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*Qeveria –Vlada-Government*

*Ministria e Arsimit, Shkencës, Teknologjisë dhe Inovacionit/  
Ministarstvo Obrazovanja i Nauke, Tehnologije i Inovacija / Ministry of Education, Science,  
Technology and Innovation*

### **Consultation document**

**Name of person/organization commenting:**

**Ms. Maria do Carmo Gomes, international consultant supported by the Matching Skills to Jobs (MSJ) project implemented by Swisscontact.**

**The main action areas of the organization:**

Ms. Maria do Carmo Mates Gomes is a renowned VET expert with expertise on skills development and qualifications having been actively involved in the implementation of procedures, criteria, and quality assurance processes for including Lifelong Learning Qualifications, and adult Learning Expertise. In her position as Senior Employment and Skills Expert for EU TA to Skills Development in Georgia, Maria has contributed to the development of the National Qualifications Register. As a tenured expert in VET policy development and evaluation, she also has access to an extensive network of international VET organizations and experts in the field.

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**Comments:**

The present Concept document prepared by the Department of Vocational Education and Training of the Ministry of Education, Science, Technology and Innovation of the Republic of Kosovo outlines the conclusion of the analysis conducted by a Working Group established with the aim of “*consolidating and increasing the effectiveness of the institutional structure in the field of vocational education and training*”.

Three options are presented and discussed in this concept document in order to address the main problem faced:

- Option 1: No legal changes, but only remedial interventions at the level of internal organizational documents of institutions in the field of education and professional training (No change option)
- Option 2: Addressing the reform through the improvement of strategic documents in the field of vocational education and training, and of the NQF (Option for improving implementation and execution)
- Option 3: The third option the institutional structure of vocational education and training and the NQF in the Republic of Kosovo through supplement-amendments of the individual laws (the third option)

These options aim at achieving the following objectives:

**Objective 1:** Restructuring of central institutions in the field of vocational education and training

**Objective 2:** Empowering the agency with a full circle of competencies in the executive, administrative, regulatory field, in the field of vocational education and training of the NQF

**Objective 3:** Harmonization of laws in the field of vocational education and training in one legal act

**Objective 4:** Creation of independent mechanisms with responsibility for accreditation of IVETs within the agency.

**Objective 5:** The provision of a mechanism that links vocational education and training programs with the market needs.

**Objective 6:** Creation of an accountable circuit in the governance of vocational education and training

The recommended option is Number 3, which envisages a full revision of the legal framework of the field of education and training, including the revision of the existing three main Laws: (i) on Vocational Education and Training (No. 04/L-138); (ii) Law on Education and Training of Adults in the Republic of Kosovo (No-04/L-143); and (iii) Law on National Qualifications (No. 03/L-060), and the respective secondary legislation.

The revision of the legal framework will allow to revise the institutional framework and arrangements through the clarification of roles and responsibilities of the different levels of governance and public bodies operating in this sector, and at the same time improving the skills provision to better address the labour market needs.

### **Comments**

1. The Concept Document states that there is a large number of institutions dealing with the education and training issues in the Republic of Kosovo. Therefore, it assumes that merging the Agency on Vocational Education and Training and Adult Education (AVETAE) with the National Qualifications Authority (NQA) must be a pre-condition for a more effective and efficient governance model of VET and AET sub-sectors, and thus contributing to a more aligned skills provision with labour market needs.

*It is questionable to conclude how the merging of institutions that have very clear different mandates, roles and responsibilities allocated will better improve the governance of the system, being AVETAE an executive agency with a role on management of a set of Centres of Competence*

*existing in the country and the assessment of providers, and NQA being the regulatory body in charge of further implementing the National Qualifications Framework (NQF) adopted by the Government of Kosovo and referenced to the European Qualifications Framework (EQF), including the design of occupational and qualification standards and the introduction of innovative policy measures, such as the mechanisms for validation of non-formal and informal learning.*

*It would be advisable that a thoughtful analysis is made available about the concrete implementation results of such institutional reform (through a SWOT or SCENARISATION techniques). There is a high-risk of creating “grey areas” of responsibility or even “conflicts of interest” between executive and regulatory agencies, or inside the new planned VET Agency.*

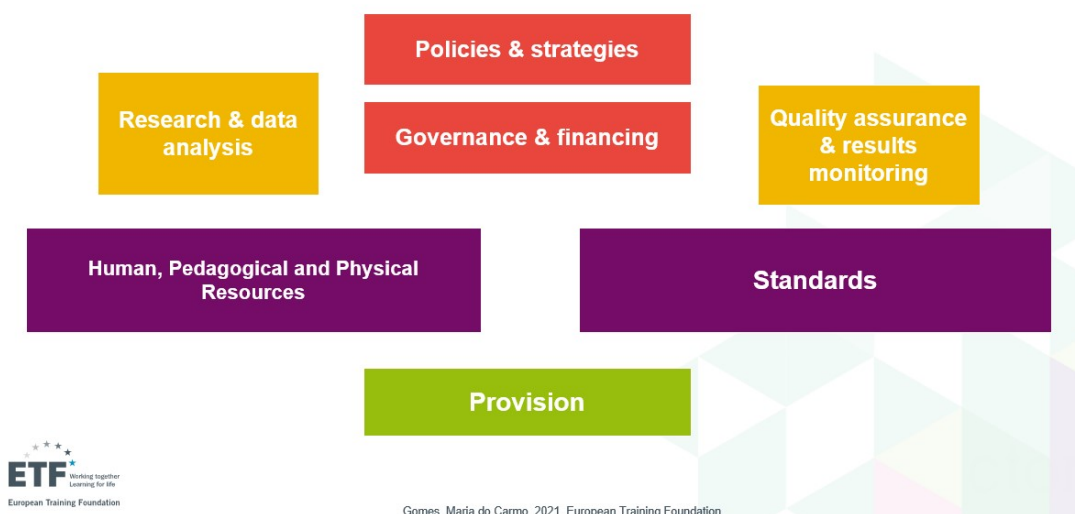
*The case of Albania (which is not accurately described in the Concept Document), where the National Agency for Vocational Education and Training and Qualifications (NAVETQ) is the main institution responsible for the Albanian Qualifications Framework (AQF), for the development of vocational qualification standards, accreditation of providers, and quality assurance mechanisms; and the recently established National Agency for Employment and Skills (NAES) is responsible for the Public Employment Services, for the management of the entire network of VET providers (VET schools, VT centres and the licensing of non-public education and training providers) is an example on how this division of roles can become a reality. Not necessarily by centralizing all roles and responsibilities in one institution only, but assuring that development of standards, accreditation of providers, and quality assurance mechanisms lay with one institution, and the management and implementation of policy measures and the relevant data collection for an extensive and systematic monitoring of the functioning of the VET system lays with another.*

*A similar option could be considered for Kosovo, which has a decentralized education and training system already, foreseeing also a stronger autonomy to the VET/AET providers.*

2. The Concept Document narrows the contribution of the revision of the legal framework to the need of re-arranging the institutional setting in VET and qualifications, and to the need of addressing better labour market needs. However, the governance of an education and training system includes a set of multiple building blocks, which shall be considered while revising the main legislation that regulates the sector and the design of a new institutional framework.

The main building blocks of a well-functioning education and training can be represented as follows:

## Seven building blocks of a good vocational education and training system



Gomes, Maria do Carmo, 2021, European Training Foundation

*Further analysis of each building block and its structural elements, and allocations of responsibilities of the different institutions is a good starting point for the revision of the legal framework. In order to complete the reflection about the solutions on “new institutional arrangements” by centralizing institutions, it would be important that a detailed analysis of what are the different responsibilities of existing public structures in these different areas, and their overlapping and non-functioning elements.*

*The main direction of a structural reform of education and training system shall start from this point and move into a clear picture of assigned roles and responsibilities for developing a modern Education and Training system. Reforming, restructuring and reorganizing the institutional landscape is a complex process of change and it needs to be well planned and implemented, and be taken with the necessary caution.*

*In Kosovo, the division of roles and responsibilities over the education and training sector by the MoESTI, AVETAE, NQA, the Council, and other relevant institutions is obviously not clear, and that needs to be improved; but the way that this reform will take can be counterproductive and not contributing to the so much expected results of improving effectiveness and efficiency of the VET governance.*

3. It would be important to recall the findings of the RED Kosovo report (ETF, 2023) where it is clearly analysed some of the weaknesses of the governance model of the education and training system in Kosovo.

*“In Kosovo, the governance of the education system is expected to rely ‘vertically’ on three levels: the macro or central level, mainly entrusted to the MESTI; the meso level, represented by MEDs; and the micro level, focusing on schools. Efficient linkages between these three levels are a critical element for implementing such a decentralised education system. However, the governance arrangements and practices reveal many weak not to say missing links.”*

**KEY RECOMMENDATION AREA B - Governance frameworks, including coordination mechanisms, for effective decentralisation**

**Action B1: Streamline the institutional and governance setting based on the functional review**

- ✓ Review, update and discuss the recommendations of the functional review, and plan to act on the feasible ones for streamlining the institutional setting, linked with the new draft organisation chart and the functions to be performed
- ✓ Concentrate the quality assurance function into a single organisational unit
- ✓ Appoint an organisational unit in charge of advancing the digital agenda
- ✓ Revise the legislation for enabling the desired adjustment of the institutional setting
- ✓ Make schools the responsible level for more regular quality assurance procedures

**Action B2: Create or activate coordination mechanisms at the various governance levels**

- ✓ Between education and finance: establish and activate a joint committee between MESTI and MFLT
- ✓ Between government and donors: make the education donor coordination framework operational and purposeful
- ✓ Between MESTI and MEDs: create a simple and user-friendly mechanism, facilitated by MESTI, for information sharing and flexibility across MEDs on their educational resources
- ✓ Define a framework (a space) for regular, public debate on education involving the Kosovo civil society
- ✓ Initiate an inter-ministerial discussion involving municipalities on school network optimisation

**Conclusions**

**It is clear, and very much analyzed and discussed over the last years, that a modern VET system to be implemented in the Republic of Kosovo needs an improved legal framework and a clear assignment of roles and responsibilities to the different public structures/institutions.**

**However, it is highly recommended that while preparing the new VET Law (and others), there is a detailed analysis and precise discussion on the different scenarios for institutional re-arrangements, as well, as a profound discussion on the different elements of an education and training system (i.e. building blocks) to make sure that the new legislation is aligned with the national strategic priorities, with the main EU guidelines for skills development policies, and also with the OECD recommendations on Good Governance and the Public Administration Reform issued for the Republic of Kosovo.**

**The MSJ project implemented by the Swiss contact can contribute to assist the MoESTI in conducting such a revision in an adequate and realistic timeline.**