



'RIGHT TO EDUCATION'

Submission to the Universal Periodic
Review of the United Nations Human
Rights Council

4th Cycle – 43rd Session

Country Review: Serbia

October 2022

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Broken Chalk is an Amsterdam-based NGO established in 2020 which focuses on monitoring and minimizing human rights violations in education all around the world. Our goal is to contribute to promoting universal and equal access to education for all.

Together with our international sponsors and partners, we encourage and support achieving societal peace by advocating for intercultural tolerance, preventing radicalism and polarization, and tackling inequalities in the field of education.

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I. Introduction

1. This report has been prepared by Broken Chalk to contribute to the 4th Universal Periodic Review [UPR] of Serbia. Broken Chalk is an Amsterdam-based NGO focused on human rights violations in the field of education. Since the organisation's main mission is to fight inequalities and improve the quality of education worldwide, this report focuses on human rights specifically with regards to education.
2. The report will firstly explore the main problems in the educational field in Serbia, including information on what recommendations Serbia received in the 3rd cycle UN UPR review in 2018 and what actions they have taken to improve education. It offers a comprehensive set of recommendations for Serbia based on experience, research and best practices that can help the country to further improve human rights in the educational sphere.
3. Serbia was last reviewed in 2018, during the 3rd UPR cycle, where it received 190 recommendations and supported 175 of those. 8% of the recommendations focused on quality education, Goal 4 of the Sustainable Development Goals [SDG]. In addition, 41% of the recommendations dealt with justice and strong institutions (SDG 16), 17% with gender equality (SDG 5) and another 17% with reducing inequalities (SDG 10). These can all be linked to education and ensuring human rights in that field.
4. In February 2021, Serbia submitted a voluntary midterm report to illustrate its improvement and progress on human rights and the implementation of the 3rd cycle recommendations.
5. Serbia ranked 63rd out of the 191 participating countries on the Human Development Index in 2021, thereby classifying as “very high” on the human development classification.ⁱ According to the Human Rights Measurement Initiative's tracker, Serbia is doing 89% of what it could possibly do when it comes to ensuring the right to education considering the country's level of income.ⁱⁱ

II. Access to education

6. Although the Constitution of Serbia prohibits all forms of discrimination based on grounds such as sex, nationality, race, religion, age, mental and physical ability; discrimination remains a prominent issue in the country and limits the access to quality education of minorities.ⁱⁱⁱ
7. In Serbia, boys perceived as “feminine boys” and thought to be homosexuals, were at least three times more likely to be refused enrolment in primary schools (15%) compared to boys not perceived to be feminine (5%). Amongst the boys who were accepted, those perceived as feminine boys were accepted with hesitation far more than other boys. Out of the accepted boys perceived as feminine, 51% were accepted with hesitation compared to only 25% of boys not perceived as such.^{iv}
8. The LGBTQI+ Inclusive Education Report of 2022 by the IGLYO (International Lesbian, Gay, Bisexual, Transgender, Queer & Intersex Youth and Student Organization) found that despite Serbia's anti-discrimination legislation and international commitment to human rights treaties, the country has no inclusion of LGBTQI+ topics in national curricula, teachers receive no mandatory training on LGBTQI+ awareness, and inclusive education policies lack effective implementation.^v
9. This information contradicts the recommendations received and supported by Serbia, including recommendation 114.33 to “Take concrete steps to protect lesbian, gay, bisexual, transgender and intersex people and their freedom of assembly and

expression, and to eradicate all forms of discrimination and violence based on sexual orientation and gender identity” by New Zealand, and recommendation 114.36 to “Strengthen measures to eradicate all forms of social stigmatization, discrimination and violence against persons based on their sexual orientation and gender identity” by Iceland.^{vi}

10. During the 3rd cycle, Serbia received numerous recommendations on minority inclusion and protection (113.58-133.70). In addition, many recommendations specifically focused on the Roma minority’s inclusion and the implementation of national strategies and plans (113.65-113-73, 114.99, 114.104).^{vii} However, the inclusion of Roma people remains a challenge to date. Roma children are much less likely to be enrolled in education, and out-of-school rates are significantly higher within Roma settlements compared to the national average. A significant barrier to education for Roma communities is early marriage: 97% of girls married at upper secondary age were already out of school while their not-married peers had a much lower out-of-school ratio of 48%.^{viii} Dropout rates are much higher in Roma communities; in fact, the average national lower secondary completion rate is of 100% whereas the same average completion rate in Roma communities is of 64%.^{ix}
11. In Serbia, minorities are allowed to follow primary and secondary education in their own minority language. However, this puts them in a disadvantaged position later in their educational careers because higher education is rarely available in minority languages. It was found that students who studied in their minority language throughout primary and secondary education lack the sufficient level of Serbian language proficiency to follow higher education in Serbian, which forces them either to discontinue their education or study abroad. This unbalanced bilingualism of minorities also creates difficulties for their future employment in Serbia.^x
12. Inclusive education for disabled people was also an important topic in the 3rd cycle review of Serbia. Recommendation 113.54-133.56 and 114.98 focused on the access to education for disabled people and the protection of their rights.^{xi} In Serbia, disabled students are still separated from their peers. These separate classrooms provide partial participation: children with a developmental disability are nominally enrolled in mainstream schools but placed in developmental groups where they do not benefit from daily interaction and inclusion in mainstream classroom activities.^{xii}
13. Although the general enrolment rates are high in Serbia, there is a huge variation in both participation and outcomes in the education system based on origin. According to the OECD, students from disadvantaged backgrounds performed around two years behind their wealthier peers on the 2018 PISA test. Students from rural and poor areas in Serbia are much less likely to go to school. An earlier study found that while the primary school dropout rate in urban areas is 1%, it is over 14% in rural areas.^{xiii}
14. Serbia serves as a transit country for migrants since it is located on the edge of the European Union. From the beginning of the migrant crisis in 2015 until the end of 2018, about 720.000 registered migrants passed through the country, of which 20% were children.^{xiv} Including these children in the Serbian educational system is challenging due to their great number, language, cultural barriers, and their lack of education in the country of origin. In addition, the temporary nature of their stay poses further challenges in their access to education and integration in the country.^{xv}
15. In their midterm report, Serbia claimed that the complete inclusion of migrant children has been planned and that schools are adapting to the needs of children. They stated

that 98% of preschool or primary school aged children from reception centres were in education by 2019.^{xvi} However, the Belgrade Centre for Human Rights found that only 14% of refugee and asylum-seeking children attended school regularly despite the high rate of enrolment.^{xvii}

16. The language barrier and limited availability of interpreters for the refugee children's languages were found to be the main reasons to justify children not attending classes and losing interest in education. Parents also lack interest and focus on their children's educational activities since they only plan to stay in Serbia temporarily.^{xviii}
17. Higher education tuition fees are very high in relation to the per capita income in Serbia, posing a financial barrier for many students to enter higher education. The median cost of participating in one of the top ten areas of study in Serbia is over four times higher than in most OECD countries. Despite public funding, 59% of students must pay for their higher education. In addition, financial support, such as student loans and grants, is unequally distributed, and only 10% of the loans and scholarships were granted for students from vulnerable groups in 2019.^{xix}

III. Quality of education

18. The national literacy rate was 99% in Serbia in 2019 according to the World Bank.^{xx} However, in the 2018 PISA test Serbia ranked on average 40-50 points below the OECD average.^{xxi} 38% of Serbian students did not meet the minimum literacy requirements for reading, meaning that one third of students are functionally illiterate and lack the ability to put their acquired knowledge and information into practice.^{xxii}
19. Serbia had a gross enrolment ratio of 98% in primary education and 92% in secondary education in 2020.^{xxiii} Although both primary and secondary school enrolments are relatively high in Serbia, enrolment in tertiary education was only 68% in 2020 compared to 73% in the EU.^{xxiv}
20. In the 2021/22 school year almost 58% of students enrolled in higher education were women while only 42% men.^{xxv} Dropout rates correlate with the region in which the school is located. In the poorest municipalities of the country, enrolment rates are the lowest. In addition, the enrolment rates for children from vulnerable groups such as Roma and poor children were much lower than the national average. Systematic data about dropout rates in Serbia is not available and an effective monitoring system is absent. This hinders developing strategies to prevent and reduce dropouts and ensure the right to education for all.^{xxvi}
21. Data provided by health institutes showed that toilets or hand wash sinks do not exist or are not functioning in at least 87 elementary schools in Serbia, while research conducted by CINS (Center for Investigative Journalism of Serbia) shows that the number is growing. A survey demonstrated a lack of soap and paper towels in elementary schools. According to medical doctors, places with poor toilet hygiene risk infection transmissions and can cause psychological problems when children avoid going to the toilet.^{xxvii}
22. In 2019, Serbia spent 3.6% of its GDP on education, one of the lowest ratios in Europe compared to the EU average of 5%.^{xxviii}
23. Teachers in Serbia are not prepared enough to provide equitable and high-quality education. This is partially caused by the low requirements for entering teacher education and the low quality of such programs. Some of these programs lack the practical element of teaching, meaning that some teacher graduates enter the

profession without receiving any practical experience or training in schools. Participation in professional development programs for teachers is also low due to a lack of financial support and dissatisfaction with the quality of the programs.^{xxx}

IV. Discrimination and violence in education

- 24.** Research from 2018 studying thousands of Serbian children from different schools and age groups found that 68% of students had experienced psychological abuse, 69% had experienced physical violence and 8.5% sexual abuse.^{xxx}

V. The effect of Covid-19 on education

- 25.** Serbia closed its educational institutions in March of 2020 and shifted to online education. Adapting to online education overnight was challenging for both students and teachers. For students with disabilities, personal contact with the teacher is especially important and therefore online learning is an even bigger challenge. For students with disabilities, only home classes conducted by parents were held during the pandemic which put a huge pressure on parents.^{xxxi} Additionally, 10% of Serbian teachers experienced health issues such as sleep disorders and arrhythmias.^{xxxii}

VI. Recommendations

- 26.** Due to the aforementioned issues, Broken Chalk recommends the Serbian government to implement uniform rules in the access to education and enrolment decision-making to avoid discrimination of any type.
- 27.** Broken Chalk encourages the government of Serbia to financially assist Roma communities so that all children can achieve uninterrupted education, and to revisit the manner scholarships are currently being issued, so that more vulnerable students benefit from them.
- 28.** Broken Chalk further recommends the government to upscale school infrastructure, having due consideration to hygiene spaces such as toilets, and ensure schools follow through with hygiene-related procedures.
- 29.** It moreover recommends Serbia to increase government funding for educational institutions to at least meet the EU average of 5%.
- 30.** Finally, Broken Chalk calls on the Serbian government to invest in research on violence and abuse in all educational institutions, and implement effective measures for victim's protection and perpetrator's accountability.

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- ^v IGLYO. (2022). *LGBTQI Inclusive Education Report 2022*
- ^{vi} UPR Info. (n.d.). *Library*
- ^{vii} Ibid.
- ^{viii} UNICEF. (2020). *Education Pathways in Roma Settlements: Understanding Inequality in Education and Learning*
- ^{ix} Ibid.
- ^x Lendák-Kabók et al. (2020). *The Educational Migration of Sub-state Ethnic Minorities on the Outskirts of the EU - A Case Study of Serbia*
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- ^{xii} UNESCO. (2021). *Inclusion and Education: All Means All*
- ^{xiii} Maghnouj et al. (2020). *OECD Reviews of Evaluation and Assessment in Education: Serbia*
- ^{xiv} Bazić & Maksimović. (2018). *Inclusion of Migrant Children In The Educational System Republic of Serbia*
- ^{xv} Ibid.
- ^{xvi} Republic of Serbia. (2021). *UPR Midterm Report*
- ^{xvii} UNESCO. (2021). *Inclusion and Education: All Means All*
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- ^{xix} Maghnouj et al. (2020). *OECD Reviews of Evaluation and Assessment in Education: Serbia*
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- ^{xxiv} World Bank. (n.d.). *School enrollment, tertiary (% gross) - European Union*
- ^{xxv} Statistical Office of the Republic of Serbia. (2022). *Education*
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- ^{xxvii} Ćurčić, T. (2021). *Hygiene in Numerous Elementary Schools: Squat Toilets, Outhouses, No Soap or Toilet Paper*
- ^{xxviii} Eurostat. (2022). *Government Expenditure on Education*
- ^{xxix} Maghnouj et al. (2020). *OECD Reviews of Evaluation and Assessment in Education: Serbia*
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- ^{xxxi} Šćepanović & Nikolić. (2020). *Inclusive education of children with disabilities in the online environment*
- ^{xxxii} Ibid.
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