

**CONFERENCE ON ACCESSION
TO THE EUROPEAN UNION
– CROATIA –**

Brussels, 11 December 2006

CONF-HR 13/06

LIMITE

EUROPEAN UNION COMMON POSITION

Subject : Chapter 26: Education and Culture

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EUROPEAN UNION COMMON POSITION

Chapter 26: Education and Culture

This position of the European Union is based on its general position for the Accession Conference with Croatia (CONF-HR 2/05), and is subject to the negotiating principles endorsed by the Accession Conference (CONF-HR 5/05), in particular:

- any view expressed by either party on a chapter of the negotiations will in no way prejudice the position which may be taken on other chapters;
- agreements – even partial agreements – reached during the course of the negotiations on chapters to be examined successively may not be considered as final until an overall agreement has been established;

as well as to the requirements set out in points 13, 16 and 26 of the Negotiating Framework.

The EU underlines the importance for Croatia of compliance with the Stabilisation and Association Agreement as well as the Accession Partnership, which constitute basic elements of the pre-accession strategy.

The EU encourages Croatia to continue the process of alignment with the *acquis* and its effective implementation and enforcement, and in general develop already before accession, policies and instruments as close as possible to those of the EU.

The EU notes that Croatia, in its position (CONF-HR 2/06) accepts the *acquis* under chapter 26 as in force on 1 January 2006, and that Croatia declares that it will be ready to implement it by the date of its accession to the European Union.

Education, training and youth

The EU takes note of the information Croatia has provided on education, training and youth in its position.

Cooperation in the field of policies

The EU welcomes Croatia's participation in the Open Method of Coordination in the field of education and training through its active involvement in the Education and Training 2010 work programme and the report it has submitted in 2005 on its policies towards the objectives agreed upon at EU level.

The EU takes note of the Education Sector Development Plan 2005-2010, aimed at fostering national development towards a knowledge-based society and economy, as outlined in the EU Lisbon Strategy, and of Croatia's intention to put in place during 2007 and 2008 a system to monitor the performance and progress in education through the use of indicators and benchmarks.

The EU also takes note of the measures taken by Croatia to implement the Bologna process, building a national quality assurance system at all levels of education, and implementing a strategy for adult education. The EU stresses the importance of continuing implementing these measures, developing a coherent and comprehensive national lifelong learning strategy, as well as following the development of the European Qualification Framework.

The EU welcomes Croatia's intention to take part in the Open Method of Coordination in the field of youth when it will be invited to do so.

Access to education for EU citizens

The EU takes note of Croatia's intention, as presented in its position, regarding the amendments to the Act on Secondary Education and the Act on Scientific Activity and Higher Education, which will ensure implementation of the non-discrimination principle between EU and Croatian nationals for the access to education upon accession, and of Croatia's timetable for the adoption of these amendments (in 2007 and 2006 respectively).

The EU also takes note of Croatia's intention to ensure alignment on Council Directive 77/486/EEC of 22 July 1977 on "the education of the children of migrant workers" through the new Act on Primary Education, which is planned to be adopted in 2007.

The EU will closely monitor the timely adoption of these amendments.

Community programmes

The EU further takes note of Croatia's commitment to establish an independent national agency for the implementation of the Lifelong Learning and Youth in Action programmes, to use the European Commission's technical assistance and pre-accession funds to train an adequate number of staff to manage these programmes, and to ensure the transparency of the National Agency by an internal control system, as well as through an independent external audit, with a view to participation in these programmes before its accession.

The EU further takes note of Croatia's intention to fully participate in the Erasmus Mundus programme.

Culture

The EU further takes note of the information Croatia has provided on culture in its position.

The EU stresses the importance of the identification, protection and presentation of cultural heritage in line with Article 151 of the Treaty establishing the European Community.

Cooperation in the field of policies

The EU welcomes the ratification by Croatia in August 2006 of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

The EU takes note of Croatia's initiatives to continue to strengthen cultural cooperation in Central and Southeast Europe.

Community programmes

The EU welcomes Croatia's intention to fully participate in the Culture Programme as from 2007 and to participate in the Europe for Citizens Programme before accession.

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Given Croatia's good general state of preparedness in all areas covered by this chapter, and the limited scope and particular nature of *acquis* obligations in this chapter, the EU considers that exceptionally benchmarks for the provisional closure of this chapter are not required. The EU therefore notes that, at this stage, this chapter does not require further negotiation.

Monitoring of progress in the alignment with and implementation of the *acquis* will continue throughout the negotiations. The EU underlines that it will devote particular attention to monitoring all specific issues mentioned above with a view to ensuring Croatia's administrative capacity, its capacity to manage the Lifelong Learning and Youth in Action programmes, and the timely adoption of the amendments related to non-discrimination between EU and Croatian nationals for the access to education as well as the Directive on the education of the children of migrant workers. Particular consideration needs to be given to the links between the present chapter and other relevant negotiating chapters, such as Judiciary and Fundamental Rights. A final assessment of the conformity of Croatia's legislation with the *acquis* and of its implementation capacity can only be made at a later stage of the negotiations. In addition to the information the EU may require for the negotiations in this chapter and which is to be provided to the Conference, the EU invites Croatia to provide regularly detailed written information to the Stabilisation and Association Council on progress in the implementation of the *acquis*.

In view of all the above considerations, the EU will, if necessary, return to this chapter at an appropriate moment.

Furthermore, the EU recalls that there may be new *acquis* between 1 January 2006 and the conclusion of the negotiations.
