



Emerika Bluma 1, 71000 Sarajevo

Tel. 28 35 00 Fax. 28 35 01

## Department for Legal Affairs



# LAW ON AMENDMENTS TO THE ELECTION LAW OF BOSNIA AND HERZEGOVINA

**“Official Gazette of Bosnia and Herzegovina”, 41/20**

**NOTE: [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, at the 10<sup>th</sup> session of the House of Representatives, held on 7 July 2020, and at the 9<sup>th</sup> session of the House of Peoples, held on 8 July 2020, the Parliamentary Assembly of Bosnia and Herzegovina adopted the following

**LAW**  
**ON AMENDMENTS TO THE ELECTION LAW OF BOSNIA AND HERZEGOVINA**

**Article 1**

In the Election Law of Bosnia and Herzegovina (“Official Gazette of BiH”, Nos. 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14 & 31/16) under Chapter 19 – *The City of Mostar*, Article 19.2 shall be amended to read as follows:

“Article 19.2.

(1) The City Council shall be composed of 35 members. The councilors in the City Council shall be elected in a city-wide electoral constituency and city area electoral constituencies.

(2) A city-wide electoral constituency’ shall, for the purpose of paragraph (1) of this Article, cover the entire territory of the City, as defined in Article 5 of the Statute of the City of Mostar.”

**Article 2**

Article 19. 4. shall be amended to read as follows:

“Article 19.4.

(1) Thirteen (13) councilors shall be elected from a city-wide electoral constituency. A minimum of four (4) councilors of each constituent people and one (1) councilor from among the group of “Others” shall be represented in the city-wide electoral constituency.

a) The city area electoral constituency 1 (North) shall elect two (2) city councilors.

b) The city area electoral constituency 2 (Stari Grad) shall elect five (5) city councilors.

c) The city area electoral constituency 3 (Southeast) shall elect two (2) city councilors.

d) The city area electoral constituency 4 (South) shall elect two (2) city councilors.

e) The city area electoral constituency 5 (Southwest) shall elect seven (7) city councilors.

f) The city area electoral constituency 6 (West) shall elect four (4) city councilors.

(2) Each constituent people or the group of “Others” shall not have more than fifteen (15) representatives in the City Council.

(3) The mandates shall be allocated in accordance with the provisions of Article 9.5. of this Law.”

### **Article 3**

Article 19. 5. shall be amended to read as follows:

“Article 19.5.

(1) If the total allocation of mandates does not allow minimum representation of any of the constituent peoples and/or of the group of “Others”, as provided for under Article 19.4, paragraph (1) of this Law, the following method shall apply:

a) the last mandate(s) to be allocated from the city-wide electoral constituency required to fill the quotas of any constituent people and/or the group of “Others” shall be allocated to the candidate(s) from the relevant constituent people(s) and/or group of “Others” having received the highest number of votes on the list of the political party, the list of independent candidates or the coalition’s list to which the mandate was allocated under Article 9.5, paragraph 1 of this Law. If the mandate would, under the formula set for the in Article 9.5, paragraph 1 of this Law, be allotted to an independent candidate, item 2 of this Article will apply.

b) If the political party, list of independent candidates or coalition to which the mandate was allocated as provided under Article 9.5, paragraph (1) of this Law does not have a sufficient number of such eligible candidates on the list for its city-wide electoral constituency or if the mandate would, under Article 9.5 of this Law, be allocated to (an) independent candidate(s), the mandate shall be transferred either:

1) to the same political party(ies), list(s) of independent candidates or coalition(s) having such candidates left on its lists of city-wide electoral constituencies; or

2) to (an) independent candidate(s) from the relevant constituent people or from among the group of “Others”, which/whoever ha(s)(ve) the next highest quotient as defined in Article 9.5 of this Law.

c) If no candidate from the relevant constituent people(s) or the group of “Others” can be found in accordance with items a) and b) of this Article, the mandate(s) shall be transferred to either:

1) the political party, list of independent candidates or coalition’s list having such candidate(s) left on a list for any city area constituency after the seats filled from the area constituencies have been allocated in accordance with Article 19.6 of this Law; or

2) the independent candidate(s) from the relevant constituent people or from the group of “Others” running for any city area constituency, which/whoever ha(s)(ve) received the highest quotient as defined in Article 9.5 of this Law.

(2) Article 9.5, paragraph (2) shall not apply when allocating mandate(s) under this Article.”

### **Article 4.**

Article 19. 6. shall be amended to read as follows:

“Article 19.6.

(1) If the total allocation of a mandates would lead to the representation of a constituent people and/or the councilors from among the group of Others beyond the quota provided for under Article 19.4, paragraph (2) of this Law, the following method shall apply:

a) The excessive mandate with the lowest quotient shall be re-allocated to the candidate who does not belong to the said constituent people and/or to the group of “Others”, the next candidate from the list of the same political party, the list of independent candidates or coalition’s list to which the mandate was allocated under Article 9.5, paragraph (1) of this Law. If the mandate would, under the formula set for the in Article 9.5, paragraph (1) of this Law, be allotted to an independent candidate, item b) of this Article will apply.

b) If there is no such candidate or if the mandate would, under the formula set for the in Article 9.5, paragraph (1) of this Law, be allotted to an independent candidate, the mandate shall be transferred, in the same city area constituency, either:

1) to the party, list of independent candidates or coalition’s list having a candidate who does not belong to the said constituent people and/or to the group of “Others”, and is left on its list

2) to the independent candidate(s) who do not belong to the said constituent people and/or to the group of “Others, and who ha(s)(ve) the next highest quotient as defined in Article 9.5 of this Law.

c) If no such candidate can be found in accordance with items a) and b) of this Article, the mandate(s) shall be transferred to either:

1) the political party, list of independent candidates or coalition’s list having such candidate(s) left on a list for any other city area constituency after the seats filled from that city area constituencies have been allocated in accordance with Article 19.6 of this Law; or

2) the independent candidate(s) from the relevant constituent people or from the group of “Others” running for any city area constituency, which/whoever ha(s)(ve) received the highest quotient as defined in Article 9.5 of this Law.”

## **Article 5**

This Law shall enter into force on the eighth day following the date of its publication in the “Official Gazette of BiH”.

No. 01,02-02-1-1263/20

8 July 2020

Sarajevo

Speaker

of the House of Representatives

of the BiH Parliamentary Assembly

**Nebojša Radmanović**, *manu propria*

Speaker  
of the House of Peoples  
of the BiH Parliamentary Assembly  
**Dr. Nikola Špirić**, *manu propria*