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

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| Pursuant to A | rticle IV 4. a) 0f the | e Constitution | of Bosnia and Herzegovina, the | Parliamentary |
|---------------|------------------------|----------------|---------------------------------|-----------------|
| Assembly of I | Bosnia and Herzegov | ina, on the | session of the House of Repres | entatives, held |
| on | 2006 and on the _ | session of | the House of Peoples, held on _ | 2006 |
| adopted | | | | |

DRAFT LAW

ON AMENDMENTS TO THE ELECTION LAW OF BOSNIA AND HERZEGOVINA

The following articles shall be amended in the Election Law of BIH (Official Gazette BIH, number: 23/01, 07/02, 09/02, 20/02, 25/02, 04/04, 20/04, 25/05, 52/05 and 77/05):

CHAPTER 1 GENERAL PROVISIONS

Article 1

Article 1.1 is amended with a new Article 1.1a as follows:

"Article 1.1a

"Meaning of certain expressions used in this Law:

- (1) "Political entity" considers political party, an independent candidate, coalition, or a list of independent candidates certified in accordance with this Law.
- (2) "Electoral unit" considers:
- a) A "basic electoral unit" means a municipality, the City of Banja Luka, Brcko District BiH, 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 multimember electoral units.
- b) 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) Entity electoral unit where authorities for entity level are elected and constituted, containing multimember constituencies.
- d) Entity electoral unit where the state level or authority is elected.
- (3) "Multi-member electoral unit" considers electoral unit where more than one but less than a total number of representatives for certain level shall be elected.
- (4) "Electoral race" considers period of mandate related to certain level of authority.
- (5) "Election threshold" considers certain percentage of valid votes that is necessary to be won by a political entity in order to be eligible to participate in the allocation of mandates.
- (6) "Election campaign" considers period established by the Law in order for political entities to inform voters and public, as prescribed by the Law, on their programs and candidates for the forthcoming elections.

(7) "Compensatory mandates" consider mandates to be allocated to political parties or coalitions according to the number of valid votes received and they are aimed to compensate inadequate proportional representation on the level of entity, which is the result of summing the results of particular multimember electoral units in the entity. "

Article 2

In Article 1.2, Paragraph 2, to replace "Election Commission of Bosnia and Herzegovina (hereinafter: the Election Commission of BiH)" with new wording: "Central Election Commission of Bosnia and Herzegovina (hereinafter: Central Election Commission of BIH)".

In Article 1.2, Paragraph 3 to substitute "Article 2.19, Paragraph 3" with "Article 2.19, Paragraph 11 and 12".

Article 3

In Article 1.2a, Paragraph 1, after the number "2.19" add words "and Article 2.19, par 12".

In Article 1.2a, Paragraph 3, words "and Article 2.19, Paragraph 3" to be replaced with "and Article 2.19, Paragraph 11".

In the same Article, after Paragraph 4, include new Paragraph 5:

"Financial means aimed for conduction of Elections shall be managed by the Election Commission from Paragraphs 1, 2, 3 and 4 of this Article and Election Commission is authorized to determine the way of spending financial means and right to supervise the allocation and use of those means".

Article 4

After Article 1.2a there is a new Article 1.2b added as follows:

"Article 1.2b

In the case that the mandate of a Municipal Mayor or a City Mayor, who was elected directly, ceased in accordance with the law, means necessary to conduct elections shall be provided from the budget of the appropriate Municipality in the case of Municipal Mayor or from the City in the case of the City Mayor".

Article 5

Article 1.3 is amended with Article 1.3a:

"Article 1.3a

"Members of the representative bodies elected in accordance with the Law, apart from situations defined by Article 1.10 of this Law, are not subject of a recall and all their rights and obligations commence on the day of constituting of the representative body.

Mandate of members of representative bodies elected in regular elections shall last 4 years and commences on the day of constituting of the representative body".

Article 1.4, Paragraph 1 "to be elected" shall be replaced with: "to participate in elections". 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 changed to read as follows:

"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 temporarily resides abroad and has the right to vote, shall have the right 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, under the condition that a citizen has a permanent residence at the moment the application for out of country vote is submitted.

In the same Article, par 3, the word "holds" shall be replaced with the word "has", and to delete "register and to".

Article 8

In Article 1.6, par 1, "may register to vote", shall be replaced with "may be recorded in the Central Voter Register".

Article 9

In Article 1.7 to replace "may register to vote" with "may be recorded in the Central Voter Register."

Article 10

Article 1.7 is followed by a new article:

"Article 1.7a:

No person who is serving a sentence imposed by a court of foreign country or has failed to comply with an order to appear before a court of foreign country for serious violations of humanitarian law where the International Criminal Tribunal for the Former Yugoslavia has reviewed the file prior to arrest and found that it meets international legal standards may be recorded in the Central Voter 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 changed as follows:

Judges of regular and Constitutional courts, prosecutors and their deputies, public defenders 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 they obey by the laws that regulate their status.

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:

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

Article 12

Article 1.10, par 1, point 3, after "to" to include "a non-parole".

Article 1.10, par 1, point 6 shall be changed as follows:

"6. If he or she changes his permanent residence by leaving the constituency in which he/she was recorded in the Central Voters Register to vote in which he/she is elected, within 6 months from the date when he or she checked out".

Article 13

In Article 1.11, par 2 shall be deleted.

Article 14

In the Article 1.14, Paragraph 2, to add after "Herzegovina" wording "shall announce the elections in accordance with this law" and after the word "authorities" to add "and the public", also to substitute the word "one-hundred and seventy (170) days" with "one-hundred and eighty (180) days" and number "13" with "14".

In the same Article, Paragraph 3 shall be deleted.

Paragraph 4 becomes Paragraph 3.

CHAPTER 2

AUTHORITIES RESPONSIBLE FOR THE CONDUCT OF ELECTIONS

Article 15

Article 2.1, Paragraph 2: "Article 14.7" to substitute with "Article 15.7, Paragraph 2".

In Paragraph 3: "Embassies and Consulates" to substitute with "Diplomatic and Consular Missions".

Article 16

Article 2.2, after Paragraph 3, a new Paragraph 4 shall be added:

"Members of bodies responsible for conduction of elections are obliged during their mandate to permanent training in accordance to the educational plan and programme brought by the Central Election Commission of BIH".

Article 17

Article 2.3, Paragraph 1, point 3, after "Article 2.12" to add "Paragraph 4".

Article 18

Article 2.4, Paragraph 1: to delete words "Except as provided for in Article 2.12 of this law" and "unless otherwise specified by this law".

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 (spelling mistake in local language text) – "Commissions for Selection and Nomination" to be replaced with "Commission for Selection and Nomination".

In the same Article, at the end of Paragraph 2, to delete a full stop, place a comma and add: "and must not hold position in political party, association or foundation that are organizationally or financially related to a political party, and must not be involved in any political party activity".

In the same Article, par 5, to substitute "adopted by the BIH EC" with "adopted by the Commission for Selection and Nomination", and in the last sentence the word "appointment" to be replaced with "list".

In the same Article, after Paragraph 6, to include a new Paragraph 7:

"Commission for Selection and Nomination is obliged to provide the House of Representatives of the Parliamentary Assembly of BIH with the candidate list not later than thirty (30) days prior to expiration of mandates of Central Election Commission of BIH Members".

Paragraph 7 becomes Paragraph 8.

In the same Article, in Paragraph 7 which, through these amendments became Paragraph 8, in the first sentence, after the words "House of Representatives" add words "of the Parliamentary Assembly of Bosnia and Herzegovina".

In the same Article, after Paragraph 8, to add new Paragraphs 9 and 10 as follows:

"In the case that the House of Representatives of the Parliamentary Assembly of BIH does not conduct the procedure as mentioned in Paragraph 6 of this Article, members of the Central Election Commission of BIH shall continue with work until new members of the Central Election Commission of BIH are appointed.

Financial means necessary to publicly announce the vacancy shall be provided in the Budget of the Central Election Commission of BIH".

Article 20

There is a new Article 2.6a after Article 2.6 as follows:

"Article 2.6a

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

Document on selection, appointment and cessation of mandate of the Central Election Commission of BIH members shall be issued by the House of Representatives of the Parliamentary Assembly of BIH.

Time elapsed from the appointment day until the day of cessation of mandate of a member of the Central Election Commission of BIH shall be counted as a working experience.

Member of the Central Election Commission of BIH has right to salary and other allowances in the amount as foreseen for councillors of the Parliamentary Assembly of BIH.

Member of the Central Election Commission of BIH whose mandate ceased and he/she is not exercising rights according to the labour regulations, has right to receive an amount equal to the amount he/she would receive as a salary, for maximum of six months upon mandate cessation or until he or she is employed again. This period should be counted as working experience and person has right to social and health insurance".

Article 21

Article 2.8 shall change as follows:

"Members of the Central Election Commission of Bosnia and Herzegovina shall not be held accountable in criminal or civil proceedings for acts committed in the course of conducting tasks and duties which are stipulated by this law and other laws.

Immunity from Paragraph 1 of this article can be exercised by members of the Central Election Commission of Bosnia and Herzegovina at any time for actions committed during their tasks and duties in the Central Election Commission of BIH, but it can not be considered as general prevention for criminal prosecution or initiation of the civil proceedings."

In Article 2.9, point 2, to add a new point 2.a.:

"2.a. - and bring decision to organize election for direct levels in Bosnia and Herzegovina, as stipulated by this law".

In the same Article, in Point 3 to delete "and the Secretariat".

In the same Article, in Point 4 to replace "establishment, accuracy and maintenance" with "accuracy, update and integrity".

In the same Article, in Point 5, after words "levels of" to add "direct".

In the same Article, in Point 6, after words "levels of" to add "direct and indirect" and, after the words "Bosnia and Herzegovina" to add "that are subject of application of this law".

In the same Article, in Point 7, after words "and forms for" to add "direct".

In the same Article, in Point 8, after words "levels of" to add "direct".

In the same Article, in Point 9 to change as follows:

"9. Verify results of all direct and indirect Elections that are subject of application of this Law, certify that Elections were conducted in accordance with this Law and publish results of all direct and indirect Elections that are subject of application of this Law".

In the same Article, Point 10, after "mandate" to add "on all direct and indirect levels of authority in BIH that are subject of application of this law".

In the same Article, Point 11, after "Polling Station Committee" to include "or any other body responsible for conduction of elections".

In the same Article, Point 12 to add after "results" the following: "of direct and indirect elections in BIH that are subject of application of this law".

In the same Article, in Point 14, instead of "authority" to add "direct and indirect elections that are subject of application of this law" and after "with" to add "this".

In the same Article, Point 15 to replace "state of electoral administration" with "election implementation".

Article 23

Article 2.10, word "may" to be substituted with "shall" and to change "has been established" into "establishes".

Article 24

Article 2.11, par 1 shall change into:

"Administrative, technical and professional duties on behalf of the Central Election Commission of BiH shall be conducted by the Secretariat of the Central Election Commission of BiH, whose founder is the Central Election Commission of BiH".

In the same Article, par 2, after "Bosnia and Herzegovina" to add the following wording: "and according to the procedure foreseen in the Law".

To add a new Paragraph -3:

"The Central Election Commission of BiH shall adopt the Rulebook on Internal Organization of the Secretariat of the Central Election Commission of BiH, upon a proposal submitted by the Secretary-General, subject to approval of the BiH Council of Ministers".

Article 25

Article 2.12, in Paragraph 4, after "President" to include "or a Judge" and after "Assembly" to add "City Council".

In the same Article, par 5, to add words "and dismissed" after word "appointed".

Article 26

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

"2. supervise and control the work of the Centre for Voter Register stipulated by Article 3.8 of the law;"

In the same Article, point 4 shall change into: "conduct procedure for appointment, appoint and train members of the Polling Station Committee".

Article 27

Article 2.14, Paragraphs 1 and 2 to delete "or Polling Station Committees".

In the same Article, Paragraph 3, to delete "or Polling Station Committee" and to replace (in local language plural with singular: "are" into "is").

Article 28

In Article 2.15, Paragraph 1, **to delete the last sentence** "The term of appointment shall expire when the previous member's appointment would have expired".

Article 29

Article 2.16, par 1, to substitute wording "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", with "MC/MA, with prior approval by the Central Election Commission or the Central Election Commission of BiH may ...".

Article 30

Article 2.19 shall be changed as follows:

"The Polling Station Committee shall consist of three (3) or five (5) members and one of them to be appointed as a President.

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 previous Paragraph, then the Central Election Commission of Bosnia and Herzegovina shall appoint them.

Certified political parties and independent candidates, whose participation in elections is verified in a constituency in accordance with this Law, may participate in the lottery made by the Municipal Election Commission for PSC positions.

A lottery mentioned in the previous Paragraph shall take place minimum sixty (60) days prior to the Election Day.

Political parties and independent candidates shall provide relevant Municipal Election Commission within 7 days with the list of qualified candidates for Polling Station Committee positions selected through the lottery procedure.

In the case that a political party or an independent candidate fail to provide names of candidates for Polling Station Committee members according to deadline, it would be considered as they give up from positions in the Polling Station Committee, or if the number of candidates proposed by political party is lower than the required number, the Municipal Election Commission shall appoint Polling Station Committee members independently, taking into account the multi-ethnic composition of Polling Station Committee's, where possible.

A lottery shall be conducted in accordance to the obligatory instruction brought by the Central Election Commission of BiH."

Political party may have only one representative in one Polling Station Committee.

Polling Station Committee members have right for financial compensation for their work. Decision on the amount of this payment shall be adopted by the Municipal Election Commission.

Decision on the amount of payment for members of Polling Station Committee for conduction of the General Elections shall be adopted by Central Election Commission of BiH.

CHAPTER 3 VOTER REGISTER

Article 31

CHAPTER 3 – VOTER REGISTER shall be changed as follows:

"Article 3.1

Central Voter Register shall be formed and maintained to keep the records of citizens of Bosnia and Herzegovina who have the electoral right in accordance with this Law and shall be used to organise and conduct elections in accordance with this Law, to conduct referendum, to conduct recall of elected officials and to elect bodies of the Local Selfgovernance in accordance with the Law.

Central Voter Register and Excerpt from the Central Voter Register are public documents.

Right to have an insight in 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 have right upon request to be issued excerpt from the Central Voter Register for the level or the constituency they have registered for participation in elections, in electronic or printed form.

Article 3.2

Central Voter Register is a unique, permanent and shall be regularly updated.

Central Voter Register shall contain the following:

- a) Citizens of Bosnia and Herzegovina, aged eighteen (18);
- b) Citizens of Bosnia and Herzegovina that shall attain eighteen (18) years of age on the Election Day;
- c) Citizens of Bosnia and Herzegovina with electoral right in accordance with this Law, who temporary reside abroad, for municipality of their residence before their departure abroad.
- d) Citizens who have the electoral right in accordance with Article 20.8, Paragraph 6 of this Law.

Central Voter Register shall not contain names of BIH citizens who are found mentally incapable by the competent body. In the case that such person is recorded, he/she shall be deleted from the voter register, and in the case that a competent body decide that such a person restored capability he/she shall be recoded in the Central Voter Register.

Article 3.3

Central Voter Register shall be made and maintained on the basis of official records on permanent and temporary residence of citizens of Bosnia and Herzegovina, that shall be maintained by the competent body, other public identifications and official records on citizens of Bosnia and Herzegovina kept by the Election Commission of BIH and competent bodies and on the basis of official identifications and data received directly from citizens.

Article 3.4

Central Voter Register shall be maintained and processed in an electronic version.

Records of Central Voter Register or its excerpts shall be available for view and shall be processed through the same methodology and using the same computer program, on all locations where processing and collecting of data for Central Voter Register takes place.

Records of Central Voter Register shall be processed and maintained using computerised processing, according to the unified method and program whose contents and manner of use shall be determined by the competent body of Bosnia and Herzegovina and the Central Election Commission.

Article 3.5

Central Voter Register shall be maintained ex-officio.

The Central Election Commission of Bosnia and Herzegovina shall keep and manage the Central Voter Register for the territory of Bosnia and Herzegovina on the basis of records of the competent state body that keep records of citizens of Bosnia and Herzegovina in accordance with the Law on central register and exchange of information, unless otherwise specified by this Law.

The competent body from Paragraph 2 shall maintain and shall be kept responsible for the whole technical processing of all data of importance for the record of the Central Voter register (hereinafter: A body that technically maintain the records of the Central Voter Register).

A body that technically maintains the records of the Central Voter Register shall receive data from the following:

- 1. Competent municipal records office:
- a) On citizens who have reached eighteen (18) years of age,
- b) On citizens younger than eighteen (18) years but will attain eighteen (18) years of age on the election day,
- c) On death of all citizens over eighteen (18) years of age;

- 2. A competent body that keeps records on changes regarding the temporary and permanent residence of citizens;
- 3. A competent Ministry of Bosnia and Herzegovina on citizens who lost the citizenship;
- 4. Municipal Election Commissions on Polling Stations and
- 5. Central Election Commission of BIH and Municipal Election Commissions on changes of voting options.

Body competent to maintain the official records shall be responsible for accuracy and update of data necessary to produce the Central Voter Register.

Bodies competent to keep the official records on citizens of Bosnia and Herzegovina shall provide the body that technically maintain the records of the Central Voter Register with all changes that effect the accuracy of the Central Voter Register, in a written form within seven (7) days from the date the change occurred, and within two (2) days in an electronic version once the conditions for this kind of delivery are met.

Body competent to keep the official records of the Central Voter Register shall record all changes that effect the Central Voter Register and check received information in appropriate manner, analyze content of the central Voter Register in association with the Central Election Commission of BIH and take measures and actions to remove and correct defects.

Body competent to keep the official records of the Central Voter Register is obliged to keep the document files, public identifications and requests of citizens used to maintain and update the Central Voter Register and to make these files available to the Central Election Commission on its request.

Article 3.6

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

Central Election Commission of BIH shall:

- a) inform competent bodies and take appropriate measures and actions to remove irregularities and establish accurate and updated Central Voter Register,
- b) make excerpts from the Central Voter Register for displaced persons of Bosnia and Herzegovina,
- c) make excerpts from the Central Voter Register for voters who vote out of BIH,
- d) keep a special record on persons who were in accordance with the Law banned to vote and
- e) verify final excerpts from the Central Voter Register to be used for the elections.

Excerpts from the Central Voter Register for voters mentioned in Paragraph 2, point b) of this Article shall be made on the basis of data provided by the competent state bodies and by citizens in accordance with this Law.

Excerpts from the Central Voter Register for voters mentioned in Paragraph 2, point c) of this Article shall be made on the basis of data in possession of the Election Commission of BIH and data provided by citizens who vote outside BIH.

Competent bodies from Paragraph 3 and 4 shall be kept responsible for accuracy, update and timely delivery of data necessary to make the excerpt from the Central Voter Register.

Central Election Commission of BIH shall regulate with its regulations the following:

- a) deadlines to complete and verify the final Central Voter Register and
- b) deadlines to provide data on changes in the records of displaced persons and records of citizens who vote outside BIH.

Article 3.7

Central Election Commission makes the excerpt from the Central Voter Register, containing data on all voters with the right to vote for each basic electoral constituency on the basis of data contained in the records of the Central Voter Register. Such excerpt 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 according to the Polling Station.

Central Election Commission of BIH may issue excerpt from the Central Voter Register also for other constituencies where elections will be conducted, in the case of a recall of the elected official and to conduct referendum, on the basis of data contained in the Central Voter Register.

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

Article 3.8

In each municipality, the competent municipal body, shall establish a Center for Voter Register. The competent municipal body shall conduct training of staff of this Center, in co-operation with the Municipal Election Commission.

Center for Voter Register shall:

- a) technically support the Municipal Election Commission in determination of the Polling Stations on the territory of municipality and in allocation of voters according to the Polling Stations;
- b) update data from point a) from this Paragraph in accordance with changes in number of voters and regulations of the Central Election Commission of BIH;
- c) make available excerpt for inspection from the Central Voter Register of the territory of its municipality;
- d) provide data for the Central Voter Register in accordance with the regulations established by 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 Voter Register;
- f) carry out other tasks set by the Central Election Commission and by the Municipal Election Commission, in accordance with this Law.

Center for Voter Register shall keep records of requests and appeals from Paragraph 2, points d) and e) of this Article and is obliged to keep the supporting documentation submitted with together with requests and appeals.

Central Election Commission of BIH shall adopt by-laws to closely determine the manner and responsibility of work, deadline for establishing and other issues important for functioning of the Center for Voter Register.

Article 3.9

A citizen of Bosnia and Herzegovina, with the electoral right, shall be recorded in the Voter Register of the basic electoral constituency in the place of his permanent residence in Bosnia and Herzegovina, unless otherwise specified by this Law.

A citizen of Bosnia and Herzegovina, with the electoral right in accordance with this Law, who reside abroad, shall be recorded in the Voter Register of the municipality of his permanent residence before departure abroad.

A citizen of Bosnia and Herzegovina, who has the electoral right in accordance with this Law and has a status of a refugee, shall be recoded in the Voter Register of the municipality where he used to have a permanent residence in accordance with provisions of Article 20.8 of this Law.

A citizen of Bosnia and Herzegovina, who has the electoral right in accordance with this Law and has a status of a displaced person, shall be recoded in the Voter Register of the basic electoral constituency on the basis of the expressed option and in accordance with provisions of Article 20.8 of this Law.

Application for determination of the voting option or request for changing 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 prescribed by the Central Election Commission of BIH.

In the case that a citizen of Bosnia and Herzegovina fail to submit the application for determination or change or the voting option in regards to Paragraph 5 of this Article, he shall be recorded in the Central Voter Register for the basic constituency where he was recorded on the last elections, and if he wasn't recorded in the Central Voter Register at all, he shall be recorded in the Central Voter Register for the basic constituency in which he has a permanent residency according to the last Census conducted by Bosnia and Herzegovina.

Article 3.10

Records of the Central Voter Register shall contain the following information on citizens of Bosnia and Herzegovina who enjoy electoral right:

- 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 permanent or temporary residence,
- f) Address of the temporary residence (street, number and place),
- g) Name of the Municipality and/or electoral constituency for which this person is eligible to vote,
- h) Voting option and
- i) Field "remarks".

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

Form and shape of the excerpt from the Central Voter Register, used for the conduct of the elections, shall be determined by the Central Election Commission of BIH.

Article 3.11

Central Voter Register data shall be published and its contents is available for inspection, taking care of principles on protection of personal information and provisions established by the Law on protection of personal information.

Article 3.12

Permanent residence is a municipality of a citizen who settled down with intention to permanently reside and he registered the residence in accordance with the Law on permanent and temporary residence of citizens of Bosnia and Herzegovina.

A permanent residence of citizens of Bosnia and Herzegovina, with the status of a displaced person or a refugee, shall be his municipality of permanent residence in accordance with the last Census conducted by Bosnia and Herzegovina.

Article 3.13

Recording of voter in the Central Voter Register shall be made by the competent body in accordance with Article 3.5 of this Law.

Any citizen of Bosnia and Herzegovina shall have the right to inspect the Central Voters Register and submit a request to correct invalid or inaccurate personal data.

Personal data mentioned in Paragraph 2 of this Article shall include data from Article 3.10, Paragraph 1, Points a), b), c), e) and f) of this Law.

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

Article 3.14

Central Election Commission of BIH shall adopt regulations to determine the manner and procedure to record in the Voter Register:

- 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 Voter Register, in order to be included in the excerpt from the Central Voter Register for out of country voting, is obliged to submit application to the Central Election Commission for every elections. 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 abroad address details shall be attached to the application, signed by the applicant.

A citizen of Bosnia and Herzegovina who has a status of a refugee from BIH and has electoral right in accordance with this Law and is recorded in the Central Voter Register, in order to be included in the excerpt of the Central Voter Register for voting outside BIH, is obliged to submit application to the Central Election Commission of BIH. The application must be received before the deadline set by the Central Election Commission of BIH in the period after the elections are announced. Applicant should attach to the signed application the following proofs:

- a) proof on identity of the applicant as prescribed by this Law;
- b) accurate address abroad and
- c) proof on the permanent residence in accordance with Article 20.8 of this Law, in the case he wants to make a change of the registration details recorded in the Central Voter Register for the basic electoral constituency he has right to vote for.

A citizen with a status of a refugee from BIH must submit an application to the Central Election Commission in order to be recorded in the Central Voter Register and by doing so be in position to exercise his electoral right in accordance with this Law. The application must be received before the deadline set by the Central Election Commission of BIH in the period after the elections are announced. Applicant should attach to the signed application the following proofs:

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

The following documents shall be admissible as valid proof on identity:

- 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 organisation.

Applicant shall be recorded in the excerpt from the Central Voter Register for voting outside BIH in the case that conditions from Paragraphs 1, 2 and 3 are met.

Applicant from Paragraphs 1, 2 and 3 is kept responsible for accuracy of data attached to the application.

Central Election Commission of BIH shall adopt the form of application from Paragraphs 1, 2 and 3 of this Article and appropriate instructions on manner and procedure for checking the correctness of data in documents submitted by refugees from BIH who request to be recorded in the Central Voter Register, for checking the proofs on identity and permanent residence for refugees and shall adopt appropriate instructions regarding the procedure for recording voters in the excerpts of the Central Voter Register for out of country voting.

Article 3.16

A citizen of Bosnia and Herzegovina from Paragraphs 1, 2 and 3 of Article 3.15 of this law, before the deadline established for submitting application for voting outside BIH expire, is obliged to submit application in the case that data submitted to the Central Election Commission are changed that are used as basis for being recorded in the excerpt from the Central Voter Register to vote outside BIH.

A citizen of Bosnia and Herzegovina from Paragraph 1 of article 3.15 of this law, in a case he fail to submit application for voting outside BIH on the next elections in due time, shall be recorded in the excerpt from the Central Voter Register for voting in the basic electoral unit of his permanent residence.

In the case that a citizen of Bosnia and Herzegovina from Paragraph 2 of article 3.15 of this law, fails to submit proof on permanent residence in BIH in accordance with Article 20.8 of this Law, he shall be recorded to vote in the next elections in the excerpt from the Central Voter Register for voting in the basic electoral unit on the basis of information on his permanent residence that is in possession of the body that technically maintain the records of the Central Voter Register.

In the case that a citizen of Bosnia and Herzegovina, who is recorded in the Central Voter Register, has returned to Bosnia and Herzegovina after the deadline established for submitting applications for voting outside BIH on the next elections expired, he is obliged to submit a request with the competent body to change his voting option.

Center for Voter Register, through the municipal election commission, shall receive and process all requests from Paragraph 4 of this Article in accordance with the rules of the Central Election Commission of BIH and shall deliver these details to the Central Election Commission of BIH in order to record changes in the Central Voter Register for out of country voting.

In the case that a citizen of Bosnia and Herzegovina, who is recorded in the Central Voter Register for out of country voting, has returned to Bosnia and Herzegovina after the deadline established for submitting applications for voting outside BIH on the next elections expired, he shall be allowed to vote with the tender-ballot/enveloped in the Polling Station in the basic electoral constituency he has right to vote for.

Article 3.17

A citizen of Bosnia and Herzegovina who has an electoral right and is not found in the completed excerpt from the Central Voter Register may vote showing a valid identification document from Article 5.12 of this Law and a confirmation on permanent residence.

A voter from Paragraph 1 of this Article shall vote in the special Polling Station designated for this manner of voting in the basic constituency of his permanent residence.

Central Election Commission of BIH shall regulate the manner and procedure of voting of voters from Paragraph 1 of this Article and manners to check the right of such voters".

CHAPTER 4 CERTIFICATION AND CANDIDACY FOR THE ELECTIONS

Article 32

Article 4.2, par 1, point 1 changes into:

"1. The candidate must be recorded in the Central Voters Register for the municipality in which he or she is standing for office or in the municipality within the boundaries of the electoral unit if he or she is running for higher levels, latest until the day of announcement of the elections; and".

In the same Article, Paragraph 3, after the word "unit" to add "unless otherwise specified by this law".

Article 33

Article 4.4, par 1 to delete "registered" and, after the word "voter", add "recorded in the Central Voter Register".

Article 4.4, par 5, points 1, 2, 3, and 4 to delete "registered", and after "voters" to add "recorded in the Central Voter Register".

Article 4.4, par 5, point 5: "one hundred (100) signatures of voters **recorded in the CVR** for the elections for the Municipal Council/Assembly and for the Mayor of **municipality**, in which the number of voters **recorded in the CVR** in the previous elections **for that level** 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 CVR.

Article 4.4, par 5, point 6: "(5)% of signatures of voters **recorded in the CVR** for the election of Municipal Council or Municipal Assembly and for the **Municipal** Mayor, in a municipality in which the number of voters **recorded in the CVR** at the last elections **for that level** did not exceed a thousand (1000) voters **recorded in the CVR**.

In the same Article, par 5, additional point is included, point -7:

"Supporting signatures submitted for the higher level of government shall be counted for lower levels of government as well, if those are included in the higher level".

Article 34

Article 4.5 shall be amended with a new Paragraph 2:

"Political party is released from obligation to submit supporting signatures from Article 4.4 of this Law also in the case when it submits request for verification of candidacy for the same or lower levels comparing to the body in which a member of the political party already holds a mandate".

Paragraph 2 becomes Paragraph 3.

Article 35

Article 4.6, par 1, wording "competent authority" should be replaced with "BIH Central Election Commission", and words "one-hundred and forty (140)" to be replaced with "one-hundred and fifty (150)".

In the same Article, par 2, full stop is deleted after "law", a comma is added and sentence continued with the following: "not later than 15 days from the date of delivery of the application".

In the same Article, par 3, after "incomplete information" to add "or if it establish any other omission or irregularity in the sense of this law or regulatory documents brought by the Central Election Commission", after "two (2) days" to add "after the date of receipt of information". In the last sentence of this Paragraph, after "deadline" to add "in the case that the party doesn't correct the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application for participation in the elections".

In the same Article, par 4, after "two (2) days" to add "from the date of receipt of the decision", and after "three (3) days" to add "from the date of receipt of the request".

Article 36

Article 4.8, par 1, points 1, 2, 3, and 4 to delete "registered", and after "voters" to add "recorded in the Central Voter Register".

Article 4.8, par 1, Point 5 to delete "registered" and after "voters" to add "**recorded in the Central Voter Register**", and wording "in the municipality when the Mayor is directly elected" to replace with "**of Municipality**".

Article 4.8, point 6 shall be changed as follows:

"five (5) % of signatures of voters recorded in the CVR for the election of Municipal Council/Assembly and for the election of the mayor of municipality in which the number of voters recorded in the CVR in the last elections held for that level has not exceeded a thousand (1000) voters recorded in the CVR".

Article 37

New Paragraph is added to this Article – Paragraph 2:

"Independent candidate is released from obligation to submit supporting signatures from Article 4.8 of this Law also in the case he/she is running as candidate for body of the same or lower levels comparing to the body in which the independent candidate already holds a mandate".

Article 38

Article 4.10, par 1, to replace "one-hundred and forty (140)" with "one-hundred and fifty (150)".

In the same Article, par 2, to delete full stop after "law" and add "not later than 15 days from the date of receipt of the application".

In the same Article, par 3, to delete "within two (2) days".

In the same Article, par 4, after "incomplete information" to add "or if it establish any other omission or irregularity in the sense of this law or regulatory documents brought by the Central Election Commission", and after "two (2) days" to add "from the date of receipt of the request to correct or complete application". In the last sentence of this Paragraph, after "deadline" to add "in the case that the independent candidate doesn't correct the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application for participation in the elections".

In the same Article, par 5, after "two (2) days" to add "from the date of receipt of the decision" and in the end of Paragraph to add "from the date of receipt of the request".

Article 39

Article 4.12, par 1, at the end of the first sentence to add the following: "and a decision on the selection of the authorized representative of coalition signed by all presidents of political parties-coalition members and shall also submit information of the seat of coalition and/or address where all correspondence shall be sent to".

In the same Article, par 2, to replace "one-hundred and ten (110)" with "one-hundred and twenty (120)".

In the same Article, par 3, after "elections", to delete full stop and add "**not later than seven** (7) days from the date of receipt of the application".

In the same Article, par 4, after "incomplete information" to add "or if it establish any other omission or irregularity in the sense of this law or regulatory documents brought by the Central Election Commission", and after "two (2) days" to add "from the date of receipt of the request to correct or complete application". In the last sentence of this Paragraph, after "deadline" to add "in the case that the coalition doesn't correct the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application for participation in the elections".

In the same Article, par 5, after "two (2) days" to add "from the date of receipt of the decision" and in the end of Paragraph to add "from the date of receipt of the request".

Article 40

Article 4.13, par 2, to substitute words "application for certification" with a word "certification for participating in elections".

Article 41

Article 4.15, par 1, replace "one-hundred and ten (110)" with "one-hundred and twenty (120)".

In the same Article 4.15, par 2, after "law" to delete full stop and add "**not later than seven** (7) days from the date of receipt of the application".

In the same Article, par 3, after "incomplete information" to add "or if it establish any other omission or irregularity in the sense of this law or regulatory documents brought by the Central Election Commission", and after "two (2) days" to add "from the date of delivery of the request to correct or complete application". In the last sentence of this Paragraph, after "deadline" to add "in the case that the independent list applicant doesn't correct the application, the Central Election Commission of Bosnia and Herzegovina shall not certify the application for participation in the elections".

In the same Article, par 4, after "two (2) days" to add "from the date of receipt of the decision" and in the end of Paragraph to add "from the date of receipt of the request".

Article 42

Article 4.16, to substitute "fee" with "a proof that the fee is paid". Word "fee" in the second sentence shall change into "Amount of money paid for fee".

Article 43

Article 4.18, par 1, after "lists" to add "**for certification**", and to delete "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."

Paragraph 2 of the same Article shall be deleted.

Article 44

Article 4.19, par 3, after "of this Law" to add "and Mostar City Council".

In the same Article, Paragraphs 5 and 6 shall be changed as follows:

"Candidacy list contains first name and last name of every candidate on the list, JMBG, address of residence, belonging to constitutive People or group of "others", ID card number and place of issuance, signature of the President of PP or Presidents of Political Parties in the case of a coalition. Statement on acceptance of candidacy shall be submitted by each candidate. This statement must be certified in the way as described by the Law".

Expressed national belonging to the People or to the group of Others mentioned in the previous Paragraph shall be used as a base to exercise rights to hold an elected or appointed position for which the national belonging statement to the constitutive People or to the group of Others is a condition.

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

Candidate has right to freely express his belonging to the constitutive People of to the group of "Others" on the candidacy list, but any abstinence from expressing the belonging shall be considered as giving up from the right to be elected to an elected or appointed position in the case that the expression of national belonging is a condition.

If there are more candidates on the list than it is prescribed by Paragraphs 2 and 3 or if the candidate list doesn't fulfil conditions listed in par 4, the CEC BIH shall certify the candidate list up to the number that fulfils conditions set by this Law.

Article 45

Article 4.20, to substitute "12.5" with "13.5".

Article 46

Article 4.21, par 1, to change wording "competent EC from Article 4.18 of this law" into "Central Election Commission of BIH" and "ninety-five (95) days" shall be replaced with "one hundred (100) days".

Paragraph 2 to be deleted.

Paragraphs 3, 4 and 5 become 2, 3 and 4.

In the same Article, par 3, which according to these changes became par. 2, words "twenty (20) days" shall be replaced with "twenty-five (25) days", and after the words "five (5) days", to add "from the date of receipt of the request to correct or complete application".

In the same Article, par 4, which according to these changes became par. 3, after "two (2) days" to add "from the date of receipt of the decision" and in the end of this Paragraph to add "from the day the application is submitted".

In the same Article, par 5, which according to these changes became par. 4, words "expiration of the deadline for submission" shall be replaced with the word "certification".

Article 47

Article 4.23 shall be given new Paragraphs -2 and 3:

"From the certification of candidate lists until the beginning of printing of ballots, a political party, coalition and independent candidate list have right to change the name of a candidate on the list only in the case of a death of a candidate or if he or she became incompetent for candidacy as foreseen in this Law".

If a political party, coalition or independent candidate fails to replace a candidate within mentioned deadline, than the CEC BIH shall remove candidates from the list mentioned in Paragraph 1 of this article and such candidacy list shall be considered as complete and verified".

Article 48

Article 4.25 is added after Article 4.24, and it reads as follows:

"Article 4.25

In the sense of this Chapter, each document submitted to the Central Election Commission by political party, coalition, independent candidate or independent candidate list shall be considered valid only if it is signed by person/s authorized for representation as noted in applications and whose signatures are submitted to the Central Election Commission of BiH.

For the purpose of this Chapter, Election Commission shall deal with political parties, coalitions, independent candidate and list of independent candidates exclusively through head office of political party, coalition, independent candidate or independent candidate list or through a person authorized to represent them before the Central Election Commission".

CHAPTER 5 CONDUCT OF ELECTIONS

Article 49

In Article 5.3, Paragraph 1 will be added at the end, with the following wording: "and Minutes will be made thereof, signed by all Polling Station Committee members".

Another Paragraph will be added after Paragraph 1, as follows:

"In the event that polling material from the previous Paragraph is not delivered as complete and correct, the Polling Station Committee shall inform the Municipal Election Commission thereof, and the MEC will be required to correct all problems without delay, until opening of the Polling Stations the latest".

Paragraph 2 becomes Paragraph 3, while former Paragraphs 3 and 4 are deleted.

Article 50

In Article 5.6, par 2 to substitute "Chapter 16" with "Chapter 17".

Article 51

Article 5.7, Paragraph 2 changes as follows:

A member of the Polling Station Committee, a voter or an accredited observer may enter his or her opinion or objections to the voting process in the Poll Book or deliver it in written form and receive a receipt from the President of the PSC certifying submission of complaint. In addition, he/she can also inform the Municipal Election Commission of it. If the person does not sign the Poll Book personally then his or her opinion or objections will not be considered.

New Paragraph 3 will be added after Paragraph 2, in the same article:

"If a member of the Polling Station Committee, a voter or an accredited observer is prevented from entering his/her opinion or remarks into the minutes, than opinion/remarks can be sent to the Municipal Election Commission".

Article 52

In Article 5.12, Paragraph 4, items 4, 5 and 6 are to be deleted.

Article 53

Article 5.13, after Paragraph 1, a new Paragraph 2 will be added as follows:

"Signature of a voter in the excerpt of the Central Voter Register must correspond to the signature on the ID presented by a voter, 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 changed as follows:

"Central Election Commission of Bosnia and Herzegovina shall determine the form and contents of ballots for direct elections at all levels of authority in Bosnia and Herzegovina".

In Article 5.15, Paragraph 1, point 3, after words "and independent candidates" the following should be added "with a mark "independent candidate".

Article 56

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

In the same Article, in its Paragraph 3, after words" of Bosnia and Herzegovina", the words "on the basis of public vacancy" should be added, and words "experienced in election-related matters and shall not be" should be replaced with the words "with a minimum of three years of experience in conducting elections and can not be"

Article 57

In Article 5.29, Paragraph 1 becomes Paragraph 2.

In Article 5.29, Paragraph 2 becomes Paragraph 1. It is changed, and now reads as follows:

"Central Election Commission of BIH verifies the results of all direct and indirect elections that are subject to application of this Law, after the deadline for submitting appeals/complaints expires, and/or until decisions on submitted complaints become valid, within deadline of 30 days of the Election Day".

In the same Article, in Paragraph 3 the words "the timelines to establish the election results" should be deleted.

CHAPTER 6 PROTECTION OF THE ELECTORAL RIGHT

Article 58

Article 6.1

Protection of the electoral right shall be secured through election commissions and the Appellate Department of the Court of BIH.

Article 6.2

Voter, political party, coalition, independent candidate, list of independent candidates whose right, as established by this law, is violated, shall have the right to file a complaint with the authority competent for conduction of elections within 48 hours from the violation.

Election commissions 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 stipulated by Article 7.3 of this Law.

The initiative for the procedure, in the terms of the previous Paragraph, may be launched by a legal entity or any person 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 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 a complaint.

An authorised representative of a political party is considered to be the president of the municipal organisational branch of the political party or a person authorised under the statute. If a municipal organisational branch 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. An authorised representative of a coalition shall be considered to be the president of the municipal organisational branch of one of the parties members of the coalition or a 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 has been filed untimely or is incomplete, shall be rejected.

The complaint shall be rejected if it is impossible to establish who 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 all complaints submitted for violation of Chapter 7, with exemption from violations in regards to Article 7.3, Paragraph 1, Point 7 and Article 7.4, paragraph 1, Point 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 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 complaint from Article 6.4 of this Law, including, but not limited to adding or deleting voters from the Central Voter Register, removal of person working on the voter registration or in the Polling Station Committee, or order to certain person or to a party to cease activities that violate this Law.

Article 6.6

The Municipal Election Commission shall have first instance competence in all complaints submitted for violation of rules of conduct, 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.

Central Election Commission of BIH shall adjudicate the complaint and appeal and make a decision no later than forty-eight (48) hours from the expiration of the deadline referred to in Article 6.3 Paragraph 3 of this Law. 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 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 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, while adjudicating on appeals and complaints, to order election commission, Center for Voter Register or the Polling Station Committee to undertake measures to correct irregularities. 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; and
- 3. de-certification of a political party, coalition, list of independent candidates or independent candidate(s); and
- 4. prohibit an individual from working in a Polling Station, Center for Voter Register, or Municipal Election Commission or other election commission established in Article 2.21 of this law.

Article 6.8

If an election commission or the Election Complaints and Appeals Council 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 regards to which or by the means 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 from a decision of the Central Election Commission of Bosnia and Herzegovina. An appeal must be submitted to the Appellate Division of the Court of Bosnia and Herzegovina no later than 2 days after a decision is received from the Central Election Commission of Bosnia and Herzegovina.

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

Appellate Division of the BIH Court is obliged to bring a decision upon appeal within three (3) days from the day of reception 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 shall change from "Rules of conduct for political parties, coalitions, list of independent candidates and independent candidates" to: "Rules of conduct in the election campaign".

Article 60

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

In case that two or more political entities announced to the competent body holding of their public meetings at the same time and place, holding of a public meeting at that time and place shall be permitted to the political entity 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" should be added.

Article 62

In Article 7.4, Paragraph 1, point 3 shall change as follows:

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

New Paragraph 2 is added to this article, as follows:

"Means of communication detailed by Paragraph 3 of this article refer to means that could deliver audio, video or textual contents. Such means include but are not limited to Radio and TV program, printed media, 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, in Paragraph 1, the word "registered" shall be replaced with words "recorded in the Central Voters' Register", after the words "in the Federation", words "of Bosnia and Herzegovina" shall be added and word "registered" replaced with words "recorded in the Central Voters' Register".

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

Article 64

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

Article 65

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

Article 66

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

Article 67

Article 8.5, shall be deleted.

Article 68

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

Article 69

In Article 8.7, after the word "Presidency" 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 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 became Article 9.3 as a result of these changes, in Paragraph 2, words "Srpski Sanski Most" are to be changed with words "Oštra Luka", words "Srpski Drvar", changed with words "Eastern Drvar" (Istočni Drvar) and words "Srpski Kupres" with word "Kupres".

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

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

Article 73

In Article 9.5, that became Article 9.4, Paragraph 1, to delete "Chapter 4 of".

In the same Article, *Paragraph 2* shall be deleted.

Article 74

In Article 9.6, which became Article 9.5, in Paragraph 2, number "3" shall be replaced with "4".

Article 75

In Article 9.7 which became Article 9.6, in Paragraph 2, after the word "coalitions", comma is to be put and the following words added: "which won more than 4% from the total

number of valid ballots for the territory of the entity for which the compensatory list is made for".

Article 76

Article 9.10, which became Article 9.9 shall change as follows:

"In the case that 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 77

In subchapter A that became subchapter B, Article 9.1 becomes Article 9.12.

Article 78

Article 9.1, which became Article 9.12, shall change as follows:

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

Article 79

New articles are 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 Club of Delegates to the House of Peoples of the Federation of BIH.

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

Serb Delegates and Delegates of Others in 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 Others in the National Assembly of the RS shall participate in the process of electing Delegates for 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 from the Federation shall be elected immediately after the House of Peoples of the

Federation of BIH is inaugurated, latest thirty (30) days upon 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, latest thirty (30) days upon certification of the election results in accordance with this Law.

9.12c

Bosniak and Croat Delegates to the House of Peoples of the Parliamentary Assembly of BIH shall be elected in a way that each political party participating in the Bosniak or Croat Club or each Delegate from the Bosniak or the Croat Club 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 election of Bosniak and Croat Delegates to the House of Peoples of the Parliamentary Assembly of BIH.

Each list may contain 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 and the Croat Club in the House of Peoples of the Parliament of the Federation of BIH shall vote for only one list of candidates to the House of Peoples of the Parliamentary Assembly of BIH.

Election shall be conducted by the secret vote 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 a way that each political party or each Delegate in the National Assembly of RS shall have right to nominate one or more candidates to the list for election of Serb Delegates to the House of Peoples of the Parliamentary Assembly of BIH.

Each list may contain 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 in the National Assembly of RS shall vote for only one list of candidates to the House of Peoples of the Parliamentary Assembly of BIH from the Republike Srpska. Election shall be conducted by the secret vote in accordance with this Law.

9.12g

Election material and results of the vote from 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 shall be allocated according to the order on the list.

Mandate shall be allocated through the lottery in the case that equal quotient are the result of allocation in accordance with Article 9.5.

9.12h

In the case that the position of the Delegate in the House of Peoples of the Parliamentary Assembly of BIH is vacant in accordance with Article 1.10 of this Law, this position shall be filled by the next qualified candidate on the same list of the Delegate whose position is vacant.

If there are no candidates remaining on the same list, the mandate shall be given 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 the appropriate constitutive People in accordance with Articles from 9.12c to 9.12g of this Law.

9.12i

Elections as per this Paragraph (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 80

In Article 10.8A, Paragraph 2, Point 1, Sub-Paragraph 1 shall be changed as follows:

In the case that a mandate of the elected independent candidate is terminated in accordance with Article 10.8 of this Law, the vacant position shall be filled by a candidate from political party or coalition with the highest quotient in the same constituency, 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 was terminated.

In the same Article and in the same Paragraph and in the same Point, Sub-Paragraph 2, shall be deleted, while Sub-Paragraph 3 will become Paragraph 2.

CHAPTER 11 NATIONAL ASSEMBLY OF REPUBLIKA SRPSKA

In Article 11.8A, Paragraph 2, Point 1, sub-Paragraph 1 shall be changed as follows:

In the case that a mandate of the elected independent candidate is terminated in accordance with Article 10.8 of this Law, the vacant position shall be filled by a candidate from political party or coalition with the highest quotient in the same constituency, 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 was terminated.

In the same Article and in the same Paragraph and in the same Point, Sub-Paragraph 2, shall be deleted, while Sub-Paragraph 3 becomes Paragraph 2 with this change.

CHAPTER 14 REPEATED, POSTPONED AND EARLY ELECTIONS

Article 82

In Article 14.1, words "from the day of annulling the elections" are to be replaced: "from the date when the decision of the Central Election Commission of BIH to annul the elections became forcible".

Article 83

Article 14.3 shall be amended to read:

"Article 14.3

In the event that an elected body is dissolved, or whose mandate ceased in accordance with the Constitution and with the Law, the Central Election Commission of Bosnia and Herzegovina shall pass a decision on the conduct of 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 cessation of its mandate in accordance with the Constitution and the law.

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

The mandate of the members of the body elected in the 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 stipulated in this law for the conduct of regular elections.

The Central Election Commission of Bosnia and Herzegovina will determine the time necessary for conduct of elections in accordance with the provisions of this Chapter."

Article 14.4 shall be deleted.

CHAPTER 15 CAMPAIGN FINANCING

Article 85

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

In Point 2, after "memberships" to add "transparent".

Point 4 in the same Article shall change into:

"4. total amount of all debts and total amount of payments according to the following lines: costs for printing and distribution of posters, printing costs for pre-election announcements and costs to publish announcements in public media, organizational and operational costs for organizing rallies, costs of printing, reproducing and delivering pre-election materials directly to voters, and".

Article 86

In Article 15.3, Paragraph 1 to replace "Every political party, coalition or list of independent candidates" with "Every political entity".

Article 87

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

Article 88

In Article 15.8 to replace "confirmation" with "publishing verification" and after "mandates" to add "in the Official Gazette of BIH".

In the same Article, to add new Paragraphs 2 and 3:

Elected officials of the body of authority at all levels are required to submit property statement to the Central Election Commission of BIH 60 days prior to expiration of the mandate they are elected to, as well as in the case of cessation of mandate in the context of provisions of article 1.10, Paragraph 1, point 1, 3, 5, 6 and 7 of this Law.

Central Election Commission of BIH shall adopt instructions to regulate the format and manner of filling out of necessary forms detailed by the provisions of Article 15.7 and Paragraph 1 of this Article.

In Article 15.9, Paragraph 1, to replace "objections" with "accuracy of data".

In the same Article, Paragraph 2 shall be deleted.

Article 90

Article 15.10 shall change as follows:

The Central Election Commission of Bosnia and Herzegovina shall announce the number of voters for each electoral constituency within 7 days of the day the Central Voters Register was closed. The number of voters will serve as a basis upon which the maximum amount that a political entity shall be allowed to spend for financing of the election campaign.

Maximum amount allowed to be expended for financing of election campaign will represent the result of number of voters in all electoral constituencies in which the political entity from paragraph 1 of this Article has Candidates' List, multiplied by:

| 1. a) elections for the mayor of municipality/city | 0.30 KM |
|--|----------|
| b) elections for the Municipal Council/Assembly | 0.30 KM |
| 2. elections for Cantonal Assemblies | |
| 3. elections for delegates to the RS National Assembly/ | |
| FBIH House of Representatives | 0.30 KM |
| _ | 0.00 *** |
| 4. elections for delegates of the Parliamentary Assembly of BIH | 0.30 KM |
| 4. elections for delegates of the Parliamentary Assembly of BIH 5. election for members of the Presidency of BIH | |

For elections from Paragraph 2, point 1 of this Article, in municipalities that have less than 3,000 voters recorded in the Central Voter Register, it shall be considered as they have 3,000 voters.

If the elections are repeated, the cost of the election campaign can be increased by 30% per voter in the electoral constituency, or per polling station for political entities or candidates participating in repeated elections."

CHAPTER 16 MEDIA

Article 91

Chapter 16 MEDIA changes as follows:

"CHAPTER 16 - MEDIA IN THE ELECTION CAMPAIGN

Article 16.1

The media in BiH shall follow up on political activities in rightful, professional and proficient manner, respecting the media codex and generally accepted democratic rules and principles, especially basic principle of freedom of expression.

Article 16.2

Electronic media shall follow-up on pre-election activities respecting the principle of balance, fairness and impartiality.

Article 16.3

In the broadcasts of the electronic media, none of political entities shall have privileged position comparing to other political entities.

Officials at all levels of authority in the case they run as candidates must not enjoy any privilege comparing to other participants of the electoral process.

Reporting on regular activities of officials at all levels of authority is admissible within info programs of electronic media, without mentioning their candidacy for the elections or their membership to the party, whenever such reporting is about activities that fall within the scope of given official position within 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 info programs, especially in news, interviews and discussions on important political issues such as round tables and similar, which are not thematically related to the election activities of political entities, but could have influence on the opinion of voters.

Article 16.5

Electronic media shall clearly and without reservation disclose the following information in the case that the public opinion research is conducted:

- a) Name of institution or a person that ordered and paid the research,
- b) Name and the Seat of the institution that conducted the research,
- c) Size of the sample and possible tolerance,
- d) Dates and time when the research was conducted.

Telephone-research or street-pool conducted among voters during the campaign shall not be presented as reliable or trustful opinion of the particular social group and the media that conducts poll and publishes results is obliged to emphasize that.

Article 16.6

Journalists and speakers of electronic media during regular or special programs must not express their eventual membership to the party or political affiliation.

Article 16.7

Order of appearance for direct address of political entities in special programs shall be established by the lottery prior to the campaign, attended by representatives of political entities and Central Election Commission of BIH.

Article 16.8

Electronic media shall inform political entities on the timings for participation in special programs.

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

Article 16.9

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 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 electoral silence period shall continue until the close of Polling Stations.

Article 16.12

Paid political advertisement (advertisements, public calls, jingles and any other type of promotion of political subject) in electronic media shall be allowed in the period of 30 days prior to the Election Day under equal conditions for all political subjects.

Electronic media shall ensure that paid political advertisement is clearly separated from the rest of program and is not subject to limitation of allowed advertisement time established by the Communications Regulatory Agency (CRA) of Bosnia-Herzegovina.

Electronic media shall receive orders for paid political advertisement directly from the political entities participating in the elections or over the authorised legal or private persons.

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

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

Article 16.13

Electronic media has right to refuse broadcasting of a political advertisement in the case that:

- a) Advertisement is not properly ordered in a written form;
- b) Advertisement doesn't meet technical and professional standards, although political entity is informed of requirements on time; and
- c) In the case that the advertisement is against the Constitution or laws of BIH.

Article 16.14

Public media shall present political subjects equally and fairly and inform public on all issues related to the campaign and to the election process, within 30 days prior to the Election Day.

Public media shall make available to political subjects free of charge time for direct address, within 30 days prior to the Election Day.

Central Election Commission of BIH shall regulate with bylaws the time to be granted to political entities, timing and duration and geographic territories covered by given broadcast.

Public media shall make available to political subjects under equal conditions paid political advertisement of maximum 30 minutes per week in the period within 30 days prior to the Election Day.

Article 16.15

Private media shall make available to political subjects under equal conditions paid political advertisement of maximum 60 minutes per week in the period within 30 days prior to the Election Day.

Private media may within 30 days prior to the Election Day make available to political entities time for direct address free of charge, but under equal conditions for all.

Upon written request, the body competent for regulating the work of the media may exempt certain private media from application of this Article.

Private media that produce its own information program or broadcasts program made by other media are not subject to application of the previous Paragraph.

Article 16.16

Body that regulates the work of media, responsible to implement laws and regulations related to media, is responsible in all cases of violation of provisions regarding media and in relation with elections as established by this law and other laws that regulate work of media.

Central Election Commission of BIH decides on appeals for violation of Article 16.4 of this law.

Article 16.17

Political entities direct their complaints on contents in printed media related to reporting on election campaign to the Press Council of BIH.

Article 16.18

Central Election Commission of Bosnia and Herzegovina adopts by-laws to closely regulate implementation of this Chapter.

CHAPTER 17 ELECTION OBSERVERS

Article 92

Article 17.2, Paragraph 1 shall be changed 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".

New Paragraph 2 is added to this Article:

"International observers are not subject to limitation from Paragraph 1 of this Article".

Paragraph 2 becomes Paragraph 3.

Article 93

Article 17.9 shall change as follows:

An observer may submit an explained complaint to the work of a body responsible for conduction of elections as established by this law, in written form that should be attached to the Minutes on work of the given electoral body, and on this basis the political entity may submit a complaint to the competent body.

An observer has right to receive a copy of the Minutes from a body responsible for conduction of elections whose work she/he observed.

Article 94

To add article 17.10 after Article 17.9 as follows:

"Article 17.10

Accreditation of accredited observer can be revoked and observer can be decertified for violation of provisions of Article 17.2.

The Central Election Commission of Bosnia and Herzegovina will adopt detailed regulations on conditions and procedures of application of the provisions of this Article.

CHAPTER 20

| TRANSITIONAL AND FINAL PROVISIONS | | |
|-----------------------------------|------------|--|
| 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 99

Article 20.6 shall be deleted.

Article 20.7 shall be deleted.

Article 20.10 shall be deleted.

Article 100

Article 101

Article 102

In Article 20.11, Paragraph 2 shall be deleted.

Article 103

In Article 20.13, Paragraph 1 shall change as follows:

"Until Entities form a multi-member constituencies, the following multi-member constituencies shall exist:"

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

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

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

In the same Article, Paragraph 20, words "Srpski Brod" shall be replaced with words "Brod".

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

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

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

Article 104

Article 20.16 shall be deleted.

Article 105

In Article 20.16A, in Point 10, "Herceg-Bosnia canton" shall be replaced with "Canton 10".

Article 106

This Election Law shall enter into force eight (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 number: | 2006, | Saraj | evo |
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President
of the House of Representatives
of the Parliamentary Assembly of BIH
of BIH

President
of the House of Peoples
of the Parliamentary Assembly