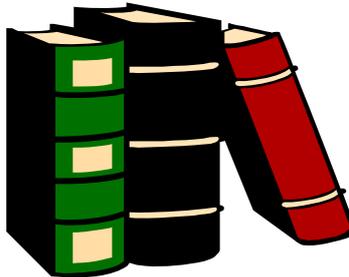




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LAW ON AMENDMENTS TO THE ELECTION LAW OF BOSNIA AND HERZEGOVINA

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[NOTE: The Election Law of Bosnia and Herzegovina was published in the “Official Gazette of Bosnia and Herzegovina“, 23/01.](#)

Pursuant to Article IV 4. a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, on the 76th session of the House of Representatives, held on 23 March 2006 and on the 55th session of the House of Peoples, held on 27 March 2006, adopted the following

LAW

ON AMENDMENTS TO THE ELECTION LAW OF BOSNIA AND HERZEGOVINA

CHAPTER 1 GENERAL PROVISIONS

Article 1

In the Election Law of BIH (“Official Gazette of Bosnia and Herzegovina”, No. 23/01, 07/02, 09/02, 20/02, 25/02, 04/04, 20/04, 25/05, 52/05 and 77/05) after Article 1.1, the new Article 1.1.a shall be added to read as follows:

““Article 1.1a

„Certain expressions used in this Law shall have the following meaning:

- (1) “Political entity” shall mean a political party, an independent candidate, a coalition, or a list of independent candidates certified for participation in elections in accordance with this Law.**
- (2) “Electoral unit” shall mean:**
 - a) A “basic electoral unit” which means a municipality, the City of Banja Luka, the District of Brcko, the city electoral unit of the City of Mostar and electoral units of the city area of the City of Mostar where a total number of representatives is elected and constituted for a certain level of authority and which does not contain the multimember electoral units.**
 - b) A cantonal electoral unit where a total number of representatives is elected and constituted for a certain level of authority and which does not contain multimember electoral units.**
 - c) An entity electoral unit where the Entity level of authority is elected and constituted, containing a multimember electoral unit.**
 - d) An entity electoral unit where the State level of authority is elected.**
- (3) “Multi-member electoral unit” shall mean an electoral unit where more than one but less than the total number of representatives for a certain level of authority is elected.**
- (4) “Electoral race” shall mean the mandate period relating to a certain level of authority.**
- (5) “Election threshold” shall mean a certain percentage of votes received (valid ballots) that must be won by a political entity in order for it to be eligible to participate in the allocation of mandates.**
- (6) “Election campaign” shall mean the period established by this Law within which a political entity informs the voters and the public, as prescribed by the Law, about their programs and candidates for the forthcoming elections.**
- (7) “Compensatory mandates” shall mean the mandates that are allocated to the lists of political parties or coalitions according to the number of valid votes received, and serve to compensate for**

inadequate proportional representation at the entity level arrived at by summing up the results for the particular multimember electoral units in the entity. ””

Article 2

In Article 1.2, Paragraph 2, the words: “Election Commission of Bosnia and Herzegovina (hereinafter: the Election Commission of BiH)”, shall be replaced with the words: **“The Central Election Commission of Bosnia and Herzegovina (hereinafter: the Central Election Commission of BIH)”**.

In Article 1.2, Paragraph 3, the words: “Article 2.19, Paragraph 3” shall be replaced with **“Article 2.19, Paragraph 11 and 12”**.

Article 3

In Article 1.2a, Paragraph 1, after the number “2.19” the following words shall be added: **“and Article 2.19, Paragraph 12”**.

In Article 1.2a, Paragraph 3, the words: “and Article 2.19, Paragraph 3” shall be replaced with the words: **“and Article 2.19, Paragraph 11”**.

In the same Article, after Paragraph 4, the new Paragraph 5 shall be added to read as follows:

„The costs and expense for the conduct of the elections shall be administered by the Election Commission referred to in Paragraphs 1, 2, 3 and 4 of this Article, which is authorized to determine the method of their use and supervise their allocation and use”.

Article 4

After Article 1.2a the new Article 1.2b shall be added to read as follows:

“Article 1.2b

If the mandate of a Head of Municipality/City Mayor who was elected directly has terminated in accordance with law, the costs and expense required for the conduct of the new elections shall be provided from the budget of the Municipality/City for which the elections are conducted for the Head of Municipality /City Mayor, as appropriate”.

Article 5

After Article 1.3 the new Article 1.3a shall be added to read as follows:

“Article 1.3a

“Except in the cases defined by Article 1.10 of this Law, the members of the representative bodies elected in accordance with this Law may not be recalled, and all their rights and obligations shall commence on the day when the representative body has been constituted.

Mandate of the members of a representative body elected in the regular elections shall be 4 years and shall commence on the day when the representative body has been constituted”.

Article 6

Article 1.4, Paragraph 1, the words “to be elected” shall be replaced with: “to be elected” **(the amendment of relevance only for the local language version!!!)**. .

In the same Article, Paragraph 2 to replace “registered as a voter” with **“recorded in the Central Voters Register”**.

In the same Article, Paragraph 3 shall be deleted.

Article 7

In Article 1.5, Paragraph 1 and 2 shall be amended to read as follows:

“All citizens of Bosnia and Herzegovina who have the right to vote, pursuant to this law, shall have the right to vote in person in the municipality of their permanent residence.

A citizen of Bosnia and Herzegovina who is temporarily residing abroad and has the right to vote, shall have the right to register and to vote in person or by mail, for the municipality where the person had a permanent place of residence prior to his or her departure abroad, provided that he or she is registered as a permanent resident in that municipality at the moment of submitting his or her application for out-of-country vote.

In the same Article, Paragraph 3, the word “holds” shall be replaced with the word “has”, whereas the words **„register and to“** shall be deleted.

Article 8

In Article 1.6, Paragraph 1, the words: “may register to vote“, shall be replaced with: **“may be recorded in the Central Voters Register”**.

Article 9

In Article 1.7, the words: “may register to vote” shall be replaced with: **“may be recorded in the Central Voters Register.”**

Article 10

After Article 1.7 the new article shall be added to read as follows:

“Article 1.7a:

No person who is serving a sentence imposed by a court of a foreign country or has failed to comply with an order to appear before a court of a foreign country for serious violations of humanitarian law where the International Criminal Tribunal for the Former Yugoslavia has reviewed his or her case file prior to arrest and found that it meets international legal standards, may be recorded in the Central Voters Register or stand as a candidate or hold any appointive, elective or other public office in the territory of Bosnia and Herzegovina”.

Article 11

Article 1.8, Paragraph 1 shall be amended to read as follows:

Judges of regular and Constitutional courts, prosecutors and their deputies, attorneys and their deputies holding public office, Ombudsmen and their deputies, members of the Human Rights Courts/Chambers/Councils, members of police forces, civil servants, members of the Armed Forces of BiH, members of the Intelligence and Security Agency, and diplomatic and consular representatives of Bosnia and Herzegovina abroad who have a diplomatic status in accordance with the 1961 Vienna Convention on Diplomatic Relations, may stand as a candidate for public elected office only if they resign from their position or abide by the laws regulating their status.

In Article 1.8, Paragraph 4, the first sentence: “It is incompatible to hold at the same time more than two (2) public directly or indirectly elected offices“ shall be replaced with the following:

„One person can hold maximum one (1) directly elected public office, or maximum one (1) directly elected office and one (1) indirectly elected office, unless otherwise specified by the Law”.

Article 12

In Article 1.10, Paragraph 1, subparagraph 3, the words: “to a prison term of” shall be replaced with the words:“**to a non-suspended sentence of**” shall be added.

In Article 1.10, Paragraph 1, Subparagraph 6 shall be amended to read as follows:

“6. if he/she has cancelled his/her permanent residence in the territory of the electoral unit in which he/she was recorded as a voter in the Central Voters Register and from which he/she was elected, after the end of a six-month-period following the date of cancellation; or”.

Article 13

In Article 1.11, Paragraph 2 shall be deleted.

Article 14

In Article 1.14, Paragraph 2, after the words: “Herzegovina” the words: “**shall announce the elections in accordance with this law and**” shall be added, whereas after the word: “authorities” the words: “**and the public**” shall be added. Also, the words: “one-hundred and seventy (170) days” shall be replaced with the words: “**one-hundred and fifty (150) days**”, whereas the number of Chapter: “13”, shall be replaced with the number “14”.

In the same Article, **Paragraph 3 shall be deleted.**

Paragraph 4 becomes Paragraph 3.

CHAPTER 2 COMPETENT AUTHORITIES RESPONSIBLE FOR THE CONDUCT OF ELECTIONS

Article 15

In Article 2.1, Paragraph 2, the words: “Article 14.7” shall be replaced with the words: “**Article 15.7, Paragraph 2**”.

In the same article, Paragraph 3, the words: “Embassies and Consulates” shall be replaced with the words: “**Diplomatic and Consular Missions**”.

Article 16

Article 2.2, after Paragraph 3, the new Paragraph 4 shall be added to read as follows:

“Members of the competent authorities responsible for the conduct of elections shall have to undergo the continued training during their mandate, in accordance to the educational curricula (plan and programme) issued by the Central Election Commission of BIH”.

Article 17

Article 2.3, Paragraph 1, subparagraph 3, after the words: “Article 2.12” the words: “**Paragraph 4**” shall be added.

Article 18

In Article 2.4, Paragraph 1: the words: “**Except as provided for in Article 2.12 of this law**” and “**unless otherwise specified by this law**” shall be deleted.

Article 19

In Article 2.5, in Paragraphs 2, 3, 4, 5 and 7, words “**Ad hoc**” shall be deleted.

In the same Article, Paragraph 2, the words: “**commission** for Selection and Nomination” shall be replaced with the words: “**The Commissions** for Selection and Nomination” (first letter now capital instead of small, and plural instead of singular) .

In the same Article, the words: “the Election Commission of Bosnia and Herzegovina” shall be replaced with the “**the Central Election Commission of Bosnia and Herzegovina**”, whereas at the end of Paragraph 2 the full stop shall be deleted, and a comma and the following words added: “**and may not hold any office in the bodies of a political party, association or foundations organizationally or financially related to the political party, and may not be involved in any political party activity**”.

In the same Article, Paragraph 5 the words: “adopted by the Election Commission of BIH“ shall be replaced with the words: “**adopted by the Commission for Selection and Nomination**”, and in the last sentence the word: “**appointment**” shall be replaced with the word “**list**”.

In the same Article, after Paragraph 6, the new Paragraph 7 shall be added to read as follows:

“The Commission for Selection and Nomination shall have the obligation to provide the House of Representatives of the Parliamentary Assembly of BIH with the candidate list not later than thirty (30) days prior to the expiration of the mandates of the members of the Central Election Commission of BIH”.

Paragraph 7 shall become Paragraph 8.

In the same Article, in Paragraph 7, which, through these amendments, has now become Paragraph 8, in the first sentence, after the words “House of Representatives”, the words: “**of the Parliamentary Assembly of Bosnia and Herzegovina**” shall be added.

In the same Article, after Paragraph 8, the new Paragraphs 9 and 10 shall be added to read as follows:

“In the event that the House of Representatives of the Parliamentary Assembly of BIH fails to conduct the procedure referred to in Paragraph 6 of this Article, the members of the Central Election Commission of BIH shall continue to perform their duties until such time as the new members of the Central Election Commission of BIH have been appointed.

The cost and expense for the public announcement of an open competition shall be provided from the Budget of the Central Election Commission of BIH”.

Article 20

After Article 2.6 the new Article 2.6a shall be added to read as follows:

“Article 2.6a

Members of the Central Election Commission of BIH shall exercise their employment rights within the Central Election Commission of BiH.

The document confirming the selection, appointment and termination of the mandate of the members of the Central Election Commission of BIH shall be issued by the House of Representatives of the Parliamentary Assembly of BIH.

The time elapsed from the appointment day until the day of termination of the mandate of a member of the Central Election Commission of BIH shall be considered as part of the member's employment.

Each member of the Central Election Commission of BIH shall be entitled to a salary and other allowances arising from his/her employment status in the amount designated for the members of the Parliamentary Assembly of BIH.

Each member of the Central Election Commission of BIH whose mandate has terminated and is no longer exercising any rights arising from his/her employment status, shall be entitled to receive a salary compensation in the amount equal to the amount of salary he/she would otherwise receive as if he performed his/her duties, but no longer than within six months commencing from the date his/her mandate has terminated or until his/her reemployment within that specified period of time. This period shall be considered as part of his/her insurance-covered years of service, whereas the recipient of the compensation shall also be entitled to receive the social and health care insurance benefits”.

Article 21

Article 2.8 shall be amended to read as follows:

“Members of the Central Election Commission of Bosnia and Herzegovina shall not be held criminally or civilly liable for any acts carried out within the scope of their duties and obligations which are provided by this Law and other laws.

The immunity referred to in Paragraph 1 of this Article may be invoked by the members of the Central Election Commission of Bosnia and Herzegovina at any time for the acts committed within the scope of their duties and obligations in the Central Election Commission of BIH, but may not be treated as a general bar preventing criminal prosecution or the institution of civil proceedings against them.”

Article 22

In Article 2.9, after Subparagraph 2, the new Subparagraph 2.a shall be added to read as follows:

“2.a. - issue a decision to hold the direct elections in Bosnia and Herzegovina, as provided by this Law”.

In the same Article, in Subparagraph 3, the words **“and the Secretariat”** shall be deleted.

In the same Article, in Subparagraph 4, the words **“establishment, accuracy and maintenance”** shall be replaced with the words **“accuracy, update and overall integrity”**.

In the same Article, after Subparagraph 4, the new Subparagraph 4.a) shall be added to read as follows:

“4.a. – ensure the statistical records classified by gender for each part of the election process”.

In the same Article, in Subparagraph 5, after the words **“levels of”** the words **“direct”** shall be added.

In the same Article, in Subparagraph 6, after the words “levels of” the words “**direct and indirect**” shall be added, whereas after the words “Bosnia and Herzegovina” the words “**covered by this law**” shall be added.

In the same Article, in Subparagraph 7, after the words “and forms for all levels of” the words “**direct**” shall be added.

In the same Article, in Subparagraph 8, after the words “levels of” the words “**direct**” shall be added.

In the same Article, Subparagraph 9 shall be amended to read as follows:

“9. verify election results for all direct and indirect elections covered by this Law, certify that elections were conducted in accordance with this Law and publish results of all direct and indirect elections covered by this Law”.

In the same Article, Subparagraph 10, after the word “mandate” the words “**at all levels of direct and indirect elections in BiH covered by this Law**”.

In the same Article, Subparagraph 11, after the words: “Polling Station Committee” the words: “**or any other competent authority responsible for the conduct of elections**”.

In the same Article, in Subparagraph 12, after the word “results” the following words shall be added: “**of the direct and indirect elections in BiH covered by this Law**”.

In the same Article, in Subparagraph 14, the word: “authority” shall be replaced with the words: “**the direct and indirect elections covered by this Law**”, whereas the words “**in accordance with law**” shall be replaced with the words “**in accordance with this Law**”.

In the same Article, in Subparagraph 15 the words: “on the state of electoral administration” shall be replaced with the words: “**on the electoral administration**”, whereas the words: “and any proposed amendments” shall be replaced with the words “**and initiates amendments.**”

Article 23

Article 2.10, the word “may” shall be replaced with the word “shall”, whereas the words: “if it is established that” shall be replaced with the words “**should it establish that**”.

Article 24

In Article 2.11, Paragraph 1 shall be amended to read as follows:

“The administrative, technical and professional duties for the Central Election Commission of BiH shall be conducted by the Secretariat of the Central Election Commission of BiH, established by the Central Election Commission of BiH”.

In the same Article, in Paragraph 2, after the words: “Bosnia and Herzegovina”, the following words shall be added: “**and according to the procedure and in the way provided by the Law**”.

In the same Article, the new Paragraph 3 shall be added to read as follows:

“The Central Election Commission of BiH shall enact the Rulebook on Internal Organization of the Secretariat of the Central Election Commission of BiH, following a proposal submitted by the Secretary General, subject to the approval of the Council of Ministers of Bosnia and Herzegovina”.

Article 25

In Article 2.12, in Paragraph 4, after the words: “the president” the words: **“or a judge”** shall be added, while after the word: “Municipal Assembly”, the words: **“and City Council”** shall be added.

In the same Article, in Paragraph 5, the words: **“and dismissed”** shall be added after the word: “appointed”.

Article 26

Article 2.13, Subparagraphs 2 and 4 shall be amended to read as follows:

“2. monitor and supervise (control) the work of the Voters Register Center referred to in Article 3.8 of the Law;”

“4. conduct the appointment procedure, appoint and train the members of the Polling Station Committee”.

Article 27

In Article 2.14, in Paragraphs 1 and 2, the words: **“or Polling Station Committee”** shall be deleted.

In the same Article, in Paragraph 3, the words: **“or Polling Station Committee”** shall in both instances be deleted, while the relevant accompanying verbs in singular shall (in the local language version) be replaced with plural number: *“are”* into *“is”*).

Article 28

In Article 2.15, in Paragraph 1, the last sentence: “The term of appointment shall expire when the previous member’s appointment would have expired”, **shall be deleted.**

Article 29

In Article 2.16, in Paragraph 1, the words “the Election Commission of BiH may remove that member by a two-third (2/3) majority vote of the total number of members of the municipal election commission“, shall be replaced with the words: **“the Municipal Council/Municipal Assembly, with the prior approval of the Central Election Commission, or the Central Election Commission of BiH itself may remove that member.”**

Article 30

Article 2.19 shall be amended to read as follows:

“The Polling Station Committee shall consist of three (3) or five (5) members of whom one shall be appointed as President.

The President and members of the Polling Station Committee shall have deputies.

The appointment of the President and members of the Polling Station Committee and their deputies shall be made by the Municipal Election Commission no later than thirty (30) days prior to the date of the election.

If the Municipal Election Commission does not appoint the members of the Polling Station Committee and their deputies in accordance with Paragraph 3 of this Article, then the Central Election Commission of Bosnia and Herzegovina shall appoint the members of the Polling Station Committee and their deputies.

Political parties and independent candidates whose participation in the elections is certified in the given election unit in accordance with this Law, may participate in the lottery procedure conducted by the Municipal Election Commission for allocation of the positions in the Poling Station Committee.

The lottery procedure referred to Paragraph 5 of this Article shall be conducted within the period of no less than sixty (60) days prior to the election day.

After the lottery is conducted, but not longer than within 7 days following the lottery, the political parties and independent candidates participating in the lottery procedure shall provide the relevant Municipal Election Commission with the list of candidates who qualify as members of the Polling Station Committee in which they won the positions by way of the lottery procedure.

Should a political party or an independent candidate fail to provide the names of the candidates for the Polling Station Committee members within the period provided by Paragraph 7 of this Article, such failure will be considered as the waiver from the position allocated in the Polling Station Committee, or should the number of the candidates for the Polling Station Committee members proposed by a certified political party be lower than the required number of the Polling Station Committee membership, the Municipal Election Commission shall appoint the Polling Station Committee members independently, taking into account the multi-ethnic composition of the Polling Station Committee where possible.

The lottery procedure shall be conducted in accordance with the mandatory instructions issued by the Central Election Commission of BiH.”

Only one representative of a political party can be a member of a Polling Station Committee.

Members of a Polling Station Committee are entitled to a salary. The decision on the amount of the salary shall be made by the Municipal Election Commission.

The decision on the amount of payment for the members of the Polling Station Committees for the conduct of the General Elections shall be made by Central Election Commission of BiH.

CHAPTER 3 VOTER REGISTER

Article 31

CHAPTER 3 – VOTERS REGISTER shall be changed as follows:

“Article 3.1

The Central Voters Register constitutes the records of citizens of Bosnia and Herzegovina who have the right to vote in accordance with this Law and shall be established, maintained and used for the following purposes: to organize and conduct elections in accordance with law, to conduct referendums, to conduct recalls of elected officials and to elect bodies of the Local Self-governance in accordance with law.

The Central Voters Register and excerpts from the Central Voters Register are public documents.

The right of access to the Central Voter Register shall be exercised in accordance with this Law.

Political entities certified for participation in elections, in accordance with this Law, shall be provided upon their request with an electronic or printed excerpt from the Central Voter Register for the level of government or for the electoral unit in which they participate in elections.

Article 3.2

The Central Voters Register is unique, permanent and shall be regularly updated.

The following citizens of Bosnia and Herzegovina shall be recorded in the Central Voter Register:

- a) those of age (18) or older;**
- b) those who will become eighteen (18) years of age on the Election Day;**
- c) those who have the right to vote in accordance with this Law, but are temporarily residing abroad; and**
- d) those who have the right to vote as provided by Article 20.8, Paragraph 6 of this Law.**

The Central Voters Register shall not contain names of BiH citizens whose full legal capacity has been withdrawn by the final and binding decision of a competent authority. In the event that such a person has already been recorded, he/she shall be deleted from the Central Voters Register, whereas in the event that the competent authority has issued the final and binding decision restoring his/her legal capacity, he/she shall be recorded in the Central Voter Register.

Article 3.3

The Central Voters Register shall be made and maintained on the basis of data from official records on permanent and temporary residence of citizens of Bosnia and Herzegovina maintained by a competent State authority, from other public identification documents and official records on citizens of Bosnia and Herzegovina maintained by the Central Election Commission of BiH and other competent authorities and on the basis of public documents and data received directly from citizens.

Article 3.4

The Central Voters Register shall be maintained and processed electronically.

The records of the Central Voters Register or its excerpts shall be available for access and data contained therein shall be processed by the same methodology and by using the same computer program, at all locations where the data are processed and collected for the purposes of the Central Voters Register.

The records of the Central Voters Register shall be processed and maintained by using computerized data processing, according to the uniform methodology and program whose contents and manner of use are determined concertedly by the competent authority of BiH and the Central Election Commission of BiH.

Article 3.5

The Central Voters Register shall be maintained ex-officio.

The Central Election Commission of Bosnia and Herzegovina shall maintain the Central Voters Register for the territory of Bosnia and Herzegovina on the basis of records of a competent State authority that maintains the records of citizens of Bosnia and Herzegovina in accordance with the Law on Central Registers and Data Exchange, unless otherwise determined by this Law.

The competent State authority referred to in Paragraph 2 of this Article shall maintain and shall be responsible for the overall technical processing of all data of relevance for the records of the Central Voters register (hereinafter: the authority in charge of technical maintenance of the Central Voter Register records).

The authority in charge of technical maintenance of the Central Voter Register records shall receive data from the following parties:

- 1. A competent registry office:**
 - a) On citizens of age eighteen (18) or older,**
 - b) On citizens under eighteen (18) years but who will have turned eighteen (18) by the Election Day,**

- c) **On death of all citizens over eighteen (18) years of age;**
2. **A competent authority maintaining the records: on any change of permanent and temporary residence;**
3. **A competent Ministry of Bosnia and Herzegovina: on deregistration of BiH citizenship;**
4. **Municipal Election Commissions: on Polling Stations and**
5. **The Central Election Commission of BiH and Municipal Election Commissions: on changes of voting options.**

The competent authority in charge of maintaining the official records concerning such data shall be responsible for accuracy and update of data necessary to produce the Central Voters Register.

The authorities maintaining the official records concerning the data on BiH citizens shall provide the authority in charge of technical maintenance of the Central Voters Register records with all changes that affect the accuracy of the Central Voters Register, in writing, within seven (7) days from the date the change has occurred, and electronically, within two (2) days.

The authority in charge of technical maintenance of the Central Voters Register records shall record all changes affecting the Central Voter Register and appropriately verify the data received, analyze the contents of the central Voters Register, in cooperation with the Central Election Commission of BiH, and take the measures and actions towards removing the established deficiencies and correcting the errors.

The authority in charge of technical maintenance of the Central Voter Register records is obliged to keep the files with documents, public identification documents and requests of citizens, on the basis of which the Central Voter Register is maintained and updated, and make the access to these files possible and the files available at the request of the Central Election Commission.

Article 3.6

The Central Election Commission of BiH is responsible for accuracy, correctness and general integrity of the Central Voter Register.

In terms of maintaining the Central Voters Register, Central Election Commission of BiH shall:

- a) **inform competent authorities about the established deficiencies and take the appropriate measures and actions towards removing the irregularities and establishing the accurate and updated Central Voters Register,**
- b) **draw up the excerpts from the Central Voters Register for displaced persons of Bosnia and Herzegovina,**
- c) **draw up the excerpts from the Central Voters Register for voters who participate in an out-of-country voting,**
- d) **keep special records on the persons whose right to vote was withdrawn in accordance with the Law; and**
- e) **complete and verify the final excerpts from the Central Voters Register to be used for the elections.**

The excerpts from the Central Voters Register for voters referred to in Paragraph 2, subparagraph b) of this Article shall be drawn up on the basis of data received from the competent State authorities and citizens in accordance with this Law.

The excerpts from the Central Voters Register for the voters referred to in Paragraph 2, subparagraph c) of this Article shall be drawn up on the basis of data possessed by the Central Election Commission of BIH and data delivered by the citizens who participate in the out-of-country voting.

The competent authorities referred to in Paragraphs 3 and 4 shall be responsible for accuracy, update and timely delivery of data necessary to draw up the excerpts from the Central Voters Register.

The Central Election Commission of BIH shall issue its regulations guiding the following:

- a) deadlines for completion and verification of the final Central Voters Register and**
- b) deadlines for delivery of data on the changes in the records of displaced persons and records of citizens who participate in the out-of-country voting.**

Article 3.7

The Central Election Commission makes the excerpt from the Central Voter Register for each basic electoral unit, containing the data on all voters with the right to vote for the particular basic electoral unit, on the basis of data contained in the records of the Central Voters Register. Such excerpts shall be delivered to the given Municipal Election Commission not later than twenty (20) days prior to the Election Day.

The excerpt shall be made according to the place of permanent residence of a citizen of Bosnia and Herzegovina and by Polling Station.

The Central Election Commission of BIH may issue an excerpt from the Central Voters Register also for other electoral units where the particular elections are to be conducted, for the purpose of conducting the procedure of recalling the elected official and to conducting a referendum, on the basis of data contained in the Central Voters Register.

A citizen of BIH is included in one excerpt of the Central Voters Register, for one basic electoral unit and in one Polling Station.

Article 3.8

In each municipality, the competent municipal authority shall establish a Voters Register Center. The competent municipal authority shall conduct the training of staff of this Center, in cooperation with the Municipal Election Commission.

Voters Register Center shall:

- a) provide technical support to the Municipal Election Commission in identifying the Polling Stations on the municipal territory and in allocation of voters by Polling Station;**
- b) update data referred to in Item a) of this Paragraph in accordance with changes in number of voters and regulations of the Central Election Commission of BIH;**
- c) provide access to the excerpt from the Central Voters Register of the territory of its municipality;**
- d) provide data for the Central Voters Register established by the regulations of the Central Election Commission of BIH;**
- e) technically support the Municipal Election Commission regarding the requests and appeals of voters related to the excerpt from the Central Voters Register;**

f) carry out other tasks assigned by the Central Election Commission of BIH and by the Municipal Election Commission, in accordance with the regulations of the Central Election Commission of BIH.

The Voters Register Center shall keep records of submitted requests and appeals referred to in Paragraph 2, Items d) and e) of this Article and is obliged to keep the supporting documentation submitted together with the requests and appeals.

The Central Election Commission of BIH shall issue detailed regulations to provide for the manner, the responsibility for the work, the deadline for the establishment and other issues relevant to the functioning of the Voters Register Center.

Article 3.9

A citizen of Bosnia and Herzegovina who has the right to vote shall be recorded in the Central Voters Register for the basic electoral unit where he is registered as a permanent resident in Bosnia and Herzegovina, unless otherwise specified by this Law.

A citizen of Bosnia and Herzegovina who has the right to vote under this Law and who is temporarily residing abroad shall be recorded in the Central Voters Register for the basic electoral unit in which he was registered as a permanent resident in Bosnia and Herzegovina before the departure abroad.

A citizen of Bosnia and Herzegovina who has the right to vote under this Law and who has the status of a refugee from Bosnia and Herzegovina shall be recorded in the Central Voters Register for the basic electoral unit where he used to have permanent residence in accordance with the provisions of Article 20.8 of this Law.

A citizen of Bosnia and Herzegovina who has the right to vote under this Law and who has a status of a displaced person shall be recorded in the Central Voters Register for the basic electoral unit on the basis of the expressed voting option, in accordance with the provisions of Article 20.8 of this Law.

An application for determination or a change in the voting option, in accordance with Paragraph 4 of this Article, shall be submitted by applicants in person, in due time and in the form as prescribed by the Central Election Commission of BIH.

If a citizen of Bosnia and Herzegovina fails to submit an application for determination or a change in the voting option pursuant to Paragraph 5 of this Article, he shall be recorded in the Central Voters Register for the basic electoral unit where he was recorded in the last elections, and if he was not recorded in the Central Voters Register at all, he shall be recorded in the Central Voters Register for the basic electoral unit in which he had a permanent residence according to the last Census conducted by Bosnia and Herzegovina.

Article 3.10

Records of the Central Voters Register shall contain the following information on citizens of Bosnia and Herzegovina who have the right to vote:

- a) Last and first name and name of one of parents,
- b) Date of birth,

- c) National Identification number,
- d) Gender,
- e) Name of the Municipality where this person has a permanent or temporary residence,
- f) Address of the permanent/temporary residence (street, street number and town),
- g) Name of the Municipality and/or electoral unit for which this person is eligible to vote,
- h) Voting option and
- i) Field with the heading: "Notes".

Excerpts from the Central Voters Register shall be made on the basis of the electronic records of the Central Voters Register.

The format and layout of an excerpt from the Central Voters Register, used for the conduct of the elections, shall be determined by the Central Election Commission of BiH.

Article 3.11

Central Voters Register data shall be published and its contents made available to the public taking into account the principles of protection of personal information, pursuant to the Law on Protection of Personal Information.

Article 3.12

Permanent residence is the municipality in which a citizen has settled down with the intention to permanently reside there and where the permanent residence is registered pursuant to the Law on Permanent and Temporary Residence of Citizens of Bosnia and Herzegovina.

Permanent residence of a citizen of Bosnia and Herzegovina who has the status of a displaced person or a refugee is his municipality of permanent residence in accordance with the last Census conducted by Bosnia and Herzegovina.

Article 3.13

Entry of a voter in the Central Voters Register shall be made by the competent authorities in accordance with the provisions of Article 3.5 of this Law.

Any citizen of Bosnia and Herzegovina shall have access to an excerpt from the Central Voters Register and shall be entitled to request its correction if it is the correction of his personal data. Such request shall be submitted in writing to the authority referred to in Paragraph 4 of this Article.

Personal data referred to in Paragraph 2 of this Article are data described in Article 3.10, Paragraph 1, Items a), b), c), e) and f) of this Law.

Corrections of personal data in the Central Voters Register shall be made by the competent authority responsible for keeping records of such data.

Article 3.14

The Central Election Commission of BiH shall adopt regulations to determine the manner and procedure to draw up excerpts from the Central Voters Register in case of:

- a) homebound voters due to old age, illness or disability and**
- b) voters who are prisoners or are confined to institutions and have the right to vote.**

Article 3.15

A citizen of Bosnia and Herzegovina who has the right to vote under this Law and is temporarily residing abroad and is recorded in the Central Voters Register, in order to be included in the excerpt from the Central Voters Register for out-of-country voting, is obliged to submit an application to the Central Election Commission for every elections. The application must be received before the deadline set by the Central Election Commission of BiH in the period after the elections are announced. Proof of identity of the applicant as prescribed by this law and accurate details of the address abroad shall be attached to the application, signed by the applicant.

A citizen of Bosnia and Herzegovina who has the status of a refugee from BiH and has the right to vote under this Law, and is recorded in the Central Voter Register, in order to be included in the excerpt from the Central Voters Register for out-of-country voting, is obliged to submit an application to the Central Election Commission of BiH for every elections. The application must be received before the deadline set by the Central Election Commission of BiH in the period after the elections are announced. The applicant should attach to the signed application, the following proofs:

- a) proof of identity of the applicant as prescribed by this Law;**
- b) accurate details of the address abroad and**
- c) proof of the permanent residence in Bosnia and Herzegovina in accordance with Article 20.8 of this Law, if he wants a change of the data recorded in the Central Voters Register for the basic electoral unit that he has the right to vote for.**

A refugee from BiH who is not recorded in the Central Voters Register, in order to be recorded in the Central Voters Register and to exercise thereby his right to vote under this Law, must submit an application to the Central Election Commission. The application must be received before the deadline set by the Central Election Commission of BiH in the period after the elections are announced. The applicant should attach to the signed application, the following proofs:

- a) proof of identity of the applicant,**
- b) proof of the citizenship of Bosnia and Herzegovina,**
- c) proof of the permanent residence in Bosnia and Herzegovina, in accordance with Article 20.8 of this Law and**
- d) accurate details of the address abroad.**

The following documents shall be admissible as valid proof on identity of the applicant, pursuant to Item a) of Paragraph 3 of this Article:

- a) Passport**
- b) Driving license**
- c) Valid personal identity card issued by the host country and**
- d) Refugee card issued by the Government of the host country or another international organization.**

If the requirements of Paragraphs 1, 2 and 3 of this Article are met, the applicant shall be recorded in the excerpt from the Central Voters Register for out-of-country voting.

The applicant referred to in Paragraphs 1, 2 and 3 of this Article shall be held responsible for authenticity of data attached to the application.

The Central Election Commission of BIH shall prescribe the layout of the application form referred to in Paragraphs 1, 2 and 3 of this Article, the manner and procedure to verify the accuracy of data in the documents submitted by refugees from BIH who request to be recorded in the Central Voters Register, to verify the proofs of identity and permanent residence of the refugees and shall issue relevant instructions regarding the procedure for recording voters in the excerpts of the Central Voters Register for out-of-country voting.

Article 3.16

A citizen of Bosnia and Herzegovina referred to in Paragraphs 1, 2 and 3 of Article 3.15 of this Law shall be obliged to provide all changes affecting the data that he previously submitted to the Central Election Commission and based of which he is recorded in the excerpt from the Central Voters Register for out-of-country voting. The changes of the data must be submitted not later than the deadline established for the submission of applications for out-of-country voting in the next elections.

If a citizen of Bosnia and Herzegovina referred to in Paragraph 1 of Article 3.15 of this Law fails to submit an application before the deadline established for out-of-country voting in the next elections, he shall be recorded in the excerpt from the Central Voters Register for voting in the appropriate Polling Station in the basic electoral unit of his permanent residence.

If a citizen of Bosnia and Herzegovina referred to in Paragraph 2 of Article 3.15 of this Law, fails to submit proof of his permanent residence in BIH in accordance with Article 20.8 of this Law, he shall be recorded in the excerpt from the Central Voters Register for voting out-of-country with the right to vote for the basic electoral unit of his permanent residence according to the information available to the authority which performs technical maintenance of the records of the Central Voters Register.

If a citizen of Bosnia and Herzegovina, who is recorded in the excerpt from the Central Voters Register for out-of-country voting has returned to Bosnia and Herzegovina before the deadline established for submission of applications for out-of-country voting in the next elections, he is obliged to submit a request to change his voting option to the competent Voters Register Center.

Voters Register Center shall receive through the Municipal Election Commission and process all requests referred to in Paragraph 4 of this Article in accordance with the regulations of the Central Election Commission of BIH and shall deliver these data to the Central Election Commission of BIH in order to record changes in excerpt from the Central Voters Register for out-of-country voting.

If a citizen of Bosnia and Herzegovina who is recorded in the excerpt of the Central Voters Register for out-of-country voting has returned to Bosnia and Herzegovina after the expiry of the deadline established for submission of applications for out-of-country voting in the next elections, he shall be allowed to vote with the tender-ballot/enveloped ballot in the Polling Station in the basic electoral unit he has right to vote for.

Article 3.17

A citizen of Bosnia and Herzegovina who has the right to vote and is not found in the completed excerpt from the Central Voters Register may vote if he presents a valid identification document referred to in Article 5.12 of this Law and a confirmation on permanent residence.

A voter referred to in Paragraph 1 of this Article shall vote in a Polling Station according to his permanent residence.

The Central Election Commission of BIH shall regulate the manner and procedure of voting for the voters referred to in Paragraph 1 of this Article and the manner to verify these voters right to vote”.

CHAPTER 4 CERTIFICATION AND CANDIDACY FOR THE ELECTIONS

Article 32

Article 4.2, Paragraph 1, Subparagraph 1 shall be amended to read as follows:

“1. the candidate must be recorded in the Central Voters Register in the municipality in which he or she is standing for office or in the municipality found within the boundaries of the electoral unit if he or she is standing for office at the higher levels of authority, no later than by the day when the elections are announced; and .”

In the same Article, in Paragraph 3, after the word “unit” the following words shall be added: **„unless otherwise specified by this law“.**

Article 33

Article 4.4, in Paragraph 1, the word “registered” shall be deleted, whereas after the word “voter”, the following words shall be added: **“recorded in the Central Voters Register”.**

In the same Article, Paragraph 5, in Subparagraphs 1, 2, 3, and 4, the word **“registered”** shall be deleted, whereas after the word: “voters” the following words shall be added: **“recorded in the Central Voters Register”.**

In Article 4.4, Paragraph 5, Subparagraph 5 shall be amended to read as follows:

“5. one hundred (100) signatures of voters recorded in the Central Voters Register for the elections for the Municipal Council/Municipal Assembly and for the Head of Municipality in a municipality where the number of voters recorded in the Central Voters Register in the last elections held for that level of authority did not exceed ten thousand (10,000) voters, or two hundred (200) signatures for the election in the municipality in which this number exceeded ten thousand (10,000) voters recorded in the Central Voters Register.”

Article 4.4, Paragraph 5, Subparagraph 6 shall be amended to read as follows:

“6. (5)% of signatures of voters recorded in the Central Voters Register for the election of Municipal Council or Municipal Assembly and for the Head of Municipality, in a municipality where the number of voters recorded in the Central Voters Register in the last elections held for that level of authority did not exceed a thousand (1000) voters recorded in the Central Voters Register.”

In the same Article, Paragraph 5, after Subparagraph 6, the new Subparagraph 7 shall be added to read as follows:

“7. Supporting signatures submitted for the higher level of authority shall also be applicable to the lower levels of authority included in the higher level of authority”.

Article 34

In Article 4.5 the new Paragraph 2 shall be added to read as follows:

“A political party shall be exempt from the signature requirement established in Article 4.4 of this Law also in the event that a request for verification of candidacy is filed for the body at the same or lower level of authority in comparison with the body in which the political party member already holds a mandate”.

Paragraph 2 shall become Paragraph 3.

Article 35

In Article 4.6, Paragraph 1, the words “the competent authority” shall be replaced with the words: **“the Central Election Commission of BiH”**, and the words: “one-hundred and forty (140)” shall be replaced with the words **“one-hundred and thirty-five (135)”**.

In the same Article, in Paragraph 2, after the word “law” the full stop is deleted, a comma is added and the sentence continued with the following words: **“no later than within 15 days following the day the application is received”**.

In the same Article, in Paragraph 3, after the words “incomplete information”, the following words shall be added: **“or if it identifies any other deficiency or irregularity in the application in the sense of this law or of an act issued by the Central Election Commission of BiH”** and followed by a comma, whereas after the words: “two (2) days” the words: **“after the date of receipt of such notification”** shall be added. In the last sentence of this Paragraph, after the word: “deadline” the following words shall be added: **“in the event that the political party fails to remove the deficiency or irregularity from the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application of that political party for participation in the elections”**.

In the same Article, in Paragraph 4, after the words: “two (2) days” the words: **“from the date of receipt of the decision”** shall be added, whereas after the words: “three (3) days” the words **“from the date of receipt of the request”** shall be added.

Article 36

In Article 4.8, in Paragraph 1, in Subparagraphs 1, 2, 3, and 4 the word “**registered**” shall be deleted, while after the word “voters”, the words: “**recorded in the Central Voter Register**” shall be added.

In Article 4.8, in Paragraph 1, in Subparagraph 5 the words “registered” shall be deleted, and after the word: “voters” the following words shall be added: “**recorded in the Central Voter Register.**” Also, the words: “in the municipality where the Head of Municipality is directly elected” shall be replaced with the words: “**of Municipality**”.

In Article 4.8, Subparagraph 6 shall be amended to read as follows:

“6. five (5) % of signatures of voters recorded in the Central Voters Register for the election of Municipal Council/Assembly and for the election of the Head of Municipality, in the municipality in which the number of voters recorded in the Central Voters Register in the last elections held for that level of authority has not exceeded a thousand (1000) voters recorded in the Central Voters Register”.

Article 37

In Article 4.9. the new Paragraph 2 shall be added to read as follows:

“An independent candidate shall be exempt from the signature requirement established in Article 4.8 of this Law also in the event that he/she is standing as a candidate for office in a body of the same or lower levels of authority in comparison with the body in which the independent candidate already holds a mandate”.

Article 38

In Article 4.10, Paragraph 1, the words “one-hundred and forty (140)” shall be replaced with the words: “**one-hundred and thirty-five (135)**”.

In the same Article, Paragraph 2, the full stop after the word “law” shall be deleted and the words: “**not later than within 15 days following the date the application is received**”, shall be added.

In the same Article, Paragraph 3, the words: “**within two (2) days**”, shall be added.

In the same Article, in Paragraph 4, after the words “incomplete information”, the following words shall be added: “**or if it identifies any other deficiency or irregularity in the application in the sense of this law or of an act issued by the Central Election Commission of BiH**” and followed by a comma, whereas after the words: “two (2) days” the words: “**after the date of receipt of such notification**” shall be added. In the last sentence of this Paragraph, after the word: “deadline” the following words shall be added: “**in the event that the independent candidate fails to remove the deficiency or irregularity from the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application of that independent candidate for participation in the elections**”.

In the same Article, in Paragraph 5, after the words: “two (2) days” the words: “**from the date of receipt of the decision**” shall be added, whereas at the end of that Paragraph the words: “**from the date of receipt of the request**” shall be added.

Article 39

Article 4.12, Paragraph 1, at the end of the first sentence the following words shall be added: “**and a decision on the selection of the authorized representative of coalition signed by all presidents of political parties-coalition members and shall also provide the data about the coalition seat and/or address where all correspondence shall be sent to**”.

In the same Article, Paragraph 3, after the words: “elections” the following words shall be added: “**no later than within 7 (seven) days following the day the application is received.**”

In the same Article, Paragraph 4, after the words: “incomplete information” the following words shall be added: “**or if it identifies any other deficiency or irregularity in the application in the sense of this law or of an act issued by the Central Election Commission of BiH**” and followed by a comma, whereas after the words: “two (2) days” the words: “**after the date of receipt of such notification**” shall be added. In the last sentence of this Paragraph, after the word: “deadline” the following words shall be added: “**in the event that the coalition fails to remove the deficiency or irregularity from the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application of that coalition for participation in the elections**”.

In the same Article, in Paragraph 5, after the words: “two (2) days” the words: “**from the date of receipt of the decision**” shall be added, whereas at the end of that Paragraph the words: “**from the date of receipt of the request**” shall be added.

Article 40

In Article 4.13, Paragraph 2, the words: “application for certification” shall be replaced with the words: “**certification for participation in the elections**”.

Article 41

In Article 4.15, Paragraph 1, the words: “For the Municipal Council/Assembly and the Cantonal Assembly elections” shall be replaced with the words: “**For the elections at all levels of authority**”.

In the same Article 4.15, par 2, after the word “law” the full stop shall be deleted and the following words shall be added: “**no later than within seven (7) days following the date the application is received**”.

In the same Article, Paragraph 3, after the words: “incomplete information” the following words shall be added: “**or if it identifies any other deficiency or irregularity in the application in the sense of this law or of an act issued by the Central Election Commission of BiH**” and followed by a comma, whereas after the words: “two (2) days” the words: “**after the date of receipt of such notification**” shall be added. In the last sentence of this Paragraph, after the word: “deadline” the following words shall be added: “**in the event that the leader of the list of independent candidates fails to remove the deficiency or irregularity from the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application of that applicant for participation in the elections**”.

In the same Article, in Paragraph 5, after the words: “two (2) days” the words: “**from the date of receipt of the decision**” shall be added, whereas at the end of that Paragraph the words: “**from the date of receipt of the request**” shall be added.

Article 42

In Article 4.16, the word “government stamps” shall be replaced with the words: “**a proof that the government stamps have been paid**”. The word “The Certification fee” in the second sentence shall be replaced with the words “**The cash amount paid as the Certification fee**”.

Article 43

In Article 4.18, Paragraph 1, after the word “lists” the words “**for certification**” shall be added, and the words “for the election of representatives to the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina and the candidate(s) for the election of the Members of the Presidency of Bosnia and Herzegovina”, shall be deleted.

Paragraph 2 of the same Article shall be deleted.

Article 44

Article 4.19, Paragraph 3, after the words: “of this Law”, the words: “**and Mostar City Council**” shall be added.

In the same Article, Paragraphs 5 and 6 shall be amended to read as follows:

“The candidates list shall contain: the name, surname of every candidate on the list, their personal identification number (JMBG number), permanent residence address, declared affiliation with a particular constituent people or group of “Others”, valid ID card number and place of issue, signature of the president of the political party or presidents of the political parties in the coalition. The statement of each of the candidates on the list validating the acceptance of candidacy shall be along with the proposed lists. This statement must be certified in the way described by law”.

The declaration of affiliation with the particular constituent people or the group of “Others” referred to in the above Paragraph shall be used as the grounds for the exercise of rights to hold an elected or appointed office for which the statement of ethnic affiliation with the particular constituent people or the group of “Others” is a condition in the election cycle for which the candidates list has been submitted.

In the same Article, after Paragraph 6, Paragraphs 7 and 8 shall be added to read as follows:

A candidate shall be entitled not to declare his or her ethnic affiliation with a particular constituent people of the group of “Others” on the candidacy list. However, any such failure to declare the personal affiliation shall be considered as a waiver of the right to an elected or appointed office for which the declaration of affiliation with the particular constituent people of the group of “Others” is a condition.

If the number of candidates on the candidates list exceeds the number required by Paragraphs 2 and 3 of this Article or if the candidates list fails to meet the requirements established in Paragraph 4, the Central Election Commission of BIH shall certify the candidate list up to the number fulfilling the requirements established by this Law.

Article 45

In Article 4.20, the reference number “12.5” shall be replaced with the reference number:“**13.5**”.

Article 46

In Article 4.21, Paragraph 1, the words: “the competent election commission referred to in Article 4.18 of this law” shall be replaced with the words: “**the Central Election Commission of BIH**”, and the time limit of: “**ninety-five (95) days**” shall be replaced with the time limit of: “**ninety (90) days**”..

Paragraph 2 of this Article shall be deleted.

The current Paragraphs 3, 4 and 5 shall now become **Paragraphs 2, 3 and 4**.

In the same Article, Paragraph 3, which as a result of these amendments has now become Paragraph 2, the time limit of: “twenty (20) days” shall be replaced with the time limit: “**twenty-five (25) days**”, and after the words “five (5) days”, the following words shall be added: “**after the date of receipt such notification**”.

In the same Article, Paragraph 4, which as a result of these amendments has now become Paragraph 3, after the words: “two (2) days” the following words shall be added “**after the date of receipt of the decision**” and at the end of this Paragraph the following words shall be added: “**following the date the application is submitted**”.

In the same Article, par 5, which as a result of these amendments has now become Paragraph 4, the words “expiration of the deadline for submission” shall be replaced with the word “**certification**”.

Article 47

In Article 4.23, the new Paragraphs 2 and 3 shall be added to read as follows:

“Following the certification of the candidates lists and until such time as the printing of ballots has commenced, a political party, coalition and independent candidate list shall be entitled to replace a candidate on the list only in case of death of the candidate or if in the meanwhile the candidate has become incompetent for candidacy as provided by this Law”.

If the political party, coalition or independent candidate fails to replace such candidates within the required period of time, the Central Election Commission of BIH shall remove the candidates from the list referred to in Paragraph 1 of this Article and that candidates list shall be considered complete and certified”.

Article 48

After Article 4.24 the new Article 4.25 shall be added to read as follows:

"Article 4.25

For the purpose of this Chapter, each document or writ submitted to the Central Election Commission by a political party, coalition, independent candidate or independent candidate list shall be considered valid only if it is signed by the person/s indicated in the application for certification as persons authorized for representation and whose signatures are deposited with the Central Election Commission of BiH.

For the purpose of this Chapter, the Central Election Commission of BIH shall have all relations with political parties, coalitions, independent candidate and lists of independent candidates exclusively through the head office of the political party, coalition, independent candidate or independent candidate lists or through a person authorized to represent them before the Central Election Commission of BiH”.

CHAPTER 5 CONDUCT OF ELECTIONS

Article 49

In Article 5.3, in Paragraph 1, the following words shall be added at the end of the text: **“whereof the minutes shall be made, signed by all Polling Station Committee members”.**

The new Paragraph 2 shall be added after Paragraph 1, to read as follows:

“In the event that the polling material referred to in the previous Paragraph is not delivered as complete and correct, the Polling Station Committee shall inform the Municipal Election Commission thereof, and the Municipal Election Commission shall be required to remove all detected deficiencies without delay, but not later than by the time the Polling Station is opened”.

Paragraph 2 has become Paragraph 3, whereas the former Paragraphs 3 and 4 shall be deleted.

Article 50

In Article 5.6, Paragraph 2, “Chapter 16” shall be remunerated as: “Chapter 17”.

Article 51

In Article 5.7, Paragraph 2 shall be amended to read as follows:

A member of the Polling Station Committee, a voter or an accredited observer shall be entitled to enter into the Poll Book his or her opinion or objections concerning the voting process or deliver them in writing, and receive a receipt issued by the President of the Polling Station committee certifying the submission of such objections. In addition, the President may also inform thereof the Mu-

municipal Election Commission. If the person has not signed the Poll Book personally then his or her opinion or objections will not be considered.

In the same Article, After Paragraph 2, the new Paragraph 3 shall be added to read as follows:

“If a member of the Polling Station Committee, a voter or an accredited observer is prevented from entering his/her opinions or objections into the Poll Book, such opinions or objections may then be communicated by them to the Municipal Election Commission”.

Article 52

In Article 5.12, Paragraph 4, Subparagraphs 4, 5 and 6 shall be deleted.

Article 53

Article 5.13, after Paragraph 1, the new Paragraph 2 shall be added to read as follows:

“The signature of a voter in the excerpt of the Central Voter Register must correspond to the signature on the identification document the voter presented to the Polling Station committee member, and it is the responsibility of the member of the Polling Station Committee to ascertain that”.

Article 54

In Article 5.14, Paragraph 1 shall be amended to read as follows:

"The Central Election Commission of Bosnia and Herzegovina shall determine the format and layout (form and contents) of the ballots for direct elections at all levels of authority in Bosnia and Herzegovina”.

Article 55

In Article 5.15, Paragraph 1, Subparagraph 3, after the words “and independent candidates” the following words shall be added **“designated with the marking as ‘*independent candidate*’ ”.**

Article 56

In Article 5.22. in Paragraph 1, the word “Central” shall be added.

In Article 5.22, Paragraph 2, the word "Others" shall be deleted.

In the same Article, in its Paragraph 3, after the words" of Bosnia and Herzegovina", the words ***"on the basis of an open competition"*** shall be added, whereas the words “experienced in electoral matters and shall not be” shall be replaced with the words **"with a minimum of three years of experience in conducting the elections and may not be"**

Article 57

In Article 5.29, Paragraph 1 shall become Paragraph 2.

In Article 5.29, Paragraph 2 shall become Paragraph 1. It shall also be amended to read as follows:

“The Central Election Commission of BIH shall verify the results of all direct and indirect elections covered by this Law, after the expiry of the deadline for filing the appeals/complaints, or after the decisions have become final and binding, within the period of 30 days of the Election Day”.

In the same Article, in Paragraph 3, the words **"the time lines for the establishment of the election results"** should be deleted.

CHAPTER 6

PROTECTION OF THE ELECTORAL RIGHT

Article 58

CHAPTER 6

PROTECTION OF THE ELECTORAL RIGHT

Article 6.1

Protection of the electoral right shall be secured by the election commissions and the Appellate Division of the Court of BIH.

Article 6.2

Any voter and any political entity whose right established by this law, is violated, may file a complaint with the election commission not later than within 48 hours after the violation occurred.

The election commissions may, upon receiving information concerning the violations, initiate a procedure by virtue of its authority against a political entity and employees of the election administration because of the violations of the code of conduct set out in Article 7.3 of this Law.

The initiative for the procedure, in the terms of Paragraph 2 of this Article, may be launched by a legal or natural entity through the competent Municipal Election Commission, in a written form, where information on the place, the time, the content of the violation and the name of the perpetrator shall be mandatory information.

Article 6.3

The complaint shall be filed in writing. It shall contain a brief description of the violation and, as an attachment, the evidence that confirms the allegations of the complaint. The complaint also must be signed by the complainant. If the complainant is a political party or a coalition, it shall be signed by the President or the authorised representative of the political party or the coalition, with the authorization attached to the complaint.

The authorised representative of a political party is considered to be the President of the municipal organisational unit of the political party or the person authorised under the statute. If a municipal organisational unit of a political party has not been established at the municipal level, the authorised representative shall be considered to be the President of the organisational unit of the political party at a higher level. The authorised representative of a coalition shall be considered to be the President of the municipal organisational unit of one of the parties members of the coalition or the person authorised under statute.

The complaint shall be sent to all parties that are named. The parties named in the complaint shall have the opportunity to respond in writing within 24 hours after receiving the complaint. The authorised bodies may order a hearing of the parties.

The Central Election Commission of Bosnia and Herzegovina shall establish Rules of Procedure for adjudicating complaints filed with any election commission.

The complaint, which has been filed by an unauthorised person under Article 6.2 of this Law or which has been filed untimely or is incomplete, shall be rejected.

The complaint shall also be rejected if it is impossible to establish who has submitted the complaint. The filed complaint or appeal in the procedure of protection of the electoral right shall not postpone the conduct of election-related activities prescribed by this Law.

Article 6.4

The Municipal Election Commission shall have first instance competence in its municipality to decide complaints submitted for violation of the code of conduct referred to in Chapter 7, with an exemption from violations referred to in Article 7.3, Paragraph 1, Sub-paragraph 7 and Article 7.4, Paragraph 1, Sub-paragraph 3 of this Law, subject to decision of the Central Election Commission of BIH.

The Municipal Election Commission shall adjudicate the complaint and make a decision no later than within forty-eight (48) hours from the expiration of the deadline referred to in Article 6.3 Paragraph 3 of this law. It shall immediately notify the complainant and the other parties of the decision.

The complaint, which has been filed by an unauthorised person under Article 6.2 of this Law or has been filed untimely, shall be rejected.

Article 6.5

The Municipal Election Commission may order measures to correct irregularities referred to in the complaint from Article 6.4 of this Law, including, but not limited to adding or deleting voters from the Central Voter Register, removing the person working on the voters registration or in the Polling Station Committee, or ordering certain person or a party to cease the activities that violate this Law.

Article 6.6

The Central Election Commission of BiH shall have first instance competence to decide complaints submitted for violation of the rules of election process, electoral rights, Chapter 16 and Article 6.4 of this Law.

Decisions of all election commissions may be appealed to the Central Election Commission of Bosnia and Herzegovina.

The Central Election Commission of BIH shall adjudicate the complaint and appeal and make a decision no later than within forty-eight (48) hours from the expiration of the deadline referred to in Article 6.3 Paragraph 3 of this Law. The Central Election Commission of BIH shall immediately notify the complainant and the other parties of its decision.

The complaint which has been filed by an unauthorised person under Article 6.2 of this Law or which has been filed untimely, shall be rejected.

When adjudicating an appeal or complaint, the Central Election Commission of Bosnia and Herzegovina may proceed on the facts established or may conduct hearings. The Central Election Commission of Bosnia and Herzegovina may allow parties to present new evidence or base their decisions on the written record of the lower instance commissions.

Article 6.7

The Central Election Commission of BIH shall have the authority, in adjudicating appeals and complaints, to order the election commission, the Voters Registration Centre or the Polling Station Committee to undertake measures to correct established irregularities. The Central Election Commission of BIH shall have the authority to impose the following penalties:

- 1. fines not to exceed ten thousand (10,000) convertible marks;**
- 2. removal of a candidate from a candidates list when it is determined that the candidate was personally responsible for the violation;**
- 3. de-certification of a political party, coalition, list of independent candidates or independent candidate(s); and**
- 4. prohibition to an individual to work in a Polling Station, the Voters Registration Centre, or the Municipal Election Commission or another election commission as established pursuant to Article 2.21 of this law.**

Article 6.8

If an election commission believes that a criminal act has been committed concerning the electoral process, it shall report the act to the competent Public Prosecutor.

When submitting the report, the election commission shall also refer to the evidence that is known to it, as well as undertake the necessary measures to preserve the traces of the alleged criminal act, objects with which or by use of which the alleged criminal act has been committed and other evidence.

Article 6.9

The Appellate Division of the Court of Bosnia and Herzegovina shall be competent to hear appeals against decisions of the Central Election Commission of Bosnia and Herzegovina. An appeal shall be submitted to the Appellate Division of the Court of Bosnia and Herzegovina no later than 2 days after a decision of the Central Election Commission of Bosnia and Herzegovina is received.

An appeal shall be submitted through the Central Election Commission of BIH.

Appellate Division of the BIH Court is obliged to make a decision on an appeal within three (3) days from the day of the receipt of the appeal.

CHAPTER 7

RULES OF CONDUCT FOR POLITICAL PARTIES, COALITIONS, LISTS OF INDEPENDENT CANDIDATES AND INDEPENDENT CANDIDATES

Article 59

In Chapter 7, the title: "Rules of Conduct for Political Parties, Coalitions, Lists of Independent Candidates and Independent Candidates" shall be amended to read: "Rules of Conduct in the Election Campaign".

Article 60

In Article 7.1, new Paragraph 3 shall be added to read as follows:

“In case that two or more organisers announced to the competent body holding of their public meetings at the same time and place, the holding of a public meeting at that time and place shall be permitted to the organiser which notified the competent body in writing of the holding of the public meeting first.”

Article 61

In Article 7.2, Paragraph 1, after the word "candidates", the words "certified for participation in elections" shall be added.

Article 62

In Article 7.4, Paragraph 1, sub-paragraph 3 shall be amended to read as follows:

“3. Using national and international means of communication intended to influence voters”.

New Paragraph 2 shall be added to this article, to read as follows:

“Means of communication referred to in sub-paragraph 3 of Paragraph 1 of this article include means that can deliver audio, video or textual contents. Such means include but are not limited to Radio and TV program, printed media, the Internet, SMS-messages or video messages delivered over the mobile phones etc.”

CHAPTER 8

PRESIDENCY OF BOSNIA AND HERZEGOVINA

Article 63

In Article 8.1, Paragraph 1, the word "registered" shall be replaced with the words "**recorded in the Central Voters Register**", after the words "in the Federation", the words "**of Bosnia and Herzegovina**" shall be added and the word "registered" replaced with the words "**recorded in the Central Voters Register**".

In the same Article, Paragraph 2, the word "registered" shall be replaced with the words "**recorded in the Central Voters Register**"

Article 64

In Article 8.2, after the word "Presidency" the words "**of BIH**" shall be added.

Article 65

In Article 8.3, after the word "Presidency" the words "**of BIH**" shall be added.

Article 66

In Article 8.4, after the word "Presidency", the words "**of BIH**" shall be added.

Article 67

Article 8.5 shall be deleted.

Article 68

In Article 8.6, after the word "Presidency", the words "**of BIH**" shall be added.

Article 69

In Article 8.7, after the word "Presidency", the words "**of BIH**" shall be added.

CHAPTER 9

PARLIAMENTARY ASSEMBLY OF BOSNIA AND HERZEGOVINA

Article 70

In Chapter 9, "**Subchapter A - HOUSE OF PEOPLES OF THE PARLIAMENTARY ASSEMBLY OF BOSNIA AND HERZEGOVINA**" becomes "**Subchapter B**", and "**Subchapter B - HOUSE OF REPRESENTATIVES OF THE PARLIAMENTARY ASSEMBLY OF BOSNIA AND HERZEGOVINA**" becomes "**Subchapter A**"

Article 71

In Subchapter A, Articles **9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11 and 9.12** shall become **9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10 and 9.11**.

Article 72

In Article 9.4, which has become Article 9.3 as a result of these amendments, in Paragraph 2, the words "**Srpski Sanski Most**" shall be replaced with the words "**Oštra Luka**", the words "**Srpski Drvar**", replaced with the words "**Eastern Drvar**" (**Istočni Drvar**) and the words "**Srpski Kupres**" with the word "**Kupres**".

In the same Article, Paragraph 3, the words "**Srpski Brod**" shall be replaced with the word "**Brod**" and the words "**Srpsko Orašje**" with the words "**Donji Žabar**".

In the same Article, Paragraph 4, the words "**Srpska Ilidža**" shall be replaced with the words "**Eastern Ilidža**" (**Istočna Ilidža**), the words "**Srpski Stari Grad**" with the words "**Eastern Stari Grad**" (**Istočni Stari Grad**), the words "**Srpsko Novo Sarajevo**" with the words "**Eastern Novo Sarajevo**" (**Istočno Novo Sarajevo**), the words "**Srpski Mostar**" with the words "**Eastern Mostar**" (**Istočni Mostar**) and the words "**Srpsko Goražde**" shall be replaced with the words "**Novo Goražde**".

Article 73

In Article 9.5, which has become Article 9.4 as a result of this amendments, in Paragraph 1, the words

“Chapter 4 of” shall be deleted.

In the same Article, Paragraph 2 shall be deleted.

Article 74

In Article 9.7 which has become Article 9.6 as a result of these amendments, in Paragraph 2, after the word "coalitions", a comma shall be inserted and the following words added: **"which won more than 3% of the total number of valid ballots for the territory of the entity for which the compensatory list is made"**.

Article 75

Article 9.10, which has become Article 9.9 as a result of these amendments, shall be amended to read as follows:

„If the mandate of an independent candidate terminates, in accordance with Article 1.10 of this Law, the position shall remain vacant until the next regular elections“.

Article 76

In Subchapter A, which has become Subchapter B as a result of these amendments, Article 9.1 shall become Article 9.12.

Article 77

Article 9.1, which has become Article 9.12 as a result of these amendments, shall be amended to read as follows:

“The House of Peoples of the Parliamentary Assembly of BIH shall consist of 15 Delegates, of whom two-thirds from the Federation (including five Croats and five Bosniaks) and one-third from the Republika Srpska (five Serbs).

Article 78

New articles shall be added after Article 9.12, as follows: 9.12a, 9.12b, 9.12c, 9.12d, 9.12e, 9.12f, 9.12g, 9.12h and 9.12i:

9.12a

“Croat and Bosniak Delegates to the House of Peoples of the Parliamentary Assembly of BIH from the Federation shall be elected by the Croat and Bosniak Caucus of Delegates as appropriate to the House of Peoples of the Federation of BIH.

Croat and Bosniak Delegates to the House of Peoples of the Parliament of the Federation of BIH shall elect delegates from their respective constitutive people.

Serb Delegates and Delegates of the Others to the House of Peoples of the Parliament of the Federation of BIH shall not participate in the process of electing Bosniak and Croat Delegates for the House of Peoples of the Parliamentary Assembly of BIH from the Federation of BIH.

Delegates from the Republika Srpska (5 Serbs) to the House of Peoples of the Parliamentary Assembly of BIH shall be elected by the National Assembly of the Republika Srpska.

Bosniak and Croat Delegates and Delegates of the Others to the National Assembly of the RS shall participate in the process of electing Delegates to the House of Peoples of the Parliamentary Assembly of BIH from the Republika Srpska.

9.12b

Croat and Bosniak Delegates to the House of Peoples of the Parliamentary Assembly of BIH shall be elected immediately after the House of Peoples of the Parliament of the Federation of BIH is inaugurated, but not later than within thirty (30) days upon the certification of the election results in accordance with this Law.

Delegates from the Republika Srpska to the House of Peoples of the Parliamentary Assembly of BIH shall be elected immediately after the National Assembly of the Republika Srpska is inaugurated, but not later than within thirty (30) days upon the certification of the election results in accordance with this Law.

9.12c

Bosniak or Croat Delegates to the House of Peoples of the Parliamentary Assembly of BIH shall be elected in such a way that each political party participating in the Bosniak or Croat Caucus or each Delegate from the Bosniak or the Croat Caucus in the House of Peoples of the Parliament of the Federation of BIH, shall have right to nominate one or more candidates to the list for the election of Bosniak or Croat Delegates to the House of Peoples of the Parliamentary Assembly of BIH.

Each list may include more candidates than the number of Delegates to be elected to the House of Peoples of the Parliamentary Assembly of BIH.

9.12d

Each Delegate from the Bosniak or the Croat Caucus in the House of Peoples of the Parliament of the Federation of BIH shall cast one vote for a list of candidates for the election of Bosniak or Croat Delegates to the House of Peoples of the Parliamentary Assembly of BIH.

The vote shall be cast as a secret ballot in accordance with this Law.

9.12e

Election of Delegates from the Republika Srpska to the House of Peoples of the Parliamentary Assembly of BIH shall be conducted in such a way that each political party or each Delegate to the

National Assembly of RS shall have right to nominate one or more candidates to the list for the election of Serb Delegates to the House of Peoples of the Parliamentary Assembly of BIH.

Each list may include more candidates than the number of Delegates to be elected to the House of Peoples of the Parliamentary Assembly of BIH.

9.12f

Each Delegate to the National Assembly of RS shall cast one vote for a list of candidates to the House of Peoples of the Parliamentary Assembly of BIH from the Republike Srpska.

The vote shall be cast as a secret ballot in accordance with this Law.

9.12g

The election material and results of the vote referred to in Articles 9.12d and 9.12f of this Law shall be delivered to the Central Election Commission of BIH for verification in accordance with Article 2.9 of this Law and for the final allocation of mandates in accordance with Article 9.5 of this Law.

Mandates shall be allocated one by one according to the lists and in accordance with Article 9.5 of this Law. Mandates won shall be allocated in the order as contained in the list.

If the allocation of mandates in accordance with Article 9.5 of this Law results in a tie because the quotients are identical, a mandate shall be allocated by drawing a lot.

9.12h

If the event of a vacant position of Delegate in the House of Peoples of the Parliamentary Assembly of BIH in accordance with Article 1.10 of this Law, this position shall be filled by the next qualified candidate of the same list which included the Delegate whose mandate has ceased.

If there are no candidates remaining on the same list, the mandate shall be allocated to the candidate with the highest quotient on the other list of the appropriate constitutive people.

If there is no such candidate, the election shall be repeated for election of Delegates from among the appropriate constitutive people, in accordance with Articles from 9.12c to 9.12g of this Law.

9.12i

The elections referred to in this Chapter (Candidacy and Voting Procedure) shall be conducted by the competent working bodies of the Parliament of the Federation of BIH and the National Assembly of RS.”

CHAPTER 10

PARLIAMENT OF FEDERATION OF BOSNIA AND HERZEGOVINA

Subchapter A

HOUSE OF REPRESENTATIVES OF THE PARLIAMENT OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

Article 79

In Article 10.8A, Paragraph 2, sub-paragraph 1, Paragraph 1 shall be amended as follows:

“If the mandate of the elected independent candidate terminates, in accordance with Article 10.8 of this Law, the vacant position shall be filled by a candidate from the political party or coalition with the highest quotient in the same electoral unit, and which, in accordance with Article 9.8, Paragraph 2 of this Law, still has qualified candidates on its list from the same constituent people as the independent candidate whose mandate has terminated.”

In the same Article, Paragraph and sub-paragraph, Paragraph 2 shall be deleted, while previous Paragraph 3 shall become Paragraph 2.

CHAPTER 11

NATIONAL ASSEMBLY OF THE REPUBLIKA SRPSKA

Article 80

In Article 11.8A, Paragraph 2, sub-paragraph 1, Paragraph 1 shall be amended to read as follows:

“If the mandate of the elected independent candidate terminates, in accordance with Article 10.8 of this Law, the vacant position shall be filled by a candidate from the political party or coalition with the highest quotient in the same electoral unit, and which, in accordance with Article 9.8, Paragraph 2 of this Law, still has qualified candidates on its list from the same constituent people as the independent candidate whose mandate has terminated.”

In the same Article, Paragraph and sub-paragraph, Paragraph 2 shall be deleted, while previous Paragraph 3 shall become Paragraph 2.

CHAPTER 14

REPEATED, POSTPONED AND EARLY ELECTIONS

Article 81

In Article 14.1, the words "from the day of annulling the elections" shall be replaced by the words: **“from the date when the decision of the Central Election Commission of BIH to annul the elections became final”**.

Article 82

Article 14.3 shall be amended to read as follows:

"Article 14.3

In the event that an elected body is dissolved, or that its mandate has ceased, in accordance with the Constitution and Law, the Central Election Commission of Bosnia and Herzegovina shall make a decision to announce early elections, establishing the exact date of the elections therein.

Early elections shall be held within 90 days of the dissolution of the elected body and/or the cessation of its mandate in accordance with the Constitution and Law.

From the date of the announcement of early elections to the date of holding of the elections no less than 30 and no more than 90 days may pass.

Terms of office of the members of the body elected in early elections shall last until the mandate of the body elected in the regular elections has expired.

The Central Election Commission of Bosnia and Herzegovina shall conduct early elections in the manner and through the procedure prescribed by this law for the conduct of regular elections.

The Central Election Commission of Bosnia and Herzegovina shall specify time-limits necessary for holding of elections, in accordance with the provisions of this Chapter."

Article 83

Article 14.4 shall be deleted.

CHAPTER 15

CAMPAIGN FINANCE

Article 84

In Article 15.1, Paragraph 1 the words "the Central Election Commission of Bosnia and Herzegovina publishes the election results" shall be replaced with the words **"the election results are published in the Official Gazette of BiH"**.

In sub-paragraph 2, after the word "memberships", the word **"transparent"** shall be added.

Sub-paragraph 4 in the same Article shall be amended, to read as follows:

"4. The total amount of all account payables and total amount of disbursements in the following categories: costs for printing and distribution of posters, printing costs for pre-election announcements, statements and so on, in the public media, organizational and operational costs for organizing rallies, costs for printing, reproducing and delivering pre-election materials directly to voters, and".

Article 85

In Article 15.3, Paragraph 1, the words “Every political party, coalition or list of independent candidates” shall be replaced with the words “**Every political entity**”.

Article 86

In Article 15.5, the words "shall make all reports available to the public" shall be replaced with the words "**shall enable public access to all reports** "

Article 87

In Article 15.8 the word “verification” shall be replaced with the words “**publication of the verification**” and after the words “mandates”, the words “**in the Official Gazette of BIH**” shall be added.

In the same Article, new Paragraphs 2 and 3 shall be added, to read as follows:

“Candidates elected to a body of authority at all levels shall be required to submit a statement of their property situation to the Central Election Commission of BIH 60 days prior to the expiration of the mandate for which they have been elected, as well as in the case of cessation of the mandate in the context of the provisions of Article 1.10, Paragraph 1, sub-paragraph 1, 3, 5, 6 and 7 of this Law, within 30 days from the cessation of the mandate.

The Central Election Commission of BIH shall issue instructions to regulate the format and the manner of filling out of necessary forms as described by Paragraph 1 of this Article and Article 15.7 of this Law.”

Article 88

In Article 15.9, Paragraph 1, the word “objections” shall be replaced with the words “**accuracy of data**”.

In the same Article, Paragraph 2 shall be deleted.

Article 89

Article 15.10 shall be amended to read as follows:

“The Central Election Commission of Bosnia and Herzegovina shall announce the number of voters for each electoral unit within seven days of the day of completion of the Central Voters Register. The number of voters shall serve as a basis to determine a maximum amount that a political entity shall be allowed to spend for financing the election campaign

The maximum amount allowed to be spent for financing the election campaign shall represent a result of the multiplication of the number of voters in all electoral units in which the political entity referred to in Paragraph 1 of this Article has a list of candidates by:

1. **0.30 KM** for the elections of Head of Municipality/City Mayor and members of the Municipal Council/Assembly
2. **0.20 KM** for the elections of members of Cantonal Assemblies
3. **0.30 KM** for the elections of members of the RS National Assembly and the House of Representatives of the Federation Parliament
4. **0.30 KM** for the elections of members of the Parliamentary Assembly of BiH
5. **0.30 KM** for the elections of members of the Presidency of BiH
6. **0.30 KM** for the elections of President and Vice-President of the Republika Srpska.

For the elections referred to in Paragraph 2, sub-paragraph 1 of this Article, in the municipalities with less than 3,000 voters recorded in the Central Voter Register, it shall be considered that 3,000 voters are registered.

If the elections are repeated in an electoral unit, or in the Polling Station, the costs of the election campaign per voter can increase by up to 30% of the costs of the elections annulled in the electoral unit or the polling.”

CHAPTER 16

MEDIA

Article 90

Chapter 16 - MEDIA – shall be amended to read as follows:

“ CHAPTER 16 - MEDIA IN THE ELECTION CAMPAIGN

Article 16.1

The media in BiH shall cover election activities in a just, professional and competent manner, consistently respecting the journalists code of conduct and generally accepted democratic rules and principles, especially the basic principle of freedom of expression.

Article 16.2

Electronic media shall cover pre-election activities and observe the principle of balance, fairness and impartiality.

Article 16.3

In broadcasts of the electronic media, no political entity shall have a privileged position with respect to another political entity.

Officials at all levels of authority who participate in the elections as candidates must not enjoy a privileged position with respect to other participants in the electoral process.

Informing on regular activities of officials at all levels of authority is allowed within information programs of electronic media, with no reference to their candidacy for the elections or their party membership, whenever the information is about the activities that fall within the scope of activities of the body they represent as set forth by the Law.

Article 16.4

Electronic media shall pay special attention to respect the principles of balance, fairness and impartiality in information programs, especially in news, interviews and discussions on important political issues, such as round tables and similar, which thematically do not directly concern the election activities of political entities, but which could influence opinion of voters.

Article 16.5

The electronic media shall clearly and without reservation disclose the following information in releasing results of a public opinion survey:

- a) Name of the institution or person that ordered and paid the survey,**
- b) Name and the seat of the institution that conducted the survey,**
- c) Size of the sample and a possible tolerance in the survey results,**
- d) The period in which the survey was conducted.**

Results of a telephone public opinion research or street poll conducted among voters during the campaign shall not be presented as a reliable or trustful opinion of a particular social group, which must be particularly emphasized by the media that conducts the survey and announces results.

Article 16.6

Journalists and moderators in the electronic media must not express their possible party membership or affiliation in regular or special programs.

Article 16.7

The order of appearance for direct address by political entities in special programs shall be established by drawing a lot prior to the campaign, in the presence of representatives of political entities and the Central Election Commission of BiH.

Article 16.8

The electronic media shall inform all political entities of the timings for their participation in special programs.

Once established the timings must not be changed, and failure of a political entity to show up shall be considered as voluntarily giving up of the election campaign presentation in the electronic media.

Article 16.9

The electronic media shall broadcast entire statements and information by the Central Election Commission of Bosnia and Herzegovina free of charge for the purpose of informing voters about all aspects of the electoral process.

Article 16.10

Results of public opinion research related to the voting and elections shall not be released during the period beginning 48 hours prior to the opening of Polling Stations and until the close of polling stations.

Article 16.11

No media coverage of any political and electoral campaign activity shall take place in the whole territory of Bosnia and Herzegovina during the period beginning twenty-four (24) hours prior to the opening of the Polling Stations.

The campaign silence period shall continue until the close of Polling Stations.

Article 16.12

The electronic media shall provide equal conditions for paid political advertisements of political entities (commercials, public calls, jingles, video-clips and any other type of promotion of a political entity) in the period of 30 days prior to the election day.

The electronic media shall ensure that paid political advertisements are clearly separated from the rest of the program and shall not be counted within the limit on the allowed time for commercials set by the Communications Regulatory Agency (CRA) of Bosnia and Herzegovina.

The electronic media shall receive orders for paid political advertisements directly from political entities or through the legal or private persons so authorised by the political entities.

Orders including the contents of advertisements shall be delivered to the electronic media not later than 48 hours prior to broadcast.

Advertisements shall be paid in advance and the prices of political advertisements must not be higher than the prices in the existing marketing price-list of the given media.

Article 16.13

The electronic media shall have the right to refuse to broadcast a political advertisement in case that:

- a) the advertisement has not been properly ordered in a written form;**
- b) the advertisement does not meet technical and professional standards which are clearly identified and of which the political entity has been duly informed; and**
- c) the advertisement or the content thereof violates the Constitution or laws of BIH.**

Article 16.14

The public electronic media shall present political entities in an equal and fair manner and shall inform the public of all issues related to the campaign and the election process during 30 days prior to the election day.

The public electronic media shall provide free broadcast time for direct access by political entities during 30 days prior to the election day.

The regulations of the Central Election Commission of BIH shall determine the amount of broadcast time to be allocated to the political entities, the broadcast time and duration of the broadcast, as well as the geographic regions covered by the broadcasts.

The public electronic media shall provide equal conditions for paid political advertisements of political parties in the duration of maximum 30 minutes per week during 30 days prior to the election day.

Article 16.15

The private electronic media shall provide equal conditions for paid political advertisements of political entities in the duration of maximum 60 minutes per week during 30 days prior to the election day.

The private electronic media may provide free broadcast time for direct access by political parties, during 30 days prior to the election day, but under equal conditions applicable to all.

At the written request, the body competent to regulate the work of the electronic media may exempt specific private electronic media from application of this Article.

The private electronic media broadcasting its own information and political program or relaying a program received from another media shall not be subject to the provision of the previous Paragraph.

Article 16.16

The body regulating the work of the electronic media that is responsible to implement laws and regulations related to media, shall be competent in all cases of violation of the provisions governing the media concerning elections as established by this Law and other laws governing the work of the media.

The Central Election Commission of BIH shall be competent to decide complaints of violations of Article 16.4 of this Law.

Article 16.17

The political entities shall refer to the Press Council of BIH with their complaints of a content in the printed media concerning coverage of the electoral campaign.

Article 16.18

The Central Election Commission of Bosnia and Herzegovina shall issue by-laws to regulate in more detail the application of the provisions of this Chapter.

CHAPTER 17

ELECTION OBSERVERS

Article 91

Article 17.2, Paragraph 1 shall be amended to read as follows:

“Observers shall not in any way interfere with electoral activities and they shall respect the secrecy of the voting. An observer may have only 1 representative at the same time at a public election commission meeting, Voter Registration Centre, Counting Centre, Polling Station, or any other relevant location, as specified by the Central Election Commission of Bosnia and Herzegovina”.

In this Article, new Paragraph 2 shall be inserted:

“International observers shall not be subject to the limitation of the number of observers referred to in Paragraph 1 of this Article”.

Previous Paragraph 2 shall become Paragraph 3.

Article 93

Article 17.9 shall be amended to read as follows:

“Article 17.9

An observer may submit a substantiated objection, in writing, to the work of the bodies responsible for the conduct of elections as established by this Law, which shall be enclosed to the record on the work of said body responsible for the conduct of elections, on the basis of which a political entity may submit a complaint to the competent body.

The observer shall have the right to request a copy of the record on the work of the body responsible for the conduct of elections whose work she/he has observed.”

Article 93

After Article 17.9, Article 17.10 shall be added to read as follows:

"Article 17.10

The body issuing accreditation to an accredited observer may revoke his/her status of an observer and cancel the accreditation because of a violation of the provision of Article 17.2.

The Central Election Commission of Bosnia and Herzegovina shall issue detailed regulations on the conditions and procedure of the application of this Article.”

CHAPTER 20

TRANSITIONAL AND FINAL PROVISIONS

Article 94

Article 20.1 shall be deleted.

Article 95

Article 20.3 shall be deleted.

Article 96

Article 20.4 shall be deleted.

Article 97

Article 20.5 shall be deleted.

Article 98

Article 20.6 shall be deleted.

Article 99

Article 20.7 shall be deleted.

Article 100

Article 20.10 shall be deleted.

Article 101

In Article 20.11, Paragraph 2 shall be deleted.

Article 102

In Article 20.13, Paragraph 1 shall be amended to read as follows:

“Until the Entities form multi-member constituencies, the following multi-member constituencies shall exist:”

In the same Article, Paragraph 2, the words "9.6 to 9.9" shall be replaced with the words "9.5 to 9.8"

In the same Article, Paragraph 18, the words **“Srpski Sanski Most”** shall be replaced with the words **“Oštra Luka”**.

In the same Article, Paragraph 19, the words **“Srpski Drvar”** shall be replaced with the words **“Eastern Drvar (Istočni Drvar)”** and the words **"Srpski Kupres"** shall be replaced with the word **"Kupres"**.

In the same Article, Paragraph 20, the words **“Srpski Brod”** shall be replaced with the word **“Brod”**.

In the same Article, Paragraph 21, the words **“Srpsko Orašje”** shall be replaced with the words **“Donji Žabar”**.

In the same Article, Paragraph 22, the words **“Srpska Ilidža”** shall be replaced with the words **“Eastern Ilidža (Istočna Ilidža)”**; the words **“Srpski Stari Grad”** shall be replaced with the words **“Istočni Stari Grad (Istočni Stari Grad)”** and the words **“Srpsko Novo Sarajevo”** shall be replaced with the words **“Eastern Novo Sarajevo (Istočno Novo Sarajevo)”**.

In the same Article, Paragraph 23, the words **“Srpski Mostar”** shall be replaced with the words **“Eastern Mostar (Istočni Mostar)”**, the word **“Srbinje”** shall be replaced with the word **"Foča"** and the words **"Srpsko Gorazde“** shall be replaced with the words **"Novo Goražde"**.

Article 103

Article 20.16 shall be deleted.

Article 104

In Article 20.16A, in sub-paragraph 10, “Herceg-Bosnia canton” shall be replaced with the words “Canton 10”.

Article 105

The Constitutional and Legal Committees of both Houses of the Parliamentary Assembly of Bosnia and Herzegovina are authorised to prepare, within 30 days of the entry into force of this Law, a consolidated and edited text of the Election Law of Bosnia and Herzegovina.

Article 106

This Election Law shall enter into force on the eighth (8) days after its publication in the Official Gazette of Bosnia and Herzegovina. This Election Law shall also be published in the Official Gazettes of the Entities and the Official Gazette of the District of Brcko.

PS BIH No. 286/06
27 March 2006
Sarajevo

Chair of the House of Representatives
Parliamentary Assembly of BiH
Dr. Nikola Spiric

Chair of the House of Peoples
Parliamentary Assembly of BiH
Mustafa Pamuk