

Pursuant to Article IV/4.a) of the Constitution of Bosnia and Herzegovina, at the session of the House of Representatives held on 13 June 2007, and the session of the House of Peoples held on 30 July 2007, the Parliamentary Assembly of Bosnia and Herzegovina hereby adopts the following

**FRAMEWORK LAW
ON HIGHER EDUCATION IN
BOSNIA AND HERZEGOVINA**

I - GENERAL PROVISIONS

1. Purpose of the Law

Article 1

The Law on Higher Education in Bosnia and Herzegovina (hereinafter the Law) shall set: the organisation of higher education in Bosnia and Herzegovina, responsibility of competent authorities in this area, establish bodies for implementation of the Law and international commitments of Bosnia and Herzegovina, and set the methods of quality assurance in the area of higher education.

Article 2

For the purpose of reform of higher education, this Law establishes basic principles and standards of acquiring higher education in Bosnia and Herzegovina, in accordance with relevant provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5, 1950) and the Protocols thereto, the Council of Europe Committee of Ministers Recommendations on the Recognition and Quality Assessment of Private Institutions of Higher Education, [R(97)1], on Access to Higher Education [R(98)3] and on the Research Mission of Universities [R(2000)8] and other relevant principles reflected in internationally recognised legal instruments to which Bosnia and Herzegovina is a state party, and in accordance with the Council of Europe/UNESCO Convention on the Recognition of Qualifications Concerning Higher Education in the European Region (ETS No. 165, 1997).

Bosnia and Herzegovina accepts the European strategic goals in the field of higher education, as expressed in the Declaration of the European Higher Education Ministers made in Bologna (1999) as well as the subsequent development of this concept.

Higher education is an activity of special interest for Bosnia and Herzegovina.

2. Higher education: objects and meaning

Article 3

The objects of higher education are:

- To establish, develop, protect and transmit knowledge and skills through teaching and scientific work and research and thus contribute to the development of capacities of individuals and the society; and
- To provide opportunities for the citizens to benefit from such education, in compliance with regulations, throughout their lives.

Article 4

For the purposes of this Law, the term “higher education” shall mean education upon completion of secondary education, leading to an internationally recognised higher education degree.

Higher education shall be based on:

- academic freedoms, academic self-governance and the local community,
- openness of the university towards the public, the citizens and the local community,
- indivisibility of teaching and scientific research, i.e. artistic creation,
- respect for European humanistic and democratic values, and harmonisation with the European higher education system,
- respect for human rights and civic freedoms, including prohibition of all forms of discrimination,
- the concept of lifelong learning,
- interaction with the community and the obligation of the university to develop social responsibility of students and other members of the academic community.

3. Cycles in higher education and the European Credit Transfer System (hereinafter: the international acronym ECTS)

Article 5

Higher education shall be organised in three cycles:

- the first cycle leading to the academic title of completed undergraduate studies [the degree of Bachelor] or equivalent, obtained after no less than three years and no more than four years of full time study upon acquiring a secondary school leaving certificate, valued as no less than 180 or 240 ECTS credit points;
- the second cycle leading to the academic title of Master or equivalent, obtained after the completion of undergraduate studies, of duration of one or two years, and valued as 60 to 120 ECTS credit points, in such a way that the total with the first cycle represents 300 ECTS points; and
- the third cycle leading to the academic degree of doctor or equivalent, of duration of three years, and valued as 180 ECTS credit points.

One semester of full-time study carries 30 ECTS credit points in each cycle.

Studies in the medical group of sciences shall be excluded from provisions of the first paragraph of this Article, whose first cycle shall be valued up to 360 ECTS credit point.

4. Right to academic title and degree

Article 6

II – HIGHER EDUCATION INSTITUTIONS

1. Access to Higher Education

Article 7

All persons who have completed secondary school of duration of four years in Bosnia and Herzegovina shall have access to higher education.

Access to higher education carried out by licensed higher education institutions in Bosnia and Herzegovina shall not be restricted, directly or indirectly, on any actual or presumed ground such as sex, race, sexual orientation, physical, or other impairment, marital status, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth, age or other status.

Article 8

Students who have completed secondary school abroad shall submit evidence on completion of secondary school - certificate or diploma, for evaluation to the relevant institution, which shall take account of the criteria and procedures for recognition of foreign qualifications established under the principles of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region.

Recognition shall be given, as a rule, to a certificate or diploma evidencing a level of educational attainment not substantially different to that in Bosnia and Herzegovina and gives to the holder the right to apply to a university or to take a university enrolment test in a given foreign country.

Article 9

Higher education may be undertaken full-time, part-time, by distance learning and in any combination of these modes of study, as provided in the statute of the institution awarding a higher education qualification.

2. Higher Education Institutions

Article 10

Higher education institutions in Bosnia and Herzegovina shall be universities and colleges [orig. *higher schools*]only.

The title "university":

- shall be limited to higher education institutions undertaking both education and research, offering academic degrees in all three cycles, with objectives including the advancement of knowledge, thought and scholarship in Bosnia and Herzegovina, the educational, scientific, cultural, social and economic development of Bosnia and Herzegovina, the promotion of democratic civil society, citizenship and the achievement of the highest standards in teaching and learning; and
- shall refer to a higher education institution offering studies in at least five different subject groups in at least three scientific areas – natural sciences, technical sciences, biomedicine and health, biotechnical sciences, social sciences and humanities.

The title “*visoka škola*” “college”

- shall be limited to a higher education institution that has been accredited to offer diplomas and degrees of the first cycle, with objectives including the preparation and training of individuals for the scientific, cultural and economic development of Bosnia and Herzegovina and promotion of democratic civil society, citizenship and the achievement of high standards in teaching and learning; and
- shall refer to a higher education institution offering studies of the first cycle in at least one subject group in one scientific area, and fulfilling other conditions in accordance with the law.

Article 11

Higher education institutions may not be denied or restricted in their freedom to conduct the following:

- to innovate the methods of acquisition of higher education within their licences; and
- to offer courses for the acquisition of skills necessary or expedient for the purposes of realising the objects of higher education.

3. Statute of a Higher Education Institution

Article 12

The statute is the basic act of a higher education institution, regulating issues of importance for the performance of activities of the institution.

The statute shall be adopted by the senate, with a previously obtained opinion of the governing board of the higher education institution.

The statute of any higher education institution must be harmonised with this Law.

4. University and College Bodies

Article 13

University bodies are:

- the governing board
- the senate
- the rector.

University may have organisational units such as faculties, academies, colleges, or scientific institutes, effecting teaching, scientific research or artistic work, on one or more educational or scientific areas.

Organisation and competence of organisational units shall be set in detail by the statute of the university.

College bodies are:

- the governing board
- the senate
- the director.

5. Governing Board

Article 14

The responsibility for *the business* [activities] of a licensed public higher education institution shall be vested in the governing board of the university or college (hereinafter: the governing board).

The governing board shall perform tasks set by law and by the statute of the university, and in particular:

- give opinion on the statute of the higher education institution, and adopt a general act on internal organisation and systematization of jobs and other general acts in compliance with law and the statute of the higher education institution;
- shall adopt decisions on the establishment of other legal persons, in compliance with law and the university statute;
- shall adopt financing and development plans,
- shall adopt the annual plan of work of the higher education institution, at the proposal of the senate of the higher education institution,
- shall adopt the financial plan and adopt the annual financial reports;
- shall guide, control and assess the work of the rector in the area of financial affairs,
- shall resolve issues related to the founder;
- shall decide on utilization of resources exceeding the amount set by the statute of the higher education institution;

- shall decide on objections by employees on decisions of higher education institution bodies which decided in the first instance on the rights, duties, and responsibilities of employees arising from their employment status;
- shall submit to the founder, no less than once a year, an annual report on the work of the higher education institution;
- shall perform other duties in compliance with law, the founding act, and the university statute.

Article 15

The governing board shall have between seven and eleven members, of whom at least one third are appointed by the founder, and others shall be appointed by the senate of the higher education institution, in compliance with the statute.

Senate of the university shall appoint and remove members of the governing board, for a term of office of four years, in a public and transparent procedure of public competition.

6. Senate of the Higher Education Institution

Article 16

Responsibilities for academic issues at a higher education institution shall rest with the senate as the highest academic body comprising representatives of academic staff and the students.

Senate of the higher education institution shall decide on all academic issues, in particular:

- shall decide on issues related to teaching, scientific, artistic and professional activities of the higher education institution;
- shall adopt the statute of the higher education institution, with a previously obtained opinion of the governing board,
- shall adopt general acts in accordance with the law and the statute of the higher education institution;
- shall adopt curricula for undergraduate, postgraduate and doctoral studies,
- shall elect the rector and vice-rector of the university, i.e. director of the college;
- shall elect academic staff, at the proposal by the scientific and teaching council, i.e. the scientific and research council of organisational units,
- shall appoint committees in the process of acquiring the title of doctor of science,
- shall grant honorary titles “professor emeritus” and “honorary doctor of science”;
- shall give initiatives to the governing board for the organisation or abolishment of faculties and other organizational units of the university;
- shall perform other tasks in compliance with this law and the statute of the university.

Senate of the higher education institution shall decide on academic issues, at the proposal of professional bodies of the organisational units, as well as other bodies of the higher education institution and student representative bodies.

Students shall make up no less than fifteen percent of the senate, represented by students of all the

cycles.

Number of members, composition of the senate and its method of work shall be set by the statute of the higher education institution.

7. University Rector and College Director

Article 17

A university shall be managed by a rector and a college shall be managed by a director, in accordance with the law and the statute of the higher education institution.

The rector of a university or director of a college shall be accountable for his/her work to the senate in relation to academic issues, and to the governing board in relation to business activities.

The rector or director shall perform tasks set by the law and the statute of the higher education institution, in particular:

- represent and act on behalf of the higher education institution,
- organise and manage work of the university or the college, and shall be responsible for lawfulness of the work,
- shall adopt individual acts in accordance with the law and the statute of the higher education institution.
- shall propose general acts in accordance with the law and the statute of the higher education institution,
- shall propose to the governing board measures for effective and lawful discharge of activities of the higher education institution,
- shall propose work and development plans of the higher education institution,
- shall propose to the governing board the internal organisation and job structure,
- shall execute decisions by the governing board and other bodies of the higher education institution,
- shall decide on the utilisation of resources not exceeding the amount set by the statute of the higher education institution,
- shall decide on the rights, duties and responsibilities of employees arising from their employment status,
- shall submit to the governing board financial reports of the higher education institution,
- shall be authorised to give instructions on execution of the financial plan,
- shall take part in the work of the Rectors' Conference of Bosnia and Herzegovina,
- shall perform other tasks in compliance with the law and the statute of the higher education institution.

Article 18

The rector of a public university shall be elected by the senate, on the basis of a public competition.

A teacher holding the title of a full professor or meeting the requirements for that title at the

university where he/she is applying may be elected as rector.

The director of a public college shall be elected by the senate on the basis of a public competition.

A person meeting the requirements for a teacher at that college may be elected as director.

The rector or director shall be elected for a term of office of four years, with a possibility of re-election.

8. Legal Personality and Institutional Autonomy

Article 19

Unless otherwise provided by law, each licensed public higher education institution, being either a university or a college, shall have full legal personality in relation to the matters dealt with in this Law including powers to:

- dispose of and manage land and buildings already owned by them in accordance with applicable laws;
- receive and manage funds from any legal source;
- determine and collect tuition and other fees in accordance with law;
- employ staff;
- enter into contracts for goods and services;
- form legal relationships with students;
- establish commercial enterprises for educational and research purposes;
- enter into agreements with other higher education institutions in Bosnia and Herzegovina and abroad;
- have other powers necessary for the efficient discharge of their functions.

All funds received from the budget, own revenue, fees collected, and funds from other sources shall belong to the higher education institution and shall be expended in accordance with the law, the statute, and the adopted financial plan.

Article 20

The statute of a higher education institution shall provide for an organisational structure within the institution which shall comprise units, which may include faculties, institutes, centres, academies or schools.

In order to promote and ensure integration of the academic, financial and physical planning and development of the institution, as from one year following the date when this Law comes into force, such units shall have no legal personality which is independent of the institution. For a transitional period beginning on the entry into force of this Law, faculties which already have the status of a legal person according to existing law may maintain that status, but may not enter any financial obligations exceeding the stated transitional period.

For the purpose of promoting initiative by units, the statute of the institution shall specify in what

manner and to what extent units shall exercise academic and financial authority and take responsibility within the institution. The statute shall regulate issues related to the opening of a treasury sub-account of a unit, method of presentation of units in the market and method of disposal of funds acquired in the market, through donations or other forms of non-budget financing.

Article 21

Higher education institutions shall enjoy freedom of teaching and in scientific and research work within their licences, without interference from public authorities.

A separate law shall regulate issues related to scientific research.

Scientific research in higher education institutions may be co-financed by funds from the budget of the institutions or BiH and international obligations of BiH, in accordance with applicable state level regulations.

Article 22

Higher education institutions shall, in accordance with provisions of this Law, have the rights to:

- elect their governing and management authorities and fix their terms of office;
- arrange their structures and activities with their own rules pursuant to this Law, other applicable laws and their statutes;
- elect teaching and other staff;
- admit students and determine methods of teaching and assessment of students;
- independently develop and implement curricula and research projects;
- within the available financial provisions, choose subjects to be taught;
- in the case of universities, grant titles to professors and other staff;
- determine as official language, or official languages, one or more languages of the constituent peoples of Bosnia and Herzegovina.

Article 23

The premises of licensed higher education institutions shall be inviolable.

Without permission given by the rector of the university, the director of the college or a person authorised by them, police and other prosecution and law enforcement agencies shall not have access to the university or college.

Exceptionally, in order to prevent an impending offence or an offence already taking place, necessary measures may be undertaken, given that the university or college shall be informed immediately about them.

9. Academic Staff Rights and Obligations

Article 24

Every higher education institution shall include in its statute or equivalent basic document that academic staff have the freedom, within the law, to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their job or any privileges they may have with the institution.

The right of academic staff of higher education institutions to freedom of speech may only be restricted by law.

Article 25

The statute of any public higher education institution, and the basic document of any private higher education institution shall, as a condition of their accreditation, contain provisions which:

- secure for staff freedom of organisation and assembly in compliance with the law; and
- protect staff against discrimination on any ground such as sex, race, sexual orientation, marital status, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth or other status.

Article 26

Academic staff of higher education institutions shall have the freedom to publish the results of their research, in compliance with rules made by the institution relating to the exploitation of intellectual property rights for the benefit of the institution and the rights of third parties.

10. Academic Titles

Article 27

Higher education institutions shall confer academic titles which may be teaching, scientific or artistic.

The university shall confer scientific-teaching and artistic titles as follows:

- full professor
- associate professor
- assistant professor
- lector
- senior assistant
- assistant.

A college shall confer teaching and artistic titles as follows:

- college professor
- college lecturer
- assistant.

11. Election of Academic Staff

Article 28

The following shall be the minimum conditions for election or appointment to academic titles:

- Assistant: appropriate university degree with a minimum of 240 ECTS credits and a minimum average grade of eight (8) or three point five (3.5);
- Senior assistant: a second cycle (Master's) degree.
- Lector: a second cycle (Master's) degree.
- Assistant Professor: Scientific degree of doctor in the field; at least three (3) scientific papers published in recognised publications; demonstrated capability for teaching.
- Associate Professor: no less than one term of service as assistant professor, and no less than five (5) scientific papers published in recognised publications, a published book and original vocational achievement such as a project, patent or original method, all following the appointment as assistant professor; supervision of candidates for second cycle degrees .
- Full Professor: no less than one term of service as associate professor, no less than two (2) published books, and no less than eight (8) scientific papers published in recognised publications, all following the appointment as associate professor; supervision of candidates for second and third cycle degrees.

Article 29

The following shall be minimum criteria for appointment to artistic-teaching titles for academic staff at specific study profiles at the university, if artistic criteria are of particular relevance for the subject:

- Assistant: appropriate university degree with a minimum of 240 ECTS credits and a minimum average grade of eight (8) or three point five (3.5);
- Senior assistant: a second cycle (Master's) degree, or a first cycle degree, and publicly presented forms of artistic expression.
- Assistant Professor: no less than a degree of the first cycle, a number of publicly presented forms of artistic expression, and demonstrated results in teaching.
- Associate Professor: no less than a degree of the first cycle, a number of publicly presented forms of artistic expression, recognition for successful work in a relevant area of art, and demonstrated results in teaching.
- Full Professor: no less than a degree of the first cycle, a number of publicly presented forms of artistic expression which have contributed significantly to the development of culture and art, and contribution to development of teachers and artists .

Article 30

Minimum conditions for appointment to teaching titles at a college:

- Assistant: first cycle degree with minimum average grade of eight (8) or three point five (3.5);
- College lecturer: second cycle degree and demonstrated teaching abilities.

- College professor: third cycle degree and demonstrated teaching abilities.

Persons with titles of full professor, associate professor or assistant professors at universities may also teach at a college.

Article 31

Minimum conditions for appointment to artistic titles at a college:

- Assistant: first cycle degree with minimum average grade of eight (8) or three point five (3.5);
- College lecturer: no less than a first cycle degree, publicly presented forms of artistic expression, and demonstrated teaching abilities.
- College professor: no less than a first degree cycle, recognised publicly presented forms of artistic expression, and demonstrated teaching abilities.

Persons with the titles appointed for artistic courses at universities may also teach at colleges.

Article 32

Only published works, books and results of original research in application, projects and mentoring, or publicly presented forms of artistic expression in the relevant area, following the last appointment, shall be taken into account in appointment to the same or higher title.

Article 33

The period of appointment for academic staff at the university shall be:

- assistant: four years with no possibility of re-appointment,
- senior assistant: five years, with a possibility of re-appointment only if he/she attains a third cycle degree,
- lector: for a period of five years with no possibility of re-appointment;
- assistant professor: five years, with a possibility of re-appointment,
- associate professor: six years, with a possibility of re-appointment,
- full professor: indefinitely.

A full professor enters an employment contract of indefinite duration.

The period of appointment of academic staff at a colleges shall be:

- assistant: four years with no possibility of re-appointment,
- college lecturer: five years with a possibility of re-appointment,
- college professor: indefinitely.

Academic staff enters employment contracts with a higher education institution of limited duration, corresponding to the duration of appointment. Following the expiry of that period, the higher education institution is obliged to enter a new employment contract with each member of academic staff who has been appointed to the same or higher academic title.

Article 34

The appointment of academic staff shall be, in all cases, made through a public competition, in accordance with criteria set by the law, the statute of the higher education institution and generally accepted standards for the profession concerned.

Article 35

Protection of the rights of academic and other staff of higher education institutions shall be exercised in accordance with the statute and other official documents of the higher education institution. Any final decision of the higher education institution may be challenged before a court of competent jurisdiction.

12. Student Rights and Obligations

Article 36

Students who are admitted to and enrolled in a higher education institution enter into a contractual relationship with that institution.

Students are entitled to the following rights, which may be elaborated further in the statute of the institution:

- to attend all lectures, seminars and other forms of teaching organised in their subjects according to their position and, subject to capacity, other organised teaching;
- to use the facilities of libraries and other services for students located at the institution;
- to participate in elections for student positions in students' representative bodies and other bodies established under the statute of the institution; and
- to the recognition and transfer of credits between accredited higher education institutions within Bosnia and Herzegovina.

Article 37

Students enrolled at a university or college have the following obligations:

- to observe rules made by the institution;
- to have due regard to the rights of staff and other students; and
- to give due and full attention to their studies and participate in academic activities.

Article 38

The statute or equivalent basic document of any higher education institution shall contain provisions which:

- secure the students' freedom within the law to question and test received wisdom and to put

forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their position or any privileges they may have with the institution;

- secure the students' freedom of speech, organisation and assembly within the law;
- protect students against discrimination on any ground such as sex, race, sexual orientation, marital status, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth or other status; and
- provide fair and impartial mechanisms for dealing with disciplinary questions affecting students.

Article 39

Students have the right to express their views on the quality of the teaching or other facilities of the institution and the statute shall make provision for dealing fairly with complaints.

The circumstances in which students may be removed from registration for academic or disciplinary reasons, and procedures for appeal, shall be elaborated in the statute of the institution.

Students shall have the right to challenge any final decision or action of a higher education institution referred to in paragraph 2 in relation to them before a court of competent jurisdiction.

Article 40

The statute or other basic document of a higher education institution shall provide for the establishment of an elected students' representative body.

A representative body shall represent students' interests and shall contribute to the social, cultural, academic and physical recreation needs of students on the basis of democratic principles and in accordance with the law.

Student representative bodies may establish an association of students' representative bodies in Bosnia and Herzegovina, through which membership in international student organisations and associations shall be effected.

Article 41

The status of student shall be terminated following the completion of a programme of study and the receipt of the degree for which they were enrolled, or by de-registering from the higher education institution, or when the student fails to enrol into the next year of study, or fails to renew enrolment for the same year within the prescribed deadline, and his/her status and rights of a student have not been frozen.

The status of a full time student may be terminated by a disciplinary measure to that effect, delivered by a higher education institution. The status of a full time student shall also be

terminated when a full time student has renewed the same year of study twice and has not acquired the conditions for enrolling into the next year of study.

III – INSTITUTIONS IN THE AREA OF HIGHER EDUCATION

1. Ministry of Civil Affairs

Article 42

The Ministry of Civil Affairs of Bosnia and Herzegovina shall be responsible for the implementation of this Law and for:

- co-ordination and development of higher education in Bosnia and Herzegovina in consultation with other relevant Ministries;
- promoting the integration of teaching and research and the stimulation of programmes of research within universities;
- promoting mobility of students and staff within the field of higher education in Europe and internationally;
- promoting links between higher education institutions in Bosnia and Herzegovina, neighbouring countries and regions and internationally;
- promoting equality of opportunity for access to higher education, in staff development and training, in lifelong learning and in all other aspects of higher education;
- supporting and encouraging stronger links between the higher education sector, industry, business and society.

2. The Rectors' Conference of Bosnia and Herzegovina

Article 43

The Rectors' Conference of Bosnia and Herzegovina (hereinafter: the Rectors' Conference) shall be established by an agreement of the universities.

The Rectors' Conference determines and represents common interests of universities in Bosnia and Herzegovina, and effects cooperation with institutions in the area of education in Bosnia and Herzegovina.

Full members of the Rectors' Conference may be the rectors of all the licensed and accredited universities in BiH.

The Rectors' Conference shall be financed by contributions of its members and from other revenue it effects.

The Rectors' Conference shall also act as an advisory body for the implementation of the higher education reform process.

The Rectors' Conference shall decide by consensus.

3. Centre for Information and Recognition of Documents

Article 44

The Centre for Information and Recognition of Documents in the area of higher education (hereinafter: *CIP*) shall be established pursuant to this Law.

CIP shall be an autonomous administrative organisation, and shall be competent for information and activities of recognition in the area of higher education, in compliance with the Convention of Recognition of Qualifications in Higher Education (hereinafter: the Lisbon Convention).

Article 45

CIP shall be competent for:

- information and recognition in the area of higher education.
- coordination of international exchange of academic staff, students and programmes in the area of higher education.
- representing BiH in international projects in the area of higher education within its competence;
- shall provide, through the international network of information centres (ENIC/NARIC network), information to higher education institutions in BiH in relation to foreign higher education institutions and programmes as the basis for recognition of degrees and

- diplomas for the purpose of further education at higher education institutions in Bosnia and Herzegovina, and shall represent BiH in those networks;
- shall provide information and opinion on foreign degrees and diplomas in Bosnia and Herzegovina for the purpose of continuation of education at higher education institutions in BiH;
 - shall provide advice and information on issues within its mandate to parties with legitimate interest;
 - in compliance with the Lisbon Convention and accompanying documents, shall give recommendations to the ministry of Republika Srpska, cantonal ministries and the Brcko District BiH, on recognition of diplomas acquired outside Bosnia and Herzegovina for the purpose of employment, continuation of education and the exercise of other rights arising from the qualification acquired.

Article 46

The work of CIP shall be regulated by its statute.

Approval to the statute of CIP shall be granted by the Council of Ministers of BiH.

CIP shall be managed by a director, appointed by the Governing Board of CIP, through a transparent and competitive process.

CIP shall be governed by a Governing Board, comprised of seven (7) members. The Governing Board shall be selected by the Council of Ministers, following a public competition procedure, on the basis of parity. The Governing Board shall include two representatives of each constituent people and one member representing national minorities.

Members of the Governing Board of CIP shall be appointed for a term of office of three years with a possibility of re-appointment, provided that the initial appointment is conducted in stages, so that only one third of the members comes up for appointment or re-appointment each year.

The Governing Board shall decide by a majority vote of the total number of members, provided that such a majority includes no less than one vote from each constituent people.

CIP shall be financed from the budget of the institutions of BiH.

4. Agency for Development of Higher Education and Quality Assurance

Article 47

Agency for Development of Higher Education and Quality Assurance (hereinafter: the Agency) shall be established by this Law.

The Agency is an autonomous administrative organisation.

Article 48

The Agency shall be competent to :

- set clear, transparent and accessible criteria for accreditation of higher education institutions and adoption of norms setting minimum standards in the field of higher education,
- determine criteria for selection of domestic and international experts to provide assessment and conduct quality reviews and give recommendation on accreditation of higher education institutions,
- give recommendations on criteria and standards to the ministry of Republika Srpska, cantonal ministries and the Brcko District BiH, for establishment or termination of higher education institutions and for restructuring of programmes of study,
- give recommendations on criteria for licensing of higher education institutions and programmes of study,
- give recommendations on the lowest fees for all students at higher education institutions, aiming at securing that the lowest fees are harmonised throughout BiH;
- give recommendation to the ministry of Republika Srpska, cantonal ministries and the Brcko District BiH, on work and development policy;
- provide advice and information on issues within its competence to all parties concerned,
- set quality standards, quality analyses, give recommendations for removal of shortcomings in the quality of studies and higher education institutions,
- represent Bosnia and Herzegovina in international organisations for quality in higher education,
- propose general guidelines and criteria based on which funds from the budget of the institutions of BiH may be allocated to higher education institutions for the purpose of scientific research.

4.1 Accreditation of Higher Education Institutions

Article 49

In the area of accreditation, the Agency shall be competent for:

- publishing a public competition for election of domestic and international experts for quality assessment and audit and giving recommendations on accreditation of higher education institutions, i.e. their programmes of study (hereinafter: the experts),
- establishing committees for determining a list of experts who meet the criteria referred to in Article 48, subparagraph 2, of this Law: the committee shall have five members, of whom one is a representative of the Rectors' Conference, one cantonal ministry, the ministry of Republika Srpska, the Brcko District BiH, and one representative of the Agency,
- submission of the set list of experts for adoption by all the ministries of education in BiH and the competent department of the Brcko District BiH,
- appointment of a committee of experts, on the basis of a proposal by the competent education authorities in relation to selection of experts from the set list of experts,
- giving recommendations to competent education authorities on accreditation of a higher education institution, i.e. a programme of study, on the basis of the opinion of the committee of experts,

- procedure and decision on accreditation and licensing of higher education institutions issued by the ministry of Republika Srpska, cantonal ministries and the Brcko District BiH, in compliance with Article 48, subparagraph 1, of this Law,
- assessment of harmonisation of decisions on accreditation with norms and criteria set by article 48, subparagraph 1, of this Law and, in case of lack of harmonisation found, giving recommendation to the Governing Board to take further measures, up to the measure of annulling the accreditation decision; such a decision on annulment of an accreditation decision may be appealed by the competent education authorities before the Governing Board of the Agency,
- maintaining a state register of accredited higher education institutions,
- permanent access, through its web site, to a list of accredited higher education institutions in Bosnia and Herzegovina and its publication in the Official Gazette of BiH no less than once per year, and no less than twice per year in three widely distributed daily newspapers.

4.2 Format and General Content of Diploma and Diploma Supplement

Article 50

The Agency shall issue an instruction on the format and general content of Diploma and Diploma Supplement issued by accredited higher education institutions.

4.3 Statute and Bodies of the Agency

Article 51

The work of the Agency shall be regulated by its statute.

The Council of Ministers shall give agreement to the statute of the licensing and accreditation agency.

The Agency for Development of Higher Education shall be managed by a director.

The director and his/her deputies shall be appointed by the Council of Ministers of BiH, following a public competition procedure.

The term of office of the director and his deputies is four years.

The director and deputy directors may not be from the same constituent people.

The Agency shall be governed by a Governing Board, comprising ten (10) members.

The Governing Board shall comprise three members from each constituent people, and one representing others.

Members of the Governing Board of the Agency shall be elected by the Parliamentary Assembly

of BiH for a term of office of three years, with a possibility of re-election, provided that initial appointment is in stages, so that each year only one third of the members comes up for election or re-election.

The Governing Board shall decide by majority vote of the total number of members, provided that such a majority includes at least two thirds of votes by representatives of each constituent people.

The Governing Board shall comprise no less than 50% full university professors.

4.4 Financing of the Agency

Article 52

The Agency shall be financed from the budget of the institutions of BiH.

IV ACADEMIC DEGREES AND DIPLOMAS

1. Academic Degrees and Diplomas Awarded

Article 53

An accredited higher education institution shall have the power to award the degrees and diplomas specified in its accreditation certificate.

The statute of a higher education institution shall specify the degrees and diplomas awarded by the institution and shall include the power to make academic and other rules governing the award of such degrees and diplomas.

First cycle degree and diploma courses offered by public higher education institutions shall be flexibly constructed so as to allow entry and exit at appropriate points with the award of credits and/or qualifications depending on the progress made by an individual student.

In formulating its rules a public higher education institution shall ensure compliance with the current European Credit Transfer System.

A higher education institution shall otherwise have the freedom to organise its curricula, assessment and examination schemes by means of rules which are transparent, fair and readily accessible to students.

Article 54

Only those degrees and diplomas awarded by accredited higher education institutions shall be recognised by competent state bodies, other organs and institutions in Bosnia and Herzegovina for the purposes of employment, or the holding of any public office.

It shall be the duty of any accredited higher education institution to provide each person awarded

a degree or diploma with a Diploma and a Diploma Supplement issued under the seal of the higher education.

Article 55

Once awarded, a degree or diploma may only be revoked in specified circumstances set out in rules contained in the statute of the higher education institution and subject to appeal before a court of competent jurisdiction.

The Ministry of Civil Affairs may, in consultation with other relevant governmental bodies, prescribe in form of a rule the educational requirements additional to the award of a degree or diploma for entry to any profession which may be regulated by any other law or by the terms of any international convention or agreement.

V – CONCLUDING PROVISIONS

1. Scientific and Professional Titles Acquired

Article 56

Persons who have acquired certain scientific and professional titles shall maintain the right to use them pursuant to regulations under which they obtained them.

Person referred to in paragraph 1 of this Article may request the higher education institution where they obtained the title to issue, in the procedure and under the conditions provided by the statute of the higher education institution, a document (certificate or diploma) on equivalence of the earlier academic title and the new academic titles. Persons referred to in paragraph 1 of this Article shall have the right to be issued a diploma supplement.

A doctorate of science acquired in compliance with regulations in force prior to this Law coming into effect shall be equivalent to a doctorate of science acquired pursuant to this Law, and persons who acquired them shall have the same rights as those who acquired it in compliance with this Law.

Article 57

Persons appointed to academic titles shall maintain the titles they hold on the date of this Law coming into force.

If this Law or regulations in application prior to its coming into force require a re-appointment or appointment into the next title for positions or jobs at that time, re-appointment or appointment into the same title shall be conducted within the time prescribed by the regulation based on which the appointment was conducted. If that regulation does not provide for the time, appointment or re-appointment shall be conducted within the time provided for by this Law, calculated as of the date of its coming into force. In any case, appointment or re-appointment shall be conducted in compliance with provisions of this Law.

Appointments to academic titles which commenced in compliance with provisions in force prior to this Law coming into force shall be completed in accordance with those provisions no later than one year from the date of this Law coming into force.

2. Harmonisation of Studies with this Law

Article 58

Higher education institutions shall commence the harmonisation of studies with this Law on the date of its coming into force. Harmonisation shall be completed and organisation of studies shall be implemented in compliance with provisions of this Law no later than one year from the date of its coming into force, which is when the ECTS system will be introduced as obligatory.

3. Right to Completion of Studies

Article 59

Students enrolled to undergraduate or postgraduate studies on the date of this Law coming into force shall have the right to complete their studies under the same curriculum and conditions in force when they enrolled in the first year of study and shall have the right to acquire a relevant professional or scientific title under the provisions applicable prior to this Law coming into force.

Students whose doctoral thesis were approved with no doctoral studies, in compliance with earlier regulations, shall have the right to defend their doctoral thesis and acquire a doctorate of science in compliance with regulations applicable prior to this Law coming into force.

Higher education institutions may restrict the duration of rights to complete the studies in compliance with paragraph 2 of this Article to a particular number of years, but not to a number lower than the student has left to completion in compliance with the programme he/she started with, plus two years.

Following the introduction of studies in compliance with this Law, students referred to in paragraph 2 of this Article who fail to complete their studies according to the old curriculum, may continue their studies in compliance with this Law and the curriculum based on it, in compliance with the statute of the higher education institution.

4. Harmonisation of Statutes and Integration of Universities

Article 60

Higher education institutions shall harmonise their statutes and other general act necessary for harmonisation of organisation with this Law no later than six months from the date of this Law coming into force.

Members of governing bodies, rectors and vice-rectors of higher education institutions, and deans and vice-deans of faculties appointed prior to this Law coming into forces shall remain with the same duty until the expiry of the term of office they were appointed for.

Integration of higher education institutions shall commence on the date of this Law coming into force, and shall be completed no later than one year after its coming into force.

5. Transitional Period for Accreditation and Licensing

Article 61

With the date of this Law coming into force, existing private higher education institutions shall receive provisional accreditation form the relevant institution. The provisional accreditation shall include the period during which accreditation will be conduced for each programme of study at those higher education institutions, in compliance with accreditation standards and procedures.

Accreditation of higher education institutions shall be conducted in the period of no more than two years from the date of this Law coming into force.

6. Appointment of Acting Holders of Office and Deadline for Adoption of Regulations

Article 62

No later than six months from the date of this Law coming into force, the Council of Ministers of BiH shall appoint governing boards and acting directors of CIP and the Agency.

Within one year, the Agency shall adopt regulations within its competence.

7. Harmonisation of Other Laws

Article 63

Laws of Republika Srpska and cantonal laws in the area of higher education shall be harmonised with the provisions of this Law no later than 6 (six) months after this Law has come into force.

All issues in the area of higher education not regulated by this Law shall be regulated by laws at the level of Republika Srpska and the cantons.

8. Status of *Higher Schools*

Article 64

Laws of Republika Srpska and cantonal laws shall resolve the status of the existing *higher schools* no later than one year after this Law has come into force.

Students enrolled to *higher schools* and study departments in two-year programmes prior to this Law coming into force shall have the right and the obligation to complete such studies in compliance with the curriculum in force at the time of their enrolment, within the time set by the statute of the relevant higher education institution.

9. Theologies, higher schools of theology and academies

Article 65

Provisions of this Law shall not be applicable to faculties of theology, higher schools of theology and academies. These institutions may be part of universities, as regulated by a special contract.

10. Entry into Force

Article 66

This Law shall enter into force on the eighth (8th) day of the date of its publication in the Official Gazette of Bosnia and Herzegovina.

Parliamentary Assembly of BiH
30 July 2007
Sarajevo

Speaker of the House of Representatives
Beriz Belkic

Speaker of the House of Peoples
Ilija Filipovic