

LAW

No.53/2019

ON THE ACADEMY OF SCIENCES IN THE REPUBLIC OF ALBANIA

Pursuant to Articles 78, 81, paragraph 1, and 83, paragraph 1 of the Constitution, upon the proposal of a group of members of Parliament,

**THE PARLIAMENT
OF THE REPUBLIC OF ALBANIA**

DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose

The purpose of this law is to define the legal framework for the organization and functioning of the Academy of Sciences of the Republic of Albania, hereinafter referred to as the Academy.

Article 2

Object

The object of this law is to define the role of the Academy, its constituent bodies and those that act in accordance with it, and to regulate the Academy's relations with other institutions of scientific research, and the policies of its development.

Article 3

The Academy

1.The Academy is the highest public institution which represents the best values of science and scientific research; of creativity, of debate, and of the interaction of the scientific thought in the country, through an elected assembly of scientists and scholars.

2.The Academy is an autonomous institution in the field of research that supports its activity with scientific evidence, working towards the national interests.

3.The Academy, as a legal body, consists of a group of scientists and researchers, hereinafter referred to as the Assembly.

4.The seat of the Academy is in Tirana. It has its own logo and official symbols.

Article 4

The role and main functions of the Academy

1.To accept as its members distinguished scholars and researchers in the fields of science and culture, who fulfill high standards with regards to personality, work, and reputation in science and culture.

2.To contribute to and to promote the achievements of scientific research and to propose new scientific and study fields in line with the necessary priorities for the development of the country.

3.To develop strategies and to implement policies for the standard use of the official Albanian language, of contemporary scientific and technical terminology, and for the consolidation of the Albanian language in all fields of science.

4.To advise and to assist the government and main institutions with recommendations, expertise, and arguments regarding important aspects of scientific research, the training of higher level specialists, and the planning of future projects.

5.To contribute to the promotion and continuous support of young researchers.

6.To encourage and to lead the creation of individual research units and the development of strategies for the advancement of science and scientific research.

7.To promote, to publish, and to disseminate the new international standards of scientific research and innovation, and to guarantee their observance in the assessment of scientific research work and of ethics in science, and for the support of study or research programs.

8.To publish journals and other works with a high level of scientific impact.

9.To collaborate with other research institutions in the country, such as institutions of higher education and research centers, with the purpose of coordinating scientific research and training young researchers.

10.To collaborate with its correspondent institutions abroad to promote achievements and to participate in joint projects, in the frame of scientific diplomacy, and to represent the Albanian scientific community on an international scale.

11.To organize scientific congresses, conferences, and symposiums on a national and international scale.

12.To preserve, to document, and to transmit the academic heritage through the publication of summaries of the works of the most distinguished personalities; and by organizing activities, fairs, and museums in accordance with the respective legislation.

13.To propose methods and criteria for the objective measurement and assessment of the quality of contributions to the process of scientific research to the relevant ministries, Parliamentary Commissions, or Council of Ministers,.

14.To define, in collaboration with the ministry responsible for science, the main fields and subfields for doctoral scientific research. To analyze the achievements and problems of these research works, and to compose a public report on them every two years.

15.To encourage the development of interdisciplinary research programs as a priority of academic research, and to protect its deontology.

16.To promote the national identity by maintaining a closer collaboration with the Albanian academies in the region.

17.To develop strategies and to implement policies for the development of Albanian studies and for the promotion of their achievements at home and abroad.

18.To develop strategies and to implement policies for the standard usage of Albanian language in official functions.

19.To ensure that the elections of Assembly members are carried out in accordance with the principle of gender equality, aiming for a progressive representation of the gender balance.

Article 5

Composition of the Academy

1. The Academy as an institution shall consists of its governing bodies:
 - a) The Assembly;
 - b) The Presidency;
 - c) The President.
2. The Academy also includes some other structures, such as:
 - a) Sections;
 - b) Commissions;
 - c) Research units;
 - d) Young Academy;
 - dh) Library;
 - e) The Publishing Entity;
 - f) Supporting administration.

CHAPTER II

COMPOSITION AND DUTIES OF THE ASSEMBLY

Article 6

The Assembly

1.The Assembly is the body of scientists and researchers, consisting of academicians and associated academicians, hereinafter referred to as members of the Academy. The number of academicians shall not exceed 30 members, while the number of associated academicians shall not exceed 10 members.

2.Members are elected by the Assembly from among the holders of the title of “Professor”, who have made a particular contribution with a wide impact in their respective fields, on the basis of the candidacies selected through the procedures and criteria established in the Statute of the Academy. Representatives from scientific research institutions, higher education, and culture are also involved in the candidacy and selection procedures. In special cases, personalities with a prominent contribution and a nationwide impact from the fields of artistic creativity, culture, and social life in general, may also be elected as members. As a rule, academicians are elected from the ranks of the associated academicians. In the event of a direct candidacy, the candidate shall need the support of no less than two thirds of the total members of the Assembly.

3.The Assembly shall also elect as external members personalities of Albanian nationality or origins residing abroad; personalities from the fields of science and culture, and honorary members among the personalities of science and culture who are not Albanian nationals and who reside abroad, but who have contributed through their work to the progress of thinking and application of science in Albania, or to the promotion of the truths and values of Albanian origins, language, and culture. The number of honorary members shall not exceed 15 members, that of external members shall not exceed 10 members, and that of correspondent members shall not exceed 15 members. Persons of Albanian origins who are full members of a member academy of “All European Academies”, automatically acquire the status of external member of the Academy of Sciences, which is formalized through a ceremonial meeting of the Assembly. The latter are not included in the calculation of the maximum limits referred to above.

4.Members of the Assembly who attain 75 years of age shall receive the status of “Emeritus” member. They shall not be included in the limitations of paragraph 1 of this article.

5.Persons elected under this Article are called “Members of the Academy”.

Article 7

Duties of the Assembly

The Assembly performs the following duties:

- 1.Elects the members of the Academy.
- 2.Elects the President, Vice President, Scientific Secretary, and Section Chairs.
- 3.Approves the annual budget after its preparation by the Presidency, and submits it to Parliament for approval.

4. Approves the annual report of the Academy's activities of the previous year, after its preparation by the Presidency.

5. Approves the program of the activities for the following year, and the long-term programs and development strategies.

6. Approves the Statute and its amendments with 2/3 of votes.

7. Approves the agreements the Academy signs with third parties, pursuant to the Statute.

8. Defines the types of scientific awards and the criteria of their awarding.

9. Approves the accession of the Academy to international organizations or associations of scientific nature.

10. The Assembly also performs other duties as provided in the Statute.

Article 8

Meetings of the Assembly

1. As a rule, the Assembly meets twice per year.

2. The elections for new members of the Presidency shall always be held at the end of the year, except in those cases when there are vacancies in the governing bodies, as provided for in the Statute.

3. The Assembly shall organize each year an extended meeting for the approval of the draft budget, the annual program, and report.

4. Meetings shall be considered valid when more than half of the members of Academy are present.

5. Decisions are taken by the majority rule when more than half of the members present vote in favor.

6. Elections for persons exercising the powers provided in paragraph 1 and 2 of Article 7 of this law, shall be carried out by secret ballot and by an absolute majority of all members.

7. The lack of participation of "*emeritus* members" shall not prejudice the achievement of the quorum or the designation of the qualified majority.

Article 9

The rights and duties of members of the Assembly

Members of the Assembly have these rights and duties:

1. To elect and to be elected in the governing bodies and in the structures of the Academy.

2. To take active part in the meetings of the Assembly, sections, and commissions.

3. To play an active role in the encouragement and promotion of science and scientific research in the institutions where they work, or in their respective fields.

4. To perform the duties assigned to them by the Assembly, Presidency, President, Section Chairs, or the respective commissions.

5.To actively participate in official congresses, conferences, and official activities of the Academy and its bodies.

6.To request and to receive information about the scientific work, plans, and programs prepared by higher education institutions and research institutions in their fields.

7.To provide their expertise and advice to state and public institutions of science and education.

8.To participate in the working units or groups for study, development, and research in various fields.

9.To represent the Academy of Sciences in inter-institutional expert commissions, boards, and councils.

10.“*Emeritus* members” shall be exempt from the obligations of paragraph 2 of this Article and from the right to be elected in the governing bodies.

Article 10

Rights and duties of other members

External, honorary, and correspondent members have the right to attend Assembly meetings and all the activities of the Academy. With their consent, they also participate and contribute to the fulfillment of the duties of the Academy and its members, as provided in Articles 4 and 9 of this Law.

CHAPTER III

EXECUTIVE BODIES

Article 11

Election of the Presidency

1.The Presidency is the executive body of the Academy.

2.The Presidency shall consist of the President, Vice President, Scientific Secretary, and Section Chairs.

3.The President is elected by secret ballot from the Assembly for a 4 year term.

4.The election of the President of the Academy shall be carried out directly and by secret ballot by the Assembly. The academician who receives the absolute majority of the votes of Assembly Members is elected President of the Academy. In the event that no candidate wins the absolute majority, the voting process shall be repeated and the candidate who wins more than half of the votes of the members present shall be elected President of the Academy.

5. The President of the Republic, within 10 days' notice of the Assembly's decision, shall appoint the President elected by the Assembly.

6. When the President of the Republic decides not to appoint the elected President, then the President's decree loses its power if it is not endorsed by a majority of all members of the Assembly.

7. In the case provided for in paragraph 6 of this Article, and when the President makes no pronouncement, the President-elect shall be appointed and shall take office within 7 days from the date of the adoption of the decision of the Assembly, or the expiry of the prescribed period in paragraph 5 of this Article.

8. The Vice President, Scientific Secretary, and Section Chairs shall be elected directly by the Assembly by secret ballot, by an absolute majority.

9. The Vice President's term lasts 4 years, while that of the Scientific Secretary and Section Chairs lasts 5 years.

10. The President, the Vice President, the Scientific Secretary, and the Section Chairs can be re-elected to the same office for two non-consecutive terms.

11. The criteria and procedures for the election of the Presidency are defined in the Statute of the Academy.

Article 12

Duties and competencies of the Presidency

1. The duties and competencies of the Presidency are as follows:

- a) to organize and to lead the Academy in accordance with and pursuant to this Law, the Statute, and the decisions of the Assembly;
- b) to organize and to monitor the work of the Sections, commissions, and units in the Academy;
- c) to organize and to lead the work of the administration of the Academy, including the publishing entity, in accordance with its internal rules of procedure;
- ç) to prepare the draft program and draft budget;
- d) to organize the meetings of the Assembly;
- dh) to prepare the annual report.

2. The Presidency issues internal decisions in carrying out its duties. Internal decisions are taken by simple majority. In the event of a tie, the vote of the President is decisive.

3. The duties of the Vice President, the Scientific Secretary, and the Section Chairs are defined in the Statute of the Academy.

Article 13

The President

1.The duties of the President are as follows:

- a) to organize and to direct the activities of the Academy and the Presidency;
- b) to represent the Academy in relation to third parties and signs in its name;
- c) to report to the Assembly for the general activity;
- ç) to report to the Presidency for the activity of the semester;
- d) to chair the Assembly meetings;
- dh) to sign the decisions of the Presidency and the Assembly;
- d) to perform the duties provided in the Statute.

2.In carrying out their duties and competencies, the President shall issue internal orders and decisions.

CHAPTER IV

VALIDITY, INCOMPATIBILITIES AND SUSPENSION OF TERM

Article 14

Validity

1.Upon election as member of the Assembly, the person earns the title of “Academician”, or “Associated Academician”.

2.The titles of “Academician” and “Associated Academician” are scientific titles, and as such, they are revoked only in the case of the termination of mandates as provided for in this law, or by court decision.

3.The titles of “Academician” and “Associated Academician” are accompanied by a permanent monthly remuneration to the extent determined by Decision of the Council of Ministers.

4.When a member of the Assembly moves to a permanent residence abroad, their status is changed to that of “Correspondent Academician”. In the event of return, their status is changed back to the previous one.

Article 15

Prohibitions and incompatibility

1.Persons over 68 years of age cannot be elected as members of the Assembly with the title of “Academician”, and persons over 65 years of age cannot be elected as members of the Assembly with the title of “Associated Academician”.

2.Persons who act as leaders in constitutional institutions or political parties cannot be elected members of the Assembly.

3. Persons who perform high governing duties in state institutions or political parties cannot be elected as members of the Presidency, as provided for in the Statute.

4. Members of the Presidency cannot carry out other full-time functions.

Article 16

Termination of mandate

1. The term of a member of the Academy shall be terminated for one of the following reasons:

- a) Resignation;
- b) For heavily jeopardizing the figure of the academician, for violating the principles of deontology, or for reasons provided by law;
- c) Inability to perform their functions.

2. The term of the member of the Presidency shall be terminated for one of the following reasons:

- a) Resignation,
- b) Acceptance to be elected or appointed to a function that is incompatible with the provisions of Article 15, paragraphs 3, 4 of this Law;
- c) Reaches 75 years of age;
- ç) Is dismissed by the Assembly with 2/3 of the votes, for serious misdemeanor while fulfilling their duties.

3. In other cases the President shall be temporarily replaced by the Vice President, while the other members by a person designated by the Presidency.

CHAPTER V

STRUCTURES AND SUPPORTING UNITS

Article 17

Sections

1. In order to organize the work and to carry out its functions, the members of the Assembly shall be organized into sections, according to the main fields.

2. The Assembly shall determine the number of sections to operate in the Academy.

3. The duties, responsibilities, composition, mode of their operation and functioning are defined in the Statute of the Academy.

4. The Sections meet no less than 4 times per year.

Article 18

Commissions

- 1.The Academy establishes permanent or individual commissions.
- 2.Members of the commissions, in addition to academicians, shall include representatives from institutions and centers of scientific research and higher education.
- 3.Standing Commissions are set up by field.
- 4.Their number, naming, purpose, scope, and duties are appointed in the Statute of the Academy.
- 5.Individual commissions shall be established by a decision of the Presidency according to provisions in the Statute.

Article 19

Research units

- 1.Depending on the needs, duties, and particular problems in the research fields, in fulfilling its role, the Academy may establish long-term and short-term research units.
- 2.These units shall be autonomous in performing their duties, maintaining relations with the President and the Presidency, and reporting to them.
- 3.Depending on the importance, problems, and duration, these units shall be established by acts of the Assembly, Presidency, or President, for units not exceeding 2 years; and by a decision of the Council of Ministers for other units.
- 4.Their scope, financing, range, activity, and composition shall be defined in the respective acts issued for their establishment.

Article 20

Young Academy

- 1.With the purpose of directly encouraging the scientific and research activity of young researchers and the establishment of communication with them and their promotion, the Young Academy functions as an advisory and collaborative body in the Academy. The Young Academy shall not exceed 20 members, who are elected from young researchers holding a doctoral degree. The term of the member shall last 4-7 years and is terminated at 40 years of age.
- 2.Its composition aims to have representatives from all the main fields of knowledge, culture, and science.
- 3.Members of the Young Academy are included in the commissions of the Academy, participate in the section meetings, and a representative group of 3-4 members participate in

the annual meetings of the Assembly where the annual report, plan, and the draft budget of the Academy of Sciences are adopted.

4.The Young Academy shall function as an autonomous body under a Statute adopted by it and by a decision of the Presidency.

CHAPTER VI

FINAL PROVISIONS

Article 21

Relations with state institutions

1.The Academy shall submit within the first quarter of the year its reports of its annual activities to the Council of Ministers and the respective Parliamentary Committee.

2.Representatives of the main research institutions and the Council of Ministers are invited to attend its annual meeting for the approval of the program.

3.A science-policy dialogue shall be organized once per year between the Academy and the Council of Ministers, under a bilateral agreement.

4.The Academy shall be represented with equal rights, by persons authorized by it, in all of the bodies on a national level as provided for in the law for science.

Article 22

Administration

1.The Presidency of the Academy, in the exercise of its activity and performance of the administrative, professional, and technical services, shall be supported by the administration of the Academy.

2.The Chancellor is the highest administrative authority of the Academy of Sciences.

3.The selection of the Chancellor and administration staff shall be regulated pursuant to the legislation effective for the civil service, equating the position of Chancellor with that of the Secretary General in the ministry.

4.The Chancellor shall perform the following functions:

a) composes the annual draft budget on the basis of proposals from the Sections and in alignment with the strategy for the development of the institution;

b) Directs the budget procurement procedures and issues orders for its implementation;

c) Monitors and controls the implementation of the annual budget of the institution;

ç) Submits the annual report on the financial activities of the institution to the Assembly;

d) Other duties of the Chancellor are defined in the Statute and institute regulations.

5. The structure, organization, and salaries of the administration are defined by the Assembly on a proposal from the Presidency, which in turn shall submit it to Parliament for approval.

Article 23

Financing

1. The Academy is a budgetary institution.

2. Its activities are financed from:

a) the state budget;

b) technical and scientific services it provides to legal and physical parties that are not part of it;

c) applications, projects, donations, subsidies, and sponsorships which are used as provided for in the effective legislation.

3. Revenue from items “b” and “c” of this Article does not reduce the general budget referred to in item “a”, and shall be used pursuant to the rules of procedure of the Academy.

4. The draft budget shall be submitted to Parliament for approval.

Article 24

Statute of the Academy

The rules, procedures, and criteria for the organization and functioning of the Academy are defined in the Statute of the Academy.

Article 25

Transitional provisions

1. The Academy of Sciences shall be required to adopt, within 6 months of its entry into force, the changes in its Statute pursuant to this Law.

2. Until the adoption of these amendments the effective Statute shall be implemented, for as long as its provisions do not conflict this Law.

3. The mandates of the members of the Young Academy, established by a decision of the Presidency no. 14, dated June 7, 2017, are valid until the expiration of their term.

4. New memberships in the Young Academy shall be carried out after the approval of the new Statute under this Law.

5. The Academy shall be required, within 3 months of the entry into force of this law, to submit to Parliament for approval its structure, organization, and salaries for its administration.

Article 26

Repeals

By entry into force of this law, law no. 9655, dated 11.12.2006, “On the Academy of Sciences of the Republic of Albania”, amended, is hereby repealed.

Article 27

Entry into force

This law shall enter into force 15 days after publication in the Official Gazette.

SPEAKER

Gramoz RUÇI

Passed on 18.7.2019