the Commissioner for Protection of Equality for the year 2014, available on the website http://www.ravnopravnost.gov.rs/sr/izve%C5%A1taji/izve%C5%A1taji
preconditions for quality education in languages of national minorities. But textbooks, both for natural and social sciences, are full of discriminatory contents, especially with respect to matters related to transgender, transexuality and intersexuality, as well as to stereotypical representation of gender roles and professions, and persons of same-sex sexual and emotional orientation. First proposed activity is related to the practical implementation of recommendations for the removal of discriminatory contents in textbooks and teaching materials to prevent discrimination, to promote tolerance, respecting diversity and human rights and it has been directed to the Ministry of Education, Science and Technological Development back in 2011. It was done based on filed complaints by the LABRIS organisation, on which the Institute for Improvement of Education gave its opinion in one part of the textbook.

The Commissioner for Protection of Equality once again pointed out that by using only a male gender within the text of the law, as generic neutral terms for the male and female gender, the principle of gender equality was being violated. Having all that in mind, it is necessary for the provisions of the law to be written by using gender differentiated language, either by using the forms and words in the masculine and feminine gender, or by introducing clauses to all legal provisions stating that they shall apply equally to both men and women.

Survey on Access to Socio-economic Rights of Roma Women in Serbia provides certain pieces of information on access of Roma women to the right to health, education, employment, social assistance as well as to information on housing conditions in 10 municipalities in southern Serbia. Result show that about 30% of women finished elementary school. Although about a third of the surveyed men and women did not finish elementary school, the difference is greater when it comes to secondary school (4% of the female respondents, 13% of male respondents). Men are, in most cases, on behalf of the family, holders of rights to social assistance, in 80% of cases the man is the owner or tenant of the building, while 85% of the Roma and only 35% of Roma women stated that they accrue income.

According to the Paris Declaration, which was adopted during the Ministerial Conference held on 17th March 2015, the Working Group for promoting citizenship and the common values of freedom, tolerance, and non-discrimination through education was established in the context of the Open Method of Coordination (OMC). The mandate of the Working Group is scheduled and tasks of the Group are as follows: ensuring that children and young people acquire the social, civic and intercultural competition through the promotion of democratic values and fundamental rights, social inclusion and non-discrimination, as well as active citizenship; the promotion of critical thinking and media literacy, particularly in the use of the Internet and social media; encouraging the education of vulnerable children and young people by making their needs recognized by the education system; promoting intercultural

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266 Ibid.173
dialogues through all forms of learning in cooperation with other relevant policies and interested parties; promotion of civic, intercultural social competences, mutual understanding and respect, as well as the issue of ownership of the democratic values and fundamental rights at all levels of education and training, combating discrimination, racism, segregation, (including harassment through the Internet, cyber-bullying), violence.

The project "Children Rights Education" aims to ensure full respect for children rights in schools and the education system, including learning about children rights and applying them in practice. Children, the youth, schoolteachers, school management, parents' council, school counsellors and others responsible for exercising children rights in Serbia are included in this project. The project is based on the international obligations of the Republic of Serbia arising from the provisions of the Convention on the Rights of the Child, Recommendations of the Committee for Children's Rights of Republic of Serbia in 2008, as well as the Recommendations of the Committee of Ministers of the Council of Europe concerning the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education from 2010. In the first cycle of application from 2013 to 2015, a model of education, for the rights of children, has been created and tested in 10 selected schools and an instrument for the assessment of achievement of children's rights in the education system and schools has been created. The Project is supported by the Swiss Pestalozzi Children's Foundation.

3.8 PRIVATE EDUCATION, RELIGIOUS AND MORAL EDUCATION

To ensure a regulatory framework for establishing and maintaining private education institutions.

Briefly describe an education framework for minimal education standards in relation to the rights of parents / guardians for participation of children in religious and moral education.

Please describe the framework of educational policy, which is used for regulating minimal education standards concerning rights of parents/guardians to religious and moral education of their children and to the right to choose education institution in accordance with provisions of the Convention.

The number of private education institutions, as well as the number of children, pupils, students attending the school, is shown in the table on the page 8 of the Report.

According to Article 28 of the Law on the Foundations of the Education System, another legal or natural person establish a preschool, while the institution can begin to work and carry out activities concerning education if it meets prescribed requirements (Article 30): required space, equipment and teaching aids, teachers, preschool teachers and professional associates who employed for an indefinite period of time; it also must meet requirements in terms of provided sanitary and technical requirements in accordance with the law and regulations governing this area.

Private preschools, elementary and secondary schools are registered in the Commercial Court, while subject to verification and monitoring by the Ministry of Education, Science and Technological Development since

See details of programme at [http://opd.org.rs/](http://opd.org.rs/)

they are part of the regular system of education. Detailed conditions for establishing and starting the institution are prescribed by the Minister.

The law prescribes that the curriculum shall include elective subjects by levels and types of education of which the students are required to choose one or more subjects according to their preferences. One of the compulsory electives is religious education or civic education. A student, who opted for one of the two electives - religious education or civic education, can change the elective during the cycle of primary education, i.e. until the end of the acquisition of secondary education (Article 72).

Today the name of the subject civic education stands for a compulsory elective subject, who is elected for each school year (in eight grades of elementary school and four years of high school). The aim of the subject is for the students to acquire knowledge, develop capabilities and skills and to adopt values that are a prerequisite for the full development of personality and for the competent, responsible and engaged life in a modern civil society. Civic education should encourage the development of children and youth in the spirit of respect for human rights and fundamental freedoms, peace, gender equality, understanding and friendship between people, ethnic, national and religious groups so to contribute to the democratization and tolerance and the promotion of the values that lead to an intercultural dialogue, solidarity, development of democratic attitudes and responsible and engaged lives of children and young people in modern civil society.

This subject, compared to others subjects in primary and secondary schools, differs in terms of contents and methods of working with students. One class per week is scheduled for the realization of this subject, which leads to a number of 36 on the annual level, depending on the grade. Students are not evaluated by using numerical grades, and criteria for evaluating are as follows: regular attendance of classes, showing interest and actively participating during classes. Theoretical bases of civic education have foundations in the interactions theory of psychological development, according to which social interaction is the basic constructive factor of student development. The knowledge takes place through the game, where there are no ready-made solutions and the right answers, but the emphasis is on the process of discovery and learning, rather than on the outcome. The Rulebook on the curriculum for civic education for each grade of primary and secondary schools defines the general aim, contents of this subject and fives instruction for the subject realization in primary and secondary schools, and this rulebook prescribes conditions for teaching this subject, teacher guides and textbooks, as well as methods of evaluation. 

Handbooks for civic education for primary and secondary schools, Handbooks in languages of nationalities, as well as Handbooks for teachers have been developed.

According to some estimates, these classes in primary schools are carried out by psychologists/pedagogues in 20% of cases and in 80% of cases by teachers. In secondary schools in 30% of cases teaching is performed by psychologists/pedagogues and in about 70% by professors of sociology, philosophy and other subjects. One of the major problems affecting the development and improvement of teaching civic education in schools is a phenomenon that classes are taught by teachers who need these

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270 Baucal, Ignjatović, Radić-Dudić. "Civic Education in primary and secondary schools in Serbia- an evaluative study" FPS, Yearbook, 2009
271 Baucal, Ignjatović, Radić-Dudić. "Civic Education in primary and secondary schools in Serbia- an evaluative study" FPS, Yearbook, 2009
classes in order to get full teaching hours. System evaluation, 12 years after introducing this subject, showed
great satisfaction of students concerning this subject, made recommendations for the improvement and
modernization of subject content and teaching, but also recommendations for improving teacher competency.272

Regulation on organisation and implementation of religious education and alternative subject
education in elementary and secondary school273 defines the aim of religious education in primary and
secondary school, religious contents and spiritual experiences of traditional churches and religious
communities that operate within society, so to provide a comprehensive religious view of world and life,
as well as to enable students free adoption of spiritual values of the church or the community they
historically belong, i.e. to preserve and cultivate their own religious and cultural identity. This Regulation
contains certain details on the organisation and conduct of religious education for traditional churches and
religious communities in primary and secondary schools. The following churches have been included:
Serbian Orthodox Church, the Islamic Community, the Catholic Church, the Slovak Evangelical Church,
the Jewish Community, the Reformed Christian Church and the Evangelical Christian Church. By making
this choice, it is clear that religious education is being introduced in the education system as strictly
confessional, rather than a general education subject. The Regulation determines the status of religious
education, which is being organised as an elective course, while the evaluation is descriptive and it does
not affect the overall mark of the student.

Rulebooks on the curriculum of religious education in primary and secondary school prescribe the
type of qualifications necessary for a teacher of the first grade in primary and secondary school, as well as
criteria for evaluating students who attend religious education classes: regular attendance of classes,
showing interest and actively participating during classes. When evaluating students, descriptive grades are
used: outstanding, good and satisfactory. Rulebooks contain curricula for seven traditional churches and
religious communities, which can organise religious education classes at school. According to the
rulebooks, introducing students to religion and spiritual experiences of their own, historically given church
or religious community should be exercised through an open and tolerant dialogue, taking into account the
experiences of other religious and philosophical views, as well as scientific knowledge and all the positive
experiences and achievements of humanity.

The results of previous researches on quality religious education in schools in the Republic of Serbia274,
suggested that a number of students and parents have objected to the implementation of religious education
in terms of its organisation and working conditions, teaching methods and the teachers themselves. These
objections also indicate that there is a need for more profound pedagogical, psychological and didactic
teaching methods, as well as for organising a professional training in order to introduce teachers with
teaching methods most suitable for developmental characteristics, foreknowledge and abilities of students.

272 "Civic education as a compulsory elective subject in primary and secondary school - Evaluation of the curriculum and
competences of teachers", The Institute for Educate Quality and Evaluation, 2013
273 "Official Gazette of the RS" No. 46/2001
274 Gašić-Pavišić, S. and Ševkušić, S. "Evaluation of the conduct of religious education classes in Belgrade schools", Faculty of
Orthodox Theology, Catechetical-Pedagogical Institute and Institute for Pedagogical Researches, 2011. Available on the website
the website http://www.ipisr.org.rs/page/verska_nastava_u_beogradskim_skolama
The decision on choosing one of electives is made by parents and/or children with support of education institutions.

3.9 RIGHTS OF NATIONAL MINORITIES
What rights are given to national minorities for implementing and protecting their educational activities? Please describe legal and strategic framework of your country, in relation to education standards in education institutions managed by national minorities.

Note: Answers to questions regarding discrimination in education of the Roma national minority are included in all other chapters except the chapter 3.9.

The Constitution of the Republic of Serbia\(^\text{275}\) prescribes the legal framework for exercising human and minority rights and freedoms. The Constitution prohibits discrimination related to all spheres of social life (Article 21), inviolability of dignity and the right to free personality development (Article 23) is generally valid constitutional categories, while the framework for encouraging respect for diversity is defined under Article 48. The Constitution guarantees special benefits to members of national minorities, in terms of deciding about issues related to different spheres of social life, including education, and all that within exercising the right to self-government, the Constitution provides for the possibility of establishing national councils (Article 75). Any type of discrimination based on belonging to the national minority community is prohibited (Article 76), as well as forced assimilation (Article 78). In the context of the right to preservation of specificity in the field of education, the Constitution provides for the right to education in minority languages in public institutions and institutions of autonomous provinces, as well as the right to establish private educational institutions (Article 79). National minorities have the right to undisturbed relations and cooperation with their compatriots outside the territory of the Republic of Serbia (Article 80).

The development of the spirit of tolerance (Article 81) is the basic building component of the anti-discriminatory behaviour in public life. Measures of positive discrimination (affirmative action) are stipulated by Article 21 of the Constitution of the Republic of Serbia.

Law on Protection of Rights and Freedoms of National Minorities\(^\text{276}\) acknowledges the status of national minorities and determines that the state authorities can prescribe and undertake measures "for the purpose of ensuring full and effective equality between persons belonging to national minorities and those belonging to a majority nation"", and especially for the purpose of "improving the position of members of the Roma national minority" (Article 4).

Law on National Minorities Councils\(^\text{277}\) enables members of national minorities directly to select their national minority self-government (National Council for National Minorities) through which they can decide on the right to education, culture, information and official use of languages and scripts.

Two laws, already mentioned in the Report, are of great importance to the issues of protection of national minorities from discrimination, these are: Anti-discrimination Law\(^\text{278}\) that establishes the institution and

275"Official Gazette of the RS" No. 98/2006
278 "Official Gazette of the RS" No. 22/2009

During the census of population in 2011291, important steps have been taken to ensure that the right to free self-identification is fully guaranteed. The census of population included a completely open question of ethnicity, language and religion, without a pre-defined list, and enumerators are instructed to accurately record the answers given to those questions. Misinterpretation of the Law on the protection of personal data often leads to making collection of statistical data on national minorities impossible in practice. The establishment of an electronic registry of authorities and organisations of public administration and employees in the public administration, the possibility of voluntary declaration of employees in public administration on national affiliation has been introduced in order to collect data on the representation of national minorities in public administration, the local level, police and judiciary. Amendments to the Law on Registry Books shall enable for ethnicity to be entered in the registry books at the personal request. Also, by improving the Special Voters List (PBS) for national minorities, the existing application is being upgraded in order to provide more accurate data update of members of national minorities who have the right to vote, respecting the principle of voluntary enrolment in the special voters list (PBS)292.

Due to the boycott of the census in 2011, data on the number of residents in the municipalities of Preševo, Bujanovac and Medvedja with a majority Albanian population did not provide a realistic notion of the actual state of the population in these municipalities in the south of Serbia. With the support of the international community, independent experts have developed a methodology which allowed an estimation of the number of inhabitants in these municipalities. Estimates of the number of inhabitants in the municipalities of Preševo, Bujanovac and Medvedja, was made by experts, with the support of the Statistical Office of the RS, in accordance with regulations of the Republic of Serbia and international standards293.

279 "Official Gazette of the RS" No. 79/2005 and 54/2007
281 "Official Gazette of the RS" No. 97/08 и 104/09- state law
282 "Official Gazette of the RS" No. 135/04 и 90/07
283 "Official Gazette of the RS" No. 87/11
284 "Official Gazette of the RS" No. 62/06 and 36/11
285 "Official Gazette of the RS" No. 18/05, 72/11 – state law and 6/11
286 "Official Gazette of the RS" No. 18/05, 72/11 – state law and 6/11
287 "Official Gazette of the RS" No. 18/05, 72/11 – state law and 6/11
288 "Official Gazette of the RS" No. 18/05, 72/11 – state law and 6/11
289 "Official Gazette of the RS" No. 18/05, 72/11 – state law and 6/11
290 "Official Gazette of the RS" No. 18/05, 72/11 – state law and 6/11
291 Available on the website the website http://popis2011.stat.rs/
293 Ibid.

The Strategy for Development of Education in Serbia by 2020 together with the Action Plan for the Implementation of the Strategy for Development of Education in Serbia by 2020 contain a part related to education of members of national minorities. According to the Strategy, the mission of national minorities education is to ensure, on the hand, the right to quality education as for all other citizens of Serbia and thus to enable the integration of minorities into society. On the other hand, it aims to ensure the right to preservation and development of the national and cultural identity of all national minorities.

Special strategic measures that are used for accomplishing such a mission of the national minorities education, inter alia are: additional funding of specific costs of national minorities education (e.g. printing textbooks in languages of national minorities) and the development of educational programs in those disciplines (school subjects) that are of particular importance for the preservation and development of national and cultural identity and the specific right to cultivate the native language of each ethnic minorities, the right to teach in native language. The mentioned measures also include when possible providing of teachers training in native language, which is, related to his/her teaching in native language and the provision of educational resources in their native language.

The Strategy for Improving the Position of the Roma in Serbia for the period from 2009 to 2015 and the Action plan for its implementation make provision for a series of measures and activities in order to achieve the objectives in the field of inclusion of the Roma in the education system and to ensure continuity in education, especially in terms of the creation of system conditions for the education of children who are...

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294 Official Gazette of the RS" No.60/2013
295 Official Gazette of the RS" No.15/2009
296 "Official Gazette of the RS" No. 27/2011
297 "Official Gazette of the RS" No. 27/2009
298 "Official Gazette of the RS" No. 107/2012
300 Adopted in 2016
301 AP wad adopted in 2012
not in the system of education (children who dropped out of the system, overgrown pupils, young people and adults, unregistered children, children of returnees / deportees).

One of the objectives is to support the inclusion of children from special schools to mainstream primary schools. All educational institutions was ordered by using the recommendation to introduce intercultural contents to the development plan, curriculum and annual work plans, while different forms of work related to the elimination of prejudices should be introduced to the direct work with children. For the inclusion of Roma children in the education system, a free and compulsory pre-school preparatory program and the introduction of teaching assistants as a new category of profession in preschools and elementary schools are of particular importance; free textbooks are given to students from first to fourth grade (in the City of Belgrade for all grades of primary school). Projects dealing with programs of early growth and development of children and projects, within which various support mechanisms have been developed, are being implemented, aiming at vulnerable children and meeting the additional developmental needs of education.

From already mentioned Action Plan for Chapter 23 (Judiciary and Fundamental Rights), came out the Action Plan for Exercising of the Rights of National Minorities for which a basic framework was found in the Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages, as well as the report of the Expert Mission of the European Commission on the state of minority rights in Serbia. By adopting this Action Plan, the Republic of Serbia defined its strategic orientation toward improving institutional and legislative frameworks in the field of human and minority rights and freedoms.

The Strategy for the Social Inclusion of the Roma in the Republic of Serbia for the period from 2016 to 2025 was also adopted. This document originated from the need to take on a systematic and comprehensive way of improving issues related to social inclusion of the Roma, both at national and local level, with the use of previous experiences in the implementation of the Strategy for improving the position of the Roma people in the Republic of Serbia for the period from 2009 -2015 and starting points for the development of new strategies.

According to the census in 2011, there are about 148,000 Roma in Serbia, who represent one of the most vulnerable social groups, thus the goal of the Government of Serbia is to improve their status in order to reduce inequalities that exist in relation to the rest of the population through the joint efforts of the whole society.

In the reporting period, significant results were achieved in relation to the permanent improvement of the situation of the Roma in terms of increased inclusion of Roma children in primary education and established affirmative action measures in enrolment of Roma students in high schools and colleges. Also, the access to the exercise of individual rights has been improved by introducing representatives of the Roma in the process of exercising public policies (pedagogical assistants, health mediators, and coordinators for Roma

303 Adopted in March 2016
304 Available on the website the website http://popis2011.stat.rs/
issues). The research shows that the measures of education policy aimed at increasing coverage, reducing dropout and school leaving, as well as increasing the overall success of Roma students are being successfully implemented in schools, leading to the first results.

Although the Republic of Serbia is committed to the systematic development of an institutional and legislative framework, as well as to building mechanisms to fight discrimination, direct and indirect discrimination against the Roma are still expressed. Of the total of 124 complaints of discrimination on the basis of ethnicity which the Commissioner for the Protection of Equality received in 2014, 40% of them referred to discrimination of the Roma.

Critical points in the education of children and young people from the Roma community are: primary school enrolment, transition to fifth grade of the primary school and continuing their education after completing primary education. As noted above, about 30% of Roma children enrols in primary school with at least one year of delay, while about 10% of boys and girls do not continue their education after the fourth grade; about 40% of those who complete primary school do not proceed to high schools, and this refers to a greater extent to girls and young people who live in conditions of poverty. The current findings suggest that the involvement of children and young people from the Roma community in the education system is still unsatisfactory, particularly in terms of secondary and higher education.

Roma children under the age of 5.5 are far less involved in pre-school education. While in the general population coverage of children aged 3 to 5.5 years pre-school education amounts to 50%, coverage of Roma children is only 6%. Roma children are not fully covered by the compulsory preparatory pre-school program, and when they are included they do not attend it irregularly or they do just for a short period of time. The coverage of the compulsory preparatory preschool program in the general population is almost full (about 98%), in contrast to the Roma community where it amounts only 63%. In addition, children from Roma communities living in conditions of poverty even less attend the preschool program (46%) and for a shorter period of time than prescribed.

The campaign for enrolment in the preschool and elementary school program was managed in cooperation with partners: the Roma Education Fund in Budapest, UNICEF, the Swiss Agency for Development and Cooperation (SDC), the Open Society Foundation Serbia, the Swedish International Development Cooperation Agency (SIDA), the OSCE Mission to Serbia and the project "Education for All". The aim of the campaign was for parents from vulnerable social groups and the public to learn about new

306 The Report is available on the website of the Commissioner for the Protection of Equality http://www.ravnopravnost.gov.rs/sr/izve%C5%A1taji/izve%C5%A1taji
307 For the identification of key problems in education of the Roma, the results of the Multiple Indicator Cluster Survey of Women and Children in Serbia 2014 and Multiple Indicator Cluster Survey of Women and Children in Roma settlements in Serbia 2014 of the Statistical Office of the Republic of Serbia and UNICEF 2014 were predominantly used (Multiple Indicator Cluster Survey-MICS) conducted in the Republic of Serbia in 2014 and 2005. This study follows a wide range of indicators based on a representative sample of the general population and a representative sample of the Roma living in Roma settlements. In addition to this data source, other available sources were also used for some analyses. The fact every analysis of the education of the Roma in Serbia is faced with a lack of systematic data that would enable monitoring of the exercise of the right to quality education for children from the Roma community. This is telling us that the solution to existing problems in education of the Roma yet does not have an important place in the timetable of the ongoing reforms of education in the Republic of Serbia.
308 More details available on the website http://www.valjevo.rs/realizacija-projekta-obrazovanje-za-sve/
enrolment procedures. Training for more than 600 teachers and principals from 180 institutions was developed and conducted.

In the general population coverage of compulsory primary education is almost full, while in the Roma community it amounts to about 85%. Due to the lack of preparation for school, about 30% of Roma children enrols in the first grade with delay (usually with a one-year delay), whereby and this refers to a somewhat greater extent to boys and Roma children living in rural areas and in conditions of poverty. Only 64% of Roma children complete primary education, which is significantly higher percentage compared to 2005, when only 28% of the children completed primary education. This percentage is still significantly lower when compared to the general population where percentage of children who finish elementary school amounts to 93%.

Although in the past a significant progress has been made, the participation of Roma children in "special schools" is still far greater (about 30% of the children in "special schools" are Roma children, while their representation in the general population is about 3-4%). In addition, there is still a practice of transferring Roma children from mainstream schools to "special" ones, while rare are the cases when a Roma child returns from a "special school to a mainstream one. Finally, there are still "special schools" where 70% of pupils come from the Roma community. The high representation of Roma children in "special schools" is the result of an inadequate enrolment, but also of the practice to transfer Roma children from the regular to "special schools", where the legal possibility of moving Roma children from "special" to regular school, under certain circumstances, is significantly less used. In some cases increased inclusion of Roma in education leads to the formation of segregated pre-school groups and schools / classes where the majority consists of Roma men and women. This is especially case with institutions close to Roma settlements. Segregation is, in these cases, increased by tendency of other parents to avoid having their children educated in "Roma schools".

Education with additional support i.e. education with the preparation of an individualized education plan (IEP) has been enabled. The training has so far gathered more than 18,000 principles of institutions, pedagogues, psychologists and teachers; 360 schools and kindergartens were specially trained for inclusive education - 10 training packages, 334 training, about 11,500 employees. All Roma children who were enrolled in special schools without the decision of the Interministerial Committee, are included in regular classes of primary school and additional educational support programs for children who need this support are created together with regular progress monitoring. Based on the letter of the Minister, special schools are obliged to draw up special support programs with additional contents for students of higher grades to help them enroll in the regular high school and to prepare students for taking the final exam.

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310 Ibid.
The research on the effects of measures such as introducing teaching assistants in primary schools in the Republic of Serbia, shows a positive impact on the educational achievements of Roma national minority, regular school attendance, increasing the number of students in extracurricular activities and improving cooperation with the parents of students. In the previous period the legal basis for the status, recruitment, training and funding of teaching assistants was created, which enabled their introduction into the educational system. The previous work of teaching assistants has greatly contributed to an increased inclusion of Roma children in primary and secondary education. The introduction of teaching assistants in education is a significant step towards adapting the institutions and teachers to educational needs of children and young people from the Roma community, as well as in linking educational institutions with Roma communities and families. In pre-school institutions, there is still insufficient number of teaching assistants and only in the context of pre-school program. Increasing the number of assistants in schools is also necessary.

While in the general population coverage of the young by secondary education amounts to around 90%, this percentage among young Roma men and women is about 22%. Coverage of young men is slightly higher than of girls (28% vs. 15%), which indicates the gender dimension of the problem. In addition, the coverage of young people from the Roma community living in conditions of extreme poverty is only 5%, which again indicates that they face additional difficulties in terms of inclusion in secondary education in relation to young people from the Roma community who do not live in conditions of deep poverty. The rate of early school leaving of children and young people from the Roma community reaches 80%, while in the general population this percentage is much lower 8%. Coverage by secondary education of young people from the Roma community is far better than in the past, since it was only 10% in 2005.

Affirmative action for enrolment of Roma students in secondary school is another instrument in the fight against discrimination in education. The affirmative action was approached to back in 2003/2004 before the “Decade of Roma Inclusion” and was preceded by thorough preparations, which involved all relevant ministries. The affirmative action was designed in such a manner that it allowed to a number of Roma students who have achieved a satisfactory success in previous education and whose guarantor was former Ministry of Human and Minority Rights, to enrol in the preferred secondary school by adding them a certain number of points according to a predetermined key. The application of affirmative action allowed for 380 students to enrol in high schools in the academic year of 2011/2012, 367 students in the academic year.

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312 More on pedagogical assistants can be found within the question 2.3- inclusive education
313 Institute for Quality Education and Evaluation(2009): The role of teaching assistants for the support of Roma pupils as a systematic measure in the improvement of the Roma education, Belgrade, The Republic of Serbia
314 Decade of Roma Inclusion 2005 to 2015, so far represents the greatest effort of the international community to face the common challenge of Roma inclusion, in a coordinated, open and transparent manner. Since 2005, a large number of initiatives for the creation and implementation of policies and projects that would enable greater access of the Roma to health care, solving the problem of housing, employment and education were taken. Inclusion of Roma children in the mainstream school system and their access to quality education are generally recognized as key factors in overcoming social exclusion and discrimination, and they are of essential the importance for acquiring skills and resources of the young generation, which should help them to stop the cycle of poverty and deprivation. The Republic of Serbia presided over the Decade of Roma (June 2008 - June 2009), when the focus of activities was on the education, i.e. prevention and elimination of discrimination against the Roma in education system.
315 Those were the Ministry of Education and Science, Ministry for Human and Minority Rights and the national Council of the Roma National Minority, schools and civic organisations.
316 In accordance with the Guidelines for the implementation of a joint competition for the enrolment in the first year of undergraduate and integrated studies at higher education institutions founded by the Republic of Serbia, for the academic year of year 2014/2015, on the 1st of August 2014 the Office for Human and Minority Rights submitted to the Ministry of Education, Science and Technological Development a list containing 228 candidates of Roma ethnicity for the enrolment at a...
2012/2013, and in the academic 2013/2014, 369 of them enrolled in schools according to their wishes. In
the academic year of 2014/2015 320 was enrolled, while in 2015/2016 418 students have enrolled in schools
(225 females and 193 males).

Ministry of Education, Science and Technological Development implements measures to support enrolment
in secondary schools in cooperation with the National Council of the Roma national minority and the Office
for Human and Minority Rights. Measures of affirmative action for admission to higher education for
members of Roma communities are implemented in cooperation with institutions of higher education. In
the case of affirmative registration, student acquires the status of a budget-financed student. The institution
of higher education founded by the Republic is obliged to provide 1% of the total number of budget-
financed students for the enrolment of Roma students.

A small number of young people from the Roma community manage to enrol in institutions of higher
education (less than 2%). Lack of educated professionals in the Roma community appears as a constraint
in the implementation of many incentives to improve education for children and young people from the
Roma community, since many of the measures that have been introduced require experts from the Roma
community itself.

The educational structure of adults in the Roma community is considerably worse than in the general
population - about 53% of adult Roma have no education or have not completed primary school, 33% of
them have completed primary school, 12% of adults have finished secondary school and less than 1% have
a university or college degree. These numbers indicate that there are many adults within the Roma
community who have a need for compensatory programs that would enable them to acquire at least a basic
education and some form of qualification after reaching the primary education. Therefore, these adults form
the main structure of adult education programs.

Constitution and the law guarantee to the members of national minorities the right to "express themselves,
keep, cultivate, develop and publicly express national, ethnic, cultural and religious particularities", the right
to "use their own language and script" as well as the right to "educate in their own language in public
institutions". In the previous period, the preconditions for exercising such rights were met:

- The National Council of the Roma national minority adopted the Decision on standardization of the
  Roma language;
- The curriculum for the course "The Roma Language with Elements of National Culture" for all 8
  grades of the primary school has been adopted by the Ministry of Education, Science and Technological
  Development and the Institute for the Improvement of Education, on the proposal of the National
  Council of the Roma national minority317;
- A study program for training teachers in the Roma language at the Preschool Teacher Training College
  in Vrsac has been launched.

317 According to the survey conducted by the Roma National Minority Council, about 8,600 parents wished for their children to
attend the course Roma Language with Elements of National Culture
Department for Roma Language within the Centre for Professional Development and Evaluation at the Faculty of Philology of University of Belgrade was established for training teachers for the course Roma Language with Elements of National Culture.

In the academic year 2014/15, a total number of 978 students in 39 schools in the AP Vojvodina optionally attended this course. In 2015, certified 23 Roma language teachers were given certificates, while in the 2015/2016 in 18 elementary schools in central Serbia Roma Language with Elements of National Culture was introduced an elective subject.

The Report of the Protector of Citizens on the Implementation of the Strategy for improving the status of the Roma with the recommendations, the achieved results have not caused removal of obstacles to socioeconomic integration of Roma yet, and a complete normative basis for implementing long-term measures for reducing poverty and achieving substantive equality of Roma citizens has not been created. By the middle of 2013, public authorities adopted regulations and implemented public policies, which contributed to partial and insufficient improvement of the status of the Roma in the following areas: status issues (registration of residence and personal documents), health care and insurance, education, employment and habitation).

The project "We Are Here Together - European Support for Roma Inclusion", worth 4.8 million Euros, financed by the EU and implemented by the OSCE Mission in Serbia in the period from June 2013 to June 2015. The project supports the implementation of the Strategy for Improving the Status of Roma in the Republic of Serbia. It supports the improvement of the situation of the Roma through six components: access to basic rights, the formation of mobile teams, strengthening the capacity of civil society organizations, preventative programs aimed at preventing school dropouts, improvement of living conditions and sustainable employment. Through this project, legal assistance is provided for 20 pilot municipalities, 20 local mobile teams consisting a Roma co-coordinator, pedagogical assistant, health mediator, a representative of the National Employment Service and the Centre for Social Work. Pedagogical assistants will reinforce current activities of assistants and the institutions in which they are engaged, and which are related to a regular and timely enrolment of Roma children in the preschool and primary school program. In the first year of the project 509 children enrolled in preschools, 181 pedagogical assistants participated in the training, and 500 scholarships were provided for high school students.

The overall situation of national minorities in the Republic of Serbia (except the Roma), which, according to the census of 2011, represents about one-sixth of the population in the Republic of Serbia, can be largely assessed as satisfactory. The general status in the Republic of Serbia in terms of tolerance within the community is above the average in the region while widespread discrimination against members...

of national minorities, which are covered by this expert mission, does not exist.\textsuperscript{322} This assessment is particularly true for the situation in Vojvodina. There are, however, cases of hate speech and discrimination. There is a need for the authorities to constantly make efforts so to ensure that the criminal justice system adequately and promptly conducts an investigation and, where appropriate, prosecutes and punishes such acts against national minorities, including the Bosniak community. The report\textsuperscript{323} welcomes the creation of additional councils for interethnic relations.

Despite recent and significant improvements, there is still a necessity to increase the availability of quality textbooks in minority languages as well as a constant shortage of qualified teachers for teaching in minority languages, especially in those spoken by numerically smaller national minorities.\textsuperscript{324} Due to the result of the general demographic development of Serbia, there is a significant reduction in the number of students in general, and in particular of students belonging to national minorities. In this context, the pragmatic attitude that exists in affected municipalities of Vojvodina, in which there are classes in minority languages although the limit in terms of number of students in each class is not currently met, is welcomed. The situation in which a number of students belonging to national minorities (such as Albanians and Hungarians) leave school without sufficient knowledge of the Serbian language, negatively affects the successful integration into society, especially in terms of the labour market.

In addition to the established legislative framework for the education of students in the languages of national minorities, the Group for the education of national minorities and human and minority rights in education within the Ministry of Education, Science and Technological Development was established.

In multi-ethnic communities, the Law on the Foundations of the Education System\textsuperscript{325} stipulates in Article 9, the possibility of educating in the minority language or bilingually, in which case the Serbian language is taught as the second. Equality of language and script usage is already implemented during the phase of preparation for the enrolment into secondary school, when the tests for the final exam are printed and distributed in sufficient number of copies in the languages of national minorities in ethnically mixed areas. Following up and conducting classes for children belonging to national minorities in primary and / or secondary school are enabled through three modalities in education:

- The teaching in the native language (classes are conducted in Albanian, Bosnian, Bulgarian, Hungarian, Romanian, Ruthenian, Slovak and Croatian)
- Bilingual teaching - in their native language and Serbian (classes are conducted in Albanian and Serbian, Hungarian and Serbian, Romanian, Serbian, Slovak and Serbian and Croatian, and Serbian);
- The teaching in the Serbian language, with an optional subject called Native language with elements of national culture (14 languages are available).

For the purposes of education of national minorities, textbooks in the languages of national minorities, which by its print volume fall into low print volumes textbooks, are being approved. Ministry of Education, Science and Technological Development co-finances printing of these textbooks, so that their price would

\textsuperscript{322} Ibid.
\textsuperscript{323} Ibid.
\textsuperscript{324} Ibid.
not be higher than of high print-run textbooks. In 2014, 1,300 textbooks for primary and secondary school were approved.326

**Law on Primary Education**327, Article 12 regulating the language in which the curriculum is implemented, prescribes that the curriculum shall be carried out in the Serbian language. Article 12, paragraph 2 stipulates that for members of national minorities, the curriculum shall also be carried out in the language and script of the national minority, i.e. bilingually, if at least 15 students elect this at the point of enrolment in the first grade. The school is authorized to carry out the curriculum in the language and script of the national minority, i.e. bilingually for fewer than 15 students enrolled in the first grade, upon approval of the Ministry in charge of educational activities in accordance with the Law. The Ministry shall issue the approval for the conducting of curriculum in languages of national minorities for fewer than 15 students based on obtained opinion of the relevant National Council of the national minority in accordance with the Law regulating responsibilities of National Councils of the national minorities. It is explicitly stated that the opinion is considered as provided if the National Council does not provide the relevant opinion within 15 days. The legal duty of the school has also been established. In cases when the curriculum is implemented in the language and script of a national minority, the school must organise Serbian language classes and when the curriculum is implemented in Serbian language, for the students who belong to national minorities classes in languages of the national minorities with elements of national culture shall be organised as an elective course. The law prescribes possibility of conducting curriculum in the foreign language, i.e. bilingually, upon the approval of the Ministry. When the curriculum is implemented in the foreign language, Serbian language classes shall be organised for the students. For students who use sign language, i.e. special script or other technical solution the curriculum shall be implemented in accordance with the Law, without any closer determinations.

**Law on Official Use of Languages and Scripts**328 stipulates that in the local self-governments that are traditionally inhabited by members of national minority, languages and scripts of national minorities must be put into official use if the number of national minority members constitutes more than 15% of the population. This right implies that the language of a national minority shall be used: a) in administrative and judicial proceedings; b) in communication with the public bodies; c) when entering names in public registers and official records; d) in representative bodies work; e) the when indicating the title of local government units, settlements, squares, streets and place names.

From the academic year of 2013/2014 the **overall education in the Bosnian language**329 has been introduced into the education system of the Republic of Serbia introduced. Classes are organized for students of the first and fifth grade of the elementary and for the first graders of the secondary school. The Bosnian language and literature is taught at the State University of Novi Pazar, Department of Philology, the study program Serbian Literature and Language. Contents of Bosnian culture and tradition and elements

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327 "Official Gazette of the RS", No.55/2013
of the Bosnian language are taught within the course Folk Literature, History of Culture of Bosniaks, Comparative Grammar of Serbian and Bosnian, Serbian and Bosniak national culture in the European context and Historical grammar of the Serbian language with the basics of dialectology. Elements of the Bosnian language are also represented in Phonetics and Morphology.

From the academic year of 2013/2014 the Romanian Language with Elements of National Culture has been introduced to the secondary schools in Eastern Serbia.

The Hungarian Language with Elements of National Culture was studied in secondary schools in three local self-government units: Ada, Subotica and Temerin. From the academic year of 2011/2012, the subject stopped being taught, given that a large number of students attend all classes in Hungarian and there were no students interested in mentioned subject. 330

By adopting the Vlach script 331, as already pointed out, the prerequisites for the use of the language in all spheres of social life are met. The state takes measures for the promotion and protection of the Vlach language, of which the most important is the one related to the field of education in the Vlach language. The National Council of the Vlach National Minority is the main driver of these initiatives. The curriculum for the subject the Vlach Speech With Elements of National Culture for the first grade of primary school, which was approved by the relevant ministry in 2013, was adopted, while the curriculum for the second, third and fourth grade was adopted by the National Education Council in 2014. In cooperation with NGO "Gergina" from Negotin and the Foundation for an Open Society, two seminars for training teachers to teaching the Vlach speech with elements of national culture were organized in 20013. That program is listed in the catalogue of accredited training programs for academic year 2014/2015 and 2015/2016, the one issued by the Institute for the Improvement of Education. Those successfully implemented activities in the field of adoption of curricula, as well as of training teachers, have enabled the implementation of a pilot project of studying the course called the Vlach speech with elements of national culture in primary schools. In the second half of the academic year 2013/2014, that course was attended by 131 students, coming from schools of seven municipalities located in Eastern Serbia (Boljevac, Bor, Žagubica, Zajecar, Majdanpek, Negotin and Petrovac). After the procedure was conducted, the Ministry of Education, Science and Technological Development in 2014 approved textbook for the first grade of primary school called, Vuorba ši kultura Vlaha which is published by the Public Institute for Textbooks. It is expected that the educational system would introduce the Vlach speech with elements of national culture as an elective starting with the academic year 2014/2015. In addition to activities in the field of education, the National Council of the Vlach National Minority, in accordance with their authority, announced that it would propose establishing the Vlach language and script as the official language in certain units of self-government 332.

Pre-school education
For members of a national minority, the curriculum is implemented in their native language. The implementation of the curriculum can be performed bilingually or in Serbian, if for at least 50% of parents i.e. guardians of children opt for it.

330 Ibid.
331 Ibid.
332 Ibid.
<table>
<thead>
<tr>
<th>Language</th>
<th>In native language</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2011/2012</td>
<td>2012/2013</td>
<td></td>
</tr>
<tr>
<td>Albanian</td>
<td>843</td>
<td>586</td>
<td></td>
</tr>
<tr>
<td>Hungarian</td>
<td>4.447</td>
<td>4.331</td>
<td></td>
</tr>
<tr>
<td>Romanian</td>
<td>138</td>
<td>131</td>
<td></td>
</tr>
<tr>
<td>Ruthenian</td>
<td>154</td>
<td>148</td>
<td></td>
</tr>
<tr>
<td>Slovak</td>
<td>996</td>
<td>987</td>
<td></td>
</tr>
<tr>
<td>Croatian</td>
<td>85</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>6.663</td>
<td>6.283</td>
<td></td>
</tr>
</tbody>
</table>

Source: The second and third periodic report on the implementation of the Convention on the Rights of the Child in the Republic of Serbia

<table>
<thead>
<tr>
<th>Language</th>
<th>Bilingually (in Serbian and in one national minority's language)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2011/2012</td>
<td>2012/2013</td>
<td></td>
</tr>
<tr>
<td>Albanian</td>
<td>35</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Bosnian</td>
<td>2.420</td>
<td>2.536</td>
<td></td>
</tr>
<tr>
<td>Bulgarian</td>
<td>222</td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>Hungarian</td>
<td>998</td>
<td>887</td>
<td></td>
</tr>
<tr>
<td>German</td>
<td>23</td>
<td>136</td>
<td></td>
</tr>
<tr>
<td>Roma</td>
<td>205</td>
<td>55</td>
<td></td>
</tr>
<tr>
<td>Romanian</td>
<td>106</td>
<td>116</td>
<td></td>
</tr>
<tr>
<td>Slovak</td>
<td>85</td>
<td>87</td>
<td></td>
</tr>
<tr>
<td>Croatian</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>4.094</td>
<td>4.037</td>
<td></td>
</tr>
</tbody>
</table>

Source: The second and third periodic report on the implementation of the Convention on the Rights of the Child in the Republic of Serbia

In the academic year 2013/2014 began conducting of classes entirely in Bosnian, while in the 2014/2015 started bilingual education, both in Bosnian and Serbian language, in primary schools in the Raska region.

<table>
<thead>
<tr>
<th>Language</th>
<th>Conducting classes by using script and language of the national minority</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2011/2012</td>
<td>2012/2013</td>
<td></td>
</tr>
<tr>
<td>Albanian</td>
<td>8.327</td>
<td>7.337</td>
<td></td>
</tr>
<tr>
<td>Bulgarian</td>
<td>98</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>Hungarian</td>
<td>15.350</td>
<td>15.216</td>
<td></td>
</tr>
<tr>
<td>Romanian</td>
<td>1.126</td>
<td>1.079</td>
<td></td>
</tr>
<tr>
<td>Ruthenian</td>
<td>487</td>
<td>479</td>
<td></td>
</tr>
<tr>
<td>Slovak</td>
<td>3.183</td>
<td>3.034</td>
<td></td>
</tr>
<tr>
<td>Croatian</td>
<td>296</td>
<td>296</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>28.867</td>
<td>27.531</td>
<td></td>
</tr>
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</table>

Source: The second and third periodic report on the implementation of the Convention on the Rights of the Child in the Republic of Serbia

In the academic year 2013/2014 began conducting of classes entirely in Bosnian, while in the 2014/2015 started bilingual education, both in Bosnian and Serbian language, in secondary schools in the Raska region.

**Secondary Education**
In the case of the subject Native language with elements of national culture, for national minorities who attend classes in Serbian, there is a possibility to study the subject Native language with elements of national culture. In the academic year of 2014/2015 studying the Vlach language with elements of national culture in primary schools was introduced. When it comes to the number of Roma children who study their native language with elements of national culture, it amounted to 850 in 2013/2014, while in the academic year of 2014/2015 it climbed to 1000.

### Primary education

#### Native language with elements of national culture

<table>
<thead>
<tr>
<th>Language</th>
<th>2011/2012</th>
<th>2012/2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albanian</td>
<td>3,825</td>
<td>3,619</td>
</tr>
<tr>
<td>Bulgarian</td>
<td>87</td>
<td>98</td>
</tr>
<tr>
<td>Hungarian</td>
<td>7,092</td>
<td>6,784</td>
</tr>
<tr>
<td>Romanian</td>
<td>238</td>
<td>224</td>
</tr>
<tr>
<td>Ruthenian</td>
<td>65</td>
<td>61</td>
</tr>
<tr>
<td>Slovak</td>
<td>381</td>
<td>256</td>
</tr>
<tr>
<td>Croatian</td>
<td>128</td>
<td>145</td>
</tr>
<tr>
<td>TOTAL</td>
<td>11,816</td>
<td>11,187</td>
</tr>
</tbody>
</table>

Source: The second and third periodic report on the implementation of the Convention on the Rights of the Child in the Republic of Serbia

### Primary education (2015/2016)

#### Native language with elements of national culture

<table>
<thead>
<tr>
<th>Language</th>
<th>Number of students</th>
<th>girls</th>
<th>boys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albanian</td>
<td>630</td>
<td>270</td>
<td>360</td>
</tr>
<tr>
<td>Bosnian</td>
<td>2,521</td>
<td>1,170</td>
<td>1,351</td>
</tr>
<tr>
<td>Bulgarian</td>
<td>1,314</td>
<td>514</td>
<td>505</td>
</tr>
<tr>
<td>Bunjevac dialect</td>
<td>296</td>
<td>156</td>
<td>140</td>
</tr>
<tr>
<td>Vlach</td>
<td>207</td>
<td>97</td>
<td>110</td>
</tr>
<tr>
<td>Hungarian</td>
<td>2,462</td>
<td>1,311</td>
<td>1,151</td>
</tr>
<tr>
<td>Macedonian</td>
<td>81</td>
<td>27</td>
<td>54</td>
</tr>
<tr>
<td>Roma</td>
<td>1,169</td>
<td>578</td>
<td>591</td>
</tr>
<tr>
<td>Romanian</td>
<td>428</td>
<td>223</td>
<td>205</td>
</tr>
</tbody>
</table>

Source: The second and third periodic report on the implementation of the Convention on the Rights of the Child in the Republic of Serbia
<table>
<thead>
<tr>
<th>Language</th>
<th>2011/2012</th>
<th>2012/2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgarians</td>
<td>616</td>
<td>414</td>
</tr>
<tr>
<td>Hungarians</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Romanians</td>
<td>28</td>
<td>36</td>
</tr>
<tr>
<td>Ruthenian’s</td>
<td>72</td>
<td>61</td>
</tr>
<tr>
<td>Slovaks</td>
<td>331</td>
<td>260</td>
</tr>
<tr>
<td>Croats</td>
<td>37</td>
<td>36</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,084</strong></td>
<td><strong>807</strong></td>
</tr>
</tbody>
</table>

Source: The second and third periodic report on the implementation of the Convention on the Rights of the Child in the Republic of Serbia
Secondary education (2015/2016)

<table>
<thead>
<tr>
<th>Language</th>
<th>Types of classes</th>
<th>Number of students</th>
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</thead>
<tbody>
<tr>
<td>Albanian</td>
<td>without combination</td>
<td>2,925</td>
</tr>
<tr>
<td></td>
<td>combined</td>
<td>142</td>
</tr>
<tr>
<td>Bosnian</td>
<td>without combination</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>combined</td>
<td>0</td>
</tr>
<tr>
<td>Bulgarian</td>
<td>without combination</td>
<td>132</td>
</tr>
<tr>
<td></td>
<td>combined</td>
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<tr>
<td>Hungarian</td>
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<tr>
<td></td>
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<td>393</td>
</tr>
<tr>
<td>Romanian</td>
<td>without combination</td>
<td>191</td>
</tr>
<tr>
<td></td>
<td>combined</td>
<td>0</td>
</tr>
<tr>
<td>Ruthenian</td>
<td>without combination</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>combined</td>
<td>0</td>
</tr>
<tr>
<td>Slovak</td>
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</tr>
<tr>
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<td>combined</td>
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<tr>
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<td>combined</td>
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<td>75</td>
</tr>
<tr>
<td></td>
<td>combined</td>
<td>42</td>
</tr>
</tbody>
</table>


Ministry of Education, Science and Technological Development is competent for the approval and records of all approved textbooks that are kept in Register of Approved Textbooks.

As the Committee of Experts noted in its assessment of the high potential of the education system about in national minority languages, speakers of minority languages are allowed to have some of the modalities of education in their own language at different levels of education. Thus, the established system of education requires extraordinary efforts of the state for providing conditions for the smooth conduct of classes concerning in minority languages, including the provision of teaching materials.

Regulations related to the field of education provide an opportunity even for teachers who conduct classes in minority languages to develop professionally. Ministry of Education, Science and Technological Development prescribes duties of the professional development of teachers, pre-school teachers, pedagogues and psychologists. The Rulebook on continuous professional development and acquisition of qualifications for teachers, pre-school teachers, pedagogues and psychologists which was in force during the period referred to in the third report on the implementation of the Charter, stipulates that the continuous professional development of teachers, pre-school teacher, pedagogues and psychologist shall be carried out under special programs that may be mandatory and optional. A teacher, pre-school teacher, pedagogue or psychologist shall attend at least 100 hours of programs within a five-year period, of which at least 60 hours shall be from the list of mandatory and up to 40 hours from the lists of the optional program. The Centre

for Professional Development of Education, as part of the Institute for the Improvement of Education, is responsible for improving the system of continuous professional training and professional development of employees in preschools, primary and secondary education. This Centre is also responsible for the approval of programs for continuous professional development, including participation in the exercise of European and international programs in the field of professional development of employees. The Centre maintains a professional training base, catalogues of training programs, registration and following-up seminars and professional meeting 335.

Starting from 2010/2011 Pedagogical Institute of Vojvodina became competent for the accreditation of an online professional training program for teaching in languages of minority nations. Catalogues of programs for continuous professional development of teachers, pre-school teachers, pedagogues and psychologists 336 are published for each school year and include professional training programmes that are approved by the Commission of the Institute for the Improvement of Education and the Pedagogical institute of Vojvodina. Accredited programs that are of importance for minority nation’s education and teaching in minority languages: 37 for the academic year of 2011/2012 and 36 for the year of 2012/2013.

According to the Law on National Councils of National Minorities 337, national councils of national minorities play an important role in preventing discrimination against their compatriots within education. Within their jurisdiction, National Councils (Article 12) should prevent discrimination related to participating in the management of pre-school educational institution, primary and secondary educational institutions, institutions for pupil and student standards which are founded by the Republic, autonomous province or local self-government unit, and in which classes are conducted in the language of a national minority, or in which a speech, language or culture of a national minority is taught as a separate school subject; the curricula, in selecting textbooks and teaching aids (Article 14) and others. National Councils also play an important role when it comes to curricula, textbooks choice and teaching aid for students studying in a national minority language etc. (Article 14).

When it comes to the institutions, in the field of higher education, founded by the Republic of Serbia, autonomous province or local self-government unit, the national council gives its opinion on the candidates proposed for the bodies of management and governance of those higher education institutions where teaching is wholly or partly performed in the language of national minorities.

The Bosniak National Council has filed 22 complaints, for discrimination of Bosniaks in the education system, to the Commissioner for the Protection of Equality 338, in 2014. Complaints were filed against several primary and secondary schools, pre-schools, as well as against the Ministry of Education, Science and Technological Development. These complaints were related to the non-exercise of collective rights of the national minority, particularly of the right to education in the Bosnian language. Discrimination was

335 Ibid.
336 Catalogues are available on the website of the Institute for the Improvement of Education www.zuov.gov.rs/katalozi-su/
identified in 10 cases and for that purpose, appropriate recommendations were issued, where it was acted on seven issued recommendations.

The Office for Human and Minority Rights, supported by the British Embassy and the Embassy of the Kingdom of the Netherlands, carried out a project, which took place from November 2012 to May 2013. The project included a six-month paid internship, for twelve members of the Albanian, Bosnian and Roma national minorities, in administrative authorities which activities are of importance for the exercise of collective rights of minorities. The Office, with the support of the British Embassy, the Embassy of the Kingdom of the Netherlands, the Swedish Agency for International Development (SIDA) and the Organisation for Security and Co-operation in Europe the period from November 2013 to May 2014, conducted performance of this activity in the period from November 2013 to May 2014.

III METHODS AND INSTRUMENTS FOR ATTRACTING OF DIFFERENTS LEVELS OF POWER USED FOR ELIMINATION OF ARISING BARRIERS AND OBSTACLES

1. Brief overview of efficiency of methods used for elimination of obstacles

The basic obligation of all involved in the education system is not to act discriminatory, i.e. to refrain from discrimination. If the discrimination still occurs, protection of rights can be achieved in several ways:

1) at the basic level by talking to a teacher or class teacher who should represent a good mediator in the process of reconciliation and finding solutions in relations between students;
2) by filing a complaint concerning the relationship student - student and student - teacher to the school administration and the educational inspection, which may be submitted by a teacher or a student about the relationship student - student and student - teacher;
3) by filing a complaint to the independent institutions;
4) by submitting an appeal to the court.

If the discriminatory treatment occurs within the relationships student-student, the teacher should help the student who is the victim, and then to the student who is connected to the discriminatory behaviour. The teacher should indicate that the negative reaction of that student to someone else's to gender, appearance, disability, race or other characteristics are unacceptable prejudices. The teacher should establish the true facts and talk with parents at homeroom meetings. By acting in such a manner, teachers will not provide the opportunity for the development of discrimination but will actively seek to identify it and overcome it through mediation.

If a teacher or administration believes that sanctions must be more stringent, pedagogical and disciplinary actions can be taken against the student. According to Article 114 of the Law on the Foundations of the Education System, this procedure is marked as an urgent emergency procedure and shall be initiated by virtue of the principal’s official conclusion. For violating of Article 44, the Law prescribes a punishment, which consists of the termination of the status of secondary school students in that academic year and the inability to continue further education in that school. The school is obliged to notify the parents or

guardians, in that way including them in the entire process. If the student is a minor, a statement shall be taken from him/her in the presence of parents.

This disciplinary proceeding shall be terminated by the principal's official decision. Parents can file a complaint within three days of receiving the decision on the established responsibility and measures imposed. The school board shall decide on the complaint within 15 days from the day of submission. The appeal shall have a suspensive effect on the execution of the principal’s decision. The student, his/her parent or guardian shall be entitled to court protection in administrative procedure against the second instance decision on the ordered measure of exclusion of the student from the secondary school.

If the problem of discrimination arises from the relationship teacher - student – school, reporting of violation of the right to the principal of an educational institution can be performed by the students themselves, their parents, and teachers if it is noticed that there was an infringement. The complaint must be submitted to the principal within 15 days of the event having taken the place, and the principal has 15 days to establish the facts that were the subject of the complaint (Article 103). Finally, the principal may reject the complaint as unfounded or make a decision to initiate proceedings against the student or to file misdemeanor and criminal charges against teaching staff. The school principal is responsible for taking measures for the execution of education inspectors and educational advisors orders. Misdemeanour and criminal charges may be presses against the student if he/she is older than 14. The decision of the school principal does not represent a final instance in solving the problem of violating the discrimination prohibition. If the decision is not in accordance with the law, the injured party may apply to the city or municipal inspector and report to him/her the problems.

Labour inspection shall be competent in cases when, a teacher, when entering employment, believes that some kind of discriminatory treatment occurred between school personnel (violation of labour law, mobbing, etc.) and that for the reason of a personal characteristic that does not significantly affect the performance of work, he or she did not have the same treatment, labour inspection. One of the duties of labour inspection is to reduce the number of violations of legal and labour relations encouraged by discriminatory behaviour. Admission of teachers in employment relationship should be based on the prohibition of discrimination related to sex, birth, language, race, age, pregnancy, religion, language, and ethnicity. The prohibition of discrimination should ensure equal conditions for the admission of candidates, good working conditions and all labour rights concerning the employment, career advancement, education and training, participation in professional and administrative management of the institution and equal conditions in case of cancellation. Labour inspection usually does not act upon anonymous complaints and the inspector must act upon the complaint within one month from the date of receipt of the complaint. Law on the Prevention of Harassment at the Workplace protects psychological integrity of an employee, and if the proceeding reaches the court, it is considered as being urgent and the burden of proof is on the employer, the prosecutor proves the likelihood of the defendant’s having committed an act of discrimination (Article 32).

Articles 146 and 147 of the Law on the Foundations of the Education System stipulate the inspection and expert pedagogic supervision, as well as activities of the educational inspection. Educational inspection of the Ministry of Education, Science and Technological Development, in cooperation with the

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340 "Official Gazette of the RS", No. 36/2010
bodies, which are entrusted with performing the inspection at the community and municipal levels, within its powers and authorities and through regular inspections and emergency, also works toward preventing discrimination in education. Inspection supervision is conducted for purposes of examining the implementation of this and special laws and regulations based on them. By having direct insight into the work of the institution, and depending on the results of supervision, measures are imposed and their execution is controlled. An education inspector performs inspection supervision in terms of exercising and protecting the rights of children, students, staff and conducting control processes.

More detailed criteria for identifying forms of discrimination are prescribed by the Rulebook on detailed criteria for the recognition of forms of discrimination by an employee, student, child or a third person in the institution of education. The institution also within the Statute specifies detailed actions of its bodies to ensure the exercise of rights of children and students, protection and safety of children, students and employees, as well as to ensure measures for preventing violations of the prohibition laid down by law.

Although Article 44 of the Law on the Foundations of the Education System clearly defines the prohibition of discrimination, defining other provisions, directly or indirectly, largely contributes to the implementation of the principles of the Convention against discrimination in education.

**Pedagogical and disciplinary procedure (Article 114):** For a more serious violation of students’ obligations, as well as for the violation of prohibition referred to in Article 44 of this law, the school must initiate a pedagogical and disciplinary procedure of which the parent, i.e. guardian must be informed. The pedagogical and disciplinary procedure shall be initiated by the principal within 30 days for more serious violations of students’ obligations of for violations of prohibitions referred to in Articles 44 and 45 of this law. The pedagogical and disciplinary procedure is terminated by the principal’s official decision. Before making a decision all relevant facts of the case must be established.

**Pedagogical and disciplinary measures and legal protection of the student (Article 115):** When a minor student commits violation of obligations or prohibitions referred to in Article 44 of the law, the school shall immediately notify the parents or guardian, and involving him/her in the appropriate procedure.

The principal initiates and conducts a disciplinary procedure, makes the decision and imposes the measure in the disciplinary proceeding against an employee. The disciplinary procedure shall be initiated by a written conclusion containing data about employees, violation of the prohibition description, time, place and manner of execution and the evidence pointing to the breach. The conclusion for initiating disciplinary proceedings shall be forwarded to the union of which the employee is a member. After determining the liability of the employee, the principal makes a decision on the disciplinary liability of the employee.

Education inspectors, who analysed the violation of the discrimination prohibition in their field, indicated that they had scarcely perceived acts of discrimination in the manner prescribed and described in Article 44 of the Law, and that discrimination appears as an integral part of violence, abuse and neglect, meaning that these phenomena are often mutually conditioned.

342"Official Gazette of the RS", No. 22/2016
In all these relationships in which discriminatory behaviour occurs, it is possible to file a complaint to the independent institutions, of which the competent ones are the Protector of Citizens and the Commissioner for Protection of Equality.

**The Protector of Citizens** acts upon the complaint of a citizen or on his/her own initiative. The main duty of the Protector is to examine whether the administrative authority or other organisation, which exercises public authority, legally and properly acted in solving an issue related to a right or interest of the citizens and, if not, the Protector must require for that error, i.e. omission to be corrected. The Protector may intervene, give opinions and advice, but his/her recommendations are not legally binding. If the Protector establishes any type error, he/she shall recommend the solution, while a body that has made a mistake shall notify the Protector whether it complied with the recommendation within 60 days. If not acted according to his/her recommendations, the Protector can use mechanisms to inform the public, the National Assembly and the Government.

**The Commissioner for Protection of Equality** represents a central national body for protection against discrimination. The main responsibility of the Commissioner is to act upon complaints in cases of discrimination against persons or groups of persons who are linked by the same personal characteristics. The Commissioner is not authorized to initiate proceedings, on his/her own initiative, in the individual case, but he/she shall initiate it only after receiving a complaint of citizens (Article 33). A complaint to the Commissioner may be submitted by any natural or legal person, or a group of persons who consider to have suffered discrimination, as well as by organisations dealing with the protection of human rights. The complaint must be signed and must contain the following information: who is discriminated against and by whom, the situation description, the attachment of all documents proving discrimination. The Commissioner shall forward the complaint to the person against whom it has been lodged within 15 days of having received it. The Commissioner shall give a period of 15 days to the person against whom the complaint was lodged, so that he/she may make a statement concerning the claims made in the complaint. This shall not suspend the procedure before the Commissioner, even if the person against whom the complaint was lodged does not make a statement.

The Commissioner shall establish the facts of the case by reviewing the evidence submitted and shall make the decision within 90 days (Article 39). If he/she decides that there has been a violation of the provisions of this Law, the Commissioner shall issue a recommendation, obliging the person to whom the recommendation is addressed to act upon within 30 days of the day of receiving it and to inform the Commissioner of it. The Commissioner can initiate a reconciliation procedure, but he/she must receive the consent of both parties. Commissioner acts on the behalf of his/her authority and there are no sanctions prescribed by the law, which he/she can use to affect the discriminator. According to the Anti-Discrimination Law, The Commissioner may initiate a lawsuit in the court, but he/she needs the consent of the person who has suffered discrimination. The Commissioner cannot act ex officio, but only upon the complaint.

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344 Law on the Prohibition on Discrimination in the Republic of Serbia ("Official Gazette of the RS", No. 22/2009)
Acting upon complaints - The procedure before the Commissioner for Protection of Equality is initiated by filing a complaint, which may be submitted by any natural or legal person or group of persons considering to have suffered discrimination, as well as organisations dealing with the protection of human rights or other person on the behalf and with the consent of the person who believes he/she has suffered discrimination. In the case of discrimination against a group of persons, an organisation dedicated to the protection of human rights may file a complaint on its own behalf, without the consent of the individual persons who are members of discriminated groups.

Complaints are usually submitted by natural persons, whereby it should be noted that men compared to women more often apply to the Commissioner- in 2015 men have filed about 60% and women 40% of complaints. Legal entities have filed 121 complaints, of which civil society organisations filed 101 complaints. The Commissioner has the largest number of complaints received from the Belgrade region (25.3%) and the least from the region of Southern and Eastern Serbia (9.5%) and Kosovo and Metohija (0.2%). The largest number of complaints was filed against state authorities, i.e. the public authorities - as much as 50%. The second place belongs to legal entities (28%) and natural persons who are further followed by groups of persons and organisations. In 2014 there were 39 complaints within the field of education and professional training or 5.8% compared to the total number of complaints by area. Twenty-three of those complaints were filed by natural persons (23 men and 6 women), two were filed by legal entities, eleven by organisations and finally, and three were filed by groups of persons. The total number of complaints for the year 2013 in the field of education and vocational training was 61 (i.e. 8, 5%), of which four were lodged by organisations, one was lodged by the group of persons while 56 were filed by natural persons (19 men and 37 women).

If the requirements are met in terms of the proceedings, the Commissioner may propose mediation process if there are sufficient conditions. In the event that both parties accept mediation, the complaints procedure will be suspended until the completion of the mediation process. If the parties reach an agreement, the process ends, and if the mediation agreement is not reached, the proceeding before the Commissioner continues. If there are no sufficient conditions for mediation, or if mediation fails, the process continues by submitting the complaint to the person against whom it is filed within 15 days. The person against whom the complaint was filed may make a statement within 15 days of the complaint, provided that the

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345 Although there is no prescribed form of the complaint, the Commissioner for Protection of Equality developed a form of the complaint, which can be used as a guideline providing data and pieces of information necessary for conducting a proceeding. The form of the complaint can be found on the premises of the Protector. It is available in a printed form in Serbian language, in languages of national minorities and in the form adjusted for children. The e-form of the complaint can be found on the website of the Commissioner http://www.ravnopravnost.gov.rs/rs/дискриминација/поднеси-притужбу. Except basic data given in the complaint, it is necessary for the complaint to be signed. More detailed instructions on filing a complaint are available at the website http://www.ravnopravnost.gov.rs/

346 All complaints within the Area: Education and professional training, for the whole reporting period, can be found on the website of the Commissioner for Protection of Equality http://www.ravnopravnost.gov.rs/rs/tags/obrazovanje-i-strucno-usavr%C5%A1avanje?limitstart=0 or complaints related to the Grounds for discrimination: ethnicity, disability, age etc. can be found on the same website http://www.ravnopravnost.gov.rs/rs/nacionalna-pripadnost

347 The regular annual report of the Commissioner for Protection of Equality for 2013 is available on the website http://www.ravnopravnost.gov.rs/rs/izve%C5%A1aji/izve%C5%A1aji

348 The regular annual report of the Commissioner for Protection of Equality for 2013 is available on the same website http://www.ravnopravnost.gov.rs/rs/izve%C5%A1aji/izve%C5%A1aji
Commissioner shall continue proceedings even if the person does not make a statement on the complaint. In order to determine the facts, the Commissioner may take statements from other persons (e.g., witnesses).

**Court proceedings for protection against discrimination** - the Commissioner has the authority to initiate anti-discrimination lawsuits, whereby on his/her decides on the necessity of it. It should be noted that filling a lawsuit is not the mechanism for ensuring compliance with the recommendations of the Commissioner for Protection of Equality, nor it is a part of the complaints procedure. First thing to be examined in every particular case is whether the case is of strategic importance, and only after the evaluation of whether "a strategic lawsuit" is necessary, the complaint is submitted to the court. If an individual has suffered discrimination, the consent of that individual is necessary, while consent is not required in cases of discrimination against a group of persons related to the same personal characteristic. The Commissioner always files a lawsuit in its own name and in the public interest, The Commissioner can point out all the legal requirements except the requirement for compensation of material and non-material damage. Conducting these lawsuits enables the improvement of judicial practice in order to sensitize the public to the problem of discrimination and it causes changes in public opinion. For conducing strategic lawsuits, typical cases of widespread discrimination are selected, in respect of which there are good prospects for success. The Commissioner may submit misdemeanour or criminal charges when he/she learns that he has been a violation of the equality. The Commissioner has the authority to recommend to the public authorities and others entities measures for achieving equality. Recommendations can be directed towards public authorities, ensuring that they would take measures to prevent and eliminate institutional discrimination and to improve the functioning of the institutions of the system in combating discrimination. Recommendations are also used for indicating to the need for taking special measures, which ensure full equality, protection and progress of individuals, or groups who are in an unequal position compared to other citizens.

The Commissioner is authorized to monitor the implementation of laws and other regulations, to initiate the adoption or amendments of legislation so to improve the protection against discrimination. In addition, he/she is authorized to give opinions on the provisions of draft laws and other regulations pertained to the prohibition of discrimination.

The Commissioner is authorized to warn the public of the most frequent, typical and severe cases of discrimination, and he/she does that based on the information and knowledge from the complaints, the media and other sources. The point of warning the public is for the Commissioner for Protection of Equality to indicate to the discriminators, the manner of discrimination, some groups or individuals who are the subjects of the most common, typical and severe forms of discrimination, as well as to the consequences of discrimination.

Article 41 of the Law on Prohibition of Discrimination
declares the judicial protection, filing lawsuits and immediate processing. The local court of the prosecutor has the jurisdiction over initiating the proceeding, and through a lawsuit, the prosecutor may demand:

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349."Official Gazette of the RS" No.22/2009
1. imposing a ban on an activity that poses the threat of discrimination, a ban on proceeding with a discriminatory activity, or a ban on repeating a discriminatory activity;

2. that the court should establish that the defendant has treated the prosecutor or another party in a discriminatory manner;

3. taking steps to redress the consequences of discriminatory treatment;

4. compensation for material and non-material damage;

5. that the decision passed on any of the lawsuits referred to in items 1-4 of this Article be published.

Protection is firstly requested from the basic court by filing a lawsuit. In case of dissatisfaction due to the decision of the Basic Court, a party may submit an appeal to the Appellate Court in the area in which the basic court that rendered the first-instance ruling is located. The Court of Appeal in its ruling confirms the ruling of the Basic court or converts it, while with the decision it rejects the appeal against the ruling or vacates the judgment of the Basic Court and returns the case to it to re-debate it and make a judgment. Against the decision of the court of appeal, the revision may be filed to the Supreme Court of Cassation.

2. RAISING OF AWARENESS

2.1 Represent activities, which are performed for drawing attention of different state institutions in relation to the Convention/Recommendations? Represent activities, which are implemented for purposes of raising public awareness of the principles of non-discrimination and equality of educational opportunities contained in the Convention and Recommendations, and of their national and local spread, especially by non-governmental organisations?

Raising public awareness of the principles of non-discrimination is being implemented through the regular program and project activities of the various relevant institutions, independent regulatory bodies, as well as international and local civil society organisations. Ministry of Education, Science and Technological Development, as well as other competent ministries and government agencies, as well as local self-government units regularly (at least once a year) announce a public competition for financing projects in the fields of education, human and minority rights in the context of allocation of public budget, which purposes are, inter alia, to raise awareness about the fight against discrimination and equality of educational opportunities. Also, the EU and other multilateral and bilateral international donors call for applications that aim at the fight against discrimination and promote equality in education.350 Certainly the most important role belongs to the institutions - primarily the Ministry of Education, Science and Technological Development, the Office for Human and Minority Rights of the Government of the Republic of Serbia.351

350 More details about previous projects funded at central and local level can be downloaded from the Annual Aggregate Reports on expenditure of funds for supporting the program activities, which were provided and given to associations and other civil society organizations from the budget of the Republic of Serbia, available on the website of the Office for Cooperation with Civil Society of the Government of the Republic of Serbia http://www.civilnodrustvo.gov.rs/dokumenta-t-publikacije/dokumenta_16.html

351 Reports on the work include conducted programs and projects which aim at raising public awareness of principles of non-discrimination and equality of educational opportunities are available on the website http://socijalnoukljucivanje.gov.rs/rs/category/dokumenta/

However, most of the activities in the fight against discrimination in the field of education are implemented by civil society independently, in the context of existing coalitions, platforms and networks, but also in cooperation with the public authorities at national and local level. Below are listed some of them:

The Social Inclusion and Poverty Reduction Unit of the Government of the Republic of Serbia is actively participating in creating development directions and policies in the field of education, especially aiming to improve the situation of vulnerable groups, with a focus on numerous campaigns and initiatives to raise awareness of the academic community and the interested public in order to prevent discrimination in education through: supporting the development of regulations and policy documents, analysing and proposing measures of additional support to students from vulnerable groups, improving educational statistics, supporting the advancement of the role of ICT in education, as well as supporting the development and implementation of project ideas of the partners. A blog on social inclusion was created which, inter alia, brings together citizens who use it to exchange experiences and to raise public awareness of the problems and ways to overcome discrimination occurring in education.

Commissioner for Protection of Equality in the context of cooperation with the European Roma Rights Centre in Budapest (ERRC) is organizing an internship program for Roma individuals. The aim of the six-month program is to provide for interns direct experience of working in an independent institution, which is specialized in the prevention and protection from discrimination and improving equality, deepening knowledge on various aspects of equality policies aimed at inclusion of the Roma community, raising awareness about the necessity of including all minority groups in the work of public authorities and the practical application of knowledge and skills acquired during their studies and/or previous work experience.

The Office for Human and Minority of the Republic of Serbia allocates a great amount of budget funds annually through several competitions aimed at the promotion and protection of human rights and raising public awareness within the "Implementation of Anti-Discrimination Policies in the Republic of Serbia" and "Creating Tolerance and Understanding towards LGBT Population in Serbian Society ", as well as to improve the position and status of Roma in Serbia, with a focus on raising awareness of the problems of discrimination in respect of the company, etc.

Open Society Foundation in the reporting period have supported projects and activities through programs Respect for human rights and minorities, Roma Inclusion, Inclusive Education which are aimed

352 Reports on the work include conducted programs and projects which aim at raising public awareness of principles of non-discrimination and equality of educational opportunities are available on the website http://socijalnoukljucivanje.gov.rs/rs/category/dokumenta/
353 Reports on the work include conducted programs and projects which aim at raising public awareness of principles of non-discrimination and equality of educational opportunities are available on the website http://www.ravnopravnost.gov.rs/sr/izve%C5%A1taji/izve%C5%A1taji
354 More details on the website http://socijalnoukljucivanje.gov.rs/sr/category/inicijativecr/
355 More details on the website http://www.socijalnoukljucivanje.gov.rs/blog/?page_id=25
356 More details on the website http://www.ravnopravnost.gov.rs/sr/aktuelno/poziv-za-dostavljanje-prijava-za-sta%C5%BEiranje
358 More information available on the website http://www.fosserbia.org/sr/programi/
at raising of public awareness about the necessity of inclusive education, regular education of Roma children, as well as of the respect for human and minority rights in education.

The Coalition against Discrimination\(^{359}\) and the Coalition for Access to Justice\(^{360}\) for many years work towards raising of awareness about the problems of discriminated groups in the Republic of Serbia, cooperating with other independent institutions and the National Assembly of the Republic of Serbia in order to draw attention and find common solutions to the systemic problems regarding discrimination.\(^{361}\)

The Coalition STEP\(^{362}\) was formed with the aim to implement the regional action to improve the human rights situation through dealing with the rights of the LGBT population, strengthening the role of women in political and public life and monitoring trials on discrimination. The conference was held within the project "Networking of civil society in the protection of human rights shortcomings", which is supported by the European Commission and the British Embassy.

The Coalition for Monitoring of Inclusive Education\(^{363}\) (eight members of civil society organisations and 56 parents who are elected from different groups according to pre-defined criteria) regularly work to raise awareness on the problem of segregation of children in schools, to establish innovative mechanism that will serve for recognizing discriminatory behaviour directed to children from marginalized groups. Parents of children from marginalized groups became familiar with their rights and procedures that may be taken if there is a threat to the right of children to education, but also to identify specific cases of discrimination and raise awareness about existing cases of discrimination in education.

Network of Organizations for the Children of Serbia\(^{364}\) currently has 75 civil society organisations from Serbia, dealing with children and protection of their rights. Its work is committed to the exercise of the rights of all children, reducing child poverty, providing the quality formal and informal education and culture, providing quality health protection and a healthy environment, for all children to grow safely and be protected from abuse, neglect, exploitation and violence. Its work is also committed to more adequate planning and transparent budget spending for children, for the creation and development of an inclusive society.

YUCOM\(^{365}\) for almost 20 years is engaged in promoting the ideas and practices of respect for human and civil rights and freedoms, spreading knowledge and raising awareness of them, providing legal assistance to those whose rights have been violated, raising of awareness in the field of discrimination in education and developing cooperation with associations and organisations dealing with the promotion of civil,

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\(^{359}\) The Coalition against Discrimination consist of: Centre for Advanced Legal Studies, Civil Rights Defenders, Labris - Organization for Lesbian Human Rights from Belgrade, CRIS - Network of the Committee for Human Rights in Serbia, the Association of Students with Disabilities, Gayten LGBT, PRAXIS and Regional Centre for Minorities


\(^{361}\) More information available on the website [http://www.stopdiskriminaciji.org/](http://www.stopdiskriminaciji.org/)

\(^{362}\) The Coalition consist of: Yukom, Centre for Civic Education, Humanitarian Law Centre Kosovo, Network of the Committee for Human Rights CHRIS, Gay Straight Alliance, LGBT Forum Progress, Belgrade Centre for Human Rights and the Youth Initiative for Human Rights Kosovo


\(^{364}\) [http://www.zadecu.org/](http://www.zadecu.org/)

\(^{365}\) [http://www.yucom.org.rs/](http://www.yucom.org.rs/)
political, human and trade union rights. YUCOM is a founding member of the Human Rights and Democracy House\textsuperscript{366}, which has been working in Belgrade since 2011.

For many years, Initiative for Inclusion "Big Little People"\textsuperscript{367} conducts great number of important activities for supporting the process of social inclusion and the development of inclusive education, among which there are numerous campaigns, publications and researches. One of these campaigns is I'm different, so what?, which has been implemented since 2001 in order to lessen against children and adults with functional disabilities. Quality Education for All promotes the right to education and opens public debate on this topic as well as campaigns Be a Volunteer and Understanding each other.

2.2 Specify activities carried out for supporting the National Commission in relation to the promotion of the Convention/Recommendations, as well as fostering debate on critical issues of the rights contained in instruments.

The Republic of Serbia is a full member of UNESCO since the 4\textsuperscript{th} of February 2003 (https://en.unesco.org/countries/serbia). The Federal Republic of Yugoslavia on the 31\textsuperscript{st} of March 1950 became a member of UNESCO and the same year it established the first Commission for UNESCO. The republic of Serbia was elected for the member of the Executive Council of UNESCO in 2015-2019. Previously, it was a member of this body in the period from 2005 to 2009. UNESCO's Constitution provides for member states of to set up a National Commission, which represent advisory bodies of the Government in the areas of competence of UNESCO. The current session of the National Commission was appointed by the Government of the Republic of Serbia in April 2015. The Commission has 25 members, a president of the Commission is PhD Goran Milašinović, a medical doctor and writer.

The National Commission for UNESCO collaborates regularly with the competent Ministry of Education, Science and Technological Development, which representatives are members of its Board of Education, in order to promote the Convention / Recommendations, and to initiate and foster ongoing dialogue and mechanisms for fighting against discrimination in education. Some of these activities in the previous period are\textsuperscript{368}:

1) Marking the International Mother Language Day on the 21\textsuperscript{st} of February, which is conducted every year in Kovačica under the auspices of the National Commission;
2) Supporting the development of the National Youth Strategy 2015-2025, which is an integral part of the youth education and the fight against all forms of discrimination youth discrimination, including the field of education;
3) Regular promotion of the Convention within education institutions in cooperation with the Ministry of Education, Science and Technological Development and the Office for Human Rights of the Government of Serbia;

\textsuperscript{366}http://kucaljudskihprava.rs/
\textsuperscript{367}http://www.velikimali.org/
\textsuperscript{368}Information received from the Group for UNESCO at the Ministry of Foreign Affairs of the Government of the Republic of Serbia
4) The University Club for UNESCO organised by the conference for achieving the objectives of sustainable development;
5) A joint contribution to the development of national strategies for the realization of the UN Sustainable Development Agenda;
6) Regular meetings of the Ministry of Education, Science and Technological Development within the meetings of UNESCO;
7) Participation of the delegation of the Republic of Serbia, Minister of Education, Science and Technological Development and Ministry representatives at the 38th regular session of the General Conference of UNESCO.

LITERATURE (used and cited in the Report):

Legislative framework

- Constitution of the Republic of Serbia (‘’Official Gazette of the RS’’ No.98/06);
- Law on the Protector of Citizens (‘’Official Gazette of the RS’’ No.79/2005 and 54/2007);
- Law on the Prohibition of Discrimination (“Official Gazette of the RS” No.22/2009);
- Law on the Prevention of Discrimination against Persons with Disabilities (“Official Gazette of the RS” No.33/2006);
- Law on Gender Equality (“Official Gazette of the RS” No.104/2009);
- Law on Preschool Education (“Official Gazette of the RS” No.18/2010);
- Law on Primary Education (“Official Gazette of the RS” No.55/20013);
- Law on Secondary Education (“Official Gazette of the RS” No.55/2013);
- Law on Adult Education (“Official Gazette of the RS” No. 55/13);
- Law on Pupils and Student Standards (“Official Gazette of the RS”. No.18/2010 and 55/2013);
- Law on Textbooks and other Teaching Materials (“Official Gazette of the RS” No.68/2015);
- Law on Local Self-government (“Official Gazette of the RS” No.129/2007 and 83/2014 – state law);
- Law on the Use of sign Language (“Official Gazette of the RS” No.38/15);
- Law on the Temporary Regulation of the Basis for the Calculation and Payment of Salaries, i.e. Wages and Other Regular Income of Public Fund Users (“Official Gazette of the RS” No.116/2014);
- Regulation on the criteria for passing the act on are school networks and acts on elementary school network (“Official Gazette of the RS” No. 80/10);
- Regulation on the coefficients for the calculation and payment of salaries of employees in public services (“Official Gazette of the RS” No. 44/01, 15/02, 30/02, 32/02, 69/02, 78/02, 61/03, 121/03, 130/03, 67/04, 120/04, 5/05, 26/05, 81/05, 105/05, 109/05, 27/06, 32/06, 58/06, 82/06, 106/06, 10/07, 40/07, 60/07, 91/07, 106/07, 7/08, 9/08, 24/08, 26/08, 31/08, 44/08, 54/08, 108/08, 113/08, 79/09, 25/10, 91/10, 20/11, 65/11, 100/11, 11/12, 124/12, 8/13 and 4/14);
- Rulebook on additional educational, health and social support to the child and pupil (“Official Gazette of the RS” No.63/2010);
- Rulebook on issuing low volumes textbooks (“Official Gazette of the RS” No.30/2010);
- Rulebook on detailed criteria for the recognition of forms of discrimination by an employee, student, child or a third person in the institution of education (“Official Gazette of the RS” No.22/16);
- Rulebook on evaluation in primary education (“Official Gazette of the RS” No.74/2011);
- Rulebook on students and pupils scholarships and loans (“Official Gazette of the RS” No. 46/10, 47/11, 56/12 and 75/13);
- Rulebook on evaluation secondary education ("Official Gazette of the RS" No. 33/99 and "Official Gazette of the RS" -"Education Gazette" No.3/2003);
- Rulebook on the technical standards of accessibility ("Official Gazette of the RS" No. 46/2013)
- Rulebook on professional training and the acquisition of qualifications for teachers, preschool teachers, pedagogues and psychologists ("Official Gazette of the RS" No. 85/2013);
- Rulebook on standards and procedures for enrolment of students - members of the Roma national minority in secondary schools under favourable conditions to achieve full equality ("Official Gazette of the RS" No. 12/2016);
- Rulebook on detailed conditions for the establishment of priorities for the enrolment of children in preschool ("Official Gazette of the RS" No. 44/11);
- Rulebook on detailed instructions for determining the rights of the individual education plan, its implementation and evaluation ("Official Gazette of the RS" No.76/2010);
- Rulebook on the program of training for teaching assistants ("Official Gazette of the RS" No.110-00-242/2010-07);
- Rulebook on detailed conditions for the establishment of the right to individual educational plan, its implementation and evaluation ("Official Gazette of the RS" No.76/10);
- Rulebook on types, methods of implementation and funding of specific, specialized programs and other forms of work and services of the preschool ("Official Gazette of the RS" No.26/13);
- Rulebook on standards of conditions for the realisation of special programs in the field of preschool ("Official Gazette of the RS" No. 61/12);
- Rulebook on a special program for implementing the curriculum in the adequate health institutions ("Official Gazette of the RS" No. 124/2012);
- Rulebook on the protocol of treatment at the institution in response to violence, abuse and neglect ("Official Gazette of the RS" No. 30/2010);
- Rulebook on the program of training for teaching assistants ("Official Gazette of the RS"- "Education Gazette" No.11/2010);
- Rulebook on detailed conditions of the program, staff, space, equipment and teaching materials for acquiring the status of a recognized public organizer of adult education activities ("Official Gazette of the RS" No. 89/2015);
- Rulebook on the type, title and content of the forms and methods of records keeping and the title, content and appearance of the forms of public documents and certificates in adult education ("Official Gazette of the RS" No. 89/2015);
- Rulebook on the curriculum for primary education of adults ("Official Gazette of the RS" -"Education Gazette" No.13/13);
- Rulebook on detailed conditions for implementing the curriculum for primary education of adults ("Official Gazette of the RS"-"Education Gazette" No.13/13, 18/13);
- Rulebook on general standards of achievement primary education of adults ("Official Gazette of the RS" No. 50/2013 and 115/2013);
- Rulebook on professional/pedagogical supervision ("Official Gazette of the RS" No. 34/2012);
- Rulebook on quality evaluation of education institutions ("Official Gazette of the RS" No. 9/2012);
- Rulebook on continuous professional development and acquisition of qualifications for teachers, preschool teachers, pedagogues and psychologists ("Official Gazette of the RS" No. 13/2012);
- Rulebook on quality evaluation of education institutions ("Official Gazette of the RS" No. 7/2011);
- Rules on quality standards, textbooks and instruction on their use ("Official Gazette of the RS"-"Education Gazette" No. 1/2010);
o Rulebook on the type of education and qualification required for teachers, pedagogues and psychologists in primary school ("Official Gazette of the RS" - "Education Gazette" No. 11/2012 и 15/2013);

o Rulebook on continuous professional development and acquisition of qualifications for teachers, preschool teachers, pedagogues and psychologists ("Official Gazette of the RS" No. 85/2013 and 86/2015 – and state rulebook);

o Rulebook on standards and procedures for enrolment of students - members of the Roma national minority in secondary schools under favourable conditions to achieve full equality ("Official Gazette of the RS" No. 12/2016);

o Guidelines for improving the role of ICT in education (adopted by the national Education Council in 2013).

**Strategic framework**

o Strategy for Prevention and Protection against Discrimination ("Official Gazette of the RS" No. 60/2013) and Action plan for the implementation of the Strategy for Prevention and Protection against Discrimination for the period 2014-2018


o National Strategy for Preventing and Combating Violence against Women in Family and in Intimated Partner Relationships ("Official Gazette of the RS" No. 27/2011);


o Strategy for Improving the Position of Women and Achieving Gender Equality ("Official Gazette of the RS" No. 15/09) and the Action Plan for the Implementation of the Strategy for Improving the Position of Women and Achieving Gender Equality for the period from 2010 to 2015;

o National Strategy for Preventing and Protection of Children from Violence Equality ("Official Gazette of the RS" No. 122/08);

o Poverty Reduction Strategy (adopted in 2003);

o National Action Plan for Children (adopted in 2004);

o Millennium Development Goals in the Republic of Serbia ("Official Gazette of the RS" No.101/06);

o Strategy for Free Legal Aid System Development in the Republic of Serbia ("Official Gazette of the RS" No 74/2010);

o Strategy for Career Guidance and Counselling in the Republic of Serbia ("Official Gazette of the RS" No. 16/2010);

o Strategy for Developing a Widespread Access in the Republic of Serbia by 2012 (adopted in 2009);

o Strategy for the Fight Against Drugs in the Republic of Serbia for the period from 2009 to 2013 ("Official Gazette of the RS" No.16/09);

o Strategy on Sports Development in the Republic of Serbia for the period from 2009 to 2013 ("Official Gazette of the RS" No .110/08);
National Sustainable Development Strategy ("Official Gazette of the RS" No. 57/08);
National Youth Strategy ("Official Gazette of the RS" No. 55/08);
Strategy for Adult Education Development in the Republic of Serbia ("Official Gazette of the RS" No. 1/07);
Strategy for Improving the Status of Persons with Disabilities in the Republic of Serbia ("Official Gazette of the RS" No.1/2007);
National Strategy for the Fight against HIV/AIDS (adopted in 2005);
Strategy for the Development of Social Protection ("Official Gazette of the RS" No. 108/05);
Youth Health Development Strategy ("Official Gazette of the RS" No 104/06);
Strategy for Protection of Personal Data("Official Gazette of the RS" No 58/10);
Strategy for the Fight Against Drugs in the Republic of Serbia for the period from 2009 to 2013 ("Official Gazette of the RS" No.16/09);
Action Plan for the Chapter 23(adopted in 2016);

Reports of state and independent authorities and other relevant reports

- Regular annual report by the Commissioner for Protection of Equality for the period 2012-2015;
- Annual report by the Protection of Citizens for the period 2012-2015;
- Annual Report of the Office for Human and Minority Rights for the period 2012-2015;
- Expert Mission Reports on the state of minority rights in Serbia, 2015;
- The second and third periodic report on the implementation of the Convention on the Rights of the Child, 2015;

Other literature

- Analysis of the legal framework and current status and practice of pedagogical assistants. UNICEF, Social Inclusion and Poverty Reduction Unit, 2015;
- Monitoring framework for inclusive education in Serbia, Social Inclusion Unit, UNICEF, the Institute for Psychological Sciences, Open Society Foundation, 2014;
- Exclusion and segregation of children with disabilities in residential institutions in the education system, MDRI;
Education for gender equality- The analysis of teaching materials for civic education, UNDP, 2010;
Guidelines for Planning and Providing Adequate Intersectoral Support for Inclusive Education in the Local Community( practical politics), Network of Organisations for the Children of Serbia (MODS), 2015
Improving the social dimension of the European Higher Education in South-East Europe, Association of Students with Disabilities, 2013;
Strengthening Higher Education for Social Policy making and Social Services Delivery, Centre for Independent Living of PWDs Serbia, 2013;
Centre for Child rights,. Nobody can hurt you- The book for children and young people that will help them to understand abuse and neglect", 2015;

Annex: Comments and suggestions on the Draft Report
Ministry of Education, Science and Technological Development with the support of the Social Inclusion and Reduction of Poverty Unit, announced a public call for collecting comments and suggestion from
interested parties and experts regarding the Report in the period from May 30 until June 12, 2016. The total number of four written proposals for the improvement of the Draft Report has been received, as follows:

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<thead>
<tr>
<th>No.</th>
<th>Name of the organisation</th>
<th>Proposal for amendments</th>
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<tbody>
<tr>
<td>1.</td>
<td>Pestalozzi Children's Foundation</td>
<td>Proposal and suggestions are integrated in the body of Report.</td>
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| 2.  | Special Educators and Rehabilitators Association of Serbia [http://defektolozisrbije.org/](http://defektolozisrbije.org/) | In the period from 2012 to 2015, the education of students with disabilities and disability has not changed for the better, but we can safely say, it significantly deteriorated and is constantly deteriorating. Big promises expressed through legislation will not be achieved primarily because the Republic of Serbia does not respect the fact that children and students with disabilities have specific developmental course (Vygotsky) as well as learning, and related to this, it is necessary to support the development and learning not only by the expertise of teachers in the application of scientifically proven methods, but by providing an abundance of teaching materials and textbooks, adapted to the needs of these students as well. These are primarily students with disabilities in the intellectual development, students with hearing and speech motor disorders, combined disabilities, etc. The report mentions only the blind and visually impaired students for whom the textbooks are being adapted. This can be seen as exclusivism directed only to one target group of students, and open discrimination of the rest of students with disabilities requiring (scientifically proven) special, i.e. adapted textbooks. Some of the statements that shall take a place under the specific titles in the Report are:  
(1) There is no compliance with Article 4 of the Law on textbooks, stipulating that the Minister shall prescribe the method of adapting content and format of textbook;  
(2) Requirements in terms of realisation of Article 4 of the Rulebook on additional educational, health and social support have not been met. None of the proposed activities for providing support is documented in the form of the work program, nor have the funds for training of experts working for those children and students been allocated. This refers to the work according to internationally recognized and successful methods in work with students and children with disabilities.  
(3) Procedures for the application of Article 27 of Law on Foundations of the Education System by which schools for students with disabilities become resource centres for supporting pre-schools, primary and secondary schools, have not been |
regulated. This means that the issue related the financing of the support has not been resolved;

(4) It is necessary to amend Article 77 of the Law on Foundations of the Education System, because only the necessities of a student, whose parents give consent for an individualized plan of education, are recognized. This situation provides space for the violation of the rights of students and children whose parents do not act in best interest of the child;

(5) The way in which the inclusion in the Republic of Serbia is interpreted, has led to polarization of "good" and "bad" experts (special educators are bad) which indirectly or directly challenges the ability to provide quality support and education to students who due to the severity and complexity of developmental disorders development simply belong to special educators. This situation especially escalated during the period of 2012-2015.

(6) To support the normalisation of the movement of inclusion in Serbia by making space for the popularisation of specialised schools for students with disabilities and special classes in primary and secondary schools solely for equalizing the rights to quality education of students suffering combined and complex disorders with Roma pupils and students with easier and more specific developmental disorders;

The state, that is the Ministry of Education, Science and Technological Development should abolished the Rulebook on the individualized education plan which is not dedicated to a student, but to the forms and administration related to the work with children and students with developmental disorders. Instead, the state should prepare and adopt the Rulebook on education of children and students with special needs and disabilities. Most countries in the region and the world have such a Rulebook which is not used for discrimination and segregation of these students, but by contrasts it is used for defining the most adapted forms of education in relation to the needs of students;

Amendments to the Law on Foundations of the Education System and to the Rulebook on additional educational, health and social support by offering those forms of support for which there are resources in our country and clearly defined ways of funding support, and by defining who provides support and what kind of basic education and knowledge should have the provider of support and education to the children.

Laws and Regulations oblige the state and decision makers to direct funds from projects to professionals who work directly with children and students with disabilities, that is to their professional
training in modern and scientifically proven methods of work (90% of the funds of projects goes to universal professionals whose writings do not contribute to better outcomes in working with children and students with disabilities.)

Outcomes of work with students and children with disabilities in the period 2012-2015 not even partially match with the resources invested in this field. Neither did legislation find its purpose. The opinion of parents, on which as a society we possess data, is also devastating, especially in terms of parents with children with complex disabilities for which the Ministry provide little or no care at all... The Ministry has not performed any independent external evaluation of inclusive education so far (we exclude the evaluation work by foreign experts who have created a strategy of the IE in Serbia, which is absurd).

Students who are educated in special schools to work with students with disabilities, and especially students from specialised classes in elementary and secondary schools are totally discriminated against, due to disregard for the right to education which is in accordance with their developmental abilities and education needs. Key reasons, which further clarify and confirm the claim of discrimination against students who are educated in special schools and classes are: the abolition of special education programs, instead of which IEP is introduced, as a universal and often vague and insufficient solution in the required adjustment of educational work; violation of the Law on Textbooks (Article 4) given that the Minister has not issued instructions for customizing textbooks and teaching resources within the legally binding period of time; minimum investment in these institutions; minimum investment in the provision of systematic training to work by modern and scientifically proven methods in dealing with certain disabilities; (violent) closure of specialized departments; non-compliance with Article 27 of the Law on the Foundations of the Education System; making decisions about whom to assign equipment and assistive technology is performed selectively and on the basis of nepotism (DILS project).

All independent researches show a dramatically bad position of students and children in special schools despite the efforts of experts in these schools; a key reason for the abolition of the indicative program for the realisation of customised and modified curricula, elimination of plans and programs to provide support, the lack of instruments for internal and external evaluation of the achievements of children and students, non-existence of standards for the evaluation of achievement of at least 20% of students who cannot follow up and reach the basic level of achievement; dissatisfaction of parents with the support that state (does not)
provide in institutions where their children are educated, rather parents are perceived as irresponsible as they enrolled / enrol children / students in developmental groups or specialized schools.

So far, the representatives of the Special Educators and Rehabilitators Association in cooperation with civil society organisations sought to attract the attention of the public on the barriers faced by children and students attending specialised schools and specialised classes in Serbia. One of the biggest obstacles is primarily negative lobbying by certain representatives of ministries and international organisations on the role of specialised schools and classes, which are called "black holes", although these institutions and classes devotedly work for the benefit of children and students for decades before the year 2009. Overcoming these obstacles represents a specific positive and supportive initiative of the State in relation to the specialised institution and classes, which in spite of all obstacles manage to maintain the highest quality of work with those children and students. Initiative of the state primarily involves the preparation of projects which funds will be directed towards the training of professionals to work by modern and scientifically proven methods, as well as to apply these procedures in the work through early intervention that also includes education, and later on throughout the whole education;

- providing funds for the fair and proper distributed assistive technology;

- providing funds for the preparation of adapted and special textbooks (for special subjects and types of support);

- providing a means for adjusting the curricula, as well as tools for internal and external evaluation of the achievements of teachers and implementers of support, as well as children and students themselves, since nobody did that for years (if the evaluation of IEP filling is excluded);

- creation and implementation of a different approach to education for children and students with complex disabilities for which education in large groups, such as classes, is not recommended such as classes in addition to all others scientifically proven reasons.

Researches on the attitudes of parents, teachers, representatives of professional services; the fact that for political, not professional, reasons these types of education are not invested to, which is an example of flagrant violations of the rights of children and students with disabilities.
The Belgrade City Organisation of the Deaf (GOGB)

http://gogb.org.rs/

Education for deaf people in Serbia in the period 2012-2015 has not changed significantly compared to the previous period. Schools for deaf children in Serbia, as well as primary and secondary schools, which educate deaf students, continue to insist on education in the Serbian spoken language, which reduces access to quality education and complete development of deaf pupils whose native tongue is Serbian sign language.

Although the right to education in their native tongue, i.e. Serbian sign language is regulated by the Law, this right is far-fetched in practice. First, the Serbian sign language is not documented and thus creating a curriculum for teaching of this language is difficult. The Serbian sign language is not taught at the Faculties of Philology of Serbia, in a way done at many universities in Europe: the University of Göttingen, University in Hamburg, University College London, Heriot-Watt University in Edinburgh, University of Leuven и University of Ghent in Belgium, University of Amsterdam, Human University of Applied Sciences in Finland, etc. At almost all leading universities in the world, there is a department for linguistics of sign language or sign languages are being studying within the department for general linguistics within the Faculty of Philology.

The Republic of Serbia should take the following measures in order to:

(1) ensure the introduction of Serbian sign language in education institutions so to enable the exercise of the fundamental right of deaf people to education in their native language, as well as the fact that the adoption of the Law on sign language, which has not affected education in a positive manner yet.

(2) provide conditions for the development of bilingual and bicultural education.

(3) ensure working on continuous raising of awareness about the rights of deaf children and youth to education in their native language-Serbian sign language,

(4) provide the work of expert groups on documenting of Serbian sign language;

(5) ensure adjustment of textbooks for deaf students in accordance with Article 4 of the Law on textbooks (not only blind and visually impaired people have need for adjusted textbook)
(6) provide early support for deaf babies / children up to three years, as well as children up to and during the pre-school period for learning Serbian sign language.

(7) adapt curricula by introducing the subject Serbian sign language from the pre-school period until the end of education period.

Given the existence of laws mentioning sign language as well as the Law on the use of sign language, it is necessary for the state to adopt rulebooks on who can conduct classes in Serbian sign language and who can be an interpreter for the Serbian sign language. Rulebooks would include a training curriculum and levels of certification for teachers and interpreters. It is necessary for the existing rulebooks on the work of education institutions (from kindergarten through preschools and schools to institutions of higher education) to include members that would clearly define the work of institutions in the bilingual environment in situations that involve the inclusion of a deaf student.

Only with clearly defined criteria for the training of teachers and interpreters of the Serbian sign language and the revised curriculum for primary and secondary schools with the Serbian sign language included, it would be possible to achieve quality teaching in the Serbian sign language, which would in turn, lead to a more comprehensive and better education for the deaf, more opportunities for higher education, and thus better employment opportunities.

The deaf are the most discriminated and marginalized minority group in Serbia since there is no possibility of educating in the native Serbian sign language. Therefore, there is a low level of functional literacy related to Serbian language, which is used, by the majority, low employment rate, the lack of highly educated people, and lack of professional staff from the community for the implementation of measures supporting the education of the deaf in Serbia. The curriculum is not adapted to the needs of the deaf, due to the fact that there is no the subject of the Serbian sign language, nor the appropriate teaching materials.

In order to ensure equal conditions in terms of education and employment for deaf people, the state should prevent further violation of one of the basic human rights - the right to education in native language- by taking the first steps in terms of documenting the Serbian sign language, the introduction of Serbian sign language into schools, provision of adequate teaching materials for the learning of the Serbian sign language and adjusting existing textbooks to the Serbian sign language.
So far, representatives of local organisations of the deaf mainly in cooperation with the Association of Serbian Sign Language Interpreters and the Centre for Society Orientation, i.e. civil society organisations, sought to attract the attention of the public about the barriers faced by deaf people in Serbia. One of the biggest obstacles is the access to information in different life situations, at school, in the workplace, in health care institutions, at the courts and so on. For overcoming these obstacles, a specific initiative of the State in relation to the creation and implementation of a different approach to education for deaf is necessary, as well as the accreditation of the Serbian sign language interpreter profession.

It is necessary for the state to impose a certain number of hours of programming in public and private broadcasting services. This would be done on a monthly basis and these hours of programming would be reserved exclusively for the needs of the deaf community. Only deaf people with professional interpreters or with written translations in Serbian language would take part in these projects. The programming should include news but also the programs dealing with life, important events and the needs of deaf people in our country and in the world; it is necessary to provide funds for the preparation of free software programs for learning Serbian sign language (for all ages from babies to adults - such programs exist in most countries) over the Internet, i.e. from the website of the deaf people which would lead to popularisation of the sign language and the broader community would be able to get acquainted with the Serbian sign language. Continuous informing of parents of new-born deaf children about the fact that the sign language does not challenge the development of speech, but vice versa, as many scientific studies have confirmed. Include deaf people in the Commission for the preparation of the public broadcasting service program, at least on a consultative basis. Only the state can establish a clearly defined system that will allow bilingual education for deaf and prescribe the conditions for acquiring qualifications and titles of the interpreter for Serbian sign language.
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We believe that paragraph on page 8, which is given below, does not reflect the real situation and should be reviewed in accordance with the report and the estimates given by independent bodies, government authorities and special rapporteurs:

*The situation of vulnerable groups (women, persons with disabilities, Roma, LGBT persons, asylum seekers, internally displaced persons, etc.) significantly improved, but in certain areas, there is a need for additional steps. The process of improving the situation of the Roma minority has been continued, but co-ordination defined measures is necessary in order to achieve better effects in the application. The population of Roma is still exposed to discrimination, particularly regarding access to social and health care, employment and adequate housing. Additional efforts should be made to achieve full gender equality, because the available data show that women are still disadvantaged compared to men, while domestic violence, particularly against women, is still widespread.*

As the argument, we specify the review of the Second National Report on Social Inclusion and Poverty Reduction in the Republic of Serbia for the period 2011-2014, which the Social Inclusion and Poverty Reduction Unit (SIPRU) published in June 2015, stating that the affected vulnerable groups of the population such as people with disabilities, the elderly, the Roma people, the poor, refugees and displaced persons, people with different sexual orientations, people deprived of their liberty, ethnic minorities and people living with HIV, particularly exposed to discrimination and still have difficulties in achieving constitutionally guaranteed human rights.

*Inter alia, the report states that the employment is unavailable for persons older than 50 and that the lack of and reduced access to health and social care services contribute to the exclusion and discrimination of particularly vulnerable categories of the rural population. Except women and young people, socially excluded are the elderly and children, especially children with disabilities. Also, the position of Roma women in Serbia is very bad, as indicated by numerous studies carried out during previous years. According to the report on monitoring the situation of women and children in Serbia for 2014, from UNICEF in Serbia, Roma women and girls are disadvantaged in terms of all social areas, including education, health care, domestic violence, etc. In addition, the status of women with disabilities is also very bad, they are invisible in public life, have great obstacles and barriers in exercising their rights, the access to facilities and services is significantly more difficult or completely impossible. These women are faced with risks of institutionalisation, while their political representation is almost negligible. They are also often exposed to violence.*
In addition, the Council of Europe Commissioner for Human Rights Nils Muižnieks, visited Serbia in the period from March 16 to March 20 in 2015. In the report on the visit, he pointed out the bad position of forcibly displaced persons, insufficient and inadequate access to quality education and housing for the Roma people, the poor situation of people with disabilities, especially of persons with psychosocial and intellectual disabilities. The Commissioner in his report also mentions children, who are placed in social welfare institutions, a large number of persons with disabilities who are deprived of employment capacity and unsatisfactory situation of women, who are still discriminated against in many areas, particularly in employment, as well as violence against women.

On page 15 of the report regarding the Law on Prevention of Discrimination against People with Disabilities, it should be noted that the said law still contains a discriminatory provision in of Article 19, section 1, point 2. Thus, the compliance of this Law compliance with national and international standards is necessary. This refers to the compliance with Article 21 of the Constitution of the Republic of Serbia, with the provisions of Articles 23 and 28 of the Convention on the Right of the Child, compliance with Article 7 of the Convention on the Rights of Persons with Disabilities. It also refers to compliance with provisions of Articles 4-14 of the Law on Prevention of Discrimination, as well as with provisions of Articles 3, Article 6 and Article 7 of the Law on Foundations of the Education System.

In this way it the Recommendation of the Commissioner for the Protection of Equality, regarding the amendments of mentioned Article of the law, would be adopted. The adoption of the Recommendation would make children with intellectual disabilities equal to other children.

On page 24, when referring to the Law on Textbooks and other teaching materials, it should be noted that the Law on textbooks that was adopted in late July 2015, contains a discriminatory provision because it introduces a special category of textbook - a textbook for students with disabilities and it should be harmonized with anti-discrimination legal framework.

When citing and quoting provisions of the Law on Foundations of the Education System ("Official Gazette of RS", Nos. 72/09, 52/11, 55/13, 35/15-authentic interpretation and 68/15), it should be noted that during the 2015,began the process of amending this Law(hereinafter: LFES), but the proposed amendments do not take into account the observations of the CPE, given in Opinion No. 011-00-16 / 2015-02 from 10 July 2015, which refers to Article 157 of LFES. We think that the aforementioned amendments should stipulate the obligation of funding, i.e. co-financing of textbooks and teaching materials in custom formats (Braille, ..., etc.)
enlarged font, audio recording) to ensure the right to quality education for all children and to prevent any possible inequality.

Article 19, paragraph 1, point 2 of the Law on Prevention of Discrimination against Persons with Disabilities ("RS Official Gazette", No. 33/06), which stipulates that "special forms of organisation of classes and education for students and preschool children, who, because of lack of intellectual capacity cannot follow the regular courses, as well as referral of students and preschool children to these forms of teaching and education is not perceived as discrimination in education, if the enrolment is done on the basis of an act of the competent authority, which has confirmed the need of students or the child of preschool age for this form of education". The unjustified distinction was made between children with intellectual disabilities compared to other children, by which this group of children is discriminated against based on personal characteristics - intellectual interference.

This provision is discriminatory in relation to children with intellectual disabilities, which were set aside in relation to other children, and precisely the law should ensure the prevention of discrimination against persons with disabilities. The provision represents and supports a very old-fashioned solution from the time when Commissions were established at the local level (the Commission for classification of children with disabilities, so-called. "Commission for categorisation") gave opinions and findings on the (imp) possibilities of children with disabilities in terms of education. Based on those findings and opinions, local self-government unit brought a decision whereby the child was referred to a regular or special school, but often these solutions had children with disabilities excluded from the education system and directed to social welfare institutions (day care centres, homes, etc.), where there was only educational work, but not education.

Such a long lasting work of the Commission was in contradiction with the Constitution of the Republic of Serbia and many laws, but as the Commissions are now abolished, and child can no longer be excluded from education, by any ruling or a decision, it is necessary to formally remove the provision from the legal order of the state, which is committed to respecting human right and improving the situation of all children, particularly of children from marginalized groups on the path towards full social inclusion. In addition to this approach being outdated, the provision is obsolete and discriminatory, because it puts only children with intellectual disabilities ("lack of intellectual ability") at a disadvantage when it comes to the choice of education. New legislation, however, is fundamentally different because it completely changed the paradigm in relation to children with disabilities –it is no longer seen through the so-called medical model and "shortcomings", but through the society as a whole, in
order to facilitate the inclusion of each child and develop his / her capacities to the fullest potential. The role of parent/guardian has been significantly changed, they are now perceived as the most competent person for assessing abilities and possibilities of their children, it is recognized that they are best qualified to assess the skills and capabilities of its children, so the possibility of someone else deciding on the school in which the children shall be included the Commission earlier before did) is abolished.

Provision from Item 2 of the Article 19, Paragraph 1 of the Law on Prevention of Discrimination Against Persons with Disabilities cannot be considered to be a special (affirmative) measure prescribed by Article 21, Paragraph 4 of the Constitution of the Republic of Serbia – “Special measures, which can be introduced by the Republic of Serbia due to achieving full equality of persons or groups of persons who are essentially unequal with other citizens, are not considered to be discrimination”, since by separating one group of children (children with intellectual disabilities) further segregation of children based on a personal characteristic is achieved and encouraged, which prevents their full participation and equality with other children.

-During several months long public debate that preceded adoption of Law on Textbooks, Commissioner for the Protection of Equality provided to the Ministry of Education, Science and Technological Development his opinion on different Drafts of the Law for three times. Although certain recommendations and suggestions of the Commissioner were accepted, it should be noted that one of the most important Commissioner’s remarks was not accepted. Namely, the Law on Textbooks introduced one special category of textbooks – a textbook for students with disabilities. However, as already indicated in the opinion of Commissioner, there are no grounds or reasons for students with disabilities to use textbooks whose content is adapted to their abilities, needs and possibilities. The existence of special textbooks for students with disabilities is in opposition with antidiscrimination regulations, which ban discrimination based on disabilities. On the other side, the existence of textbooks in other formats, such as, for instance, textbooks printed in Braille alphabet, textbooks in audio format, with oversized fonts and the like, do not represent discrimination but its removal, since in that manner specificities of certain students are taken into account, but these textbooks should not be labelled as textbooks for students with disabilities, but as textbooks in other format, which make educational content available.

On 10 July 2015, the Commissioner for the Protection of Equality provided his opinion on some solutions included in the Draft of the Law on Amendments to the Law on Foundations of Education System, which are relevant from the aspect of regulations and prohibition of discrimination. Regulations of Article 10 of the
Draft of the Law stipulate adding Articles 10e and 10f after Article 10d. Article 10f, Paragraph 2, Items 1 and 2 stipulate actions done by interdepartmental commission for estimating the needs for providing additional educational, medical or social support to a child and a student, as data controller in the process of gathering and processing of data, and it was stipulated, among other things, that the Commission shall gather information on children who are in the process of estimating the need for receiving help. Regarding stated regulations the Commissioner pointed to regular use of terms and the need to replace the expression: the process of estimating the need for providing help with the expression: the process of estimating the need for providing additional educational, medical or social support, in order to avoid stigmatization of children who need help.

In addition, it is stipulated in the proposed new Article 10f Paragraph 7: Particularly sensitive data on children and students from both collections of data are gathered and processed with the consent of their parents or guardians. In the event that a parent or guardian does not want to give consent to gathering and processing of personal data of their child or withdraw the consent, the members and the coordinator of the commission can continue the processing of personal data of children and students in cooperation with the guardianship authority if it is in the best interest of the child and student, in accordance with the law. In this way, the parents of the children and the children themselves who need additional support in education would be in an unequal position in relation to other parents and their children. It was pointed out that there is no legitimate reason for the existence of such an exception, bearing in mind that even in the current Law on the Foundations of System of Education, as well as in the Draft of the Law there is no any similar provision that would allow or continue the processing of data on child and student, in the event that the parent/guardian does not want to give consent for gathering and processing of personal data of their child or withdraw previously given consent. In addition, it is recommended to seek the opinion of the Commissioner for Information of Public Importance and Personal Data Protection, bearing in mind the fact that the protection of personal data is in the competence of that independent state body.

Regarding provisions of the Draft of the Law relating to the preparation of standards and conditions for the realization of special programs for children and students with disabilities in the field of preschool, primary and secondary education, it was pointed out that the introduction of special programs for children and students with disabilities is not in compliance with anti-discrimination legislation, as well as the principles of inclusive education. In this connection, the comment was given on the proposed resolution of the Draft of the Law according to which the schools for education of students with disabilities could generate
customized and modified/special school programs in relation to the type of disability. This solution is obsolete or obsolescent, and is a serious step backwards which does not contribute to increasing the quality and accessibility of education. Adoption of the proposed provisions would represent a return to the so-called medical model, which is contrary to the principle of full social inclusion.

Article 43, Paragraphs 5 and 6 of the Draft of the Law stipulate that a member of the team for inclusive education in a preschool institution and school, among others, should be a special education teacher of respective field, who can be from some other institution. In this regard, it was pointed out that the provisions of Article 77-a LFES defined that an individual education plan shall be created for the child and student who need additional support in education due to social deprivation, developmental disabilities, physical disabilities and other reasons. Therefore, it is not clear for what reason the special teacher should be a member of the team, bearing in mind the vast diversity of children and pupils who could potentially require additional support in education. The current provisions according to which the parent's proposal may include experts outside the institution who know the child for whom the individual education plan is created, are quite adequate and should not be changed.

There are also remarks on Article 49 of the Draft of the Law, which stipulates that based on the opinion of the inter-departmental committee, a student with disabilities can move from elementary school to the school for students with disabilities, or from school for students with disabilities to elementary school, when it is estimated to be in the best interest of students, with parental consent. The opinion is if the proposed provisions should not be adopted, because in this way distinction is made between students with disabilities and other students, which is in opposition with anti-discrimination legislation. Namely, it is stipulated that a parent can choose a school in which to enrol the child, and the role of inter-departmental commission is to assess the child's needs for additional support in education in order to provide individualized and quality of education for the child. In the opinion, it was also proposed to amend or omit the provision of Article 52 of the Draft of the Law, which stipulates adaptation of textbooks for students with disabilities, in accordance with their needs and capabilities, in accordance with the special law. Commissioner for Protection of Equality issued an opinion that it is necessary to abandon this solution because there is no way to determine the "opportunities" for education by a specific textbook.

On the page 119 of the report in the part that deals with the work of teaching assistants there should be added the following excerpt from the Analysis of the legal framework and the current status and practice of teaching assistants, because in this way the results
achieved by introducing measures of teaching assistants are more realistically shown.

It is stated in the Analysis of the legal framework and the current status and practice of teaching assistants, which was developed and published by the Team for Social Inclusion and Poverty Reduction in October 2015, that procedures for hiring teaching assistants are not legally enough regulated, nor transparent, thus we can hear very often from representatives of educational institutions that it is not completely clear to them what they need to do and to whom to speak and in which way in order to obtain a teaching assistant. Also, there is no database based on which we can determine the type and number of hours of training that individual assistants have undergone, which further complicates the planning of their future, continuous improvement, while at the same time, according to associates, it happens in practice that the application of knowledge and skills acquired during training often encounters barriers in the institution. In addition, the pace and intensity of work of teaching assistants are not uniform throughout the school year, and the number of children with whom pedagogical assistants work is quite uneven, so when providing support to a larger number of children/students the work of teaching assistants loses its effectiveness, because they are not able to devote an equal amount of attention to each child.