

MEMORANDUM OF UNDERSTANDING

on the Role and Organisation of the Education Reform Initiative of South Eastern Europe (ERI SEE)

We, the Ministers responsible for Education and Higher Education of the Republic of Albania, the Republic of Croatia, the Republic of Macedonia, Montenegro and the Republic of Serbia, signatories to this Memorandum of Understanding,

With the participation of special invitees: A representative of the Secretary General of the Regional Cooperation Council (RCC) and the Chair of the RCC Task Force Fostering and Building Human Capital (TFBHC),

WELCOMING the substantial developments and progress made in the South Eastern Europe region in the European Union (EU) integration process in the last decade;

STRESSING that regional cooperation in education is a valuable means to address common challenges and an important instrument for promoting sustainable economic development and social cohesion as well as a supporting tool for European integration;

REITERATING our commitment to ongoing EU, European and international initiatives as expressed in the Memorandum of Understanding between the Ministers of Education and Higher Education of South Eastern Europe of June 2003 and the Memorandum of Understanding between the Ministers Responsible for Education, Science and Research in South Eastern Europe of May 2007;

ACKNOWLEDGING that since its establishment in 2004 by a joint initiative of South Eastern Europe Ministers responsible for Education and the Task Force Education and Youth of the Stability Pact for South Eastern Europe, the ERI SEE has developed into a relevant actor supporting sustainable education reforms through regional cooperation;

ACKNOWLEDGING the substantial political, technical and financial support provided to the ERI SEE since its inception by the Council of Europe, the European Training Foundation, the European University Association, the Organisation for Economic Co-operation and

Development, the RCC, the Stability Pact for South Eastern Europe and donor countries Austria, the Netherlands, Norway, Switzerland and Croatia, specifically in its role of the ERI SEE host country from 2004 until 2010;

CONSIDERING that in the light of a changed educational cooperation landscape in South Eastern Europe, the on-going efforts in increasing regional ownership in the framework of the RCC, the ongoing EU integration process, adjustments of the legal, organisational and thematic scope of ERI SEE need to be addressed;

TAKING NOTE of the recommendations of the Bucharest Conference on Fostering and Building Human Capital for Sustainable Knowledge Societies in South Eastern Europe (March 2009), reiterating that human capital development is the key priority for the South Eastern Europe region for finding innovative ways back to economic growth, sustainable development, competitiveness and for safeguarding equitable and inclusive societies;

AFFIRM OUR COMMITMENT TO STRENGTHEN AND BROADEN COOPERATION IN THE FRAMEWORK OF ERI SEE AND AGREE:

1. To develop ERI SEE into a sustainable, regionally owned organisation under the auspices of the RCC, to become a recognized and attractive partner in EU funded projects with a regional character, that will:
 - a) Support sustainable education reforms on national levels through regional and international cooperation;
 - b) Act as an interface to developments in relevant EU, European and international initiatives in education and to adjust ERI SEE's current thematic areas to the changed cooperation context both in South Eastern Europe and the strategic framework for European cooperation in education and training ("ET 2020");
 - c) Support capacity building for increased use of the European cooperation instruments.

2. To base ERI SEE's institutional framework on the following principles:
 - a) ERI SEE members are signatory parties and acceding parties to this Memorandum. Signatory parties of the Nicosia Memorandum of Understanding (2003) and the Istanbul Memorandum of Understanding (2007) who are not signatory parties to this Memorandum are invited to continue to participate in ERI SEE activities under conditions outlined in Annex 1.
 - b) ERI SEE's institutional structure shall consist of the ERI SEE Governing Board, the ERI SEE Consultative Body and the ERI SEE Secretariat, as specified in Annex 1. The Governing Board shall adopt the statute of the ERI SEE and the rules of Procedures of the Governing Board. The Consultative Body has advisory function.

- c) The Governing Board shall consist of one high level representative from each signatory party of this Memorandum, one representative of the RCC, one representative of the TFBHC as well as one representative of donor countries and institutions respectively contributing a minimum amount as stipulated in Annex 1.
 - d) The ERI SEE Secretariat is managed by the ERI SEE Director. The Secretariat provides technical, organisational and analytical support to the Director and the ERI SEE Governing Board. It supports the implementation of Governing Board decisions and the Annual Programme.
 - e) The ERI SEE Secretariat shall enjoy such legal capacity as may be necessary for the exercise of its functions as specified in Annex 1. A Host Country Agreement, enabling the establishment of the ERI SEE Secretariat, shall be concluded between all ERI SEE members and the host country.
 - f) The ERI SEE Secretariat shall be located in one of the cities of ERI SEE members. The location of the seat of ERI SEE Secretariat shall be established by an open selection process based on proposals by interested ERI SEE members. Any proposal by an interested host country shall fulfill at least the basic requirements as specified in Annex 2. The ERI SEE Governing Board shall decide on the selection procedure and shall make the final decision on the location of the seat.
 - g) The ERI SEE members shall provide annual financial contributions to the annual budget of the ERI SEE Secretariat which shall cover its operational and programmatic costs. The amount to be contributed by each ERI SEE member shall be calculated on the basis of the methodology developed for contributions to the RCC, in accordance with Annex 1 and the annual provisional budget outlook for the period 2011-2013 in Annex 3. Other expenditures required for the Secretariat's operations may be covered by other sources.
3. To secure the continuity of the ERI SEE and its activities between the closing of the ERI SEE Agency in Croatia and the establishment of the new ERI SEE Secretariat, the Governing Board will decide on an interim operational arrangement for managing ERI SEE activities which will be funded from committed financial sources for 2010.
 4. To call upon the relevant regional and international organisations and initiatives as well as bilateral donors to continue their support and cooperation with the ERI SEE.

This Memorandum is signed by the Ministers responsible for Education and Higher Education, the RCC Secretary General and the Chair of the TFBHC or their duly authorized representatives.

Cooperation under this Memorandum is open to all Signatory parties of the 2003 Nicosia Memorandum of Understanding and the 2007 Istanbul Memorandum of Understanding.

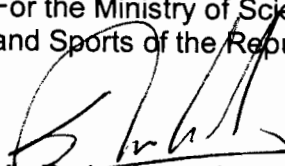
Brdo, 5 June 2010

For the Ministry of Education and
Science of the Republic of Albania



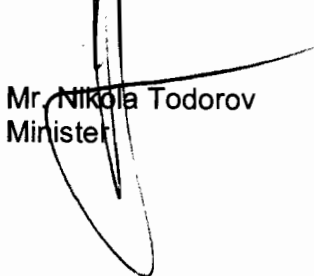
Mr. Myqerem Tafaj
Minister

For the Ministry of Science, Education
and Sports of the Republic of Croatia



Mr. Radovan Fuchs
Minister

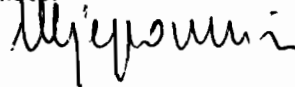
For the Ministry of Education and
Science of the Republic of Macedonia



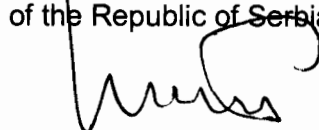
Mr. Nikola Todorov
Minister

For the Ministry of Education and
Science of Montenegro

Mr. Slavoljub Stijepović
Minister



For the Ministry of Education
of the Republic of Serbia



Ms. Tinde Kovač Cerović
State Secretary

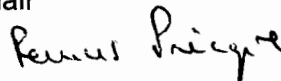
For the Secretary General of the
Regional Cooperation Council



Mr. Mladen Dragašević
Head of Building Human Capital and
Parliamentary Cooperation Unit of the
Regional Cooperation Council

For the Task Force Fostering and
Building Human Capital of the Regional
Cooperation Council

Mr. Remus Pricopie
Chair



ANNEX 1

PRINCIPLES OF INSTITUTIONAL FRAMEWORK OF ERI SEE

1. Signatory parties of the Nicosia Memorandum of Understanding (2003) and the Istanbul Memorandum of Understanding (2007) who are not signatory parties to this Memorandum are invited to continue participating in ERI SEE activities at their own expense and to attend the regular Governing Board meetings as observers without the right to vote.
2. The ERI SEE Governing Board is the decision making body of ERI SEE responsible for developing ERI SEE policies and strategies. The Governing Board adopts Annual Work Programmes, supports the Director of the Secretariat in its implementation, reviews progress in the course of the year and adopts the Annual Report of the Director.
3. The Governing Board appoints and releases from duty the Director of the ERI SEE Secretariat. Upon the recommendation of the Chair of the Governing Board, the Governing Board elects the members of the Consultative Body. The Governing Board may establish working groups and other subordinate bodies for specific tasks as may prove necessary. The Governing Board reports annually to the Signatory Ministers of Education/Higher Education through ERI SEE Annual Reports.
4. The Governing Board consists of one representative from each signatory party of this Memorandum, one representative of the RCC, one representative of the TFBHC as well as one representative of each donor country or donor institution contributing a minimum amount of € 30.000 to the ERI SEE budget annually.
5. The host country appoints the Chair of the Governing Board. The Governing Board is co-chaired by (1) a representative of the TFBHC and (2) a representative of a member country on an annual basis.
6. The Governing Board meets twice a year. Governing Board meetings are convened and prepared by the Chair in cooperation with Co-Chairs and with the support of the Director. Upon the proposal of the Chair of the Governing Board and following the consent of the members of the Governing Board, Governing Board meetings shall be open to other countries, international organisations and partners in the capacity of guests.
7. The Governing Board adopts the statute of the ERI SEE and the Rules of Procedures of the Governing Board by at least a two-thirds majority, as well as any other rules governing the operation of the ERI SEE. All other decisions by the Governing Board are taken by a simple majority with at least two-thirds of its members present. Electronic voting is permitted. The Governing Board adopts staffing table and terms of reference for each position within the Secretariat.
8. The Consultative Body has advisory function and meets twice a year on the occasion of the Governing Board meetings. The Consultative Body is open for participation to the main partner institutions supporting ERI SEE until 2010: Council of Europe, European University Association, European Training Foundation, Organisation for Economic Co-operation and Development; European Commission, representatives of EEA and EFTA countries and in accordance with priority areas of ERI SEE, other institutions involved in European processes.

9. The ERI SEE Secretariat enjoys such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its objectives, including the capacity to contract, to acquire and to dispose of moveable and immovable property and to institute legal proceedings.
10. The ERI SEE members provide annual financial contributions to the annual budget of the ERI SEE Secretariat which shall cover the costs of its staff and its activities, including costs of participation in Governing Board meetings, as well as costs of participation of national representatives in ERI SEE activities. The amount to be contributed by each ERI SEE member is calculated on the basis of the methodology developed for contributions to the RCC, whereby ERI SEE members are categorized in four groups according to their level of gross domestic product at purchasing power parity and on the basis of available other funding sources in accordance with Annex 3 (Annual provisional budget outlook for the period 2011-2013). Financial contributions to the ERI SEE Secretariat are made by all ERI SEE members at the beginning of each year, no later than 1 April.

ANNEX 2

BASIC REQUIREMENTS FOR THE SEAT OF THE ERI SEE SECRETARIAT

1. The host country shall provide the future ERI SEE Secretariat with the full facilities necessary for the exercise of its functions, including the appropriate legal capacity through a Host Country Agreement which shall be concluded between the host country and all other ERI SEE members.
2. The host country for the ERI SEE Secretariat must provide the following basic requirements:
 - a) legal status for the ERI SEE Secretariat so that it may exercise its functions and operate without hindrance;
 - i. provide legal capacity of the ERI SEE Secretariat necessary for carrying out its functions as to conclude contracts, to acquire and dispose movable and immovable property and to establish legal proceedings in accordance with the legislation of the host country;
 - ii. provide immunities and privileges, minimum of which will be level of international organisation;
 - iii. indicate the time needed for the provision of legal capacity, the host country requirements related to documents required for registration, time needed to process the application and other relevant information.
 - b) exemption of the ERI SEE Secretariat from local taxes and duties for purchase of goods and services;
 - c) exemption for officials of the ERI SEE Secretariat who are not citizens of the host country (or permanent residents in the host country immediately prior to their employment by the Secretariat) from immigration restrictions and from income tax and general social security contributions on salaries;
 - d) provision of suitable office premises free of charge, including necessary up-to-date infrastructure and communications, as well as logistic support and maintenance. The Governing Board shall determine minimum required office space, office equipment and office accessibility.
3. In addition to the basic requirements as specified in para. 2, the host country can indicate willingness to financially contribute to the ERI SEE Secretariat, in addition to the yearly contribution as provided in Annex 3, as one time contribution for the initial set – up of the Secretariat by the host country. Such financial contribution shall be taken into account in process of selection of the seat of the ERI SEE Secretariat.

ANNEX 3

ANNUAL PROVISIONAL BUDGET OUTLOOK FOR THE PERIOD 2011 – 2013

The calculation of the annual contribution of the ERI SEE members to ERI SEE (operational and total costs) was made in accordance with the methodology developed for contributions to the RCC¹. The ERI SEE members are categorised in four groups according to their level of gross domestic product at purchasing power parity, as follows:

Group	GDP at PPP, Billion \$²	Annual Contribution € per Member
I	<10.0	€ 5.400
II	<50.0	€ 7.200
III	>50.0	€ 9.000
IV	>70.0	€ 14.400

- For the present signatories the respective annual contribution for the period 2011 – 2013 is: for Albania (Group II): € 7.200; for Croatia (Group IV): € 14.400; for Macedonia (Group II): € 7.200; for Montenegro (Group I): € 5.400; and for Serbia (Group III): € 9.000. The Governing Board of the ERI SEE may in consultation with ministries of education of ERI SEE members determine a different level of contributions after the initial period of three years.
- The future host country will allocate approx. € 20.000 for operational costs specified in Annex 2 in addition to its annual contribution.
- Annual funding from other sources; € 110.000, out of which € 15.000 are available for operational costs, are expected contributions from Austria, the Netherlands and Switzerland for 2011.
- The amount of annual contributions of any potential future parties joining this Memorandum is calculated in accordance with the above mentioned methodology and the information of expected contributions has already been formally communicated to competent ministries of the ERI SEE region.
- On the assumption of ten members, the total projected ERI SEE budget per year is € 220.000, out of which approx. € 75.000 are allocated to operational costs (ERI SEE Secretariat).

¹ The RCC methodology encompasses calculation of contributions for three-year periods.

² Gross domestic product at purchasing power parity. Source: IMF, October 2009.

PROTOCOL

The Minister of Education of the Republic of Moldova declares to join the Memorandum of Understanding on the Role and Organisation of the Education Reform Initiative of South Eastern Europe between the Ministers responsible for Education and Higher Education of the Republic of Albania, the Republic of Croatia, the Republic of Macedonia, Montenegro and the Republic of Serbia signed on 5th of June 2010 in Brdo, Slovenia.


This protocol is to be seen as an integral part of the Memorandum and its Annexes and becomes effective between all parties immediately after signing.

For the Ministry of Education



Mr. Leonid Bujor
Minister of Education of the Republic of
Moldova

For the Education Reform Initiative of
South Eastern Europe



Mr. Radovan Fuchs
Minister of Science, Education and
Sports of the Republic of Croatia
ERI SEE Chair

Location and date:

Chişinău, 21.12.2010

Location and date:

Zagreb, 27.1.2011

PROTOCOL

The Minister of Civil Affairs of Bosnia and Herzegovina declares to join the Memorandum of Understanding on the Role and Organisation of the Education Reform Initiative of South Eastern Europe between the Ministers responsible for Education and Higher Education of the Republic of Albania, the Republic of Croatia, the Republic of Macedonia, the Republic of Moldova, Montenegro and the Republic of Serbia signed on 5th of June 2010 in Brdo, Slovenia.

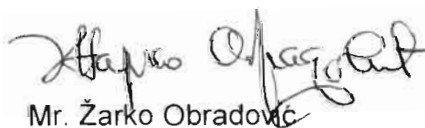
This protocol is to be seen as an integral part of the Memorandum and its Annexes and becomes effective between all parties immediately after signing.

For the Ministry of Civil Affairs



Mr. Sredoje Nović
Minister of Civil Affairs
of Bosnia and Herzegovina

For the Education Reform Initiative of
South Eastern Europe



Mr. Žarko Obradović
Minister of Education
of the Republic of Serbia
ERI SEE Chair

Location and date:

Belgrade, 11. 3. 2011.

Location and date:

Belgrade, 11. 3. 2011.