

Provisional Rules of Procedure of the Presidency of Bosnia and Herzegovina

Article 1. General Principles

Starting from the provisions of the General Framework Agreement for Peace in Bosnia and Herzegovina, signed on 14 December 1995 (hereafter the Peace Agreement), and wishing to contribute towards its full implementation, the Members of the Presidency have agreed to establish efficient organization and framework for the functioning of the common institutions of Bosnia and Herzegovina.

Article 2. Common institutions

The work of the common institutions of Bosnia and Herzegovina shall be based on the principles of equality of the Federation and the Republika Srpska and the three constituent peoples in Bosnia and Herzegovina, of mutual tolerance, respect and co-operation in exercising all obligations under the Peace Agreement.

Article 3. Chair

1. If the Chair is not able to attend the session the other two Members of the Presidency shall by consensus appoint one of the Members as Acting Chair. The function of Acting Chair shall rotate between the two other members of the Presidency every week that the Chair is absent.
2. The Chair or, when the Chair is absent, the Acting Chair is responsible for :
 - a. Presiding over meetings;
 - b. Giving adequate notice of all meetings to the other Members of the Presidency, at least four days in advance. The notice shall include a proposed agenda of the meeting and other appropriate information.

Article 4. Meetings

1. The Presidency shall meet at least once a week unless otherwise decided.
2. Members have a duty to attend all meetings of the Presidency as called, unless incapacitated or abroad on official duty.
3. After the Chair provides notice of the meeting and the proposed agenda, the other Members may add other items to the agenda up to two days prior to the meetings. Such items must be included in the agenda.
4. The proposed agenda may also include items proposed by the Parliamentary Assembly and the Council of Ministers.
5. The Members may decide by consensus to hold relayed telephone meetings. Such meetings shall require the participation of all three Members.
6. Meetings of the Presidency may also be attended by other persons, but only upon invitation, which must be agreed upon by all Members of the Presidency by consensus.

Article 5. Temporary and Lasting Absence

1. If a Member is unable to attend any one meeting of the Presidency, due to temporary illness or public duties abroad, he shall be represented at the meeting by a senior official designated by that Member. At least two Members of the Presidency shall be present during the meetings. The designated official shall be fully authorised. He may consult with the absent Member by telephone or other means of communication, but has no right to vote. He shall inform the absent Member without delay on decisions proposed by the other Members. If the Member who is absent is the Chair, the Acting Chair shall perform his duties in accordance with Article 3. Depending on the urgency of the matter, the absent Member shall as soon as possible notify the other Members of his decision by telephone or other means of communication.
2. In case of lasting incapacity of a Member of the Presidency to perform his duties, a vacancy exists in the Presidency. The vacancy shall be filled through elections from the relevant Entity and constituent people in accordance with a law to be adopted by the Parliamentary Assembly. Until new elections have been held in the relevant Entity, the vacancy will be filled by a person nominated by the Delegates of the House of Peoples of the same constituent people as the absent Member. The person filling the vacancy shall have all the rights and duties of the absent Member of the Presidency. Details will be regulated by a law to be adopted by the Parliamentary Assembly.

Article 6. Provisional arrangement for meetings

The Members of the Presidency have agreed that the Presidency shall meet in Sarajevo at the National Museum and at the Electrotechnical Faculty – Lukavica. At least every third meeting shall be held at the Electrotechnical Faculty in Lukavica.

Article 7. Permanent arrangement

1. A permanent arrangement on the premises, location and functioning of the Presidency, the Parliamentary Assembly, the Council of Ministers, the Constitutional Court and the Central Bank, shall be agreed by consensus within six months.
2. In taking this decision the Presidency shall consider the various options for housing the institutions, including any existing buildings in Sarajevo or the possibility of new construction.

Article 8. Safety and Freedom of Movement

1. All persons employed by the common institutions are guaranteed the security, safety and freedom of movement throughout Bosnia and Herzegovina.
2. These persons shall be issued special identity cards.

Article 9. Decisions

1. The Presidency shall endeavour to adopt all Presidency Decisions within its powers by consensus.
2. If a proposed decision is a Presidency Decision a dissenting Member may declare it destructive of a vital interest of the Entity from the territory from which he was elected, provided that he does so within three days of its adoption. During this procedure, such a decision shall not enter into force.

3. A decision that has been declared destructive of a vital interest shall be referred immediately to the National Assembly of the Republika Srpska, if the decision was made by the Member from that territory; to the Bosniac delegates of the House of Peoples of the Federation, if the declaration was made by the Bosniac Member; or to the Croat delegates of that body, if the declaration was made by the Croat Member.
4. If the declaration is confirmed by a two-thirds vote of those persons within ten days of the referral, the challenged decision shall not take effect. If, however, the declaration is not confirmed by a two-thirds vote within ten days, such a decision may be adopted by two Members of the Presidency.
5. No Member of the Presidency may in the name of the Presidency or BiH make decisions and take responsibilities without the consent of the other Members of the Presidency.

Article 10. Representation

The Presidency will ensure that both Entities and the three constituent peoples will be fully and equally represented in all the common institutions and their organs in full conformity with the Constitution of Bosnia and Herzegovina and other relevant agreements.

Article 11. Immunity

The Members of the Presidency shall have immunity in accordance with a law adopted by the Parliamentary Assembly. Until such a law has been adopted, no Member of the Presidency shall be held criminally or civilly liable for any acts carried out within the scope of his authority.

Article 12. Seal

The documents of the Presidency shall be authorised by the seal, which is made without a coat-of-arms, with the inscription in Latin/iekavian and in Cyrillic/ekavian which reads; 'Bosnia and Herzegovina, Presidency Sarajevo'. The seal shall have a round form and a diameter of 50mm. The seal shall be made in three copies, one of which will be given to each Member of the Presidency in the language he uses. Every copy shall bear a different Arabic number from 1 to 3, such that the seal of the Bosniac Member of the Presidency has number 1, the seal of the Croat Member of the Presidency has number 2, and the seal of the Serb Member of the Presidency has number 3.

Article 13. Entry into force

These Rules of Procedure come into force upon signature. They have been done in the Bosniak, Croat and Serb languages, in both writings Latin and Cyrillic, in ekavian and iekavian dialects.

Article 14. Duration

These Rules of Procedure remain in force until permanent Rules of Procedure have been adopted by the Presidency.

Sarajevo, November 5, 1996

Alija Izetbegovic

Kresimir Zubak

Momcilo Krajisnik

Office of the High Representative