

**ZAKON  
O POTVRĐIVANJU SPORAZUMA O PRISTUPU VISOKOM OBRAZOVANJU I  
PRIJEMU NA STUDIJE NA ZAPADNOM BALKANU**

**Član 1**

Potvrđuje se Sporazum o pristupu visokom obrazovanju i prijemu na studije na Zapadnom Balkanu, koji su potpisali predstavnici Republike Albanije, Bosne i Hercegovine, Crne Gore, Republike Kosovo\*, Republike Sjeverne Makedonije i Republike Srbije, sačinjen u Berlinu 14. oktobra 2024. godine, u originalu na engleskom jeziku.

**Član 2**

Tekst Sporazuma iz člana 1 ovog zakona, u originalu na engleskom jeziku i u prevodu na crnogorski jezik, glasi:

**AGREEMENT ON ACCESS TO HIGHER EDUCATION AND ADMISSION TO  
STUDY IN THE WESTERN BALKANS**

The representatives of Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, North Macedonia and Serbia (hereinafter referred to as “Parties”)

TAKING INTO CONSIDERATION the Western Balkans Leaders “Declaration on Common Regional Market - A catalyst for deeper regional economic integration and a stepping stone towards EU Single Market” adopted at the Summit of the Western Balkans leaders under the framework of the Berlin Process;

CONSIDERING the importance of free movement of people, with the aim to facilitate access and admission for secondary education graduates and students of the Parties who wish to begin their studies at the public higher education institutions of each of the Parties;

TAKING INTO CONSIDERATION that the list of the Public Higher Education Institutions will be specified by the Joint Commission on Recognition of Higher Education Qualifications in Western Balkans;

DESIRING to promote and strengthen the close ties and to expand the foundations for co-operation and mutual understanding in the Western Balkans;

CONVINCED that this Agreement will enhance the quality of Higher Education, encourage establishment of joint study programmes and promote student and academic mobility as well as development of exchange programmes within the Parties;

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\*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

COMMITTED to apply the provisions of this Agreement in a transparent and non-discriminatory manner, without prejudice based on race, ethnicity, nationality, gender, age, religion, sexual orientation, national minority, disability or any other basis;

Have agreed as follows:

## CHAPTER I

### GENERAL PROVISIONS

#### Article 1

1. This Agreement regulates the access to higher education and admission to study at accredited public higher education institutions of the Parties for purposes of acquiring rights to studies in each of the Parties. The rights to education free of charge, housing and scholarship are regulated according to each Party's legislative framework.

2. The Parties agree to grant applicants from other Parties access and admission to their respective public Higher Education Institutions the same or equivalent access and admission criteria as to applicants from the host Party.

#### Article 2

1. This Agreement applies to all levels of higher education.

2. This Agreement is without prejudice to and shall not derogate any previous arrangement, practices, or agreement between two or more Parties that is more beneficial to holders of secondary education as applicable and higher education qualifications and does not provide an obstacle for the establishment of any such further arrangement, practice or agreement.

#### Article 3

For the purposes of this Agreement, the following terms shall have the following meaning:

a) Access to higher education refers to the right of qualified candidates to apply and to be considered for admission to higher education;

b) Admission to study refers to the act of, or system for allowing qualified applicants to pursue studies in higher education at a given public higher education institution and/or a given program;

c) Higher education institutions (HEIs) refer to accredited public higher education institutions in the Western Balkans, the list of which will be specified by the Joint Commission on Recognition of Higher Education Qualifications in WB6;

d) Home Party refers to the Party in which the student received the qualification;

e) Host Party refers to the Party in which the student wants to be enrolled at HEI;

f) Equivalent access to higher education and admission to study criteria refers to all criteria defined in legal frameworks of the host Party.

#### **Article 4**

The provisions of this Agreement do not imply any exemption or preferential treatment from the currently valid residence permit legislation in the respective Parties.

#### **Article 5**

If specific qualifications or attainments in a specific subject or subjects are required for admission to a certain study programme of higher education, applicants from other Parties signatories to this Agreement shall meet such requirements on terms corresponding to those required of applicants from the host Party.

#### **Article 6**

1. If admission to study programmes of higher education is limited, the selection of applicants from the other Parties signatories to this Agreement shall be conducted in accordance with the same or equivalent rules as those applied to applicants from the host Party. The Parties shall thereby endeavour to apply admission rules, which, to the greatest extent possible, accord applicants from the other Parties signatories to this Agreement parity with applicants from the host Party.

2. The Parties shall provide information on the study programmes available at the various institutions of higher education in the entire Western Balkan region.

### **CHAPTER II**

#### **RECOGNITION OF SECONDARY EDUCATION QUALIFICATIONS FOR ACCESS TO HIGHER EDUCATION AND ADMISSION TO STUDY PURPOSES**

#### **Article 7**

1. For the purposes of access and admission to higher education, a joint list of secondary education institutions shall be reviewed and agreed by Joint Commission on Access to Higher Education and Admission to Study in the Western Balkans, as defined in Article 8 of the Agreement.

2. Each Party shall recognise the qualifications issued by other Parties meeting the general requirements for access to higher education in those Parties for the purpose of access to programmes belonging to its higher education system, unless a substantial difference can be shown between the general requirements for access. This substantial difference has to be explained in detail in the decision.

3. Where a qualification gives access only to specific types of institutions or programmes of higher education in the Party in which the qualification was obtained, each other Party shall grant holders of such qualifications access to similar specific programmes in institutions belonging to its higher education system, unless a substantial difference can be shown between the requirements for access. This substantial difference has to be explained in detail in the decision.

4. Where admission to particular higher education programmes is dependent on the fulfilment of specific requirements in addition to the general requirements for access in the host Party, the public higher education institutions of the host Party may impose such specific requirements equally on holders of qualifications of other Parties or assess whether applicants with qualifications of other Parties already fulfil equivalent specific requirements.
5. Where, in the Party, secondary school leaving certificates give access to higher education only in combination with additional qualifying examinations as a prerequisite for access, the other Parties may make access conditional on these requirements or offer an alternative for satisfying such additional requirements within their own educational systems.
6. Where, in the Party, secondary school leaving certificates give access to higher education only in combination with additional qualifying examinations as a prerequisite for access, the other Parties may make access conditional on these requirements making it possible to attend classes but not to pass exams or offer an alternative for satisfying such additional requirements within their own educational systems.
7. Admission to a given public higher education institution may be made conditional on demonstration by the applicant of sufficient competence in the language or languages of instruction of the higher education institution concerned, or in other specified languages.
8. The recognition procedure of secondary education qualifications in all Parties, including the final secondary education exam results, and/or Matura exam results, is carried out within a period of a maximum of 30 (thirty) days.
9. In case the recognition procedure could not be completed within 30 days, the student can apply for enrolment at HEI with a confirmation from the competent authority that the process of recognition of secondary education qualification is in progress. This proof should be valid for 30 days only. On the admission day, the student needs to provide a decision issued by the competent authority on recognition of secondary education qualification.

### **Article 8**

1. A Joint Commission on Access to Higher Education and Admission to Study in the Western Balkans (the Joint Commission) shall be established based on this Agreement tasked with organising, coordinating, and monitoring the activities related to the implementation of this Agreement.
2. The Joint Commission shall be composed of up to 3 representatives from each Party of the Agreement.
3. All decisions of the Joint Commission shall be agreed by all Parties.
4. The Joint Commission shall adopt its rules of procedures.
5. The Joint Commission shall meet at least twice a year.

CHAPTER III  
TRANSITIONAL AND FINAL PROVISIONS

**Article 9**

1. This Agreement is subject to ratification, acceptance, or approval in accordance with the requirements foreseen by the relevant legislation of the Parties. The formal notice of ratification, acceptance, or approval shall be deposited with the Depository.
2. This Agreement shall enter into force on the thirtieth day upon the deposition of the third formal notice of ratification, acceptance, or approval for those Parties that have deposited their formal notice of ratification, acceptance, or approval.
3. For each Party depositing its formal notice of ratification, acceptance, or approval after the date of the deposit of the third formal notice of ratification, acceptance or approval, this Agreement shall enter into force on the thirtieth day after the day on which that Party deposits its formal notice of ratification, acceptance, or approval.
4. North Macedonia shall act as Depository and shall notify all Parties of any notification received in accordance with this Article and any other act or notification relating to this Agreement.

**Article 10**

The Parties agree that any dispute arising from the implementation of this Agreement shall be addressed by the Joint Commission.

This Agreement may be amended only with the written consent of all Parties subject to the same procedure necessary to conclude this Agreement.

**Article 11**

If one Party withdraws from this Agreement, it shall cease to be effective only for that Party within 30 days from the date of delivery of the notification thereof to the Depository.

The Agreement is drawn up in the English language in one original version, which will remain in the possession of the Depository. Each Party will receive one certified copy of the Agreement.

Done at Berlin on October 14<sup>th</sup>, 2024

For the Republic of Albania: Edi Rama, Prime Minister of Albania, Berlin, Germany,  
October 14<sup>th</sup>, 2024

For Bosnia and Herzegovina: Borjana Kristo, Chairwoman of the Council of Ministers of  
Bosnia and Herzegovina, Berlin, Germany, October 14<sup>th</sup>, 2024

For Montenegro: Miloško Spajic, Prime Minister of Montenegro, Berlin, Germany, October 14<sup>th</sup>, 2024

For the Republic of Kosovo\*: Albin Kurti, Prime Minister of Kosovo\*, Berlin, Germany, October 14<sup>th</sup>, 2024

For the Republic of North Macedonia: Hristijan Mickoski, Prime Minister of North Macedonia, Berlin, Germany, October 14<sup>th</sup>, 2024

For the Republic of Serbia: Milos Vučević, Prime Minister of Serbia, Berlin, Germany, October 14<sup>th</sup>, 2024

## **SPORAZUM O PRISTUPU VISOKOM OBRAZOVANJU I PRIJEMU NA STUDIJE NA ZAPADNOM BALKANU**

Predstavnici Albanije, Bosne i Hercegovine, Kosova\*, Crne Gore, Sjeverne Makedonije i Srbije (dalje u tekstu "Strane")

UZIMAJUĆI U OBZIR "Deklaraciju lidera Zapadnog Balkana o zajedničkom regionalnom tržištu – katalizator dublje regionalne ekonomske integracije i odskočna daska ka jedinstvenom tržištu Evropske unije (EU)", usvojenu na Samitu lidera Zapadnog Balkana u okviru Berlinskog procesa;

UZIMAJUĆI U OBZIR značaj slobodnog kretanja ljudi, sa ciljem olakšanja pristupa i prijema za svršene srednjoškolce i studente Strana koji žele da započnu studije na javnim visokoobrazovnim ustanovama svake od Strana;

UZIMAJUĆI U OBZIR da će lista javnih visokoobrazovnih ustanova biti utvrđena na Zajedničkoj komisiji za priznavanje kvalifikacija u oblasti visokog obrazovanja na Zapadnom Balkanu;

U ŽELJI da unapređuju i jačaju bliske veze i proširuju temelje saradnje i uzajamnog razumijevanja na Zapadnom Balkanu;

UVJERENE da će ovaj Sporazum unaprijediti kvalitet visokog obrazovanja, ohrabriti otvaranje zajedničkih studijskih programa i podstaći studentsku i akademsku mobilnost, kao i razvoj programa razmjene između Strana;

RIJEŠENE da primjenjuju odredbe ovog Sporazuma transparentno, bez diskriminacije i predrasuda po osnovu rase, etničke pripadnosti, nacionalnosti, roda, starosne dobi, vjere, seksualne orijentacije, pripadnosti nacionalnoj manjini, invalidnosti ili po bilo kom drugom osnovu;

Sporazumjele su se kao što slijedi:

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\*Ova oznaka je bez prejudiciranja stavova o statusu i u skladu je sa Rezolucijom SB UN 1244/1999 i Mišljenjem Međunarodnog suda pravde o deklaraciji o nezavisnosti Kosova.

ODJELJAK I  
OPŠTE ODREDBE

**Član 1**

1. Ovaj Sporazum reguliše pristup visokom obrazovanju i prijem na studije na akreditovanim javnim visokoobrazovnim ustanovama Strana u svrhe sticanja prava na studiranje u svakoj od Strana. Prava na besplatno obrazovanje, na smještaj i stipendiju regulišu se u skladu sa zakonodavnim okvirom svake Strane.

2. Strane su saglasne da će kandidatima iz ostalih Strana omogućiti pristup i prijem na svoje javne visokoobrazovne ustanove po kriterijumima pristupa i prijema koji su isti ili ekvivalentni kriterijumima koji se primjenjuju na kandidate iz Strane prijema.

**Član 2**

1. Ovaj Sporazum se odnosi na sve nivoe visokog obrazovanja.

2. Ovaj Sporazum ne dovodi u pitanje i ne derogira bilo koje prethodne dogovore, praksu ili sporazum između dvije ili više Strana koji je korisniji za imaoce odgovarajućeg srednjoškolskog obrazovanja i visokoobrazovnih kvalifikacija i ne predstavlja prepreku za uspostavljanje takvih dodatnih dogovora, prakse ili sporazuma.

**Član 3**

U svrhe ovog Sporazuma, sljedeći izrazi imaju značenje kao što slijedi:

a) Izraz 'Pristup visokom obrazovanju' odnosi se na pravo kvalifikovanih kandidata da konkurišu i budu uzeti u obzir za prijem u visoko obrazovanje;

b) Izraz 'Prijem na studije' odnosi se na čin prijema ili sistem kojim se kvalifikovanim kandidatima dozvoljava da prate studije u datoj visokoobrazovnoj ustanovi i/ili programu;

c) Izraz 'Visokoobrazovne ustanove' (VOU) odnosi se na akreditovane javne ustanove visokog obrazovanja na Zapadnom Balkanu, čiju listu utvrđuje Zajednička komisija za priznavanje kvalifikacija u oblasti visokog obrazovanja u šest ekonomija Zapadnog Balkana;

d) Izraz 'Strana sticanja' odnosi se na stranu u kojoj je student stekao kvalifikacije;

e) Izraz 'Strana prijema' odnosi se na stranu u kojoj student želi da se upiše na VOU.

f) Izraz 'Kriterijumi ekvivalentnog pristupa visokom obrazovanju i prijema na studije' odnosi se na sve kriterijume predviđene pravnim okvirom Strane prijema.

**Član 4**

Odredbe ovog Sporazuma ne podrazumijevaju bilo kakvo izuzeće ili povlašćeni tretman u odnosu na trenutno važeće zakonodavstvo o dozvoli boravka u Stranama.

## Član 5

Ukoliko su za prijem na određeni studijski program visokog obrazovanja neophodne specifične kvalifikacije ili postignuće iz jednog ili više specifičnih predmeta, kandidati iz ostalih Strana potpisnica ovog Sporazuma ispunjavaju te kriterijume pod uslovima koji odgovaraju uslovima koji važe za kandidate iz Strane prijema.

## Član 6

1. Ukoliko je prijem na studijske programe visokog obrazovanja ograničen, izbor kandidata iz ostalih Strana potpisnica ovog sporazuma sprovodi se u skladu sa pravilima koja su ista ili ekvivalentna pravilima koja se primjenjuju na kandidate iz Strane prijema. Strane stoga nastoje da primjenjuju pravila prijema koja kandidatima iz ostalih Strana potpisnica ovog sporazuma obezbjeđuju, u najvećoj mogućoj mjeri, jednaki status kao kandidatima iz Strane prijema.

2. Ugovorne strane pružaju informacije o studijskim programima na različitim visokoobrazovnim ustanovama u cijelom regionu Zapadnog Balkana.

## ODJELJAK II

### PRIZNAVANJE SREDNJOŠKOLSKIH KVALIFIKACIJA U SVRHE PRISTUPA VISOKOM OBRAZOVANJU I PRIJEMA NA STUDIJE

## Član 7

1. U svrhe pristupa i prijema u visoko obrazovanje, Zajednička komisija za pristup visokom obrazovanju i prijem na studije na Zapadnom Balkanu, predviđena članom 8 Sporazuma, revidira i usaglašava zajedničku listu srednjoškolskih ustanova.

2. Svaka Strana priznaje kvalifikacije koje izdaju ostale Strane ukoliko ispunjavaju opšte uslove za pristup visokom obrazovanju u tim Stranama u svrhe pristupa programima koji pripadaju njenom sistemu visokog obrazovanja, osim kada se može utvrditi postojanje značajnih razlika u pogledu opštih uslova pristupa. Značajna razlika se mora detaljno obrazložiti u rješenju.

3. U slučaju kada kvalifikacija omogućava pristup samo specifičnim vrstama ustanova ili programa visokog obrazovanja u Strani u kojoj je kvalifikacija stečena, svaka druga Strana imaocima takvih kvalifikacija omogućava pristup sličnim specifičnim programima u ustanovama koje pripadaju njenom sistemu visokog obrazovanja, osim kada se može utvrditi postojanje značajnih razlika u pogledu uslova pristupa. Značajna razlika se mora detaljno obrazložiti u rješenju.

4. Kada prijem na određeni visokoobrazovni program pored opštih uslova pristupa u Strani prijema zavisi od ispunjavanja specifičnih uslova, javne visokoobrazovne ustanove u Strani prijema mogu da nametnu takve specifične uslove i imaocima kvalifikacija iz ostalih Strana ili



da ocijene da li kandidati sa kvalifikacijama iz ostalih Strana već ispunjavaju ekvivalentne specifične uslove.

5. U slučaju kada, u datoj Strani, uvjerenje o završenoj srednjoj školi omogućava pristup visokom obrazovanju isključivo uz uslov polaganja dodatnih kvalifikacionih ispita, ostale Strane mogu pristup usloviti takvim zahtjevima ili ponuditi neku drugu mogućnost za ispunjavanje dodatnih uslova u okviru svojih obrazovnih sistema.

6. Kada, u datoj Strani, uvjerenje o završenoj srednjoj školi omogućava pristup visokom obrazovanju isključivo uz uslov polaganja dodatnih kvalifikacionih ispita, ostale Strane mogu pristup usloviti takvim zahtjevima pri čemu mogu omogućiti pohađanje časova ali ne i polaganje ispita ili ponuditi neku drugu mogućnost za ispunjavanje dodatnih uslova u okviru svojih obrazovnih sistema.

7. Prijem u datu javnu visokoškolsku ustanovu može se usloviti time da kandidat treba da pokaže da ima dovoljne kompetencije iz jednog ili više jezika na kojima se izvodi nastava na datoj visokoobrazovnoj ustanovi, ili iz drugih specifikovanih jezika.

8. Postupak priznavanja kvalifikacija srednjoškolskog obrazovanja u svim Stranama, uključujući rezultate završnog ispita na kraju srednje škole, i/ili rezultate maturalnog ispita, traje najviše 30 (trideset) dana.

9. Kada se postupak priznavanja ne može završiti u roku od 30 dana, student može da se prijavi za upis u VOU uz potvrdu nadležnog organa da je postupak priznavanja srednjoškolske kvalifikacije u toku. Ovaj dokaz treba da važi samo 30 dana. Na dan prijema, student treba da pokaže rješenje nadležnog organa o priznavanju srednjoškolske kvalifikacije.

## **Član 8**

1. Zajednička komisija za pristup visokom obrazovanju i prijem na studije na Zapadnom Balkanu (Zajednička komisija) osniva se na osnovu ovog Sporazuma sa zadatkom da organizuje, koordiniše i prati aktivnosti vezane za sprovođenje ovog Sporazuma.

2. Zajednička komisija u svom sastavu ima najviše 3 predstavnika svake Strane ovog Sporazuma.

3. Sve odluke Zajedničke komisije donose se saglasnošću svih Strana.

4. Zajednička komisija donosi svoj poslovnik o radu.

5. Zajednička komisija sastaje se najmanje dva puta godišnje.

## **ODJELJAK III**

### **PRELAZNE I ZAVRŠNE ODREDBE**

## **Član 9**

1. Ovaj sporazum podliježe ratifikaciji, prihvatanju ili odobrenju shodno uslovima predviđenim relevantnim zakonodavstvom Strana. Zvanično obavještenje o ratifikaciji, prihvatanju ili odobrenju deponuje se kod Depozitara.
2. Ovaj sporazum stupa na snagu tredesetog dana od dana deponovanja trećeg zvaničnog obavještenja o ratifikaciji, prihvatanju ili odobrenju za one Strane koje su deponovale svoje zvanično obavještenje o ratifikaciji, prihvatanju ili odobrenju.
3. Za svaku Stranu koja svoje zvanično obavještenje o ratifikaciji, prihvatanju ili odobrenju deponuje nakon datuma deponovanja trećeg zvaničnog obavještenja o ratifikaciji, prihvatanju ili odobrenju, ovaj Sporazum stupa na snagu tridesetog dana od dana kada ta Strana deponuje svoje zvanično obavještenje o ratifikaciji, prihvatanju ili odobrenju.
4. Sjeverna Makedonija nastupa kao Depozitar i obavještava sve Strane o obavještenjima primljenim u skladu sa ovim članom i bilo kojem drugom aktu ili obavještenju u vezi sa ovim Sporazumom.

### **Član 10**

Strane su saglasne da će eventualne sporove koji proisteknu iz primjene ovog Sporazuma rješavati Zajednička komisija.

Ovaj sporazum može se mijenjati jedino uz pisanu saglasnost svih Strana pribavljenu u postupku koji je isti kao postupak za zaključivanje ovog Sporazuma.

### **Član 11**

Ukoliko se jedna Strana povuče iz ovog Sporazuma, Sporazum prestaje da važi samo u odnosu na tu Stranu u roku od 30 dana od dana predaje obavještenja o tome kod Depozitara.

Ovaj sporazum sačinjen je na engleskom jeziku u jednom izvorniku, koji ostaje u posjedu Depozitara. Svaka Strana dobija po jedan ovjereni primjerak Sporazuma.

Sačinjeno u Briselu dana 14. oktobara 2024. godine

Za Republiku Albaniju: Edi Rama, Premijer, Berlin, Njemačka, 14. oktobra 2024. godine

Za Bosnu i Hercegovinu: Borjana Krišto, Predsjedavajuća Vijeća ministara, Berlin, Njemačka, 14. oktobra 2024. godine

Za Crnu Goru: Milojko Spajić, Premijer, Berlin, Njemačka. 14. oktobra 2024. godine

Za Republiku Kosovo\*: Aljbin Kurti, Premijer, Berlin, Njemačka, 14. oktobra 2024. godine

Za Republiku Sjevernu Makedoniju: Hristijan Mickoski, Premijer, Berlin, Njemačka, 14. oktobra 2024. godine

Za Republiku Srbiju: Miloš Vučević, Premijer, Berlin, Njemačka, 14. oktobra 2024. godine

### **Član 3**

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom listu Crne Gore – Međunarodni ugovori”.