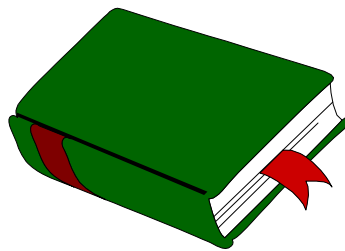




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CONSTITUTION OF BOSNIAN PODRINJE CANTON - GORAZDE

**“Official Gazette of Bosnian Podrinje Canton – Gorazde”,
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NOTE:

- Amendments published in the “Official Gazette of Bosnian Podrinje Canton – Gorazde”, 6/97, 6/98, 10/00, 5/03 and 8/04 are not included in this translation.
- Consolidated text of the Constitution was published in the “Official Gazette of Bosnian Podrinje Canton – Gorazde”, 8/98

Based on Article V 1.4 and 6 and IX - 3 (4) of the Constitution of the Federation of Bosnia and Herzegovina ("Federation BIH Official Gazette", No. 1/94), at its session held on 18 March 1996, the Interim Assembly of the Bosnian Podrinje Canton - Gorazde passes:

CONSTITUTION OF BOSNIAN PODRINJE CANTON - GORAZDE

I - GENERAL PROVISIONS

Article 1.

This Constitution shall regulate the organization and status of the Bosnian Podrinje Canton - Gorazde (hereinafter: the Canton), its competencies and government structure.

Article 2.

Establishment of the Canton

The Bosnian Podrinje Canton - Gorazde shall be a federal unit of the Federation of Bosnia and Herzegovina (hereinafter: the Federation).

The area of the town of Gorazde, with the surrounding villages, the villages of the neighboring municipalities (Foca, Rogatica and Pale), which by the demarcation of entities in Bosnia and Herzegovina under the Peace Agreement for Bosnia and Herzegovina, initiated in Dayton and signed in Paris on 14 December 1995 (hereinafter: the Peace Agreement), tell within the Federation of Bosnia and Herzegovina, shall be organized as the Canton in accordance with the Constitution of the Federation and this Constitution

Article 3.

The composition of all the bodies in the Canton and Canton municipalities shall have to reflect the national structure of the population of the Canton or the municipality, unless stipulated otherwise by the Constitution of the Federation.

Article 4.

The Bosniaks and Croats, as the constituent peoples, together with the others as the citizens of the Canton shall exercise their sovereign rights in the Federation and the Canton, in accordance, with the Constitution of the Federation and this Constitution.

Article 5.

Territory of the Canton

Territory of the canton shall include parts of the municipalities of: Gorazde, Foca, Rogatica and Pale.

This territory shall be specified by a separate regulation of the Canton Assembly in accordance with the Federation laws.

In case of alteration of the territory of the Canton by separation of parts of the territory for the purpose of merging with other Cantons or for merging of other Cantons with

this Canton, the Canton Assembly shall first give its opinion, and for this purpose it may request the citizens of the Canton to give their opinion by some of the prescribed methods.

Article 6.

Name and Seat of the Canton

The official name of the Canton shall be: Bosnian Podrinje Canton - Gorazde.
The seat of the Canton shall be in Gorazde.

Article 7.

Official Symbols of the Canton

The Canton shall have a coat-of-arms, a flag a seal and anthem (solemn song), as well as other official Symbols decided on by the Assembly. The Assembly shall pass a separate regulation on the official Symbols of the Canton.

The official Symbols of the Canton shall be used independently or together with the official Symbols of Bosnia and Herzegovina and the Federation, as stipulated by their regulations and the regulations of the Canton.

Article 8.

The official languages of the Canton shall be Bosnian and Croatian. The official alphabet shall be Latin.

The other languages may be used as means of communication and teaching.

II- PROTECTION OF HUMAN RIGHTS AND FREEDOMS

Article 9.

In the territory of the Canton shall be ensured the highest standards and full protection of the internationally recognized rights and freedoms stipulated by the Constitution of Bosnia and Herzegovina, the Constitution of the Federation of Bosnia and Herzegovina and by the instruments given in the Annex to the Federation Constitution.

The Canton Assembly or any other body of the Canton may not reduce the human rights and freedoms stipulated by the documents from the previous Paragraph. In the adoption of regulations and their application, they shall be obliged to particularly take care of the effects which those regulations may have or do have in the field of human rights and freedoms.

Article 10.

The Canton Assembly shall ensure adoption of such regulations, which shall in the first place protect the stipulated human rights and freedoms and introduce efficient instruments of that protection.

In application of regulations, the Government bodies in the Canton shall be obliged to prevent any violation of human rights and freedoms and take all necessary measures within their competencies, to ensure their full protection. This particularly refers to the police forces, which shall, through efficient preventive and operational work ensure full safety of person and property of all citizens.

Article 11.

The Canton shall specifically take measures for exercising, the right of all refugees and displaced persons to flee return to places where they were expelled from, to retrieval of all property confiscated during expulsion on ethnic grounds as well as to compensation for all the property which cannot be retrieved.

In application of regulations, the Government bodies in the Canton shall be obliged to prevent any violation of human rights all freedoms and take all necessary measures within their competencies, to ensure their full protection. This particularly refers to the police forces, which shall, through efficient preventive and operational work, ensure full safety of person and property of all citizens.

Article 12.

Commission on Human Rights

For protection of human rights and freedoms and control of work of all Canton government bodies in this field, the Canton Assembly shall form a special commission on human rights.

The number of members, method of their appointment and competencies of the Commission from the previous Paragraph shall be stipulated by a separate regulation of the Canton.

Article 13.

Cooperation with Ombudsmen and International Organizations

The Canton Assembly and other government bodies shall be obliged to offer to the Ombudsman of Bosnia and Herzegovina, Ombudsman of the Federation and all international observer bodies for human rights all possible assistance in performance of their functions in the territory of the Canton.

As part of the assistance from the previous Paragraph, the Canton bodies shall particularly:

- a. ensure access to all official documents, including the secret ones, and court administrative documents;
- b. ensure cooperation of all persons and all employees in giving the necessary information and data;
- c. ensure access to and control of all places where arrested persons are detained and where they work;
- d. ensure presence at court and administrative proceedings, as well as at sessions of the bodies;

The findings and reports of the bodies from Paragraph 1 of this Article shall be discussed by the competent bodies in an urgent procedure based on which appropriate measures shall be taken where necessary.

III - COMPETENCIES OF THE CANTON

Article 14.

Definition of Competencies

The Canton shall have the competencies stipulated by the Federation Constitution and this Constitution.

In case of need for interpretation, the competencies of the Canton stipulated by this Constitution shall be interpreted to the advantage of the Canton, by the principle of superior competency, and the competencies specifically mentioned in this Constitution shall not be interpreted as any limitations of the general competencies of the Canton.

Article 15.

Exclusive Competencies

Within its exclusive competencies, the Canton shall be responsible for:

- a. establishment of and supervision over the police forces;
- b. definition of education policy, including adoption of regulations on education and provision of education;
- c. definition and implementation of culture policy;
- d. definition of housing policy, including adoption of regulations concerning refurbishment and construction of housing facilities;
- e. definition of policy concerning regulation and provision of public services;
- f. adoption of regulations on utilization of local land, including demarcation of zones;
- g. adoption of regulations on enhancement of local business and charity activities;
- h. adoption of regulations on local facilities for production of energy and ensuring their access;
- i. definition of policy concerning provision of radio and television stations, including adoption of regulations on ensuring their work and construction;
- j. implementation of social policy and establishment of social welfare services;
- k. definition and implementation of tourism policy and development of tourist resources;
- l. funding of activities of the Canton government and of activities under the sponsorship of the Canton government (agencies) by imposition of taxes loans or other means;
- m. taking decisions, within the framework of the defined economic policy, for inciting economic and social development.

Article 16.

Common Competencies Shared with the Federation

Together with the Federation, independently or in coordination with the Federation government, the Canton shall exercise the following competencies:

- a. guarantees for and implementation of human rights;
- b. health care;
- c. environment protection policy;
- d. communications and transport infrastructure;
- e. social welfare policy;
- f. implementation of the law and other regulations on citizenship;
- g. immigration and asylum;
- h. tourism; and

- i. utilization of natural resources.

Article 17.

The Canton shall exercise its competencies by adoption of its own regulations and by application of the regulations of Bosnia and Herzegovina and the Federation.

The Canton shall exercise the competencies from Article 16 of this Constitution (the common competencies) within the scope agreed on with the Federation Government. In case of absence of such an agreement the Canton shall exercise those competencies fully and independently.

Article 18.

Transfer of Competencies

The Canton may transfer its competencies from the field of education, culture tourism, local business and charity activities, radio and television onto its municipalities. All the competencies shall be obligatorily transferred onto those municipalities whose majority population is not the majority population in the territory of the whole Canton.

The Canton may also transfer some of its competencies onto the Federation authorities if this would ensure that they are exercised in a more efficient and economic manner.

The decision on transfer of competencies in the sense of this Article shall be taken by the Canton Assembly.

IV - STRUCTURE OF GOVERNMENT

LEGISLATIVE GOVERNMENT

Article 19.

General provision

The legislative government in the Canton shall be exercised by the Canton Assembly (hereinafter: the Assembly).

Article 20.

Composition of the Assembly

The Assembly shall be a one-house delegate body composed of 31 (thirty one) delegates.

The delegates shall be elected by secret vote in direct elections in the whole territory of the Canton.

The Government of the Bosnian Podrinje Canton-Gorazde shall by its decision determine the number of delegates, in proportion to the number of inhabitants, who shall be sent from all Municipalities to the Assembly of Bosnian Podrinje Canton - Gorazde.

Before the elections, all the registered parties shall publicize an election list of candidates.

The elected delegates to the Assembly from each party shall be persons from the top of the Party's list, according to the number of votes won. The dismissed delegates shall be replaced by persons whose names follow on the list, in accordance with the Election Law.

In the election of delegates shall be ensured appropriate representation of Bosniaks, Croats and other peoples, in proportion to the national structure of the population in the territory of the Canton.

The election of delegates to the Assembly shall be carried out in accordance with the Federation election regulations, the Assembly itself calling for and carrying out the elections.

Any voter may be elected as a cantonal delegates.

The mandate of the delegates in the Assembly shall last 2 (two) years.

Article 21.

The Assembly shall be convened for the first time not later than 10 (ten) days after the publication of the election results.

Article 22.

Competencies of the Assembly

The Canton Assembly shall:

- a. prepare and by two-third majority vote adopt the Constitution of the Canton;
- b. pass laws and other regulations within the framework of the competencies of the Canton, except for the regulations which under this Constitution or the law fall within the competencies of the Canton Government;
- c. elect and dismiss the President and Vice-President of the Canton in accordance with the Federation Constitution, this Constitution and the Rules of Procedure;
- d. replace the President of the Canton in the cases stipulated by the Constitution of the Federation of Bosnia and Herzegovina,
- e. define the policy and adopt a programs of development of the Canton;
- f. confirm the appointment of the members of the Canton Government;;
- g. establish cantonal and municipal courts and define their competencies;
- h. elect the judges of cantonal courts in accordance with the Federation Constitution;
- i. adopt the Canton Budget and pass laws on taxes and otherwise ensure the necessary fundings;
- j. elect delegates to the Federation House of Peoples, in accordance with the Federation Constitution;
- k. decide on transfer of competencies of the Canton onto the municipalities and the federation;
- l. approve concluding of contracts and agreements in the field of international relations and international cooperation;
- m. conduct investigations in accordance with this Constitution and separate regulations;
- n. elect the Speaker, his Deputy and other functionaries of the Assembly, in accordance with the Assembly Rules of Procedure;
- o. adopt the Assembly Rules of Procedure;
- p. also perform other duties stipulated by the Federation regulations, this Constitution and Canton regulations.

Article 23.

Method of Work of the Assembly

The Assembly shall elect the Speaker and one Deputy of his from among the elected delegates. The Speaker shall represent the Assembly, and his scope of work shall be specified by the Assembly Rules of Procedure.

The Assembly shall have public sessions, except in the cases stipulated by its Rules of Procedure.

Reports on sessions and taken decisions shall be publicized in media.

The method of work of the Assembly shall be specified by the Rules of Procedure.

Article 24.

Delegates Immunity

Criminal or civil proceedings may not be initiated against a delegate to the Assembly nor may be detained or punished in any other way for an opinion given or vote cast in the Assembly.

A delegate to the Assembly may not be detained or arrested without previous approval by the Assembly.

Article 25.

Compensation to the Representatives of the Assembly shall be specified by a Canton Law and shall not increase or decrease during the elected mandate, except for adjusting to the costs of living.

Article 26.

Quorum and the manner of decision-making in the Assembly

Quorum exists if at least 51% fifty-one per cent/ of the total number of representatives are present in a session.

Cantonal regulations shall enter into force as they specify themselves, but not before they are published.

Article 27.

In the execution of its authority the Assembly shall adopt legislation, other regulations and general and individual regulations /hereinafter: regulations/.

By two-third majority of the total number of representatives the Assembly shall:

- a. prepare and adopt the Canton Constitution
- b. prepare and adopt the Cantonal Constitutional Law and amendments
- c. adopt the law on the transfer or delegation of cantonal authority onto the municipality or Federation
- d. appoint and relieve the Canton President

Exceptionally, in the event of issues related to the exercise of special national, social or other interests of certain groups and citizens, 1/5 of /fifteen per cent/ of representatives may request the adoption of a decision by two-third majority, of the total number of representatives in Assembly.

Other regulations, general and individual regulations shall be considered adopted if more than a half of the present representatives voted in favor of the proposed regulation.

Article 28.

Conduct or investigations

The Assembly or its boards may conduct investigations without entering into the authority of the judicial authorities, in order to discuss certain issues which arose in the relations within the Canton in which any of representatives, members or bodies or services of the Cantonal Government took part, and to that end summon witnesses and collect other kinds of evidence.

The investigation procedure in the sense of the proceeding paragraph shall be regulated by the Assembly in a separate regulation.

EXECUTIVE AUTHORITY

Article 29.

Canton President

Executive authority in the Canton shall be exercised by the Canton President. He or she shall be elected in the Assembly from the candidates proposed by the representatives by the majority vote.

Canton President shall be elected from the representatives of a legislative body of the Canton. In the interim period the Canton President may be elected from the representatives of the Constituent Assembly of the Federation of BIH who come from the territories of those municipalities which are comprised in the Canton and who were elected in the 1990 elections in the Assembly of the Republic of Bosnia and Herzegovina and whose mandate is still valid.

The manner and procedure for the election of Canton President shall be closely regulated in the Rules of Procedure of the Assembly.

Canton President shall be elected for the period of 2 /two/ years and may not be elected for that office more than twice consecutively.

Canton President may be relieved before the expiration of the term of office if he or she violated the oath or discredited this office in another way.

The Assembly shall decide on this relief by two-third majority of the total number of representatives.

If the office of the Canton President remains vacant the Cantonal Assembly shall elect a new President within 30 /thirty/ day, counting from the day of the vacancy. In the event of the President's temporary incapacity to execute his or her office it shall be done by the Speaker of the Assembly until the President's return.

Article 30.

The representative, s mandate in the Cantonal Assembly shall be terminated to the President elected from the representatives of the Assembly.

Article 31.

Competencies or the Canton President

Canton President shall have the competencies for:

- a. appointments and dismissals of the Prime Minister and Government Members of the Canton which shall be verified by the Assembly
- b. proposing judges for the Cantonal Court
- c. representing and acting on behalf of the Canton within the country and abroad
- d. concluding agreements and other regulations undertaking rights and liabilities on behalf of the Canton, allowing, that in case of agreement of great value and agreements from international cooperation it shall have to acquire the consent of the Assembly.
- e. submitting requests to the Constitutional Court or the Federation or BIH and to the Constitutional Court of Bosnia and Herzegovina.
- f. considering reports of Ombudspersons and other international organizations taking care of human rights and ensuring if adequate measures for the protection of human rights and freedoms.
- g. ensuring cooperation with the bodies of the Federation and Bosnia and Herzegovina.
- h. deciding on the usage of police, forces in special circumstances such as imminent danger of war, war state, emergency states caused by natural and other disasters.
- i. proposing the adoption of regulations from the competency of the Assembly.
- j. proposing the budget of the Canton and instruments required for its execution.
- k. proposing measures for economic and development policy of the Canton
- l. signing regulations, general and individual regulations of the Assembly after their adoption.
- m. other duties laid down in this Constitution and other regulation- of the Canton.

Article 32.

Vice - President of the Canton

Simultaneously with the President of the Canton the Assembly shall elect a Vice - President of the Canton. The Vice - President shall execute the duties within the framework specified by the President and other duties specified in separate regulations on the organization of the Canton Government and the Rules of Procedure of the Assembly.

Article 33.

Canton Government

The Canton Government shall be comprised of the Prime Minister, Deputy Prime Minister and ministers in charge of certain sectors and ministers without a portfolio, the number of and ministers of who is specified by the Law on the Government.

Prime Minister, Deputy Prime Minister and ministers in the Government shall be nominated by the President of the Canton and their nomination is confirmed by the Assembly by majority vote.

Deputy Prime Minister shall be nominated from the Ministers.

The Composition of the Government shall reflect the national composition of the population in the Canton area, provided that the participation of Bosniaks and Croats as constituent peoples is ensured.

The work of the Government shall be managed by the President of Government.

Article 34.

The Assembly may give the vote of no confidence to the Government.

Article 35.

Government competencies The Government shall be competent for:

- a. implementing cantonal policy and execution of cantonal laws , executing decisions of each cantonal or federal court and executing any other competency charged to the Canton by the federal authorities.
- b. preparing proposals for the budget which is approved by the Assembly
- c. ensuring cooperation with ombudspersons
- d. supervision over the investigations and criminal prosecution related to the violation of cantonal laws, and over cantonal police.
- e. executing other competencies laid down by law and this Constitution.
- f. ensuring that the national structure of the police reflects the national structure of the population of the Canton, provided that the municipal police also reflects the national structure of each municipality.

The competencies of the Government, Prime Minister and Deputy Prime Minister and other ministries, as well as other issues, important for the organization and functioning of the Canton administration shall be regulated by the Assembly in a separate regulation.

Article 36.

In exceptional cases during the state of danger for the country and Canton and when there is objective incapacity to convene an Assembly session the Government shall be authorized to adopt regulations from the authority of the Assembly, which are, of vital interest for the Canton. These regulations may not derogate the rights and freedoms laid down in the Constitution of the Federation, this Constitution and other regulations.

A regulation adopted in accordance with the previous paragraph shall go out of force as soon (15 the circumstances under which the Assembly was incapacitated to convene cease, and no later than 30 days after its publishing).

Article 37.

Immunity

The Canton Prime Minister and members of the Government of the Canton may not be criminally prosecuted nor be accountable in a civil suit for actions performed during the execution of their duties. They may not be arrested or detained without a prior approval by the Assembly.

CANTON JUDICIARY

Article 38.

Establishing and Competencies

Judicial power in the Canton shall be executed by the cantonal and municipal courts. Cantonal courts shall be established by a cantonal law.

Article 39.

Judicial power in the Canton shall be independent and autonomous and shall be exercised on the basis of the Constitution of the Federation, laws of the Federation and Canton and this Constitution.

Article 40.

Cantonal Courts shall have the following competencies:

- a. deciding upon complaints against the decisions of municipal courts
- b. deciding on matters, which do not fall under the authority of municipal courts.
- c. deciding in the cases determined by this law
- d. executing other competencies in accordance with this law.

Article 42.

Decisions of the Cantonal Courts passed after the complaints against municipal decision shall be binding and final, except in matters stipulated by the Constitution of and laws of the Federation.

Article 43.

Uniformity in the procedure as well as the basic principles of equity in the suits before all courts shall be established by a Federal law.

The Assembly may, in accordance with the law of the Federation set additional rules on the organization and management of the Cantonal and municipal courts.

In accordance with the rules from the preceding paragraph each court shall define its internal organization and adopt additional rules related to this.

Article 44.

Election of Judges

The number of judges shall be determined by a law of the Canton.

Article 45.

The judges of the Constitutional Court shall be elected by the Assembly from reputable lawyers at the proposal of the Canton President.

Cantonal judges shall be in office until they complete 70 /seventy/ years of age unless they resign before that or get relieved by a consensus of judges of the Supreme Court of the Federation.

Article 46.

The President of the Cantonal Court shall be elected by the courts in accordance with law.

Article 47.

Conditions of service shall be regulated by a separate Cantonal law. Judges, incomes and other forms of compensation shall not be reduced during the service but they will be adjusted with the costs of living.

Immunity

Article 48.

Judges of the Cantonal and municipal courts shall not be criminally prosecuted or be responsible in a civil suit for any action performed in the course of their functioning.

Article 49.

Prosecution

Prosecution shall be an independent body of the Canton which shall, within the duties and operation of the Canton, undertake, in accordance with the cantonal and federal law, certain measures regarding prosecution of perpetrators of criminal actions and business crime, apply legal means for protection or legality and perform other duties laid down in cantonal and federal laws.

The competency, composition and organization of the Prosecution shall be defined by law.

A. CANTON COUNCILS

Article 50.

The Canton may, together with other cantons, found Canton Council with the aim of coordination bodies, commissions and working groups for the purpose of exchanging information and adjusting activities of the Canton in the execution of their competencies but excluding military and political agreements.

V - POSITION OF MUNICIPALITIES

Article 51.

Establishment of Municipalities

In accordance with the European Charter on Local Self - Government and regulations of the Federation a number of municipalities shall be organized in the Canton as units of local self- government.

The number and territorial scope of municipalities shall be specified by a Federation law.

In the procedure of establishing municipalities it is necessary to obtain citizens' opinion in the form of a referendum called in the part of the Canton which wishes to organize itself into a separate municipality in accordance with the Decision on Uniform Criteria for Establishment of New Municipalities or Change of Borders of the Existing Municipalities in the Federation of Bosnia and Herzegovina.

Article 52.

Competencies of Municipalities

Competencies of municipalities arise from their status as units of local self-government.

Municipalities may have original competencies laid down in the Constitution of the Federation and the competencies transferred onto them by the Canton by way of a separate regulation in accordance with this Constitution.

Municipalities in the area of the Canton may have different competencies depending on the global policy of the functioning and development of the Canton, and on economic, spatial and other kinds of positions of certain municipalities, but in particular: The municipality shall be competent for:

- a. ensuring conditions for protection and respect of human rights and fundamental freedoms in accordance with the law.
- b. ensuring local needs of the population in the fields of child care, education, work and employment social care, culture and sports, protection of plants and animals unless specified otherwise by law and cantonal regulations.
- c. urban planning and residential policy important for its development
- d. managing municipal property
- e. performing utility services and other services from the field of local infrastructure
- f. ensuring conditions for the work of local radio and television stations in accordance with the laws and regulations of the Canton.
- g. taking care of the tourist resources of the municipality
- h. ensuring the usage and managing of local building land
- i. ensuring public peace and order
- j. other issues in accordance with this Constitution law.

Article 53.

In order to provide efficiency and publicity or the functioning or the municipal authorities the municipalities are bound, in the course of executing their authorities, to maintain inter- national cooperation and cooperation with the cantonal authorities.

Municipalities shall adopt their statute, which regulates its self-governing, position in accordance with the Constitution of the Federation, this Constitution and cantonal legislation. The Statute of the Municipality shall specify the competencies Of the Municipal Council and Mayor and the procedure of electing of the Chairman or the Council and Mayor.

Article 54.

The Cantonal law on local self-government shall closely define the issues of self-governing operation of the municipality, direct participation of citizens in decision making, bodies of the units of local self-government, local self-government regulations of the units of local self-government, supervision and protection of local self-government and other issues important for realizing local self-government in accordance with the law of the Federation of BIH.

Article 55.

Structure of Power in Municipalities

Legislative power in Municipalities shall be vested in Municipal Councils, which, depending on the number of inhabitants, consist of 9 /nine/ to 30 /thirty/ councilors. Councilors in the Municipal Councils shall be elected in direct elections by secret ballot

conducted in the whole territory of the Municipality. Elections for the members of the Municipal Council shall be organized together with the elections for Cantonal Assembly in accordance with the Electoral Law and electoral rules.

Mandate of members of the Municipal Assembly lasts two years, but the mandate of first members of the Municipal Assembly shall last 1/one/year.

Executive power in the municipality carries the Head of municipality who is elected by the Municipal Assembly in line with the Statute of the municipality.

Article 56.

Municipal courts shall carry out judicial authorities in municipalities. These courts shall be established and financed by the Cantonal Assembly but a court can be established for several municipalities. Judges of municipal courts shall be appointed by the President of the highest Cantonal Court with the consultations with the Head of Municipality.

Each Municipal Court shall elect the President of that Court in line with the Law.

Article 57.

VI - FUNDING AND PROPERTY OF CANTON

Funding of Canton

Funding of Canton functions shall be done out of taxes, duties and contributions introduced by the Assembly. Funding can be done also out of other sources as grants of Bosnia and Herzegovina and the Federation, bank loans and loans of other financial organizations, donations and similar, and the Assembly shall make decision on that by a special regulation.

Public revenues system in the territory of the Canton is unique. Municipalities cannot introduce any other taxes or other sources of incomes, except if it is matter of project whose funding citizens in the municipal territory can specially declare for via referendum. Revenues materialized in the territory of the Canton is allocated to the Canton and municipalities in proportion to the level of their realization in respective municipalities, and other criteria stipulated by the Canton regulations.

Functions of the Canton and municipalities are funded via the budget adopted by the Assembly of the Canton and Municipal Assemblies in conformity with regulations of the Canton and the Federation.

Article 58.

Property of Canton

The Canton can possess mobile and immobile property. As the property of the Canton is considered belongings rights and financial assets obtained by purchase or in any other manner in line with the law.

The property of the Canton is governed hi, the Assembly. The Governor and the Government of the Canton can possess the property within the framework of authorities, which the Assembly delegates by a special regulation.

VII - INTERNATIONAL RELATIONS

Article 59.

Establishment of the international cooperation

The Canton can establish cooperation with other states, international organizations and cities abroad, in line with the Constitution of Bosnia and Herzegovina, the Constitution of the Federation and this Constitution.

Within the cooperation from the previous paragraph the Canton can sign contracts and other acts on cooperation.

Article 60.

Authorization for concluding agreement

Conclusion of agreements and other acts from the field of relations with abroad is within the competence of the Governor of the Canton.

Agreements and any other documents from the field of international relations shall enter into force after their verification in the Assembly.

Agreements and other documents of international character which offer non-repayable or free-of-charge assistance of the Canton for carrying out their functions are not subject of the verification from the previous paragraph but the Governor is obliged to regularly inform the Assembly about that.

VIII - AMENDMENTS ON CONSTITUTION

Article 61.

Amendments on the Constitution can be proposed by the Governor of the Canton the Government of the Canton and majority of delegates in the Assembly.

Suggested amendments on the Constitution will not be finally considered in the Assembly before the expire of the 2 /two/ weeks deadline after it was submitted for the first time.

Suggested amendments shall be adopted by two-thirds majority, of delegates in the Assembly.

Article 62.

If the Assembly rejects the suggested amendment, a new amendment on the same issue cannot be proposed before the expire of 6 months from the day when the amendment was refused.

None of amendments on the Constitution can either abolish nor diminish any, of the rights and freedoms stipulated by the Federation Constitution and instruments envisaged in Annex of the Federation Constitution, nor alter this Article of the Constitution.

IX - INTERIM AND FINAL PROVISIONS

Article 63.

This Constitution passes interim Assembly by two-thirds majority of the total number of delegates.

This Constitution enters into force by the day of its publishing on the notice-board in the seat of the Canton, and it will be afterwards published in the official gazette of the Canton.

Article 64.

In line to this Constitution the Interim Cantonal Assembly shall carry out functions of the Cantonal Assembly shall carry out functions of the Cantonal Assembly till its election.

The Interim Assembly shall be formed in a manner that each Municipal Assembly in the interim period /municipalities marked in Article 5 of this Constitution/ elect each 5 /five/ councilors in conformity with the Constitution of the Federation of Bosnia and Herzegovina.

During the election of municipal councilors into the Interim Cantonal Assembly one has to take care that their structure regarding party affiliation fits to 1990 electoral results.

The first session of the Interim Assembly will be held after organizing municipalities in line with the Federation Constitution. This session conveys the Speaker of Gorazde District Assembly who will govern its work till the election of the Chair of the Interim Assembly.

The Interim Assembly has all the competencies stipulated by this Constitution for the Cantonal Assembly.

Article 65.

During the period till the election of the Cantonal Assembly, executive power shall be performed by interim Governor of the Canton who will be elected by the Interim Assembly in line with Article 29 of this Constitution.

The interim Governor shall be elected after this Constitution enters into force.

Article 66.

Within 10 /ten/ days the Governor shall propose to the Interim Assembly regulations on organization and competencies of the Government, ministries of the Canton as well as proposal for giving approval on the personal composition of the Government.

Article 67.

Before passing regulations and establishing functions of bodies from previous Article, administrative bodies and services of Gorazde District shall continue to work according to the organization and scope of activities stipulated by the Statute of District and the Decision on Organization and Scope of Activities of District Administrative bodies and other regulations and in the degree which does not contravene to this Constitution, regulations of the Federation of Bosnia and Herzegovina, if this Law does not stipulate it differently.

Public companies and public institutions whose founder was the Gorazde district Assembly and the Municipal Assembly shall continue their work as cantonal public companies and public institutions.

Article 68.

A number and territory within the composition of the Canton shall be reviewed after conducting elections for the Cantonal Assembly in order to determine justification of establishment of new municipalities, then passed necessary decisions on their establishment, and in line with the Decision on Unique Criteria for Establishment of New Municipalities or Changing Borders of Existing Municipalities in the Federation of Bosnia and Herzegovina.

Article 69.

Before establishment of police forces in line with this Constitution, their activities will be carried out by police of the Interior Ministry of the Federation, Security Police Center Gorazde.

The Governor of the Canton shall agree with the Federation Government and the Federation Interior Minister on carrying out these activities and gradual transfer of the Interior Ministry police forces into police forces of the Canton.

Article 70.

Current courts, which were established in line with the laws of the Republic of Bosnia and Herzegovina, will continue performing their function before cantonal and municipal courts start to function in conformity with this Constitution.

After this Constitution enters into force, and cantonal and municipal courts start to function, judges will be elected according to previously obtained approval of the Interim Assembly.

No: 01-9-9/96
18 March 1996
Gorazde

CHAIR
OF THE INTERIM ASSEMBLY AND
GOVERNMENT OF BOSNIAN PODRINJE
CANTON GORAZDE

Rijad Rascic, B. Ecc. Sc.