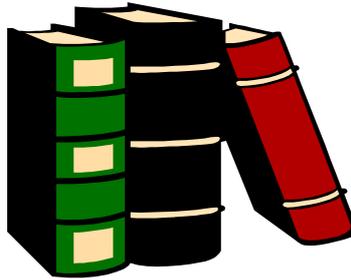




Emerika Bluma 1, 71000 Sarajevo  
Tel. 28 35 00 Fax. 28 35 01

## Department for Legal Affairs



# RULES OF PROCEDURE OF THE PRESIDENCY OF BOSNIA AND HERZEGOVINA

“Official Gazette of Bosnia and Herzegovina”, 10/13

NOTE: On the day of entering into force of these Rules of Procedure, the Rules of Procedure of the Presidency of Bosnia and Herzegovina (“Official Gazette of Bosnia and Herzegovina” nos. 25/01 and 35/02) shall cease to be valid.

NOTE: Changes and Amendments to the Rules of Procedure of the Presidency of Bosnia and Herzegovina, published in the “Official Gazette of Bosnia and Herzegovina”, [32/13](#) and [22/14](#), are not included in this translation.

Pursuant to Article V. 2 (a) of the Constitution of Bosnia and Herzegovina and Article 57 of the Rules of Procedure of the Presidency of BiH, the Presidency of Bosnia and Herzegovina, at its 31<sup>st</sup> regular session held on January 23, 2013 adopted the following

## **RULES OF PROCEDURE OF THE PRESIDENCY OF BOSNIA AND HERZEGOVINA**

### **CHAPTER I**

#### **Article 1 (General Provisions)**

1. The Presidency of Bosnia and Herzegovina (hereinafter: the Presidency) shall, within its competencies, act according to the Constitution of Bosnia and Herzegovina, the General Framework Agreement for Peace in Bosnia and Herzegovina and its Annexes, the laws of Bosnia and Herzegovina, and these Rules of Procedure.

2. The Presidency shall be the supreme collective body of the executive power of BiH, and shall represent and symbolize the sovereignty of Bosnia and Herzegovina and its role shall be to coordinate and harmonize the work of its institutions and protect interests of entities, which shall include implicitly the constituent peoples and all citizens.

The responsibilities of the Presidency are stipulated by the Constitution of BiH:

- a) Conducting the foreign policy of Bosnia and Herzegovina;
- b) Appointing ambassadors and other international representatives of Bosnia and Herzegovina, no more than two-thirds of whom may be selected from the territory of the Federation;
- c) Representing Bosnia and Herzegovina in international and European organizations and institutions and seeking membership in such organizations and institutions of which Bosnia and Herzegovina is not a member;
- d) Negotiating, denouncing, and, with the consent of the Parliamentary Assembly, ratifying treaties of Bosnia and Herzegovina;
- e) Executing decisions of the Parliamentary Assembly;
- f) Proposing, upon the recommendation of the Council of Ministers, an annual budget to the Parliamentary Assembly;
- g) Reporting as requested, but not less than annually, to the Parliamentary Assembly on expenditures by the Presidency;
- h) Coordinating as necessary with international and nongovernmental organizations in Bosnia and Herzegovina;
- i) Performing such other functions as may be necessary to carry out its duties, as may be assigned to it by the Parliamentary Assembly, or as may be agreed by the Entities.

3. The Presidency shall execute the supreme command and control over the armed forces of BiH according to the Constitution of BiH and laws. Decisions on such matters the Presidency shall make by consensus.
4. The seat of the Presidency shall be in Sarajevo.

**Article 2**  
**(Term of Office)**

1. The term of office of the members of the Presidency shall be four years.
2. Following direct elections for members of the Presidency, and until the new members enter the office according to Article 4.1 of these Rules of Procedure, the outgoing Presidency members shall fulfill the responsibilities of the Presidency in a caretaker capacity.
3. When serving in a caretaker capacity, the outgoing Presidency members shall restrict their work to the acts strictly necessary according to the Constitution, laws, and these Rules.

**Article 3**  
**(Inaugural Session)**

1. The outgoing Chair of Presidency of Bosnia and Herzegovina shall convene the inaugural session of the incoming Presidency not later than fifteen days (15) from the certification of the election results by the Central Election Commission for the level of Presidency.
2. The inaugural session shall take place in the seat of the Presidency in Sarajevo, and it shall be public.

**Article 4**  
**(Oath)**

1. During the inaugural session, and in the presence of the outgoing members, the incoming members shall take office by jointly pronouncing the following public oath:

“I hereby swear to conscientiously carry out the responsibilities which are entrusted upon me, respect the Constitution of Bosnia and Herzegovina, implement the General Framework Agreement for Peace and its Annexes in their entirety, protect and promote human rights and fundamental freedoms, and protect the interest and equality of all peoples and citizens.”

2. Each member shall sign the text of the oath.

**Article 5**  
**(Chairing)**

1. The chairing in the new composition of the Presidency shall, as a rule, assume the member of the Presidency according to the order of rotation of chairing in the previous composition of the Presidency, unless the members of the Presidency decide otherwise.

2. The Chair of the Presidency shall be replaced after eight months, pursuant to the principle of rotation of the members of the Presidency, in accordance with the Election Law of Bosnia and Herzegovina.

## **CHAPTER II – ORGANIZATION OF THE PRESIDENCY**

### **Chapter A – The Chair**

#### **Article 6 (Authorizations of the Chair)**

The Chair of the Presidency shall:

- a) Represent the Presidency and Bosnia and Herzegovina;
- b) Take part in preparation, convene and chair the sessions of the Presidency;
- c) Sign the acts resulting from the work of the Presidency;
- d) Represent the positions of the Presidency on important issues in public and other institutions in Bosnia and Herzegovina and abroad, in particular when the three members of the Presidency cannot jointly attend;
- e) Initiate the discussion on issues falling within the competences of the Presidency;
- f) Ensure the implementation of these Rules of Procedure;
- g) Be tasked with application of the principle of transparency of work of the Presidency;
- h) Receive the credentials from diplomatic-consular representatives after previous acceptance of accreditations by the Presidency;
- i) Carry out other tasks as entrusted to him/her according to these Rules of Procedure;
- j) Consult other two members of the Presidency in execution of duty.

#### **Article 7 (Acting Chair)**

1. In the event of a temporary absence of the Chair of the Presidency, he/she shall be replaced by the member of the Presidency who is next in line according to the order of rotation.
2. If the Chair is unable to attend the session, the member of the Presidency who is next in line according to the order of rotation, according to the terms of paragraph (1) above, shall fulfill all the responsibilities and authorities of the Chair until the Chair is able to resume them.

#### **Article 8 (Work Plan of the Presidency)**

1. Within two weeks from being appointed to the office, the Chair shall present to an indicative work plan for the term of office, according to identified priorities for the work of the Presidency, trying to harmonize it with the Program of Work of the Council of Ministers and Program of Work of the Parliamentary Assembly.
2. The work plan obligatorily shall include agenda items for upcoming sessions that have been already convened by the outgoing Chair, as well as any act of the Presidency for which the laws of Bosnia and Herzegovina specify relevant deadlines.

3. Also, the work plan may include items proposed at the initiative of the Chair, items proposed by the other members of the Presidency, as well as items proposed by other institutions of Bosnia and Herzegovina and its Entities.
4. All administrative, technical, professional and other tasks, in presentation and adoption of the work plan for the needs of the Presidency, shall be prepared and explained by the Secretary General with competent services of the Secretariat.

## **Chapter B – Members of the Presidency**

### **Article 9**

#### **(Responsibilities of the Members while working in the Presidency)**

1. Each Member of the Presidency shall, in the work of the Presidency, be equally responsible for:
  - (a) Contributing to the programming the work of the Presidency, through the submission of items for inclusion in the Presidency's work plan and in the agendas for the sessions;
  - (b) Participation in the work of the Presidency by attending the sessions, nomination of diplomatic-consular representatives and other international representatives and officials and employees in the institutions of Bosnia and Herzegovina according to the powers of the Presidency, then by interventions in discussions, thus contributing to decision-making according to these Rules of Procedure;
  - (c) Joint, therefore collective, representing the Presidency and its viewpoints to the public and to other domestic and international institutions;
  - (d) Carrying out other tasks as entrusted to him/her according to these Rules of Procedure.
2. Each member shall fulfill his/her responsibilities referred to in paragraph (1) above according to the procedures prescribed for the activities of the Presidency, which are established under these Rules of Procedure.

### **Article 10**

#### **(Authorizations of the Members of the Presidency)**

1. All members of the Presidency, by virtue of their office, shall be also responsible for:
  - a) Declaring a decision destructive for vital interest of the entity for the territory from where he/she was elected;
  - b) Referring disputes before the Constitutional Court of BiH;
  - c) Performing other tasks vested in the member of the Presidency according to the laws of Bosnia and Herzegovina.

### **Article 11**

#### **(Absence of the Member of the Presidency)**

1. If a member of the Presidency is unable to fulfill his/her responsibilities temporarily, he/she shall designate a member of his/her Cabinet to represent

her/him at the sessions. If this is not possible, the Chief of his/her Cabinet shall represent him/her.

2. The designated representative may express views on behalf of the absent Member but he/she shall not have the right to vote.

**Article 12**  
**(Immunity of the Members of the Presidency)**

All members shall enjoy immunity during the exercise of their responsibilities, as provided by the laws of Bosnia and Herzegovina.

**Second Part – Cabinets of the Members of the Presidency**

**Article 13**  
**(Scope of the Cabinet)**

The Cabinet of a Member of the Presidency shall provide political, professional and technical support to the relevant Member of the Presidency in the fulfillment of his/her collective and individual responsibilities.

**Article 14**  
**(Organization of the Cabinet)**

1. Each member of the Presidency shall, according to his/her needs, organize his/her own Cabinet by his/her own act. The Secretary General shall submit that document to other members of the Presidency and their Cabinets for their inspection.
2. Each member can count on an identical budgetary allocation for the organization of his/her Cabinet, which shall be determined by the Presidency at the beginning of each budget year. The Secretariat, according to the member's instructions, shall undertake the required actions for use of the funds.

**Article 15**  
**(The Chief of Cabinet)**

The Chief of Cabinet shall be responsible for managing the Cabinet, and he/she shall be accountable for its work to the member of Presidency.

**Article 16**  
**(Cabinet Staff)**

1. Positions in the Cabinet shall be filled either through an appointment, issuance of a labor contract, temporary service contract or on an accredited voluntary basis.
2. For the positions within a Cabinet that have been filled through issuance of a labor contract and temporary service contract, the reimbursements shall be secured in the Budget of the Presidency.
3. All other positions shall be filled on an accredited voluntary basis.

**Article 17**  
**(Employment in a Cabinet)**

1. Each Member of the Presidency shall hire his/her Cabinet staffs according to the needs and rules adopted by the Presidency.
2. Immediately upon hiring and engaging the Cabinet staff, the member of the Presidency shall give instructions to the Secretary General for issuance of labor contracts, temporary service contract or on an accreditation for voluntary work.

### **CHAPTER III – SESSIONS OF THE PRESIDENCY**

#### **Part One – Convening the Sessions**

##### **Chapter A – Time and Venue**

#### **Article 18 (Frequency)**

1. As a rule, the Presidency shall hold ordinary sessions once in 14 days.
2. On the day of the session, before the start of the regular session of the Presidency, the members of the Presidency shall hold mutual consultations.
3. The Presidency can, as needed, also convene in an urgent session, in accordance with Article 23 of these Rules of Procedure.

#### **Article 19 (Venue)**

1. The Presidency shall hold both ordinary and urgent sessions at its premises in Sarajevo, unless the Presidency decides to hold a session elsewhere.
2. If a member of the Presidency cannot be physically present at the session, his/her full participation shall be secured through a telecommunication system.

##### **Chapter B – Ordinary Sessions**

#### **Article 20 (Convening an Ordinary Session)**

1. The Chair shall send the written invitation through the Secretary General to the other members of the Presidency not later than seven days prior the holding of the ordinary session of the Presidency.
2. The invitation shall include the proposed agenda, and it shall specify the time and venue of the session.

#### **Article 21 (Agenda of an Ordinary Session)**

1. The preparation of the agenda for an ordinary session shall start when the Chair, through the Secretary General, submits the written notice of a draft agenda to the other members of the Presidency. The Secretary General shall assist the Chair in defining of the agenda.
2. Each Member shall be entitled to add new items to the draft agenda. They shall be submitted in writing to the Chair, through the Secretary General.
3. Upon receiving all the items submitted according to paragraph (2) above, the Chair immediately shall establish the agenda for the ordinary session by entering

them into the initial draft, and notify the other members of the Presidency. The Chair shall decide on the order in which the items are entered.

4. At the beginning of the ordinary session, each member of the Presidency can present amendments to the proposed agenda, limited to the following cases:
  - a) Deletion of items, except obligatory items; and
  - b) Introduction of new items related to urgent circumstances.
5. The Presidency shall decide on each amendment to the proposed agenda by simple majority voting. If no amendment is presented, the Chair shall note that the agenda is adopted.
6. Obligatory items are those items that have passed the procedure in accordance with laws and other regulations, as well as with these Rules of Procedure.

## **Article 22** **(Materials for an Ordinary Session)**

1. Materials related to the items to be discussed in an ordinary session shall be submitted, as a rule, at the same time the item is submitted for inclusion in the proposed agenda.
2. Upon receiving the materials, the Secretary General immediately shall circulate them to the members of the Presidency. Unless the Presidency decides otherwise, the materials shall not be available to the public.
3. Materials for sessions should include the variant of general or individual act in form appropriate for enactment, if it concerns the acts enacted by the Presidency, i.e. in form of a proposal if the Presidency is its proponent. Proposals of the acts enacted by the Presidency must be explained. Explanation must include the legal basis (constitutional or statutory) for enactment of a respective act. The Presidency shall, through its working bodies, determine the contents of the explanation of the proposal of an act – if the Presidency itself is its proponent.
4. The Secretary General of the Presidency shall determine whether the materials for sessions have been made in accordance with the preceding paragraph, and if they have not been, he/she shall request from the proponent to do it.

## **Chapter C – Urgent Sessions**

### **Article 23** **(Convening an Urgent Session)**

1. The Chair shall convene an urgent session of the Presidency by providing adequate notice to the other members of the Presidency, through the Secretary General, at least twenty-four hours in advance.
2. The notice shall include the agenda and shall specify the time of the session and its venue.
3. Each member of the Presidency may request holding of an urgent session of the Presidency. The Chair shall obligatorily convene the urgent session at the request of a member of the Presidency.

### **Article 24**

### **(Agenda of an Urgent Session)**

1. The agenda for an urgent session shall, as a rule, include a single item, which the Chair shall define and submit in written, and in special circumstances it may include more than one item.
2. The agenda for an urgent session shall be accepted without a vote at the beginning of the session, except when the urgent session has more items, when the agenda is voted for.

### **Article 25 (Materials for the Urgent Session)**

Materials for an urgent session shall be submitted, as a rule, at the same time the invitations for the session are sent, or at the beginning of the session itself at the latest.

## **Part Two – Course of the Sessions**

### **Chapter A – Attendance and Course of the Session**

#### **Article 26 (Public Relations)**

1. The session shall not be open to the public, unless the Presidency decides otherwise.
2. After the session of the Presidency, a press conference shall be organized or a press release shall be issued, unless the Presidency decides otherwise.

#### **Article 27 (Attendance at Sessions)**

1. The Secretary General shall have to be present during the entire session. His/her Office's staff can assist him/her, unless the Presidency decides otherwise.
2. The deputies of the Secretary General, the Head of the Public Relations Office i.e. other heads of departments, depending on the subjects of the agenda items, shall also attend the sessions, unless the Presidency decides otherwise. Other staff of the Secretariat shall attend the session if required so by the Presidency.
3. The staff of the Cabinet shall attend the sessions if required so by the member of the Presidency.
4. The Presidency can require other persons to attend the session in order to obtain information or expert opinions. The Presidency can also invite guests to attend sessions as part of the protocol.

#### **Article 28 (Quorum for Session)**

1. A session cannot take place unless at least two members of the Presidency are physically present.
2. A Cabinet staff member representing the member of the Presidency in terms of Article 11.1 of these Rules of Procedure shall not be taken into consideration in establishing the quorum.

**Article 29**  
**(Course of the Session)**

1. The Chair shall open the session by introducing the agenda pursuant to Article 21.4.
2. After the agenda is defined, the Chair shall present the items of agenda and open the discussion according to the order of items. Each item shall be discussed prior to decision-making. After the closure of discussion, the Chair shall formulate the conclusions on respective items and propose their adoption to the Presidency. Secretary General and his/her services shall assist him in formulation of items.
3. The rapporteur for respective items of the agenda of the Presidency's session shall be, as a rule, the head of the institution competent for the agenda item. If the attendance of the head is not possible for justified reasons, his/her direct deputy or assistant may be the rapporteur.
4. If need arises, the Presidency may, after the closure of discussion and before adoption of the conclusions on respective agenda item, order the recess for defining the contents of the conclusions.
5. If necessary, the Chair may adjourn the session for 48 hours at maximum in regard to agreement reached.

**Chapter B – Documentation of Sessions**

**Article 30**  
**(Minutes of the Sessions)**

1. The minutes of the session shall contain the data and information on session held. Entire content of the decisions made at the session shall be included in the minutes.
2. The Secretary General of the Presidency shall be tasked for and responsible for drafting the minutes, starting from defining the working text to its final form.
3. The contents of the minutes shall particularly include:
  - a) Date and time of the session;
  - b) Venue of the session;
  - c) Names and capacities of those attending;
  - d) Items discussed;
  - e) Votes taken;
  - f) Adopted decisions;
  - g) Dissenting opinion of a member of the Presidency on an agenda item, which shall not be limited only to allegations on violation of the Constitution, laws or these Rules of Procedure.
4. The working text of the minutes of the Presidency session, including the conclusions on certain items on the agenda, shall be forwarded to the members of the Presidency or their Cabinets the day after session was held.
5. The members of the Presidency, or their Cabinets, shall declare themselves on the working texts of the minutes or authenticity of the conclusions or decisions on certain items of the agenda of the session, the day after they received the texts.
6. The day after receiving the working text of the minutes of the session held, if the contents of a decision or conclusion is not contested – by raising objections to the minutes, it shall be deemed that the contents of the decisions and conclusions

made is finally defined and than it shall be proceeded to their drafting. The Chair shall sign them, and they shall be verified by appropriate seal and shall be registered in the register of work.

7. The adopted minutes of the session held shall be signed by the Chair, and the Secretary General shall sign it with initials. The original of the minutes shall be kept with the originals of the materials for the Presidency session in the archives of the presidency. The Secretary General, along with materials for the upcoming session of the Presidency, shall forward to the members of the Presidency the copy of the minutes from the last held session – verified by the seal of the Presidency.

### **Article 31**

#### **(Sound Record of the Sessions and its Transcript)**

1. The sound record of the sessions and its transcript shall have the informative character only. Making, keeping and archiving of the sound record in digital format and of its transcript shall be the responsibility of the Secretary General.
2. The sound record and its transcript shall be deposited and kept in the archives of the Presidency. They shall be available to the public in accordance with the provisions of the Law on Archive Material of BiH and Freedom to Access to Information Act of BiH, unless the Presidency decides otherwise in accordance with the Law on Protection of Secret Data of BiH or some other law.

## **CHAPTER IV – DOCUMENTS AND ACTIVITIES OF THE PRESIDENCY**

### **Part One – Documents of the Presidency**

### **Article 32**

#### **(Documents of the Presidency)**

1. In exercise of its activities, the Presidency shall enact the following general and individual acts:
  - a) Decisions related to authorizations in the domain of foreign policy;
  - b) Decisions in the area of defense of BiH;
  - c) Proposals of legislation sent to the Parliamentary Assembly;
  - d) Approval of decisions of the Parliamentary Assembly related to state symbols;
  - e) Nominations of government officials;
  - f) Appointments of government officials;
  - g) Testimony on signing or signed memorandums of understanding between the two entities of Bosnia and Herzegovina;
  - h) The Rules of Procedure, Rule Book on Internal Organization of the Secretariat and Job Classification, and other rules on operation and internal organization of the Presidency; and
  - i) Other acts falling within their powers.
2. In exercise of its activities, the Presidency shall also adopt the declarative acts like:
  - a) Opinions related to its activity as a mediator within and between institutions of BiH;
  - b) Declarations aiming to convey its position to other organs or the general public; and
  - c) Other acts regarded appropriate by the Presidency.

3. In exercise of its powers, the Presidency shall determine:
  - a) Recommendations for enactment of laws or other acts that are referred to the Council of Ministers of BiH and to the Parliamentary Assembly of BiH; and
  - b) Proposals of other general and individual acts in exercise of their constitutional and legal authorizations.

**Article 33**  
**(Validity of Acts)**

1. Official acts of the Presidency shall be those acts signed by the Chair.
2. The Secretary General shall verify the acts with the seal of the Presidency.

**Article 34**  
**(Publication and Notification)**

1. Normative acts, pursuant to Article 32, paragraph 1 a), (f), (g), (h) and, if it is necessary, i) shall be, upon their signature, immediately, or within 24 hours at the latest, forwarded by the Secretary General for publication in the “Official Gazette of Bosnia and Herzegovina”. Unless otherwise provided, they shall become valid on the eighth day from their publication.
2. Other normative and declarative acts shall produce effects upon their communication to the relevant persons or authorities according to the instructions and deadlines given by the Presidency, they shall not be published in the “Official Gazette of Bosnia and Herzegovina”, unless the Presidency decides otherwise.

**Part Two – Activities of the Presidency Regarding the Confirmation of the State Symbols**

**Article 35**  
**(State Symbols)**

1. The Presidency shall confirm the symbols of Bosnia and Herzegovina after the Parliamentary Assembly has decided on them.
2. If the Presidency confirms the symbols by consensus, the decision of the Parliamentary Assembly shall become effective. Otherwise, the Presidency shall require the Parliamentary Assembly to reconsider its decision.

**Article 36**  
**(Commission to Preserve National Monuments)**

1. The Presidency shall appoint by consensus the five members of the Commission to Preserve National Monuments established by Annex VIII to the General Framework Agreement on Peace in BiH.
2. Before the nomination, three members of the Presidency may consult with:
  - a) Outgoing members of the Commission to Preserve National Monuments;
  - b) Competent ministers in the Government of the Republika Srpska;
  - c) Competent ministers in the Government of the Federation of Bosnia and Herzegovina and internal subdivisions thereof.
3. The Presidency shall try to make decision on the appointment of the five members of the Commission to Preserve National Monuments by consensus. If a consensus

is not reached, the voting method pursuant to Article 38, paragraph 4 shall apply for each member of the Commission to be appointed.

**Part Three – Activities of the Presidency in Relation to the Institutions of BiH**  
**Chapter A – Activities in Relation to the Parliamentary Assembly of BiH**

**Article 37**  
**(Relations with the Parliamentary Assembly)**

The relations between the Presidency and the Parliamentary Assembly of Bosnia and Herzegovina shall be regulated by the Constitution, the laws of Bosnia and Herzegovina, and the Rules of Procedure of the House of Representatives and the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina and these Rules of Procedure.

**Article 38**  
**(Nomination of the Chair of the Council of Ministers)**

1. The Presidency shall forward to the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina a name of the Chair of the Council of Ministers for approval, in the cases and within the deadlines established by the Constitution and the laws of Bosnia and Herzegovina.
2. Prior to the nomination, the Presidency may commence consultations with:
  - a) The Speaker and Deputy Speakers of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina;
  - b) Representatives of political parties that are represented in the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, starting with the largest represented party, as well as with the possible coalition partners that are represented in the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, i.e. group of delegates presenting the parliamentary majority.
3. After the consultations, the Chair shall convene an urgent session, the agenda of which shall include as a single item the vote on the nomination for the Chair of the Council of Ministers. The Presidency shall not continue with the nomination procedure until all requirements stipulated by laws of BiH are met. After fulfilling of the said requirements from the laws, the proposal for nomination shall be forwarded to the House of Representative's Commission for Preparation of Election of the Council of Ministers.
4. In the nomination procedure, each member of the Presidency can put forward one name. The Presidency shall try to make the decision on nomination of the Chair of the Council of Ministers by consensus. If the consensus is not reached, two members of the Presidency may nevertheless nominate the Chair.

The Secretary General shall forward the name of the Chair of the Council of Ministers to the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina for approval. The three members of the Presidency shall attend the session of the House of Representatives at which the nomination is considered. If the House does not accept the name, i.e. does not confirm the Presidency's decision on nomination of the Chair of the Council of Ministers, the Presidency shall within eight (8) days nominate another Chair of the Council of Ministers.

**Article 39**  
**(Dissolution of the House of Peoples)**

1. The Presidency can dissolve the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, including the cases of a change of political majority:
  - a) In the National Assembly of Republika Srpska;
  - b) In the Bosniac caucus of the House of Peoples of the Federation of Bosnia and Herzegovina;
  - c) In the Croat caucus of the House of Peoples of the Federation of Bosnia and Herzegovina.
2. Before dissolving the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, the three members shall jointly undergo a seven-day round of consultations with:
  - a) The Speaker and Deputy Speakers of the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, jointly;
  - b) The Speaker and Deputy Speakers of the National Assembly of the Republika Srpska;
  - c) The presidents of the caucuses in the National Assembly of the Republika Srpska, starting with the oldest of them;
  - d) The Speaker and Deputy Speakers of the House of Peoples of the Federation of Bosnia and Herzegovina, jointly;
  - e) The representatives of the Bosniac and Croat caucuses of the House of Peoples of the Federation of Bosnia and Herzegovina, starting with the oldest of them
3. After having completed the round of consultations, and in no case later than 7 days after its start, the Chair shall convene an urgent session. The agenda of the urgent session shall include, as a single item: decision on the dissolution of the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina.
4. The Presidency shall try to make decision on the dissolution of the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina by consensus. If a consensus is not reached, two members of the Presidency can nevertheless dissolve it.

**Article 40**  
**(Proposal for the Annual Budget of the Institutions of BiH)**

1. The Presidency shall propose to the House of Representatives of Bosnia and Herzegovina an annual budget of the institutions of Bosnia and Herzegovina and international obligations of the institutions of BiH, upon recommendation of the Council of Ministers.
2. Before submitting the proposal, the Presidency may undergo the consultations with the Chair of the Council of Ministers and Minister of Finance and Treasury of the Institutions of Bosnia and Herzegovina, as well as with the Prime Ministers of finance of the entities and of the Breko District.
3. After completed round of consultations and in no case later than seven days after its start, the Chair shall convene an urgent session, the agenda of which includes as a single item: decision on the proposal for the annual budget of the institutions of Bosnia and Herzegovina.

4. The Presidency shall try to make decision on the proposal for the annual budget of the institutions of Bosnia and Herzegovina and international obligations of the institutions of BiH by consensus. If a consensus is not reached, two members can nevertheless make the proposal.

## **Chapter B – Activities in Relation to the Council of Ministers**

### **Article 41 (Relations with the Council of Ministers)**

The relations between the Presidency and Council of Ministers shall be regulated by the Constitution of BiH, laws of BiH and these Rules of Procedure.

### **Article 42 (Decisions Related to the Foreign Affairs Domain)**

1. The Presidency shall try to adopt by consensus the decisions on:
  - a) The conduct of foreign policy;
  - b) The appointment of ambassadors and other international representatives of Bosnia and Herzegovina;
  - c) the representation of Bosnia and Herzegovina in international and European organizations and institutions, or any request for membership therein;
  - d) the negotiation, denunciation, or ratification of treaties of Bosnia and Herzegovina; and
  - e) The execution of decisions of the Parliamentary Assembly.
2. If a consensus is not reached at the session in which the adoption of the Decision is first discussed, the Chair shall include the issue in the agenda of the following session, as a compulsory item. If efforts to reach a consensus at the following session fail, two members of the Presidency can nevertheless adopt the Decision, which shall become effective 72 hours after the end of the session in which it was adopted if no declaration is made in terms of paragraph (3) below.
3. Within 72 hours from the end of the session in which a Decision referred to in paragraph (2) above was adopted, the dissenting member of the Presidency can declare it destructive of a vital interest of the entity from the territory of which he/she was elected. The declaration shall be forwarded in writing to the Secretary General, who shall immediately circulate it to the other members of the Presidency and refer it to the authorized entity body. The authorized bodies are:
  - a) The National Assembly of the Republika Srpska, if the declaration was made by the Serb member of the Presidency;
  - b) The Bosniac caucus of the House of Peoples of the Federation, if the declaration was made by the Bosniac member of the Presidency;
  - c) The Croat caucus of the House of Peoples of the Federation, if the declaration was made by the Croat member of the Presidency.
4. The Secretary General shall contact the authorized entity body in order for the members of the Presidency to attend any session convened to discuss the referred declaration. At the session, the member of the Presidency shall present the entity body with his/her arguments in favor or against the referred declaration. If a two-third vote of those comprising the relevant entity body confirms the declaration within 240 hours from its referral, the Decision of the Presidency shall not become effective.

**Article 43**  
**(Carrying Out Responsibilities Transferred from the Parliamentary Assembly)**

1. The Presidency shall carry out other responsibility transferred to it by the Parliamentary Assembly of Bosnia and Herzegovina.
2. In carrying out of such responsibilities the Presidency shall decide by consensus. In case of appointments, the voting method referred to in Article 38, paragraph 4 shall be applied if the consensus is not reached.

**Chapter C – Advisor to the Presidency for Military Matters**

**Article 44**

The Joint Chief of Staff of the Armed Forces of Bosnia and Herzegovina shall by function be the advisor to the Presidency for military matters.

**Chapter D – Activities in Relation to the Constitutional Court of Bosnia and Herzegovina**

**Article 45**  
**(Relations with the Constitutional Court of Bosnia and Herzegovina)**

Relations between the Constitutional Court of Bosnia and Herzegovina and the Presidency shall be regulated by the Constitution and laws of Bosnia and Herzegovina.

**Article 46**  
**(Joint Submissions to the Constitutional Court)**

1. The members of the Presidency can unanimously decide to jointly exercise their powers to submit a case to the Constitutional Court of Bosnia and Herzegovina.
2. In the case referred to in paragraph (1) above, the Chair shall be formally authorized to submit a case to the Constitutional Court of Bosnia and Herzegovina.

**Article 47**

Each member of the Presidency may initiate a dispute before the Constitutional Court of BiH.

**Chapter E – Activities in Relation to the Central Bank of BiH**

**Article 48**  
**(Relations with the Central Bank of BiH)**

Relations between the Central Bank of Bosnia and Herzegovina and the Presidency shall be regulated by the Constitution of BiH, laws of Bosnia and Herzegovina and provisions of these Rules of Procedure.

**Article 49**  
**(Appointment of the Governing Board of the Central Bank)**

1. The Presidency shall appoint the five members of the Governing Board of the Central Bank of Bosnia and Herzegovina by consensus.
2. Before making the nomination, the Presidency can jointly undergo a round of consultations with:
  - a) The outgoing Governor of the Central Bank of Bosnia and Herzegovina;
  - b) The outgoing members of the Governing Board of the Central Bank of Bosnia and Herzegovina, starting from the oldest of them;
  - c) The Chair of the Council of Ministers of Bosnia and Herzegovina;
  - d) The Minister of the Finance and Treasury of the Institutions of Bosnia and Herzegovina; and
  - e) The Prime Minister of the Republika Srpska and the Prime Minister of the Federation of Bosnia and Herzegovina, starting from the older of them.

**Part Four – Activities in Relation to the Entities**

**Article 50**  
**(Inter-entity Coordination)**

1. In order to facilitate inter-entity coordination on matters not within the responsibility of State of Bosnia and Herzegovina, the Presidency can invite the entities to attend a conference. The conference may result in signing a Memorandum of Understanding.
2. A conference on cooperation shall be chaired by the Chair of the Presidency and co-chaired by the other two members, and it shall be attended by:
  - a) Relevant officials from the entities designated by their governments;
  - b) Relevant officials of the Institutions of Bosnia and Herzegovina designated by the Council of Ministers; and
  - c) Relevant officials of the international institutions and diplomatic missions, in a consultative capacity.

**Article 51**  
**(Memorandum of Understanding)**

1. Pursuant to the adopted conclusions or based on the Memorandum of Understanding, a conference on cooperation can result in commitment of the entities and their subdivisions to take a parallel action, or to establish the institutions in charge of carrying out the same action on their behalf.
2. The Chair shall witness by his/her signature on the contents of the Memorandum of Understanding signed by authorized representatives of the entities.

**Part Five – Activities of the Presidency in Relation to the Internal Regulations**

**Article 52**  
**(Internal Regulations)**

The Presidency shall propose and adopt by consensus: the Rules of Procedures of the Presidency, the Rule Book on the Internal Organization and Job Classification of the

Secretariat of the Presidency, as well as any other internal rulebooks and amendment thereto.

**Article 53**  
**(Procedural Decisions)**

The Presidency shall make all internal decisions prior to the adoption of a final act by simple majority voting, unless otherwise specified by these Rules of Procedure.

**Article 54**  
**(Report on Expenditures)**

1. At the end of each budget year, in accordance with the law, or whenever required, the Presidency shall provide to the Parliamentary Assembly a report on expenditures.
2. The Secretary General shall be responsible for the preparation of the report. The Presidency shall try to adopt the report by consensus, and if that is not possible, it shall adopt it with simple majority vote.

**CHAPTER V**  
**(Support Structures)**

**Article 55**  
**(Secretariat of the Presidency)**

1. The Secretariat shall be the administrative, technical and professional service of the Presidency to provide support and enable uninterrupted and efficient operation and action of the members of the Presidency and their cabinets, in lawful, transparent, economical, open and impartial carrying out of duties and tasks falling within the competence of the Secretariat.
2. The Secretariat shall carry out professional, administrative, technical, organizational, financial, informative and all other tasks defined by these Rules of Procedure and laws of BiH, or at the order of the members of the Presidency in the course of exercise of their collective and individual duties, i.e. chiefs of their cabinets, which enable uninterrupted operation of the Presidency.
3. The Secretariat shall be managed the Secretary General who shall operationally manage and coordinate the work of the Secretariat, and he/she shall be bound to act upon the orders of the members of the Presidency, and shall be accountable to the members of the Presidency for his/her work.
4. The Secretary General shall have two deputies. The Secretary General and his/her deputies shall not be members of the same constituent peoples. The Presidency shall appoint and dismiss the Secretary General and his/her deputies by consensus.
5. The Secretary General and his/her deputies shall be appointed to a term of four (4) years.
6. The organization, scope of work and all other issues that concern the Secretariat of the Presidency that are not regulated by these Rules of Procedure shall be regulated by the Rule Book on the Internal Organization of the Secretariat. The Presidency shall adopt the Rule Book on the Internal Organization of the Secretariat and plan of job classification by consensus.

**Article 56**  
**(Organizational Structure of the Secretariat)**

1. The Secretariat shall consist of the Cabinet of the Secretary General and his/her deputies, and six (6) basic organizational units (departments):
  - a) Cabinet of the Secretary General (hereinafter: Cabinet) and his/her deputies, within which shall be the Section for the Presidency Sessions.
  - b) The following organizational units – departments shall be organized within the Secretariat:
    - 1) Department for Normative and Legal Affairs;
    - 2) Department for General and Common Affairs;
    - 3) Department for Economic and Financial Affairs;
    - 4) Department for Public Procurements and Logistics;
    - 5) Department for Protocol Affairs; and
    - 6) Department for Public Relations.
2. At the proposal of one or more members of the Presidency, the Presidency shall adopt the Rule Book on the Internal Organization of the Secretariat and Plan of Job Classification in the Secretariat by consensus, including the organization, scope of work and all other issues not regulated by these Rules of Procedure.

**Article 57**  
**(Secretary General)**

1. The Secretary General shall operationally manage and head the work of the Secretariat and coordinate the work with the departments as basic organizational units, ensure the preparation of the sessions of the Presidency, which implies forwarding of the agenda, recording of the course of the discussion, and composing of the minutes. He/she shall directly head the Section for the Presidency Sessions, and together with the deputies shall coordinate the work of other departments within the Secretariat. He/she shall be responsible for use of financial, material and human resources within the Secretariat. The Secretary General shall be bound to act upon the orders of the members of the Presidency, and shall be accountable for his/her work to the members of the Presidency in accordance with the Rules of the Procedure of the Presidency.
2. In heading the work of the Secretariat, the Secretary General shall have the powers defined in the Law on Administration (“Official Gazette of BiH” nos. 32/02 and 102/09), other laws of Bosnia and Herzegovina and Rules of the Procedure of the Presidency.
3. In the event of a longer absence, the Secretary General may delegate his/her powers pertaining to the management of the Secretariat to a deputy Secretary General for a period not exceeding three months, with prior consent of the members of the Presidency.
4. The Presidency shall appoint and dismiss the Secretary General and his/her deputies by consensus. The term of office of the Secretary General and his/her deputies shall be four (4) years.

**Article 58**  
**(Deputies of the Secretary General)**

1. Deputies of the Secretary General shall assist the Secretary General in work, coordinate the work of the departments within the Secretariat, in cooperation with the Secretary General they assign the tasks to departments and substitute the Secretary General when he/she is absent or being prevented, at his/her written authorization, with prior consent of the members of the Presidency for a period not exceeding three months.
2. For their work and management the deputies of the Secretary General shall be accountable to the Secretary General and members of the Presidency.

#### **Article 59**

#### **(Secretariat Staff and Appointments in the Secretariat)**

1. Positions within the Secretariat shall be filled in accordance with the Law on Civil Service of BiH ("Official Gazette of BiH" nos. 19/02, 35/03, 4/04, 26/04, 37/04, 48/05, 2/06, 32/07, 43/09 and 8/10), Labor Law for Institutions of Bosnia and Herzegovina ("Official Gazette of BiH" nos. 26/04, 7/05 and 48/05), i.e. by concluding the labor contract, concluding service contract or voluntary engagement, at the prior approval of the members of the Presidency.
2. Competent state agency shall for all employed and engaged workers conduct full security clearance, as well as for all future candidates for work in the Secretariat of the Presidency.
3. The Secretariat staff shall be comprised of the managerial civil servants, civil servants without managerial status and employees.
4. The Secretary General and his/her deputies shall be appointed persons, and they shall be appointed in accordance with the provisions of the Law on Ministerial and Government Appointments and other Appointments ("Official Gazette of BiH" No. 7/03) to a term of four (4) years.
5. The Presidency may dismiss the Secretary General and his/her deputies by consensus if they do not comply with the provisions of the law and/or guidelines of the Presidency, or if they cease to meet prescribed requirements for their work positions. Dismissal from the position shall not prevent criminal prosecution, or the liability for compensation of damages, if there are such liabilities. In regard to the procedure of dismissal of the Secretary General and his/her deputies, type of decisions and possible suspension from duty, the provisions of the Law on Administration pertaining to removal, i.e. dismissal of the head of the administrative body, shall apply.
6. The heads of the departments shall directly organize and manage the operation of the departments and shall be accountable to the Secretary General for their work. Their appointments and dismissals shall be carried out in accordance with the Law on Civil Service in Institutions of BiH. The heads of the departments of the Presidency shall be managerial civil servants with authorization to manage the basic organizational unit.
7. The Presidency shall appoint and dismiss the Secretary General and his/her deputies, and it shall provide its consent appointment of other civil servants in positions of heads of departments, unless otherwise regulated by law. Such appointments, dismissals and providing consent shall be done by consensus of all three members of the Presidency.
8. The Secretary General shall conclude contracts on work engagement with the staff without status of civil servants, with the prior consent of all members of the Presidency.

9. The Secretariat staff shall be employed and promoted on the basis of professional merits and results achieved, at the approval of the members of the Presidency, provided that the composition of the employed civil servants, as well as of the employees, generally mirrors ethnic structure of the population of BiH according to the last population census, so that at least 25 % of one of the constituent peoples is represented in the total number of employees.

**Article 60**  
**(Other Powers of the Secretariat)**

1. The selection of the authorized persons in the Secretariat for representation and acting on behalf of the Presidency before other bodies and institutions of BiH shall be carried out in consultation and written approval of all three cabinets of the members of the Presidency.
2. Use of annual leaves and leaves of absence of the Secretariat employees shall be carried out only in accordance with the planned needs and activities of the members of the Presidency.

**Article 61**  
**(Circulation and Distribution of Documents)**

1. All acts, documents, letters from the state and international institutions from all levels must be forwarded to the cabinets of the members of the Presidency without delay, on the same working day when they were received.
2. All decisions, acts and documents adopted by the Presidency must be communicated to appropriate competent institutions without delay, and not later than 24 hours upon the Chair of the Presidency signs them.

**Article 62**  
**(Performance Appraisal of the Civil Servants of the Secretariat)**

1. The Secretary General shall appraise the heads of departments with previously obtained written opinion of all cabinets of the members of the Presidency. The heads of departments shall appraise other civil servants and employees of the Secretariat, with confirmation of the Presidency. The Secretary General shall appraise the employees in the Secretariat, with previously obtained written opinion of all cabinets of the members of the Presidency.
2. The performance appraisal of the civil servants shall be carried out every six months and of the employees every year.
3. Every three months the Secretary General shall be bound to submit an exhaustive written report on the performance of the Secretariat.

**CHAPTER VI – TRANSITIONAL AND FINAL PROVISIONS**

**Article 63**

1. The Rules of Procedure of the Presidency of BiH (“Official Gazette of BiH” nos. 25/01 and 35/02) shall cease to be valid on the day of entry into force of these Rules of Procedure.

2. Within 60 days, starting from the day these Rules of Procedure enter into force, the Rule Book on Internal Organization of the Secretariat and Job Classification and Decision on Organization of the Secretariat of the Presidency of BiH shall be enacted.

**Article 64**  
**(Entry into Force)**

These Rules of Procedure shall enter into force on the eighth day after they are published in the “Official Gazette of BiH”.