



**CONSTITUTION  
OF BOSNIA AND HERZEGOVINA**

**RULES OF PROCEDURE  
OF THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENTARY ASSEMBLY  
OF BOSNIA AND HERZEGOVINA**



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CONSTITUTION  
OF BOSNIA AND HERZEGOVINA



# CONSTITUTION OF BOSNIA AND HERZEGOVINA

## Preamble

Based on respect for human dignity, liberty, and equality,

Dedicated to peace, justice, tolerance, and reconciliation,

Convinced that democratic governmental institutions and fair procedures best produce peaceful relations within a pluralist society,

Desiring to promote the general welfare and economic growth through the protection of private property and the promotion of a market economy,

Guided by the Purposes and Principles of the Charter of the United Nations,

Committed to the sovereignty, territorial integrity, and political independence of Bosnia and Herzegovina in accordance with international law,

Determined to ensure full respect for international humanitarian law,

Inspired by the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as other human rights instruments,

Recalling the Basic Principles agreed in Geneva on September 8, 1995, and in New York on September 26, 1995, Bosniacs, Croats, and Serbs, as constituent peoples (along with Others), and citizens of Bosnia and Herzegovina hereby determine that the Constitution of Bosnia and Herzegovina is as follows:

## Article I: Bosnia and Herzegovina

### 1. Continuation

The Republic of Bosnia and Herzegovina, the official name of which shall henceforth be "Bosnia and Herzegovina," shall continue its legal existence under international law as a state, with its internal structure modified as provided herein and with its present internationally recognized borders. It shall remain a Member State of the United Nations and may as Bosnia and Herzegovina maintain or apply for membership in organizations within the United Nations system and other international organizations.

### 2. Democratic Principles

Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and with free and democratic elections.

### 3. Composition

Bosnia and Herzegovina shall consist of the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska (hereinafter "the Entities").

### 4. Movement of Goods, Services, Capital and Persons

There shall be freedom of movement throughout Bosnia and Herzegovina. Bosnia and Herzegovina and the Entities shall not impede full freedom of movement of persons, goods, services, and capital throughout Bosnia and Herzegovina. Neither Entity shall establish controls at the boundary between the Entities.

### 5. Capital

The capital of Bosnia and Herzegovina shall be Sarajevo.

## 6. Symbols

Bosnia and Herzegovina shall have such symbols as are decided by its Parliamentary Assembly and approved by the Presidency.

## 7. Citizenship

There shall be a citizenship of Bosnia and Herzegovina, to be regulated by the Parliamentary Assembly, and a citizenship of each Entity, to be regulated by each Entity, provided that:

- (a) All citizens of either Entity are thereby citizens of Bosnia and Herzegovina.
- (b) No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
- (c) All persons who were citizens of the Republic of Bosnia and Herzegovina immediately prior to the entry into force of this Constitution are citizens of Bosnia and Herzegovina. The citizenship of persons who were naturalized after April 6, 1992 and before the entry into force of this Constitution will be regulated by the Parliamentary Assembly.
- (d) Citizens of Bosnia and Herzegovina may hold the citizenship of another state, provided that there is a bilateral agreement, approved by the Parliamentary Assembly in accordance with Article IV.(4) (d), between Bosnia and Herzegovina and that state governing this matter. Persons with dual citizenship may vote in Bosnia and Herzegovina and the Entities only if Bosnia and Herzegovina is their country of residence.



- (e) A citizen of Bosnia and Herzegovina abroad shall enjoy the protection of Bosnia and Herzegovina. Each Entity may issue passports of Bosnia and Herzegovina to its citizens as regulated by the Parliamentary Assembly. Bosnia and Herzegovina may issue passports to citizens not issued a passport by an Entity. There shall be a central register of all passports issued by the Entities and by Bosnia and Herzegovina.

## Article II: Human Rights and Fundamental Freedoms

### 1. Human Rights

Bosnia and Herzegovina and both Entities shall ensure the highest level of internationally recognized human rights and fundamental freedoms. To that end, there shall be a Human Rights Commission for Bosnia and Herzegovina as provided for in Annex 6 to the General Framework Agreement.

### 2. International Standards

The rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Bosnia and Herzegovina. These shall have priority over all other law.

### 3. Enumeration of Rights

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above; these include:

- (a) The right to life.
- (b) The right not to be subjected to torture or to inhuman or degrading treatment or punishment.

- (c) The right not to be held in slavery or servitude or to perform forced or compulsory labor.
- (d) The rights to liberty and security of person.
- (e) The right to a fair hearing in civil and criminal matters, and other rights relating to criminal proceedings.
- (f) The right to private and family life, home, and correspondence.
- (g) Freedom of thought, conscience, and religion.
- (h) Freedom of expression.
- (i) Freedom of peaceful assembly and freedom of association with others.
- (j) The right to marry and to found a family.
- (k) The right to property.
- (l) The right to education.
- (m) The right to liberty of movement and residence.

#### 4. Non-Discrimination

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

## 5. Refugees and Displaced Persons

All refugees and displaced persons have the right freely to return to their homes of origin. They have the right, in accordance with Annex 7 to the General Framework Agreement, to have restored to them property of which they were deprived in the course of hostilities since 1991 and to be compensated for any such property that cannot be restored to them. Any commitments or statements relating to such property made under duress are null and void.

## 6. Implementation

Bosnia and Herzegovina, and all courts, agencies, governmental organs, and instrumentalities operated by or within the Entities, shall apply and conform to the human rights and fundamental freedoms referred to in paragraph 2 above.

## 7. International Agreements

Bosnia and Herzegovina shall remain or become party to the international agreements listed in Annex I to this Constitution.

## 8. Cooperation

All competent authorities in Bosnia and Herzegovina shall cooperate with and provide unrestricted access to: any international human rights monitoring mechanisms established for Bosnia and Herzegovina; the supervisory bodies established by any of the international agreements listed in Annex I to this Constitution; the International Tribunal for the Former Yugoslavia (and in particular shall comply with orders issued pursuant to Article 29 of the Statute of the Tribunal); and any other organization authorized by the United Nations Security Council with a mandate concerning human rights or humanitarian law.

Article III:  
Responsibilities of and Relations Between  
the Institutions of Bosnia and Herzegovina  
and the Entities

1. Responsibilities of the Institutions of Bosnia and Herzegovina

The following matters are the responsibility of the institutions of Bosnia and Herzegovina:

- (a) Foreign policy.
- (b) Foreign trade policy.
- (c) Customs policy.
- (d) Monetary policy as provided in Article VII.
- (e) Finances of the institutions and for the international obligations of Bosnia and Herzegovina.
- (f) Immigration, refugee, and asylum policy and regulation.
- (g) International and inter-Entity criminal law enforcement, including relations with Interpol.
- (h) Establishment and operation of common and international communications facilities.
- (i) Regulation of inter-Entity transportation.
- (j) Air traffic control.

2. Responsibilities of the Entities

- (a) The Entities shall have the right to establish special parallel relationships with neighboring states consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina.

- (b) Each Entity shall provide all necessary assistance to the government of Bosnia and Herzegovina in order to enable it to honor the international obligations of Bosnia and Herzegovina, provided that financial obligations incurred by one Entity without the consent of the other prior to the election of the Parliamentary Assembly and Presidency of Bosnia and Herzegovina shall be the responsibility of that Entity, except insofar as the obligation is necessary for continuing the membership of Bosnia and Herzegovina in an international organization.
- (c) The Entities shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for the internationally recognized human rights and fundamental freedoms referred to in Article II above, and by taking such other measures as appropriate.
- (d) Each Entity may also enter into agreements with states and international organizations with the consent of the Parliamentary Assembly. The Parliamentary Assembly may provide by law that certain types of agreements do not require such consent.

### 3. Law and Responsibilities of the Entities and the Institutions

- (a) All governmental functions and powers not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entities.
- (b) The Entities and any subdivisions thereof shall comply fully with this Constitution, which supersedes inconsistent provisions of the law of Bosnia and Herzegovina and of the constitutions and law of the Entities, and with the decisions of the institutions of Bosnia and Herzegovina. The general principles of international law shall be an integral part of the law of Bosnia and Herzegovina and the Entities.

#### 4. Coordination

The Presidency may decide to facilitate inter-Entity coordination on matters not within the responsibilities of Bosnia and Herzegovina as provided in this Constitution, unless an Entity objects in any particular case.

#### 5. Additional Responsibilities

- (a) Bosnia and Herzegovina shall assume responsibility for such other matters as are agreed by the Entities; are provided for in Annexes 5 through 8 to the General Framework Agreement; or are necessary to preserve the sovereignty, territorial integrity, political independence, and international personality of Bosnia and Herzegovina, in accordance with the division of responsibilities between the institutions of Bosnia and Herzegovina. Additional institutions may be established as necessary to carry out such responsibilities.
- (b) Within six months of the entry into force of this Constitution, the Entities shall begin negotiations with a view to including in the responsibilities of the institutions of Bosnia and Herzegovina other matters, including utilization of energy resources and cooperative economic projects.

### Article IV:

#### Parliamentary Assembly

The Parliamentary Assembly shall have two chambers: the House of Peoples and the House of Representatives.

##### 1. House of Peoples

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

- (a) The designated Croat and Bosniac Delegates from the Federation shall be selected, respectively, by the Croat and Bosniac Delegates to the House of Peoples of the Federation. Delegates from the Republika Srpska shall be selected by the National Assembly of the Republika Srpska.
- (b) Nine members of the House of Peoples shall comprise a quorum, provided that at least three Bosniac, three Croat, and three Serb Delegates are present.

## 2. House of Representatives

The House of Representatives shall comprise 42 Members, two-thirds elected from the territory of the Federation, one-third from the territory of the Republika Srpska.

- (a) Members of the House of Representatives shall be directly elected from their Entity in accordance with an election law to be adopted by the Parliamentary Assembly. The first election, however, shall take place in accordance with Annex 3 to the General Framework Agreement.
- (b) A majority of all members elected to the House of Representatives shall comprise a quorum.

## 3. Procedures

- (a) Each chamber shall be convened in Sarajevo not more than 30 days after its selection or election.
- (b) Each chamber shall by majority vote adopt its internal rules and select from its members one Serb, one Bosniac, and one Croat to serve as its Chair and Deputy Chairs, with the position of Chair rotating among the three persons selected.
- (c) All legislation shall require the approval of both chambers.

- (d) All decisions in both chambers shall be by majority of those present and voting. The Delegates and Members shall make their best efforts to see that the majority includes at least one-third of the votes of Delegates or Members from the territory of each Entity. If a majority vote does not include one-third of the votes of Delegates or Members from the territory of each Entity, the Chair and Deputy Chairs shall meet as a commission and attempt to obtain approval within three days of the vote. If those efforts fail, decisions shall be taken by a majority of those present and voting, provided that the dissenting votes do not include two-thirds or more of the Delegates or Members elected from either Entity.
- (e) A proposed decision of the Parliamentary Assembly may be declared to be destructive of a vital interest of the Bosniac, Croat, or Serb people by a majority of, as appropriate, the Bosniac, Croat, or Serb Delegates selected in accordance with paragraph I (a) above. Such a proposed decision shall require for approval in the House of Peoples a majority of the Bosniac, of the Croat, and of the Serb Delegates present and voting.
- (f) When a majority of the Bosniac, of the Croat, or of the Serb Delegates objects to the invocation of paragraph (e), the Chair of the House of Peoples shall immediately convene a Joint Commission comprising three Delegates, one each selected by the Bosniac, by the Croat, and by the Serb Delegates, to resolve the issue. If the Commission fails to do so within five days, the matter will be referred to the Constitutional Court, which shall in an expedited process review it for procedural regularity.
- (g) The House of Peoples may be dissolved by the Presidency or by the House itself, provided that the House's decision to dissolve is approved by a majority that includes the majority of Delegates from at least two of the Bosniac, Croat, or Serb peoples. The House



of Peoples elected in the first elections after the entry into force of this Constitution may not, however, be dissolved.

- (h) Decisions of the Parliamentary Assembly shall not take effect before publication.
- (i) Both chambers shall publish a complete record of their deliberations and shall, save in exceptional circumstances in accordance with their rules, deliberate publicly.
- (j) Delegates and Members shall not be held criminally or civilly liable for any acts carried out within the scope of their duties in the Parliamentary Assembly.

#### 4. Powers

The Parliamentary Assembly shall have responsibility for:

- (a) Enacting legislation as necessary to implement decisions of the Presidency or to carry out the responsibilities of the Assembly under this Constitution.
- (b) Deciding upon the sources and amounts of revenues for the operations of the institutions of Bosnia and Herzegovina and international obligations of Bosnia and Herzegovina.
- (c) Approving a budget for the institutions of Bosnia and Herzegovina.
- (d) Deciding whether to consent to the ratification of treaties.
- (e) Such other matters as are necessary to carry out its duties or as are assigned to it by mutual agreement of the Entities.

## Article V: Presidency

The Presidency of Bosnia and Herzegovina shall consist of three Members: one Bosniac and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska.

### 1. Election and Term

- (a) Members of the Presidency shall be directly elected in each Entity (with each voter voting to fill one seat on the Presidency) in accordance with an election law adopted by the Parliamentary Assembly. The first election, however, shall take place in accordance with Annex 3 to the General Framework Agreement. Any vacancy in the Presidency shall be filled from the relevant Entity in accordance with a law to be adopted by the Parliamentary Assembly.
- (b) The term of the Members of the Presidency elected in the first election shall be two years; the term of Members subsequently elected shall be four years. Members shall be eligible to succeed themselves once and shall thereafter be ineligible for four years.

### 2. Procedures

- (a) The Presidency shall determine its own rules of procedure, which shall provide for adequate notice of all meetings of the Presidency.
- (b) The Members of the Presidency shall appoint from their Members a Chair. For the first term of the Presidency, the Chair shall be the Member who received the highest number of votes. Thereafter, the method of selecting the Chair, by rotation or otherwise, shall be determined by the Parliamentary Assembly, subject to Article IV(3).

- (c) The Presidency shall endeavor to adopt all Presidency Decisions (i.e., those concerning matters arising under Article V(3) (a) - (e) by consensus. Such decisions may, subject to paragraph (d) below, nevertheless be adopted by two Members when all efforts to reach consensus have failed.
- (d) A dissenting Member of the Presidency may declare a Presidency Decision to be destructive of a vital interest of the Entity from the territory from which he was elected, provided that he does so within three days of its adoption. Such a Decision shall be referred immediately to the National Assembly of the Republika Srpska, if the declaration was made by the Member from that territory; to the Bosniac Delegates of the House of Peoples of the Federation, if the declaration was made by the Bosniac Member; or to the Croat Delegates of that body, if the declaration was made by the Croat Member. If the declaration is confirmed by a two-thirds vote of those persons within ten days of the referral, the challenged Presidency Decision shall not take effect.

### 3. Powers

The Presidency shall have responsibility for:

- (a) Conducting the foreign policy of Bosnia and Herzegovina.
- (b) Appointing ambassadors and other international representatives of Bosnia and Herzegovina, no more than two-thirds of whom may be selected from the territory of the Federation.
- (c) Representing Bosnia and Herzegovina in international and European organizations and institutions and seeking membership in such organizations and institutions of which Bosnia and Herzegovina is not a member.

- (d) Negotiating, denouncing, and, with the consent of the Parliamentary Assembly, ratifying treaties of Bosnia and Herzegovina.
- (e) Executing decisions of the Parliamentary Assembly.
- (f) Proposing, upon the recommendation of the Council of Ministers, an annual budget to the Parliamentary Assembly.
- (g) Reporting as requested, but not less than annually, to the Parliamentary Assembly on expenditures by the Presidency.
- (h) Coordinating as necessary with international and nongovernmental organizations in Bosnia and Herzegovina.
- (i) Performing such other functions as may be necessary to carry out its duties, as may be assigned to it by the Parliamentary Assembly, or as may be agreed by the Entities.

#### 4. Council of Ministers

The Presidency shall nominate the Chair of the Council of Ministers, who shall take office upon the approval of the House of Representatives. The Chair shall nominate a Foreign Minister, a Minister for Foreign Trade, and other Ministers as may be appropriate, who shall take office upon the approval of the House of Representatives.

- (a) Together the Chair and the Ministers shall constitute the Council of Ministers, with responsibility for carrying out the policies and decisions of Bosnia and Herzegovina in the fields referred to in Article III(1), (4), and (5) and reporting to the Parliamentary Assembly (including, at least annually, on expenditures by Bosnia and Herzegovina).
- (b) No more than two-thirds of all Ministers may be appointed

from the territory of the Federation. The Chair shall also nominate Deputy Ministers (who shall not be of the same constituent people as their Ministers), who shall take office upon the approval of the House of Representatives.

- (c) The Council of Ministers shall resign if at any time there is a vote of no-confidence by the Parliamentary Assembly.

## 5. Standing Committee

- (a) Each member of the Presidency shall, by virtue of the office, have civilian command authority over armed forces. Neither Entity shall threaten or use force against the other Entity, and under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other Entity without the consent of the government of the latter and of the Presidency of Bosnia and Herzegovina. All armed forces in Bosnia and Herzegovina shall operate consistently with the sovereignty and territorial integrity of Bosnia and Herzegovina.
- (b) The members of the Presidency shall select a Standing Committee on Military Matters to coordinate the activities of armed forces in Bosnia and Herzegovina. The Members of the Presidency shall be members of the Standing Committee.

## Article VI: Constitutional Court

### 1. Composition

The Constitutional Court of Bosnia and Herzegovina shall have nine members.

- (a) Four members shall be selected by the House of Representatives

of the Federation, and two members by the Assembly of the Republika Srpska. The remaining three members shall be selected by the President of the European Court of Human Rights after consultation with the Presidency.

- (b) Judges shall be distinguished jurists of high moral standing. Any eligible voter so qualified may serve as a judge of the Constitutional Court. The judges selected by the President of the European Court of Human Rights shall not be citizens of Bosnia and Herzegovina or of any neighboring state.
- (c) The term of judges initially appointed shall be five years, unless they resign or are removed for cause by consensus of the other judges. Judges initially appointed shall not be eligible for reappointment. Judges subsequently appointed shall serve until age 70, unless they resign or are removed for cause by consensus of the other judges.
- (d) For appointments made more than five years after the initial appointment of judges, the Parliamentary Assembly may provide by law for a different method of selection of the three judges selected by the President of the European Court of Human Rights.

## 2. Procedures

- (a) A majority of all members of the Court shall constitute a quorum.
- (b) The Court shall adopt its own rules of court by a majority of all members. It shall hold public proceedings and shall issue reasons for its decisions, which shall be published.

## 3. Jurisdiction

The Constitutional Court shall uphold this Constitution.

(a) The Constitutional Court shall have exclusive jurisdiction to decide any dispute that arises under this Constitution between the Entities or between Bosnia and Herzegovina and an Entity or Entities, or between institutions of Bosnia and Herzegovina, including but not limited to:

- Whether an Entity's decision to establish a special parallel relationship with a neighboring state is consistent with this Constitution, including provisions concerning the sovereignty and territorial integrity of Bosnia and Herzegovina.
- Whether any provision of an Entity's constitution or law is consistent with this Constitution.

Disputes may be referred only by a member of the Presidency, by the Chair of the Council of Ministers, by the Chair or a Deputy Chair of either chamber of the Parliamentary Assembly, by one-fourth of the members of either chamber of the Parliamentary Assembly, or by one-fourth of either chamber of a legislature of an Entity.

(b) The Constitutional Court shall also have appellate jurisdiction over issues under this Constitution arising out of a judgment of any other court in Bosnia and Herzegovina.

(c) The Constitutional Court shall have jurisdiction over issues referred by any court in Bosnia and Herzegovina concerning whether a law, on whose validity its decision depends, is compatible with this Constitution, with the European Convention for Human Rights and Fundamental Freedoms and its Protocols, or with the laws of Bosnia and Herzegovina; or concerning the existence of or the scope of a general rule of public international law pertinent to the court's decision.

#### 4. Decisions

Decisions of the Constitutional Court shall be final and binding.

#### Article VII: Central Bank

There shall be a Central Bank of Bosnia and Herzegovina, which shall be the sole authority for issuing currency and for monetary policy throughout Bosnia and Herzegovina.

1. The Central Bank's responsibilities will be determined by the Parliamentary Assembly. For the first six years after the entry into force of this Constitution, however, it may not extend credit by creating money, operating in this respect as a currency board; thereafter, the Parliamentary Assembly may give it that authority.
2. The first Governing Board of the Central Bank shall consist of a Governor appointed by the International Monetary Fund, after consultation with the Presidency, and three members appointed by the Presidency, two from the Federation (one Bosniac, one Croat, who shall share one vote) and one from the Republika Srpska, all of whom shall serve a six-year term. The Governor, who shall not be a citizen of Bosnia and Herzegovina or any neighboring state, may cast tie-breaking votes on the Governing Board.
3. Thereafter, the Governing Board of the Central Bank of Bosnia and Herzegovina shall consist of five persons appointed by the Presidency for a term of six years. The Board shall appoint, from among its members, a Governor for a term of six years.

#### Article VIII: Finances

1. The Parliamentary Assembly shall each year, on the proposal



of the Presidency, adopt a budget covering the expenditures required to carry out the responsibilities of institutions of Bosnia and Herzegovina and the international obligations of Bosnia and Herzegovina.

2. If no such budget is adopted in due time, the budget for the previous year shall be used on a provisional basis.
3. The Federation shall provide two-thirds, and the Republika Srpska one-third, of the revenues required by the budget, except insofar as revenues are raised as specified by the Parliamentary Assembly.

Article IX:  
General Provisions

1. No person who is serving a sentence imposed by the International Tribunal for the Former Yugoslavia, and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal, may stand as a candidate or hold any appointive, elective, or other public office in the territory of Bosnia and Herzegovina.
2. Compensation for persons holding office in the institutions of Bosnia and Herzegovina may not be diminished during an officeholder's tenure.
3. Officials appointed to positions in the institutions of Bosnia and Herzegovina shall be generally representative of the peoples of Bosnia and Herzegovina.

Article X:  
Amendment

1. Amendment Procedure

This Constitution may be amended by a decision of the Parliamentary Assembly, including a two-thirds majority of those present and voting in the House of Representatives.

2. Human Rights and Fundamental Freedoms

No amendment to this Constitution may eliminate or diminish any of the rights and freedoms referred to in Article II of this Constitution or alter the present paragraph.

Article XI:  
Transitional Arrangements

Transitional arrangements concerning public offices, law, and other matters are set forth in Annex II to this Constitution.

Article XII:  
Entry into Force

1. This Constitution shall enter into force upon signature of the General Framework Agreement as a constitutional act amending and superseding the Constitution of the Republic of Bosnia and Herzegovina.
2. Within three months from the entry into force of this Constitution, the Entities shall amend their respective constitutions to ensure their conformity with this Constitution in accordance with Article III(3)(b).

## Annex I:

### Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina

1. 1948 Convention on the Prevention and Punishment of the Crime of Genocide
2. 1949 Geneva Conventions I-IV on the Protection of the Victims of War, and the 1977 Geneva Protocols I-II thereto
3. 1951 Convention relating to the Status of Refugees and the 1966 Protocol thereto
4. 1957 Convention on the Nationality of Married Women
5. 1961 Convention on the Reduction of Statelessness
6. 1965 International Convention on the Elimination of All Forms of Racial Discrimination
7. 1966 International Covenant on Civil and Political Rights and the 1966 and 1989 Optional Protocols thereto
8. 1966 Covenant on Economic, Social and Cultural Rights
9. 1979 Convention on the Elimination of All Forms of Discrimination against Women
10. 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
11. 1987 European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
12. 1989 Convention on the Rights of the Child
13. 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
14. 1992 European Charter for Regional or Minority Languages
15. 1994 Framework Convention for the Protection of National Minorities

## Annex II: Transitional Arrangements

### 1. Joint Interim Commission

- (a) The Parties hereby establish a Joint Interim Commission with a mandate to discuss practical questions related to the implementation of the Constitution of Bosnia and Herzegovina and of the General Framework Agreement and its Annexes, and to make recommendations and proposals.
- (b) The Joint Interim Commission shall be composed of four persons from the Federation, three persons from the Republika Srpska, and one representative of Bosnia and Herzegovina.
- (c) Meetings of the Commission shall be chaired by the High Representative or his or designee.

### 2. Continuation of Laws

All laws, regulations, and judicial rules of procedure in effect within the territory of Bosnia and Herzegovina when the Constitution enters into force shall remain in effect to the extent not inconsistent with the Constitution, until otherwise determined by a competent governmental body of Bosnia and Herzegovina.

### 3. Judicial and Administrative Proceedings

All proceedings in courts or administrative agencies functioning within the territory of Bosnia and Herzegovina when the Constitution enters into force shall continue in or be transferred to other courts or agencies in Bosnia and Herzegovina in accordance with any legislation governing the competence of such courts or agencies.

#### 4. Offices

Until superseded by applicable agreement or law, governmental offices, institutions, and other bodies of Bosnia and Herzegovina will operate in accordance with applicable law.

#### 5. Treaties

Any treaty ratified by the Republic of Bosnia and Herzegovina between January 1, 1992 and the entry into force of this Constitution shall be disclosed to Members of the Presidency within 15 days of their assuming office; any such treaty not disclosed shall be denounced. Within six months after the Parliamentary Assembly is first convened, at the request of any member of the Presidency, the Parliamentary Assembly shall consider whether to denounce any other such treaty.

RULES OF PROCEDURE  
OF THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENTARY ASSEMBLY OF  
BOSNIA AND HERZEGOVINA



Pursuant to Article IV.3.b) of the Constitution of Bosnia and Herzegovina, the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, at its 72nd session, held on 16 January 2006, passed the following

RULES OF PROCEDURE  
OF THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENTARY ASSEMBLY OF  
BOSNIA AND HERZEGOVINA

CHAPTER I - Constituting the House of Representatives of  
the Parliamentary Assembly of Bosnia and Herzegovina

Article 1

(Constituting the House of Representatives of the  
Parliamentary Assembly of Bosnia and Herzegovina)

The House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina (hereinafter referred to as "the House") shall be organised and it shall work in accordance with the BiH Constitution, law and these Rules of Procedure.

Article 2

(Constituent assembly)

- (1) The House shall be constituted by holding the first session of a new mandate.
- (2) Upon the completion of elections, the previous Collegium shall call for the first session of the House, unless otherwise regulated by law.
- (3) Until the Speaker is elected, the most senior elected representative shall chair the first session as the interim Speaker.
- (4) After opening the first session, the interim Speaker shall read the roll of the elected representatives.



### Article 3 (Solemn declaration)

The representatives shall take office by jointly making and individually signing the following solemn declaration: "I hereby declare that I shall conscientiously exercise the duties entrusted to me, respect the Constitution of Bosnia and Herzegovina, fully implement the General Framework Agreement for Peace in Bosnia and Herzegovina, protect and advocate human rights and fundamental freedoms, and protect the interests and equality of all peoples and citizens."

### Article 4 (Election of the Collegium of the House)

- (1) After the representatives have made the declaration, the House shall elect from among its members a Serb, a Bosnian and a Croat to serve among them as the Speaker, First Deputy Speaker and Second Deputy Speaker of the House. The Speaker cannot be from the same constituent people as the Chair of the BiH Presidency and the Chair of the BiH Council of Ministers.
- (2) Any elected representative shall have the right to propose a candidate to fill these positions. If there are several candidates for the same position, the order of candidates shall be determined by lottery. The voting shall take place after determining the list of candidates for each position.
- (3) In the first round of voting, the first vote shall be cast for the Speaker, then for the First Deputy Speaker and lastly for the Second Deputy Speaker of the House. The procedure shall be reversed in the second round of voting.
- (4) If there are several candidates for one position and none of them receive the required majority, or if they receive the same number of votes, voting shall be repeated for the two candidates who received the most or the same number of votes.

- (5) The decision on the election shall be adopted by a majority vote of representatives present and voting. In case of voting adjustments, the adjustment shall be made by the representatives of political parties in the House. If the adjustment fails, the voting procedure shall be repeated.
- (6) If no candidate receives the required majority, the entire voting procedure shall be repeated.

#### Article 5

##### (Establishing representatives' caucuses)

- (1) Within the seven days following the election referred to in Article 4, the representatives shall establish caucuses in accordance with Article 16 of these Rules of Procedure. Each caucus shall provide the Speaker with a list of its members, signed by each, including the official name of the caucus and the name of its Chair and Deputy Chair.
- (2) The Chair and Deputy Chair may rotate according to a previous agreement which must be stipulated in the list of caucus members.

#### Article 6

##### (Deadline for election of committee members)

Within seven days after the expiration of the deadline referred to in Article 5, the House shall decide, upon proposal by the caucuses, on membership in the committees according to Article 30 of these Rules of Procedure.

## CHAPTER II - Representatives and Caucuses

### Section A - Rights and Duties of Representatives

#### Article 7

(Participation in the work of the House sessions and committees)

- (1) A representative shall have the right and duty to attend the sessions of the House and the sessions of the working committees of the House of which she/he is a member. She/he shall participate in their work and decision-making that guarantees the implementation of constitutional competencies of BiH Institutions.
- (2) In order to realise her/his functions, each representative may also participate, without the right to vote, in the work of the working committees of which she/he is not a member.
- (3) A representative who is prevented from attending a session of the House or a session of a committee of which she/he is a member, or if she/he needs to leave during the session, she/he shall be obliged to inform the Speaker of the House or the Chair of the committee in a timely manner and present reasons for her/his absence.

#### Article 8

(Initiatives by representatives)

A representative shall have the right to initiate the adoption of amendments or changes to the BiH Constitution, laws and other acts, as well as to make use of other procedures envisaged in these Rules of Procedure.

## Article 9

### (Informing representatives and delivery of materials)

In order to facilitate her/his participation in the activities of the House, the representative shall be informed in a timely manner, in accordance with the Rules of Procedure, that a session is convened, and he/she shall be provided with appropriate materials.

## Article 10

### (Right to freedom of expression)

- (1) Representatives shall have the right to freedom of expression.
- (2) Representatives shall be obliged to address issues of political and public interest.
- (3) Rights and duties referred to in paragraphs 1 and 2 of this Article shall be exercised at the speaker's platform of the Parliamentary Assembly of Bosnia and Herzegovina, at public gatherings organised by authorities or non-governmental organisations, and in the media.

## Article 11

### (Obligation of confidentiality)

- (1) Representatives shall be obliged to keep state, military, official or business secrets and confidential data and they shall be held accountable for it.
- (2) Before distributing materials to representatives, the Speaker of the House and the Chairs of the committees of the House shall decide, in cooperation with the submitter, on the level of confidentiality of such materials, in accordance with the law.
- (3) Paragraph 1 of this Article shall also refer to the materials sent to the House by the BiH Council of Ministers and other authorities of BiH which are designated as state, military,

official or business secrets, as stipulated by law or other regulations passed on the basis of the law.

- (4) Upon recommendation by the Constitutional-Legal Committee and after holding a discussion, the House may revoke the immunity of any representative who breaches the rules stipulated in paragraphs 1 to 3 of this Article. After revoking immunity, relevant court procedures may be initiated.
- (5) The Constitutional-Legal Committee may recommend to the House that it revokes the immunity of a representative if such a request is made by the House Collegium, one of the permanent bodies of the House, or at least by one caucus.

## Article 12

### (Employment and legal status of representatives)

- (1) Representatives, who have the status of permanent staff to the House, shall have the right to a salary and other compensation in accordance with the law and decisions of the Joint Committee on Administrative Affairs. All representatives shall have the right to receive a representatives' lump sum payment and the right to compensation for certain material costs.
- (2) The House, at the recommendation of the Collegium of the House, shall adopt a conclusion establishing criteria according to which a representative, in the capacity of an elected official, shall have the status of permanent staff within the House.

## Article 13

### (Representatives' ID cards)

- (1) A Representative shall be issued a representative's ID and a numbered voting card, for the use of which they shall be responsible. A representative's ID and voting card may not be given to any other person or representative.

- (2) The representative's ID shall contain the first and the last name of the representative, the immunity right of the representative and any other rights as stipulated by law.
- (3) The contents, form and manner of keeping record of representatives' IDs and numbered voting cards shall be defined by the Collegium of the House. The Secretary to the House shall be responsible for their issuance and for keeping records thereof.

#### Article 14

##### (Responsibilities of representatives)

- (1) In accordance with the BiH Constitution and the law, representatives shall not be held responsible in a criminal or civil procedure for any acts carried out within the scope of their duties in the Parliamentary Assembly of BiH (hereinafter referred to as "the BiH PA").
- (2) The House shall decide on revoking immunity in each individual case, upon a recommendation of the Constitutional-Legal Committee.

#### Article 15

##### (Resignation of representatives)

- (1) A representative shall have the right to resign from his office. The resignation shall be submitted to the Speaker of the House in writing or verbally at the session of the House, unless otherwise stipulated by the BiH Election Law.
- (2) A representative, including the representative who resigned, may request an immediate discussion on the resignation. If the representative persists in her/his resignation after the discussion, the Speaker shall notify the competent body established by law about the resignation, in order to initiate her/his replacement.

## Section B - Caucuses

### Article 16 (Establishing caucuses)

- (1) Caucuses are established by representatives in the House especially to prepare and establish the Houses's sessional agenda.
- (2) A minimum of three representatives are required to establish a caucus.
- (3) A representative who has not entered any specific caucus may be a member of mixed caucuses. The rights and duties of mixed caucuses shall be the same as those of all other caucuses.
- (4) An independent representative shall have the same rights and duties as representatives who are members of caucuses.

### Article 17 (Management and organization of caucuses)

Each caucus shall have a Chair and Deputy Chair, and they shall independently regulate its organisation and functioning.

### Article 18 (Conditions for work of caucuses)

In order to create optimal conditions for the participation of caucuses in the activities of the House, the Joint Committee on Administrative Affairs shall decide and report annually to the House on the allocation of financial resources, office space, as well as administrative, technical and other services required for the caucuses' work.

## CHAPTER III - Organisation of the House

### Section A - Collegium of the House, Extended Collegium of the House, and Joint Collegium of both Houses of the BiH PA

#### Article 19 (Collegium of the House)

- (1) The Collegium of the House (hereinafter referred to as "the Collegium") shall be composed of the Speaker, First Deputy Speaker and Second Deputy Speaker of the House.
- (2) In case the post of the Speaker, First Deputy Speaker or Second Deputy Speaker remains vacant, the House shall elect one of its members from the same constituent People as the absent Speaker or Deputy Speaker to fill the vacancy.

#### Article 20 (Duties of the Collegium)

The Collegium shall be responsible for:

- a) exercising the rights and duties of representatives related to their function and drafting the proposed criteria regulating the rights and duties of professional representatives;
- b) co-operation with the House of Peoples, including holding a joint plenary session of both Houses at its own request or at the request of the Collegium of the House of Peoples and holding joint sessions of the Collegia;
- c) realisation of the House's rights and duties toward the BiH Presidency and the BiH Council of Ministers, in accordance with the BiH Constitution, law and these Rules of Procedure;
- d) considering initiatives and proposals submitted to the House in view of their harmonisation with these Rules of Procedure;



- e) deciding which committee is competent to consider a draft law or other initiatives;
- f) deciding on the official stamp of the House to be affixed on any approved act;
- g) co-operation with political parties, organisations and associations of citizens;
- h) deciding on interpretation of these Rules of Procedure, until this issue is regulated by the House;
- i) exercising other competencies as granted by these Rules of Procedure.

#### Article 21

(Convening sessions and Collegium decision making)

- (1) A session of the Collegium shall be convened by the Speaker upon the request of any of its members.
- (2) The Collegium shall adopt its decisions by consensus. If efforts to reach a consensus fail, the decisions shall be rendered by the House.

#### Article 22

(Extended Collegium of the House)

- (1) The Collegium shall work in an extended form with the participation of a representative of each caucus on the following:
  - a) Consultations regarding the preparation of plenary sessions, wherein it shall decide on obligatory and other possible agenda items;
  - b) Consultations regarding the preparation of a possible work plan;
  - c) Deciding on the duration of discussions on issues that are on the agenda, but are not of a legislative character;

- d) Any other issues that could influence the functioning of the House.
- (2) The Extended Collegium shall make every effort to adopt decisions by consensus. If efforts to reach such a consensus fail, decisions shall be adopted by the Collegium by consensus.
- (3) A representative of the BiH Council of Ministers shall be invited to attend a part of, or the entire session, of the Extended Collegium, and to participate in discussions pertaining to issues referred to in paragraphs 1a) and b) of this Article. The opinion of the BiH Council of Ministers' representative shall not be considered when making final decisions.

#### Article 23

(Convening sessions of the Extended Collegium)

The Extended Collegium shall convene according to the working plan, upon request of the Speaker, Deputy Speaker or one of the caucuses.

#### Article 24

(Invitations to sessions of the Extended Collegium)

Chairs of committees of the House and other persons invited by the Speaker shall be invited to attend the sessions of the Extended Collegium without voting rights, as required.

#### Article 25

(Joint Collegium of both Houses)

- (1) Sessions of the Joint Collegium of both Houses of the BiH PA (hereinafter referred to as "the Joint Collegium") shall take place at least once a month.

- (2) The Chair of the Joint Collegium shall alternate between the Speakers of both Houses. The first session of the Joint Collegium shall be convened by Speakers of both Houses of the BiH PA (hereinafter referred to as "both Houses"). The following session shall be convened by the Speaker of the House chairing the session.
- (3) The Joint Collegium shall pass its decisions by consensus. If efforts to reach a consensus fail, the final decision shall be rendered by the Houses.
- (4) If so decided, representatives of clubs and caucuses may participate in the work of the Joint Collegium.
- (5) The Joint Collegium shall be competent for:
  - a) initiating and coordinating inter-parliamentary cooperation;
  - b) appointing members to ad hoc delegations participating in inter-parliamentary meetings and informing clubs and caucuses thereof;
  - c) deciding on the method and deadlines for discussions on decisions requiring approval of both Houses;
  - d) determining criteria for election of members to permanent delegations of the BiH PA;
  - e) convening and organizing joint sessions of both Houses of the BiH PA;
  - f) convening joint meetings with the BiH Council of Ministers;
  - g) confirming the appointment of the Secretary of the Common Services of the BiH PA Secretariat and the Secretaries of Joint Committees of both Houses in accordance with the Decision on Organization of the Secretariat of the BiH PA;
  - h) carrying out other tasks assigned by the Houses, as determined by the Rules of Procedure of the Houses.

## Section B - Speaker of the House

### Article 26

#### (Rotation of Speakers and chairing the sessions)

- (1) The post of the Speaker shall rotate automatically, without voting, every eight months starting from the day of the election of the Speaker.
- (2) If the Speaker is temporarily prevented from attending sessions of the House the First Deputy Speaker shall perform her/his duty. If the latter is also temporarily absent the Second Deputy Speaker shall perform the duty of the Speaker.

### Article 27

#### (Duties of the Speaker)

- (1) The Speaker of the House shall:
  - a) represent the House;
  - b) take part in the preparation of, convene and chair sessions of the House;
  - c) take part in the preparation of, convene and chair sessions of the Collegium;
  - d) initiate the debate on issues within the competencies of the House;
  - e) direct the debates, give the floor to participants in the debate and rule them out of order according to these Rules of Procedure;
  - f) limit the duration of discussion related to one or more issues when needed in order to ensure consideration of the entire adopted agenda;
  - g) take all measures needed to secure a peaceful and orderly debate, including adjournment for a short period of time;

- h) ensure application of these Rules of Procedure;
  - i) ensure the principle of transparency is applied to the work of the House and the committees of the House;
  - j) ensure that the rights and duties of representatives are exercised within the House's terms of reference;
  - k) sign laws and other documents adopted by the House;
  - l) issue instructions to the Secretary of the House with regard to the execution of tasks and duties;
  - m) carry out other duties in accordance with the decisions of the House.
- (2) In exercising the above powers, the Speaker shall hold consultations with the Deputy Speakers.

## Section C - General Provisions on the Committees of the House

### Article 28 (Committees)

The House shall establish permanent and temporary committees of the House as well as permanent or temporary joint committees of both Houses.

### Article 29 (Temporary committees of the House)

- (1) Upon the proposal of a representative or caucus, the House may adopt a conclusion establishing temporary committees of the House:
- a) for considering the enforcement or preparation of a certain act or issue;
  - b) investigative committees.

- (2) The proponent shall be obliged to recommend objectives and tasks.
- (3) The tasks and the composition of the committee shall be determined by a conclusion of the House.

### Article 30

(Number and structure of members, Chair,  
and hiring experts in committees)

- (1) Permanent committees shall be comprised of nine members, while temporary committees may be comprised of up to nine members. The composition of committees shall be proportionate to the size of caucuses in the House, two thirds of whom shall be elected from the territory of the Federation BiH, while one third shall be elected from the territory of Republika Srpska.
- (2) The committees shall elect the Chair, First and Second Deputy Chair from amongst their members. They shall be elected from the ranks of the three constituent peoples.
- (3) Committees may request occasional assistance by experts from a list confirmed by both Houses. A public competition shall be advertised and implemented by the administrative services of the Secretariat of the BiH PA (hereinafter referred to as "the Secretariat"), on the basis of criteria established by the Joint Committee on Administrative Affairs.
- (4) The Joint Committee on Administrative Affairs shall determine and propose the list of experts to the House in consultations with the competent committees.

### Article 31

(Duties of the committees)

- (1) Committees shall render opinions, submit proposals and

reports to the House, as well as exercise other duties as provided by these Rules of Procedure. Committees shall decide on issues that are delegated to them by the House, except for those regarding the adoption of draft laws which is a competency that cannot be delegated to the committees.

- (2) Committees shall submit an activity report to the House once a year.

### Article 32 (Organization of committee work)

The Chair of a committee shall organise, in co-operation with the Secretary of the committee, the work of the committee. She/he shall have the same powers and competencies as the Speaker of the House, as applied to the procedures and debates in the committee.

### Article 33 (First and Second Deputy Chair of the committee)

- (1) If the Chair of a committee is unable to attend sessions of the committee, the First Deputy Chair shall perform her/his duty. If the latter is absent, the Second Deputy Chair shall perform the duty of the Chair.
- (2) If the position of the Chair of a committee or one of her/his Deputies remains vacant, the committee shall designate one of its members to temporarily fill the vacancy and it shall inform the House thereof.

### Article 34 (Convening committee sessions)

- (1) A session of a committee shall be convened on the personal initiative of its Chair and following the proposal of: the

Collegium and Extended Collegium, deputy chairs of that committee, or at least one third of the members of the committee, as in Article 33 paragraph 1 of these Rules of Procedure.

- (2) The Chair shall convene a session of the committee five days before holding the session unless there are justified reasons to convene it in a shorter period. Materials pertaining to the agenda shall be distributed to representatives in a timely manner.
- (3) If the Chair of the committee fails to convene a session when he is required to, the session shall be convened by one of the deputy chairs of the committee.
- (4) Members of caucuses that are not members of the committee as well as experts for specific issues can participate in the work of the committee, but without voting rights.

#### Article 35

##### (Decision making in committees)

The committee shall decide by simple majority, provided that at least the majority of the members are present, with the exception of final decisions that are not subject to the House vote, in which case the committee shall decide according to the procedure stipulated in Article 79 and Article 80 of these Rules of Procedure, given that efforts to reach an agreement are made by the Chair, First and Second Deputy Chair.

#### Article 36

##### (Cooperation with other committees and bodies)

- (1) The committee shall co-operate with other committees of the House and appropriate bodies of the House of Peoples on issues of common interest.



- (2) In exercising duties within the scope of its competencies, the committee may co-operate with appropriate bodies of the BiH Presidency, the BiH Council of Ministers, Entity parliaments and all other bodies and institutions at all levels of government, as well as with groups of citizens.

#### Article 37

##### (Method of work of committees)

- (1) The committee may:
- a) conduct public or closed hearings;
  - b) invite and conduct interviews with witnesses from any institution in BiH and may request them to answer all questions and present all facts and information, including those that are considered a state secret. False or inaccurate statements given to the committee shall be treated in line with applicable legislation;
  - c) request reports from any elected and appointed official, employee or institution;
  - d) request assistance from auditors;
  - e) request assistance from independent experts outside of BiH institutions.
- (2) The committee may hold joint public or closed hearings with another competent committee.

#### Article 38

##### (Sub-committee or working group)

For the purposes of studying certain issues within its competencies, compiling a report or preparing a draft law, the committee may establish a sub-committee or working group and define its terms of reference.

Article 39  
(Procedures)

In cases that are not specifically regulated by these Rules of Procedure, procedures in the committees shall follow the basic provisions on legislative activities.

Section D - Permanent working committees of the House

Article 40  
(Permanent committees)

The House shall have the following permanent committees:

- a) Constitutional-Legal;
- b) Foreign Affairs;
- c) Foreign Trade and Customs;
- d) Finance and Budget;
- e) Transport and Communications;
- f) Gender Equality.

Article 41  
(Constitutional-Legal Committee)

- (1) The Constitutional-Legal Committee shall:
  - a) monitor compliance with the BiH Constitution;
  - b) consider issues significant for the constitutional order of BiH and launch initiatives to amend the BiH Constitution;
  - c) examine and provide the House with opinions on proposed amendments to the BiH Constitution;
  - d) conduct public hearings on draft laws and proposed amendments to the BiH Constitution as well as inform the House of the results of the public hearing;

- e) consider draft laws to be adopted by the House in terms of their harmonisation with the BiH Constitution and legal system, as well as in terms of legal processing and present a report to the House that includes opinions, proposals as well as legal and technical corrections of errors evident in the text;
  - f) consider the issues of legislative methodology and other issues of importance for the harmonisation of legal and technical processing of acts to be adopted by the House;
  - g) submit opinions to the BiH Constitutional Court;
  - h) participate in preparing the work program for legislative activities of the House;
  - i) finalize, together with the appropriate committee of the House of Peoples, the clarified text of draft laws and other regulations, when and if so authorised by both Houses;
  - j) consider proposals to suppress immunity rights and in this respect propose suitable decisions to the House.
- (2) The Committee shall consider issues in the fields of: the legal system; the electoral system; the BiH Council of Ministers; national holidays; the coat of arms; the BiH flag, and national anthem; BiH seals; state administration; enforcement of international and domestic criminal laws and other issues under the House's competence that are not covered by the scope of activities of other committees.

Article 42  
(Committee on Foreign Affairs)

- (1) The Committee on Foreign Affairs shall:
- a) monitor the conduct of foreign policy by the BiH Presidency and the BiH Council of Ministers;

- b) consider BiH's co-operation with the United Nations and the international community;
  - c) consider inter-parliamentary co-operation with the respective parliamentary committees of other countries;
  - d) consider co-operation with the Council of Europe, Inter-parliamentary Union, Central European Initiative, the Organisation for Security and Co-operation in Europe and other international organisations;
  - e) consider issues related to the work of the institutions of BiH competent in foreign affairs and international relations;
  - f) consider activities of permanent or temporary delegations of the BiH PA in inter-parliamentary institutions;
  - g) consider granting and revoking consent to the ratification of international treaties.
- (2) The Committee shall also consider other issues in the field of international and foreign affairs.

### Article 43

#### (Committee on Foreign Trade and Customs)

- (1) The Committee on Foreign Trade and Customs shall consider the following issues:
- a) foreign trade policy;
  - b) agreements on international trade;
  - c) customs policy;
  - d) tariffs, regulations and draft laws from its field;
  - e) BiH's international obligations;
  - f) relations with international trade institutions.
- (2) The Committee shall also consider other issues related to foreign trade and customs.

Article 44  
(Committee on Finance and Budget)

- (1) The Committee on Finance and Budget shall consider the following issues:
  - a) BiH Central Bank;
  - b) external debt;
  - c) financing the institutions of BiH;
  - d) fiscal and credit policy;
  - e) banking, with the exception of banking policy;
  - f) functioning of financial institutions at the BiH level;
  - g) regulations in the field of finance and budget;
  - h) considering the budget, budget execution and control of budget execution;
  - i) considering decisions on debt accumulation, debt reprogramming and other liabilities of BiH;
  - j) reports of the Office for Auditing the Institutions of BiH.
- (2) The Committee shall also consider other issues concerning the economy, finances and the budget.

Article 45  
(Committee on Transport and Communications)

- (1) The Committee on Transport and Communications shall consider issues concerning:
  - a) travel documents;
  - b) residence and movement of foreigners;
  - c) relations with Interpol;
  - d) establishment and functioning of common and international communications;

- e) regulation of inter-entity transport;
  - f) air traffic control;
  - g) frequency control.
- (2) The Committee shall also consider other issues in the field of transport and communications.

Article 46  
(Committee on Gender Equality)

- (1) The Committee on Gender Equality shall consider the following issues:
- a) exercising gender equality rights in BiH, in particular concerning promotion of the status of women in BiH;
  - b) encouraging activities in BiH institutions with regards to the implementation of the action platform of the Beijing declaration (IV World Conference on Women, Beijing 1995) in 12 critical spheres;
  - c) encouraging and co-ordinating activities with the Entity Parliaments to promote the status of women and implement the action platform of the Beijing declaration;
  - d) considering draft laws and other regulations from a perspective of gender equality as well as preventing discrimination against women;
  - e) considering proposed documents and reports of those BiH institutions dealing with gender equality and implementation of the action platform of the Beijing declaration in general, i.e. in individual areas;
  - f) considering and preparing BiH delegations to participate in international meetings dealing with the Beijing declaration (UN, Stability Pact, etc.).

- (2) The Committee shall also consider other issues concerning the implementation of gender equality.

## Section E - General Provisions on Joint Committees

### Article 47 (Joint Committees)

- (1) Joint Committees shall present their opinions, proposals and reports to the Houses, and conduct other activities as stipulated by the Rules of Procedure of both Houses. Joint Committees shall decide on issues delegated to them by the Houses with the exception of competencies for the adoption of draft laws which cannot be delegated to Joint Committees.
- (2) At the proposal of representatives, delegates and their caucuses, the Houses may, by a conclusion, establish temporary joint committees with the aim of monitoring, considering and investigating specific issues as well as for preparing and presenting proposals for the adoption of draft laws or other acts under the competencies of both Houses.

### Article 48 (Number and structure of members, Chair and hiring experts in joint committees)

- (1) A Joint Committee shall be comprised of twelve members, six of whom shall be elected from the House and six from the House of Peoples, given that two thirds of members are elected from the territory of the Federation of BiH and one third from the territory of Republika Srpska.
- (2) The first session of a Joint Committee shall be convened by the Speakers of both Houses.

- (3) A Joint Committee shall, amongst its members, elect its Chair, First and Second Deputy Chair, and they shall be elected from the ranks of the three constituent peoples. The Chair and the First Deputy Chair cannot be from the same House.
- (4) Joint Committees may occasionally request expert assistance, as provided by Article 30, paragraph 3 of the Rules of Procedure.

#### Article 49

(Definition of a quorum and the decision-making method of joint committees)

- (1) Seven committee members shall constitute quorum for a joint committee's work as long as at least one half of the total number of the joint committee members from each House are present and provided that the quorum includes at least one representative from each of the constituent peoples in the House of Peoples.
- (2) Joint Committees shall adopt decisions by a simple majority provided that the said majority includes at least one third of the members of each House and one representative of each constituent people. Notwithstanding the previous provision, when adopting final decisions, the Joint Committee on Administrative Affairs shall apply Article 79 of the Rules of Procedure, which stipulates a mandatory entity majority provided that efforts to reach a consensus are made by the Chair, First and Second Deputy Chair.

#### Article 50

(Reports of Joint Committees)

Joint Committees shall submit a report on their activities as deemed necessary and at least once a year.



Article 51  
(Structure of membership and chairpersons  
of the Joint Committees in the Houses)

In Joint Committees, each House shall comprise half of the Members and at least one third of the chairpersons.

Article 52  
(Application of provisions of the Rules of Procedure of both  
Houses to the Joint Committees)

In its work, a Joint Committee shall apply other general provisions of the Rules of Procedure of both Houses pertaining to the work of committees.

Section F - Standing Joint Committees

Article 53  
(Standing Joint Committees)

The Houses shall have the following Standing Joint Committees:

- a) Joint Committee on Defense and Security of BiH;
- b) Joint Security and Intelligence Committee on Supervision of the work of Intelligence and Security Agency of BiH;
- c) Joint Committee on Economic Reforms and Development;
- d) Joint Committee on European Integration;
- e) Joint Committee on Administrative Affairs;
- f) Joint Committee on Human Rights, Rights of Children, Youth, Immigration, Refugees, Asylum and Ethics.

## Article 54

### (Joint Committee on Defence and Security of BiH)

- (1) The Joint Committee on Defence and Security of BiH shall:
  - a) consider and monitor the implementation of security and defence policy of BiH;
  - b) monitor the work of and consider reports from the Standing Committee for Military Matters, BiH Ministry of Defence, BiH Ministry of Security and other executive bodies dealing with defense and security issues as well as report to the BiH PA thereof, in particular focusing on reports; short-term and long-term plans pertinent to the structure of the Armed Forces of BiH; personnel policy and recruiting; salaries and allowances; education and training of the BiH Armed Forces; professional conduct and ethical standards of civilian and military staff; Army equipment; military industrial work; procurement and export/import of weapons and military equipment; material assistance and contracts with foreign companies rendering services to the defense institutions on a commercial basis; combat readiness; military exercises and operations including enforcement of international obligations and international peace support operations;
  - c) consider draft laws and amendments to laws within the competencies of the Committee;
  - d) consider and submit opinions, recommendations, amendments and changes to the defense budget proposal;
  - e) consider reports on the defence budget execution as well as reports on the auditing of institutions in the domain of BiH defense and security policy;
  - f) consider the co-operation of BiH with the UN, OSCE, NATO, Stability Pact of South-East Europe and other

organizations and countries in the domain of defence and security;

- g) consider activities of permanent and ad hoc delegations of BiH in international and inter-parliamentary institutions in the domain of security and defense;
- h) consider and submit opinions to the BiH PA on ratification and implementation of international treaties in the domain of security and defence;
- i) establish cooperation with competent parliamentary committees of the BiH entities, other countries, as well as with international organizations and other defence institutions.

(2) The Joint Committee shall also consider other issues in the domain of security in BiH.

#### Article 55

(Joint Security and Intelligence Committee on Supervision of the work of Intelligence and Security Agency of BiH)

- (1) The Joint Security and Intelligence Committee on Supervision of the work of Intelligence and Security Agency of BiH shall:
- a) supervise the lawfulness of the Agency's work;
  - b) discuss and provide opinions on the appointment of the Director General and Deputy Director General;
  - c) consider reports of the Chair on issues under her/his competence; including measures taken in order to resolve all problems in the Agency, identified during an inspection control, audit or investigation;
  - d) consider reports of the Director General on the activities and costs of the Agency and especially analyze how budget funds are spent;

- e) provide opinions on the Agency's detailed budget proposal;
  - f) consider reports by the Chief Inspector;
  - g) request Agency employees to provide expert advise, with the assistance of the Chair, as required for carrying out supervision;
  - h) conduct investigations on the work of the Agency.
- (2) The Committee shall also consider other issues under its competencies in line with the Law on Intelligence and Security Agency of BiH, as well as with any other lex specialis enshrining relevant competencies.

#### Article 56

(Joint Committee on Economic Reforms and Development)

- (1) The Joint Committee on Economic Reforms and Development shall consider the following issues:
- a) economic reforms within the competencies of BiH institutions;
  - b) proposed reforms or initiatives to amend the laws submitted to the Committee by: representatives of civil society, entrepreneurs' associations, employers' unions, trade unions, agencies for regional development, associations of citizens or other non-governmental interest groups;
  - c) monetary policy;
  - d) foreign debt policy;
  - e) relations with international financial institutions;
  - f) policy and programme of reconstruction and development in BiH;
  - g) defining economic policy measures;
  - h) fiscal and credit policy of BiH;

- i) banking policy;
  - j) statistics, measurements and standards.
- (2) The Committee shall also consider other issues in the domain of economic reforms, reconstruction and development.

### Article 57

#### (Joint Committee on European Integration)

- (1) The Joint Committee on European Integration shall consider the following issues in light of:
- a) general issues related to EU integration,
  - b) monitoring the implementation of BiH's rights and obligations arising from international treaties in view of CoE membership;
  - c) coordinating the work of working bodies related to EU integration and submitting opinions, recommendations and warnings to these bodies;
  - d) analyzing the impact of integration strategy for BiH and drafting comprehensive reports;
  - e) supervising the drafting of the feasibility study and monitoring the implementation of the pre-accession (Stabilisation and Association Agreement) and accession strategies of BiH;
  - f) supervising the harmonization of BiH legislation with the *aquis communautaire* (applicable EU legislation) when the Committee meets all the requirements;
  - g) cooperation with institutions of BiH (particularly with the BiH Directorate for EU Integration), institutions of the EU and other countries related to integration issues
  - h) organizing public opinion debates on integration issues;

- i) collecting, archiving and systematic presentation of information by Committee members regarding the EU;
  - j) supervising the use of funds allocated by the EU;
  - k) other affairs related to EU issues which are beyond the competencies of other working bodies;
  - l) holding public hearings related to EU integration issues in order to collect opinions and standpoints of civil society representatives, NGOs, independent experts, as well as governmental and NGO experts in specific fields.
- (2) The Joint Committee shall also consider other issues related to EU integration.

#### Article 58

##### (Joint Committee on Administrative Affairs)

- (1) The Joint Committee on Administrative Affairs shall:
- a) adopt acts regulating the salary and allowance rates for all employees of the BiH PA;
  - b) adopt acts regulating the amount of compensations for specific material costs of employees in the BiH PA as well as adopt individual acts on salary and allowance rates; material and other costs; compensations and per diem costs for hiring experts and witnesses, as well as compensations for certain material costs of advisors;
  - c) in cooperation with competent institutions of both Houses, monitor and consider the budget execution reports for the BiH PA and inform both Houses thereof as well as adopt all acts of the BiH PA regulating the use or disposal of funds determined by the BiH PA budget;
  - d) perform activities related to real estate owned by the BiH PA; in particular, regulate the use and disposal of

apartments for employees of the BiH PA; decide on the allocation of apartments' for occupancy, exchange and facilitate one-off transfers of occupancy rights regarding apartments pursuant to the law;

- e) decide on the allocation of temporary accommodation to employees pursuant to the law and relevant acts of the BiH PA;
  - f) approve the Rule Book on the Internal Organization of the Secretariat pursuant to the Decision on the Organization of the Secretariat as adopted by the BiH PA;
  - g) provide proposals and opinions on changes in the organization of the Secretariat;
  - h) define conditions for the use of cars for official purposes;
  - i) based on the annual reports of caucuses on expenditures and their indicated annual needs, decide and report annually to the House on the allocation of funds, premises, as well as administrative, technical and other services required for the work of caucuses;
  - j) determine criteria for hiring experts and witnesses as required by committees and other working bodies of the House.
- (2) The Committee shall also consider other administrative issues under the competencies of the Houses, pursuant to the Rules of Procedure of both Houses.

#### Article 59

(Joint Committee on Human Rights, Rights of Children, Youth, Immigration, Refugees, Asylum and Ethics)

- (1) The Joint Committee on Human Rights, Rights of Children, Youth, Immigration, Refugees, Asylum and Ethics shall consider the following issues pertaining to the:
- a) exercise of human rights and fundamental freedoms as

guaranteed by the Constitution and legislation of BiH, state institutions as well as public institutions and organizations with public responsibilities, in cases presented by the Ombudsman, citizens and Entities, and inform the Houses thereof;

- b) citizenship;
- c) immigration, refugees and asylum;
- d) implementation of Annex 6 and Annex 7 of the General Framework Agreement for Peace in Bosnia and Herzegovina;
- e) development of, and problems facing, the implementation and protection of human rights and freedoms as well as the development of efficient protection measures thereof. The Committee shall not consider issues that are pending before the courts or other disputes except in cases of unacceptable delays in procedure or evident abuse of power and arbitrariness indicated by the Ombudsman;
- f) proposals submitted by citizens along with the responsibility to inform the petitioners of the outcome;
- g) petitions related to violations of human rights and fundamental freedoms as well as adopting relevant measures and informing the petitioners and Houses thereof;
- h) co-operation with the Commission for Human Rights (envisaged in Annex 6) and the Commission for Refugees and Displaced Persons (foreseen by Annex 7 of General Framework Agreement for Peace), and the Committees on Human Rights in the Federation of BiH Parliament and the RSNA;
- i) issues pertaining to the exercise of children's rights - in particular, improving the status of children in BiH;
- j) promoting activities in BiH institutions related to the implementation of the Convention of the Rights of the Child as well as promoting and achieving co-operation with Entity



parliamentary committees regarding the improvement of the status of children and implementation of the Convention on the Rights of the Child;

- k) considering proposals of draft laws and other regulations against the background of children's rights and preventing the abuse of children's rights;
  - l) issues related to the exercise of the rights of youth - in particular improving the status of youth in BiH;
  - m) promotion of activities in BiH institutions related to adoption and implementation of the most significant international documents pertaining to youth issues;
  - n) considering proposed documents and reports of BiH institutions pertaining to rights of children and youth and considering preparations for participation of BiH delegations at international meetings discussing issues related to the rights of children and youth;
  - o) analyzing reports on the implementation of the Law on Conflict of Interest in the Institutions of BiH carried out by the Election Commission of BiH;
  - p) drawing the attention of elected officials of the BiH PA and the BiH Council of Ministers to provisions of the Law on Conflict of Interest in the Institutions of BiH in order to ensure its consistent implementation;
  - r) considering, in cooperation with the Election Commission of BiH, possible cases of violations of conflict of interest in the institutions of BiH by elected officials of the BiH PA and the BiH Council of Ministers;
  - s) development and finalization of proposals of the code of conduct for representatives and delegates of the BiH PA.
- (2) The Committee shall also consider other issues in the domain of human rights, the rights of children, youth, immigration, refugees, asylum and ethics.

## CHAPTER IV - Sessions of the House and joint sessions of both Houses

### Section A - Work Plan of the House

#### Article 60 (Tentative Work Plan)

- (1) The Extended Collegium shall elaborate a tentative work plan of the House for a period of one year. Such a plan shall include issues and deadlines for their discussion in plenary sessions.
- (2) For the purpose of developing the work plan, the Extended Collegium shall require the BiH Presidency, the BiH Council of Ministers, and all committees and caucuses to present proposals and opinions within a deadline as determined by the Collegium.
- (3) Taking into consideration all these proposals and any other issue already in process, the Secretary of the House shall present the Extended Collegium with a draft proposal of the work plan for its consideration. Once adopted by the Extended Collegium, the work plan shall be forwarded to the representatives and to the other bodies mentioned in paragraph 2 of this Article.

#### Article 61 (Calendar)

The Extended Collegium shall determine a calendar for the month ahead, including the dates or weeks when the plenary sessions are foreseen. This calendar shall be forwarded to the representatives, committees of the House, the BiH Presidency and the BiH Council of Ministers.

Section B - Convening a session, proposing and determining the agenda

Article 62

(Convening the sessions of the House)

- (1) The Speaker shall convene a session, in agreement with Deputy Speakers, and propose the agenda to the representatives according to the work plan.
- (2) The invitation for the session of the House shall be distributed to the representatives ten days before the day of the scheduled session unless regulated otherwise by these Rules of Procedure. The agenda, the materials prepared for the session and, as the case may be, the minutes of the previous session, shall be distributed to the representatives together with the invitation for the session.
- (3) In cases of urgency and upon request of at least ten representatives, the Deputy Speaker, or upon her/his own decision, the Speaker, may convene the session within a timeframe of less than ten days. In that case, the agenda for the session shall be proposed when it is held.

Article 63

(Convening of a session by Deputy Speaker)

- (1) The Deputy Speaker of the House shall convene a session if the Speaker is unable to convene the session of the House.
- (2) If the Speaker of the House does not convene the session within the deadline contained in Article 62 paragraph 3 of these Rules of Procedure, the Deputy Speaker shall convene the session of the House within seven days at the latest.

Article 64  
(Mandatory agenda items)

- (1) The Extended Collegium shall include in the agenda, in accordance with these Rules of Procedure, the draft law with opinions referred to in Article 105 paragraph 1, i.e. the report referred to in Article 117, and any other item that is mandatory.
- (2) A mandatory item is an item that passed the procedure defined by the Rules of Procedure.
- (3) The Extended Collegium may introduce into the agenda other issues that authorised proponents have submitted to the House and which fall within the scope of its competency.
- (4) The Collegium shall not introduce into the agenda other issues referred to in paragraph 3 of this Article, for which the competent committee did not submit an opinion.

Article 65  
(Proposing new items and suppressing  
non-mandatory items on the agenda)

- (1) At the beginning of the session a representative, as well as any authorised proponent, shall have the right to request the suppression of any non-mandatory item and propose a new one. Removal of mandatory items from Article 64 paragraph 1 of these Rules of Procedure shall not be allowed.
- (2) During her/his statement, the representative cannot speak for more than three minutes and shall not elaborate on the essence of the issue which is proposed as the item of the agenda unless the Collegium decides otherwise at the request of the representative.

Article 66  
(Adoption of the Agenda)

If no amendments to the agenda have been proposed, the agenda shall be deemed adopted by the House. In the case that amendments to the agenda are proposed and upon the expressed opinion of the representatives on those proposals, the House shall vote on each proposed amendment. The voting shall follow the order in which the representatives proposed the amendments.

Section C - Definition of quorum, chairing and participation  
in work

Article 67  
(Definition of quorum)

- (1) At the beginning of each session, and at any moment at the request of a caucus, the Speaker shall verify if there is a quorum and inform the House on the result.
- (2) Twenty-two representatives shall comprise a quorum provided there is a minimum of one third of the representatives present from each entity unless the decision-making procedure in certain matters is otherwise regulated by the BiH Constitution and these Rules of Procedure.
- (3) If there is no quorum, the Speaker shall call a recess of sixty minutes, during which he/she will make an effort to find a solution.

## Article 68

(Attendance of sessions by members of BiH Presidency, BiH Council of Ministers, proponents and official guests)

- (1) Members of the Presidency of Bosnia and Herzegovina may, and members of the BiH Council of Ministers have the right and duty to, participate in the sessions of the House.
- (2) If the proponent of a draft law is absent from the session the House may decide to conduct the discussion in the absence of the proponent.
- (3) Official guests invited by the Speaker may participate in the session pursuant to these Rules of Procedure.

## Article 69

(Application for participation in discussion and the length of discussion)

- (1) Each representative and other participants in the session of the House may speak after asking for and getting the floor from the Speaker, but for no longer than ten minutes.
- (2) Before discussions begin on a draft law, the draft law's proponent has the right and duty to explain the draft law within a time-limit of fifteen minutes.
- (3) Applications for participation in the discussion must be submitted by the time the session is adjourned.
- (4) The Speaker shall give the floor to the representatives respecting the order in which they have applied to speak.

## Article 70

(Discussion of breaches of Rules of Procedure and corrections of quotations)

- (1) The Speaker shall give the floor to the representative who intervenes regarding a breach of the Rules of Procedure or non-compliance with the established agenda immediately after her/his intervention. The above intervention shall not exceed three minutes, after which the Speaker shall decide on the matter.
- (2) The representative may ask for the floor to correct a quotation incorrectly cited and which may be a cause for misunderstanding or which requires an explanation. The Speaker shall give the floor to the representative immediately after the person whose statement requires explanation finishes her/his speech. In that case, the representative has to restrict herself/himself to the correction, i.e. the explanation, which shall not be longer than three minutes.

## Article 71

(Digressions from the agenda)

The representative, or other participants in the discussion, may speak exclusively about the issue discussed in accordance with the established agenda. If she/he digresses from the agenda the Speaker shall warn him/her and can deprive him/her of the right to speak if she/he does not keep to the agenda after this warning.

## Article 72

(Participation in discussions by the Speaker)

If the Speaker wants to take the floor she/he has to leave her/his seat and speak from the speaker's platform. Meanwhile, the first Deputy Speaker shall chair the session.

## Section D - Maintenance of order

### Article 73

#### (Maintenance of order during the session)

- (1) The Speaker shall maintain order during the session. All attendants are obliged to comply with her/his instructions.
- (2) The Speaker may warn a representative who by her/his behaviour or speech during the session disturbs either the order in the House or the provisions of these Rules of Procedure.
- (3) A representative who has been warned twice during the same session for not respecting order in the House and/or provisions of these Rules of Procedure shall be deprived of the right to speak if she/he continues to disturb the order and the application of these Rules of Procedure.
- (4) The Speaker, upon consultation with Deputy Speakers, may order any other attendant to be removed from the hall if she/he disturbs the order.

### Article 74

#### (Interruption of session)

If the Speaker assesses that she/he is not able to maintain order during the session, in consultation with Deputy Speakers, she/he shall decide to interrupt the session and continue it after obtaining the conditions needed to continue working. The interruption of the session may not last for more than an hour.



## Section E - Course of the session

### Article 75 (Minutes of the session)

- (1) The minutes of each session shall be submitted for approval at the first following session.
- (2) Any representative may present her/his objections to the minutes for no more than three minutes.
- (3) The decision on justification of each presented objection shall be passed at the session without a discussion. If an objection is adopted, the appropriate changes shall be entered into the minutes.
- (4) The minutes or part of the minutes to which objections were not made shall be considered adopted.
- (5) The Speaker and Secretary of the House shall sign the adopted minutes.

### Article 76 (Discussion on agenda items)

- (1) Any agenda item shall be debated before a decision is made thereupon, unless these Rules of Procedure regulate that a decision on a specific issue shall be passed without debate.
- (2) When several conclusions are proposed after discussion on an agenda item, the Speaker shall offer proposed conclusions for voting in the order in which proposals were made. After rendering its opinion on representatives' proposals, the House shall vote on the proposal of the material considered in its entirety.

- (3) The debate on reports on constitutional amendments, draft laws and other matters shall include two parts: general debate and debate on details.

#### Article 77

##### (Break)

- (1) The representatives of any caucus shall have the right to ask for a maximum thirty minute break before voting on any issue. Unless voting has already started, the Speaker shall be obliged to announce a break immediately.
- (2) If a caucus asks for a break longer than thirty minutes, the Speaker shall put such proposal to a vote.

#### Section F - Decision-making procedure

#### Article 78

##### (Non-transferability of votes)

The vote of each representative is personal and may not be delegated.

#### Article 79

##### (Decision-making procedure)

- (1) Decisions in the House shall be made by the majority of all the representatives attending and voting. Abstaining votes are counted towards a quorum, but shall not be added to the votes in favour or against. Representatives shall make efforts to see that the majority includes at least one third of the representatives from the territory of each Entity, unless otherwise provided by the BiH Constitution and these Rules of Procedure.
- (2) In case a representative does not vote "in favour" or "against" and has not abstained, but he/she is present at the session, he/she is considered "abstained".

- (3) In any case, the number of votes cast must be equal at least to the quorum regulated in Article 67 paragraph 2 of these Rules of Procedure unless otherwise provided by the BiH Constitution and these Rules of Procedure.

#### Article 80

(Procedures applied when the majority does not include one third of the votes from the territory of each Entity)

- (1) If the majority of votes does not include one third of the votes from the territory of each Entity, the Speaker may call for a break of up to sixty minutes. During the break, attempts to find a solution shall be made by the Collegium in cooperation with Chairs of caucuses and independent representatives.
- (2) In case the controversial issue is not solved after the break referred to in paragraph 1 of this Article, the Speaker shall convene the Collegium, which, working as a Commission, shall make efforts to find a conciliatory solution within the next three days.
- (3) If the Collegium manages to reach an agreement, the House shall be informed about it and a vote shall follow pursuant to Article 79 of these Rules of Procedure.
- (4) If the Collegium fails to reach a consensus, or if it reaches consensus about a new solution that was not subject to the voting procedure of the House, the decision shall be passed by a majority of the total number of representatives attending and voting, provided that dissenting votes do not include two thirds or more of the representatives elected from either Entity.
- (5) If quorum is not met and after the break the Speaker verifies, or the vote reveals, that the lack of quorum persists, the respective issue shall be postponed for the next session.

Article 81  
(Voting procedures)

Voting within the House may be conducted:

- a) electronically;
- b) or by raising the voting card;
- c) or by roll call.

Article 82  
(Electronic voting system)

- (1) The electronic voting system shall be used in the House, registering and displaying the total number of votes "in favour", votes "against" and "abstained" votes. The vote of each representative shall be displayed on the screen in green colour ("in favour"), red colour ("against") and white colour ("abstained"), as well as in grey colour for all the vacant seats of absent representatives. The electronic voting system shall register whether the quorum exists and whether the majority, if it exists, includes at least one third of the votes of the representatives from the territory of each Entity. After the voting, the results shall be displayed on the screen.
- (2) If voting takes place after the conciliatory process, regulated by Article 80 paragraphs 2 and 4 of these Rules of Procedure, the electronic vote system shall display and register the total number of votes in favour, votes against and abstained votes, as well as whether the votes against include those of two thirds or more of the representatives elected from either Entity.
- (3) When voting on the amendments to the BiH Constitution, the confirmation of the appointment of the Chair of the BiH Council of Ministers, or when requested by one third of the representatives of the House, the electronic vote system shall

register, in addition, the way each representative has voted individually. This information shall be made public. The electronic voting system also enables voting in secret.

- (4) All information displayed on the screen shall be written in the official languages in BiH and in their respective scripts.

### Article 83

#### (Voting by raising the voting card)

- (1) In case the electronic vote system does not function, or upon the request by one third of the representatives in the House, voting shall take place by raising hands or voting cards.
- (2) The Speaker shall count, with the assistance of the Deputy Speakers and the Secretary of the House, the votes in favour, votes against and abstained votes, taking into account the fulfilment of the other requirements under Article 80 paragraph 1 of these Rules of Procedure.

### Article 84

#### (Voting by roll call)

- (1) Vote by roll call shall be applied when the Speaker or Deputy Speaker consider it necessary; when such a consideration is based on the proposal of a caucus representative; or at the individual proposal of any representative, in order to remove doubts in the regularity of voting results.
- (2) In such a case, the Secretary of the House shall call upon the representatives individually, who shall reply by saying "yes", "no" or "abstained". During roll call, the Latin alphabetical order shall be followed if the Speaker is Bosnian or Croat and the Cyrillic alphabetical order if the Speaker is Serb.

Article 85  
(Announcing the voting results)

At the end of the voting process the Speaker shall declare how many votes were cast in favour, how many votes were cast against and how many abstained votes were cast, as well as the result of the vote of representatives from each Entity as required by Article IV.3.d of the BiH Constitution, and she/he shall declare the final decision after voting.

Section G - Minutes and records of the debates

Article 86  
(Elements of Minutes)

- (1) The minutes shall include the date, place and time of the session and shall include information regarding the issues debated, names or official positions of participants in the debates, results on votes and decisions adopted.
- (2) A representative may require that her/his remark on a possible breach of the BiH Constitution or of the Rules of Procedure is entered into the minutes.

Article 87  
(Publishing the Minutes)

The minutes shall be published in full.

Article 88  
(Audio recording and transcripts of sessions)

- (1) The sessions of the House shall be recorded and shorthand notes may be taken for the purpose of producing the final official transcript of the debate.

- (2) The Collegium shall regulate more precisely the manner of preparing, keeping, publishing and distributing the official transcript.

Article 89  
(Authorization of transcripts)

- (1) Any representative may require the transcript of her/his speech for authorisation. The requesting representative is expected to return the authorised transcript. The representative may not, however, enter significant changes in the text or omit expressed ideas.
- (2) If the representative does not submit any comment within 48 hours from the time the transcript was forwarded to her/him, the transcript shall be considered authorized.

Section H - Transparency of work

Article 90  
(Transparency of work and access to information)

- (1) The House shall work in a transparent manner, informing the public of its work in a timely, objective and full manner. The House shall provide to all interested parties, under the same conditions, access to available information pursuant to the Law on Freedom of Access to Information in BiH.
- (2) Complete minutes of discussions in the House, documents from the legislative process and the most significant activities related to the work of the House and its committees shall be made accessible to the public in electronic form in accordance with the capacities of the BiH PA as well as in print media.
- (3) Information whose disclosure is deemed as potentially

detrimental to the legitimate objectives of the following categories is not subject to the above disclosure provision:

- a) foreign policy, defence and security interests, as well as protection of public security;
  - b) monetary policy interests;
  - c) prevention of crime and detection of any criminal activities;
  - d) protection of decision-making procedures in public institutions when they render opinions as well as advice or recommendations made by a public authority or an employee in a public institution or any person performing duties for or on behalf of the public institution that do not comprise factual, statistical, scientific or technical information;
  - e) other exceptions as defined by the Law on Freedom of Access to Information in BiH;
- (4) The House shall publish requested information notwithstanding the stipulated exception in paragraph 3 of this Article if it is justified by public interest and shall take into account any benefit or damage that might arise from such publishing as decided by the Extended Collegium.

#### Article 91

##### (Publishing acts and adopted proposals)

Proposals and acts adopted by the House may be published in printed and other media.

#### Article 92

##### (Access to sessions)

- (1) Citizens and representatives of the media shall be ensured access to the sessions of the House in a space especially reserved for them, as determined by the Collegium according to the space available.



- (2) The sessions of the committees shall be open to the public, unless otherwise decided by the committee.
- (3) The sessions, or part of the sessions in which issues referred to in Article 11 of these Rules of Procedure are discussed, shall be held without the presence of the media or the public.

Article 93  
(Reserving seats)

Besides the seats reserved for the representatives, appropriate places shall be provided for Members of the BiH Presidency, members of the BiH Council of Ministers, and official guests.

Section I - Joint sessions of both Houses

Article 94  
(Convening and chairing)

- (1) Joint sessions of both Houses shall be convened by the Speakers of both Houses:
  - a) at any time, based on the assessment of the Joint Collegium
  - b) on formal occasions
  - c) on extraordinary occasions upon the request by the BiH Presidency.
- (2) Joint sessions shall be alternately chaired by the Speakers of both Houses.

Article 95  
(Invitation and agenda)

- (1) The agenda for the joint sessions shall be determined by the Joint Collegium.

- (2) Invitations to joint sessions of the Houses shall be submitted to representatives and delegates within the deadlines stipulated by the Rules of Procedure of the Houses.

Article 96  
(Decision-making procedure)

The decision-making procedure requires that the Houses shall vote separately and shall apply the provisions of the Rules of Procedure of their respective Houses.

CHAPTER V - Activities of the House

Section A - General provisions

Article 97  
(The work of the House)

The House shall work in accordance with the BiH Constitution, the law and the provisions of these Rules of Procedure.

Article 98  
(Activities of the House)

The House shall perform activities in the following domains:

- a) legislation;
- b) information;
- c) oversight; and
- d) internal regulation.

## Section B - Basic legislative procedure: The Initiative

### Article 99 (Authorized proponent)

A proposed draft law may be introduced by any representative, any committee of the House, any joint committees, the House of Peoples, as well as by the BiH Presidency and the BiH Council of Ministers within the scope of their respective competencies.

### Article 100 (Content of proposed draft law)

- (1) The proposed draft law shall be submitted in the form of a text divided into articles. The proponent of the proposed draft law shall be obliged to submit the proposed draft law in written and electronic form and in the official languages of Bosnia and Herzegovina. An exception may be made when a proponent is a representative as she/he may submit the proposed draft law in both written and electronic form in one of BiH's official languages.
- (2) The proposed draft law shall be accompanied by an elaboration containing:
  - a) the constitutional basis for the adoption of the proposed draft law;
  - b) the reasons for passing the proposed draft law;
  - c) the principles on which the proposed draft law is grounded;
  - d) the financial and other resources necessary for implementation of the proposed draft law;
  - e) the opinions of institutions and organisations consulted in the course of the drafting; and
  - f) any other circumstances that could clarify to the House the reasons for adoption of the proposed draft law.

- (3) Along with the proposed amendments and/or changes to the proposed draft law or other acts, provisions or articles that are amended or changed shall also be attached.

## Article 101

### (Submission of proposed draft laws)

- (1) The proposed draft law shall be submitted to the Speaker who shall refer it immediately to the Collegium.
- (2) The Collegium shall decide within seven days to which committee the proposed draft law should be assigned, forward it to the Constitutional-Legal Committee for its opinion on compliance with the BiH Constitution and the legal system and then forward it to the competent committee for an opinion on the principles on which the proposed draft law is grounded. At the same time, the Collegium shall submit the proposed draft law to the representatives, the BiH Council of Ministers and the BiH Presidency, when they are not the proponents.
- (3) The secretaries of the Houses shall give the agreed proposal to the Collegia of both Houses so that they may determine the competent joint committee no later than seven days from the initial submission of the proposed draft law, and then submit it to the relevant bodies referred to in paragraph 2 of this Article.
- (4) If deadlines referred to in paragraphs 1 and 2 of this Article are not met, the Collegium of the House shall inform the House and the proponent about the reasons for delay and propose new deadlines. The House shall decide on the merits of the reasons provided and whether to accept the new deadlines.
- (5) If the House receives several proposed draft laws governing the same issues, the Collegium shall forward such proposed draft laws through the process described in paragraph 2 of this Article. If the BiH Council of Ministers is not the proponent, the

Collegium shall forward the proposed draft laws to the BiH Council of Ministers for its opinion within twenty days. When the House receives the opinion of the BiH Council of Ministers, the particular proposed draft law which received a positive opinion shall be prioritised for further procedures in the House.

- (6) The Collegium shall invite the proponents of proposed draft laws referred to in paragraph 3 of this Article to make efforts, within seven days, to harmonise their proposals and forward one proposal of the proposed draft law to advance through the legislative process. If the proponents fail to reach an agreement, the proposed draft law that was first submitted to the House shall be forwarded to further parliamentary procedure.
- (7) If the BiH Council of Ministers fails to deliver its opinion within the deadline stipulated in paragraph 5 of this Article, the parliamentary procedure for the proposed draft laws shall be continued until the completion of the procedure before the Constitutional-Legal Committee and the competent committee, pursuant to paragraph 6 of this Article. The Collegium shall include in the agenda the first proposed draft law submitted to the House once it receives the opinions of the Constitutional-Legal Committee and the particular competent committee. Until the procedure on the first draft law is completed in the House the other proposed draft laws shall not be advanced.

#### Article 102

(Proponent of the draft law - a representative or a committee of the House)

- (1) If the proponent of the draft law is a representative or a committee of the House and the Collegium determines that the competent committee is the joint committee, the proposed draft law shall be submitted to the Joint Collegium.

- (2) After the Joint Collegium confirms the competency of the joint committee, the proposed draft law shall be forwarded to the Constitutional-Legal Committees of both Houses.
- (3) After the Constitutional-Legal Committees provide their opinions, the procedure before the joint committee shall be continued pursuant to the Rules of Procedure of both Houses.

Section C - Basic legislative procedure - Committee stage  
Procedure before the Constitutional-Legal Committee  
and the competent committee - First phase

Article 103

(Harmonisation of the proposed draft law with the  
BiH Constitution)

Upon considering whether the proposed draft law is harmonised with the BiH Constitution and the legal system, the Constitutional-Legal Committee shall submit its opinion to the Speaker of the House within fifteen days of receiving the proposed draft law.

Article 104

(First phase before the competent committee)

Upon considering the proposed draft law in the first phase, the competent committee shall submit an opinion on the principles of the proposed draft law to the Speaker of the House within fifteen days of receiving the proposed draft law, which the Speaker shall immediately refer to the House.

Article 105

(Inclusion on the agenda of the session of the House)

- (1) After receiving the opinions of the Constitutional-Legal

Committee and the competent committee as submitted by the Speaker of the House, the Collegium shall include the proposed draft law in the agenda of a session of the House, to be held within seven to fifteen days.

- (2) If the proponent is a representative or a committee of the House, the Collegium shall submit the opinion of the Joint Committee to the House of Peoples along with the proposed draft law, and it shall delay including the proposed draft law on the agenda until the required procedures are completed in the House.

#### Section D. Basic legislative procedure Plenary phase - First reading

##### Article 106

(General debate, principles, need for adoption and harmonization with the BiH Constitution)

- (1) In the House, general debate on a proposed draft law starts with the first reading concerning the need for its adoption and the principles on which the proposed draft law is grounded, based on the opinions of the Constitutional-Legal Committee and the competent committee from the first stage its consideration.
- (2) The proponent of the legislation shall have the right to withdraw the proposed draft law from this process until the conclusion of the first reading's debate on the proposed draft law.
- (3) The debate in the first reading is concluded by either adoption or rejection of the proposed draft law in the first reading.
- (4) If the House estimates that the proposed draft law is of minor complexity, it may also consider the draft law in the second reading, without it being considered at the level of the competent committee - the second phase.

## Article 107

(Debate in the house when the first report by the competent committee or the Constitutional-Legal Committee is negative)

- (1) When the Collegium of the House receives the opinions of the Constitutional-Legal Committee and the competent committee about the proposed draft law and these opinions indicate that the committees have found no compliance with the BiH Constitution and the legal system, i.e. they did not approve the principles as laid out in the proposed draft law, and the committees also provide mandatory explanations for this rejection, the Collegium shall place the proposed draft law, together with the opinions of the committees on the agenda for the session of the House that shall be convened within seven to fifteen days.
- (2) In case the House adopts the opinions of the Constitutional-Legal Committee or the competent committee from paragraph 1 of this Article, the proposed draft law shall be considered rejected.
- (3) In case the opinions of the committees from paragraph 1 of this Article are not adopted, the House shall request that the committees present a new opinion based on new guidelines and within the terms determined by the House.

Section E. Basic legislative procedure -  
Procedure with the competent committee - Second phase

## Article 108

(Presence of the proponent at the competent committee sessions)

- (1) The proponent, or the authorized representative of the proponent, shall attend this session of the committee. The



representative of the BiH Council of Ministers may participate in the work of the committee even when the BiH Council of Ministers is not the proponent.

- (2) If the proponent, or the authorized representative of the proponent, is not present at the session of the committee and it finds the presence of the proponent or the authorized representative necessary, the committee may postpone the discussion on that matter and inform the proponent thereof, requesting her/his presence at the next session. In case the proponent or the authorized representative is absent from the next session as well, despite the invitation to attend, the proposal shall be considered withdrawn and the committee shall inform the Speaker of the House of the current state of affairs.

#### Article 109

##### (Submission of amendments)

- (1) A representative, a caucus, a non competent committee, the proponent or the BiH Council of Ministers may submit amendments in written form within fifteen days from the day that debate on the draft law was concluded in the first reading.
- (2) Once the debate has commenced, the Speaker, in consultation with deputy chairs of the committee, approves debate on the amendments from paragraph 1 of this Article and new amendments only in the following cases:
  - a) when they pertain to new aspects, or
  - b) when they are aimed at harmonization of two or more proposals that are being debated.
- (3) When the joint committee is competent for the consideration of the draft law any delegate may also submit amendments pursuant to paragraph 1 of this Article.

## Article 110

### (Procedure in the competent committee)

- (1) The committee procedure shall start with a debate on the draft law and the submitted amendments.
- (2) After the debate the committee shall vote on the proposed amendments, following the order of the Articles to which they refer. In the case of an extraordinarily large number of amendments, the Chair may sanction use of other procedures, ensuring that all political opinions are appropriately expressed.
- (3) The Chair shall decide about the order of debate and voting on amendments referring to the same Article, starting with those that imply major changes to the Article.
- (4) Once voting on all proposed amendments is complete, votes shall be cast on the draft law with the adopted amendments.

## Article 111

### (Report by the competent committee)

- (1) The competent committee shall submit a report to the House within twenty days after the adoption of a draft law in the first reading.
- (2) When a joint committee is competent, it shall submit a report at the session of the House that last considered the draft law within thirty days after the date that the proposed draft law was adopted in the first reading.
- (3) The report by the competent committee shall contain the report on the draft law and the adopted amendments that have become an integral part of the draft law.

## Article 112

(Negative report by the competent committee on the draft law in general)

- (1) When the Collegium receives a report from the competent committee on the draft law indicating that the committee has rejected the draft law in general, with the reasons for such rejection adduced, the Collegium shall include the draft law with the report by the committee in the agenda for the session of the House that shall be held within the following seven to fifteen days.
- (2) If the House adopts the report by the competent committee referred to in paragraph 1 of this Article, the draft law shall be considered rejected.
- (3) If the House does not adopt the report, the competent committee shall be requested to present a new report based on new guidelines and within the terms determined by the House.

## Article 113

(The Rapporteur of the competent committee)

The committee shall appoint, from its members, a rapporteur who shall submit the report referred to in Article 111 of these Rules of Procedure. The rapporteur shall defend the position of the committee at the plenary session.

## Article 114

(Public hearing)

- (1) Before the draft law enters into the process described in Article 110 of these Rules of Procedure, the committee may decide to open a public hearing on the draft law which would involve all the interested parties, specialist institutions and individuals.

- (2) A public hearing shall last no longer than fifteen days. In case there is a public hearing conducted, the term determined by Article 111 of these Rules of Procedure shall be extended for another fifteen days.

#### Article 115

(Opinions by the participants in the public hearing)

Invited individuals and representatives of bodies and institutions shall present their opinions on issues related to the draft law if so requested by the committee. Upon concluding the hearing, the requested papers and other material presented over the course of the hearing may be attached to the conclusion reached by the committee.

#### Article 116

(Outcome of the public hearing)

The committee shall include in its report the conclusions and the outcome of the public hearing and attach, in the annex thereto, all the papers and material presented in the course of the hearing. The transcript of the hearing, if any, shall be also attached.

#### Section F. Basic legislative procedure - Plenary stage - Second reading

#### Article 117

(Procedure regarding the report by the competent committee)

When the Speaker of the House receives the report by the competent committee she/he shall refer it to the representatives and convene a plenary session of the House within fifteen days when the debate on the draft law shall start in the second reading.

## Article 118

### (Amendments at the plenary stage)

- (1) Representatives and caucuses may propose amendments contesting the amendments adopted by the committee. Such amendments shall be submitted 24 hours before the beginning of the plenary session at the latest
- (2) Within the same period, the authorized proponents referred to in Article 109 paragraph 1 may propose amendments which they want to advocate again at the plenary stage in writing, after having failed to defend them at the level of the committee.
- (3) Once debate has started, the Speaker, in consultation with the Deputy Speakers, shall approve discussions on the amendments from paragraphs 1 and 2 of this Article as well as new amendments, but referring to the latter only in the following cases:
  - a) when they are related to new aspects; or
  - b) when they are aimed at harmonization of two or more proposals being debated.

## Article 119

### (Second reading)

- (1) The second reading shall include debate and voting on proposed amendments according to the order of the Articles to which they refer. In case of an extraordinarily large number of amendments, the Speaker may sanction the use of other procedures so as to ensure that all political opinions are appropriately expressed.
- (2) The proposed amendments to an Article shall be discussed and voted upon beginning with those amendments that propose major changes to the Article. Making this determination shall be the responsibility of the Speaker.

- (3) The proponent, Rapporteur and representative of the BiH Council of Ministers shall be given the floor upon their request and pursuant to the instructions of the Speaker.
- (4) The draft law shall be voted upon in its final text once voting on all the proposed amendments has been completed.

#### Article 120

(Inconsistency and legal and typographic errors)

During the debate referred to in Article 119 paragraph 2 of these Rules of Procedure, the House may conclude that the adopted amendments resulted in internal inconsistency or that they contain legal or typographic errors. If this is the case, such amendments or articles shall be referred to the competent committee who shall consider and change them and then propose the harmonized text of the draft law.

#### Section G. Basic legislative procedure

- Relations between the Houses -

#### Article 121

(Passing a draft law)

A draft law shall be considered passed when it has been adopted by both Houses in the identical text.

#### Article 122

(Joint Commission for Harmonization)

- (1) When the draft law is first adopted by the House, the Speaker shall refer it to the House of Peoples within three days.
- (2) If the text adopted by both Houses is not identical, the Speaker shall inform the House of Peoples in order to establish a Joint Commission.

- (3) The first session of the Joint Commission shall be convened by the secretaries of both Houses.

Article 123  
(Harmonization)

- (1) The Joint Commission shall be comprised of six members, three from each House.
- (2) The Joint Commission shall aim at agreement on an identical text. To reach such an agreement the majority of votes of all the Joint Commission members shall be required and the majority must represent all the three constituent peoples as well as the majority from each House.
- (3) If one of the Houses does not adopt the report by the Joint Commission the draft law shall be considered rejected.
- (4) If the negative report of the Joint Commission is not adopted by either House the draft law shall be referred to the Joint Commission for the development of a new report in accordance with the guidelines of both Houses.

Article 124  
(Adoption of identical text)

If the House adopts a version of the draft law identical to the one adopted by the House of Peoples, the draft law shall be considered passed. The Speaker shall take measures necessary for its publication.

Article 125  
(Original text of the draft law)

- (1) The Secretary of the House, in co-operation with the Secretary of the House of Peoples, shall be responsible for developing

the original text of the draft law, affixing the stamp, and other activities as required by law.

- (2) The Secretary of the House shall be responsible for the development of the original text of the acts of the House, affixing the stamp and shall also take care of other activities as required by law.

## Section H. Summary procedure

### Article 126

#### (Summary procedure)

- (1) A proponent may request that a draft law she/he has submitted be considered in summary procedure. In such case, the proponent shall present reasons justifying the summary procedure.
- (2) The request from paragraph 1 of this Article shall be considered at the next session of the House. The House shall decide on the request after the debate.
- (3) If the House agrees to consider the proposed draft law in summary procedure, all the terms from the regular legislative procedure foreseen by Articles 103, 104, 105, 111, 114 and 117 shall be reduced to one half of their original time frame.
- (4) When the draft law is considered in summary procedure the Collegium may additionally limit the duration of the debate as well as restrict how many times individual representatives may be given the floor.
- (5) If the House rejects the request, the draft law shall be entered into procedure pursuant to the general rules.



## Section I. Emergency procedure

### Article 127 (Emergency procedure)

- (1) When the proposed draft law is given high emergency status or the proposed draft law is not so complex that it could be either adopted or rejected in general, the proponent may request in written form its consideration in one reading only.
- (2) The request from paragraph 1 of this Article shall be considered at the next session of the House. The House shall decide on the request after the debate.
- (3) Once debate on the request has been completed, the request shall be voted upon. If adopted, the House shall continue the debate and vote on the draft law. There shall be no amendments to the draft law.
- (4) If the House rejects the request by the proponent to consider the proposed draft law in emergency procedure, the House shall decide whether to consider the proposed draft law pursuant to Article 126 or in accordance with the general rules.

## Section J. Budget and the report on the execution of the budget of the BiH institutions

### Article 128 (Budget)

- (1) The BiH Presidency, on the recommendation of the BiH Council of Ministers, shall, before October 15<sup>th</sup> of the current year, submit a proposed draft law which includes the budget for BiH institutions for the forthcoming year (hereinafter "the Budget").

- (2) The provisions regulating basic legislative procedure shall apply when adopting the Budget. However, the Collegium shall reduce the terms and adopt all other measures necessary for the adoption of the Budget and refer it to the House of Peoples by November 15<sup>th</sup> of the current year at the latest.

#### Article 129

##### (Amendments and changes to the Budget)

The Budget may be amended in a manner and in compliance with the procedure prescribed for its adoption.

#### Article 130

##### (Report on the execution of the Budget)

- (1) The BiH Presidency shall, based on the proposal of the BiH Council of Ministers, submit a report on the execution of the budget of BiH institutions for the preceding year and submit data on revenue and expenditures in the current budget year.
- (2) The figures contained in the report shall not be subject to amendments. If the House deems the presented figures incorrect, it may request necessary explanations or corrections by the BiH Council of Ministers.

#### Section K. Authorization for ratification of international treaties and cancellation of contracts

#### Article 131

##### (Request for ratification or cancellation of contracts)

- (1) The BiH Presidency, in accordance with the BiH Constitution and the law, shall submit to the House a request for authorization to ratify or cancel ratified international treaties, agreements and conventions.

- (1) Texts of international treaties, agreements and conventions shall not be subject to amendments.

## Section L. Amendments to the BiH Constitution

### Article 132 (Authorized proponents)

Amendments to the BiH Constitution may be proposed by the BiH Presidency, BiH Council of Ministers, House of Peoples and any representative as foreseen by the BiH Constitution and these Rules of Procedure.

### Article 133 (Submitting amendments to the BiH Constitution)

- (1) Unless otherwise prescribed in this Section, amendments to the BiH Constitution shall be submitted under the same conditions as proposed draft laws and shall be subject to the basic legislative procedure.
- (2) The Collegium shall refer the proposed Constitutional amendments to the BiH Presidency and BiH Council of Ministers for their opinion as long as the Presidency and Council of Ministers are not the legislation's proponents.

### Article 134 (Public hearings)

- (1) Amendments to the BiH Constitution shall undergo a public hearing procedure.
- (2) The Constitutional-Legal Committee shall conduct a public hearing and inform the House thereupon. The hearing shall be held not earlier than thirty days after the amendments to the Constitution have been proposed.

- (3) The period set aside for public consultations shall not last less than fifteen days.

#### Article 135

##### (Adoption of amendments to the BiH Constitution)

The House shall adopt proposed amendments to the BiH Constitution if the amendments receive a two-thirds majority of the representatives present and voting.

#### Section M. Correction to laws, other legislation and general acts

#### Article 136

##### (Corrections)

- (1) Proposals to correct printing errors in published texts of a law or other legislation passed by the House, i.e. general acts, shall be submitted to the House by an authority competent to enforce such legislation, i.e. general acts.
- (2) Corrections to printing errors that are required after comparing texts with the original shall be edited by the secretaries of both Houses.

#### Section N. Authentic interpretation of laws and other general acts

#### Article 137

##### (Authentic interpretation procedure)

- (1) The use of authentic interpretation shall determine the truthful, accurate, original and correct meaning of an ambiguous provision in the law and other legislation, i.e. general act.
- (2) Law enforcement entities responsible for implementing laws and other general acts may apply to the BiH PA with the request for authentic interpretation.

- (3) When the Speaker of the House receives a request for authentic interpretation of a law or other legislation, i.e. general act, she/he shall refer it to the Constitutional-Legal Committee, the competent committee and the BiH Council of Ministers for their opinion. The BiH Council of Ministers shall submit its opinion within twenty days.
- (4) Once the Constitutional-Legal Committee has considered the request and assessed the clarity of the norm referred to, the report by the Constitutional-Legal Committee, together with the opinion by the BiH Council of Ministers, shall be sent to the competent committee of the House within thirty days.
- (5) The competent committee shall come to its conclusion regarding authentic interpretation within fifteen days of receiving the report of the Constitutional-Legal Committee and then refer it back to the Constitutional-Legal Committee.
- (6) The Constitutional-Legal Committee shall determine the final proposal for authentic interpretation and within thirty it shall days submit the final proposal to the Speaker of the House.

Article 138  
(Adoption)

- (1) The authentic interpretation shall be adopted by the House and it shall become an integral part of the respective law or other legislation, i.e the general act that is being interpreted.
- (2) The Speaker of the House shall refer the authentic interpretation to the Speaker of the House of Peoples

Article 139  
(Application)

The authentic interpretation of a law, other legislation and a general act shall apply and becomes valid from the day the legislation it refers to enters into force.

Article 140  
(Publishing)

The authentic interpretation of the law, other legislation or a general act shall be published in the "Official Gazette of BiH".

CHAPTER VI. Control activities

Section A. General provision

Article 141  
(Responsibility and duty of the BiH  
Council of Ministers to submit information)

- (1) The BiH Council of Ministers shall be responsible to the House for proposing and implementing policy, law and other regulations and provisions for which implementation is a part of its constitutional and legal competence, as well as for guidance and co-ordination of the work of the ministries.
- (2) The BiH Council of Ministers shall, upon the request by the House, submit information on all relevant activities in its domain.

Section B. Approval of the nomination of the  
BiH Council of Ministers

Article 142

(Approval of the nomination of the  
Chair of the BiH Council of Ministers)

- (1) When the House receives the decision regarding the nomination of the Chair of the BiH Council of Ministers, the Collegium shall convene a session pursuant to Article V.4 of the BiH Constitution.
- (2) After the Speaker has read the decision the person nominated shall be given the floor to present her/his political programme. This shall be followed by a debate. The approval of the nomination shall be put up for voting pursuant to Article 82 paragraph 3 of these Rules of Procedure.
- (3) The approval of other members of the BiH Council of Ministers follows the same procedure, except the Speaker may limit the number and length of oral submissions as well as exclude the application of Article 82 paragraph 3 of the Rules of Procedure.

Section C. Vote of no confidence and vote for the need to  
reconstitute the BiH Council of Ministers

Article 143

(Initiating vote of no confidence in the  
BiH Council of Ministers)

- (1) A caucus or at least three representatives in the House may initiate a proposal for a confidence vote regarding the BiH Council of Ministers or on the need to reconstitute the BiH Council of Ministers.

- (2) The proposal from paragraph 1 of this Article shall be submitted to the Speaker of the House in written form with the requisite signatures and explanation thereof.
- (3) The Speaker of the House shall immediately refer such proposal to the BiH Council of Ministers, the other representatives and the House of Peoples.

#### Article 144

(Including the proposal on the Agenda)

The proposal for confidence vote shall be included on the Agenda after twenty days and no later than thirty days after it is referred to the BiH Council of Ministers.

#### Article 145

(Report by the BiH Council of Ministers)

Before the beginning of the session wherein the confidence vote is scheduled to occur, the BiH Council of Ministers may submit to the House a written report with its opinion and positions. The report shall be distributed to the representatives 48 hours before the session at the latest.

#### Article 146

(Explanation of the proposal and response by the BiH Council of Ministers)

- (1) At the session of the House wherein the confidence vote is scheduled to occur, each proponent shall have the right to offer an explanation regarding the proposal to vote no confidence in the BiH Council of Ministers.
- (2) The BiH Council of Ministers shall have the right to respond and present its position, after which the general debate shall start.



Article 147  
(Voting)

- (1) When the debate concludes, the proposal on no confidence shall be put to a vote.
- (2) If the proposal is not adopted, other initiatives related to this proposal may be voted upon.
- (3) The Speaker shall inform the House of Peoples, the BiH Council of Ministers and the BiH Presidency on the results of the confidence vote and other initiatives in that regard, if any.

CHAPTER VII. Resolutions and other acts

Article 148  
(Submitting proposals for resolutions)

- (1) The House may express its position on relevant political and social issues as well as determine political guidelines to be implemented by the BiH Presidency, BiH Council of Ministers or other BiH institutions by means of resolutions.
- (2) Any representative may make a proposal for a resolution. The proposed resolution shall be considered at the session of the House unless the House decides on preliminary consideration by the committee.

Article 149  
(Debate)

- (1) The proponent of a resolution shall be given the floor for the duration of twenty minutes, whereas other participants in the debate may be given the floor for a duration of ten minutes.

Amendments to the proposed resolution may be submitted in written form at any point during the session.

- (2) The Speaker may conclude the debate when an issue, in her/his opinion, has been clarified sufficiently. Once the debate has been concluded, the proposed resolution shall be put up for voting.

#### Article 150 (Other acts)

- (1) The House shall be entitled to pass declarations, decisions, recommendations, conclusions and other acts.
- (2) The acts from paragraph 1 of this Article are defined as follows:
  - a) A declaration is an act of the BiH PA which contains principal opinions on significant issues considered by the BiH PA;
  - b) A decision is an act resolving the issues falling within the competencies of the BiH PA;
  - c) A recommendation is an act indicating the significance of particular issues concerning law enforcement;
  - d) A conclusion is an act concerning the procedural issues in individual matters.
- (3) The voting procedure on the acts referred to in paragraph 1 of this Article shall comply with the decision-making procedure of the House unless otherwise prescribed by the BiH constitution, these Rules of Procedure or the law.

## CHAPTER VIII. Information activities

### Section A. Questions by the representatives

#### Article 151 (Raising questions)

Representatives may raise questions to the BiH Council of Ministers or any of its members, independent authorities, institutes and directorates. The questions shall relate to specific facts, situations or information relating to their respective responsibilities.

#### Article 152 (Procedure for submitting questions)

Questions shall be submitted to the Speaker in written form. The submissions shall also include a statement on whether a representative requests a verbal response in the House or a written response. In case no such statement is included, the response will be given verbally at the session of the House.

#### Article 153 (Verbal response)

- (1) When there is a request for a verbal response at the session of the House, the written submission shall be formulated as one, brief question.
- (2) The Speaker shall refer the question to the person to whom it is addressed, with the exception of questions that do not fulfil the conditions outlined in paragraph 1 of this Article.
- (3) The questions shall be allocated a minimum of one hour at each regular plenary session and direct TV broadcasting shall be ensured. The responses to the questions raised may be given immediately at the session provided members of the

BiH Council of Ministers are present and that they are able to respond. If the representative of the BiH Council of Ministers cannot provide an answer, she/he shall be given a term of seven to thirty days to prepare an answer. The responses shall be given in the order that the questions were raised. The Speaker shall inform the House regarding which questions have and have not been answered before the question part of the session begins.

#### Article 154

(Explanation adduced to the questions raised and postponement of the debate)

- (1) An explanation adduced to the questions shall be provided according to the following procedure: a representative shall be given the floor for up to three minutes after which the floor is given for the same duration to the BiH Council of Ministers or the relevant minister. Following this, a representative may give her/his comment on the response or raise a new question for the duration of no longer than two minutes. Finally, the BiH Council of Ministers or the relevant minister is given the opportunity to give a new answer for the same duration after which the Speaker proclaims the debate concluded and gives the floor to the next person authorized to speak.
- (2) The BiH Council of Ministers or an individual minister may ask, for certain reasons and only once, to have the debate postponed for the first forthcoming plenary session.

#### Article 155

(Response in written form)

- (1) A question requesting a written response shall be limited, but not exclusively, to technical questions and those that seek

more than a simple verbal explanation. Neither the question nor the answer shall be longer than a standard A-4 form.

- (2) The Speaker shall refer the question immediately to the BiH Council of Ministers or the relevant minister.
- (3) The written answer to the question posed must be provided within thirty days. If requested, this may be extended by a maximum of ten days.
- (4) When the Speaker receives the answer, she/he shall send one copy to the person that posed the question. The response shall be published together with the question. The Speaker shall give the representative asking for a written response the opportunity to say if she/he is satisfied with the answer provided. If the representative is not satisfied with the answer, Article 154 paragraph 1 of these Rules of Procedure shall apply.
- (5) If the BiH Council of Ministers or the relevant minister does not provide an answer within the terms as provided, the representative posing the question may request that the Collegium mandatorily include such a question and the requirement for a verbal response on the agenda for the next session of the House.

#### Article 156

##### (Questions posed to other subjects)

- (1) Representatives may pose questions concerning specific facts or situations to other subjects as well. The answers to such questions shall be provided in written form.
- (2) Questions may also be addressed to the BiH Office of the High Representative or representatives of other international organizations.

## Article 157

### (Joint session of the Houses - Questions and answers)

- (1) At least once every six months, the Collegium of the House, i.e. the Joint Collegium, shall organize a joint session of both Houses on the subject: "Representatives (delegates) ask - BiH Council of Ministers gives answers".
- (2) These sessions, in a form of a dialogue, provide an opportunity for direct television and radio broadcasting and are aimed at increasing transparency and informing the public on all relevant issues related to the work of executive authorities at the state level of Bosnia and Herzegovina.
- (3) A representative shall have the right to ask one question, which can last up to three minutes, and to a rebuttal of the same duration. The questions shall be submitted to the BiH Council of Ministers at least seven days before the session.
- (4) The session referred to in paragraph 1 of this Article shall be convened thirty days in advance and may last up to four working hours.

## Section B. Interpellation

### Article 158

#### (Submission and consideration)

- (1) An interpellation shall be submitted to the Speaker in written form and it shall refer to a situation in an individual field within the competencies of BiH institutions or the activities of the BiH Council of Ministers, or any other ministry. It shall also relate to the implementation of adopted policies and laws.

- (2) The Collegium shall look at the interpellation and refer it to the addressee. If the content is inappropriate for an interpellation the Collegium shall inform the proponent thereof in order to change the interpellation into a question.

#### Article 159

(Including interpellation on the Agenda)

- (1) An interpellation shall be included on the agenda within fifteen to sixty days from the day it was sent to the BiH Council of Ministers or a minister, i.e. to the addressee.
- (2) No more than one interpellation from a representative shall be included on the agenda per session.

#### Article 160

(Debate)

- (1) The interpellant shall be given the floor for up to thirty minutes to explain her/his interpellation. Then the floor shall be given to the addressee for the same duration. After this, other representatives may ask for an intervention which shall not last longer than ten minutes. The same rule applies to both the interpellant and the addressee.
- (2) The Speaker shall conclude the debate when, in her/his opinion, the interpellation has been discussed sufficiently.

#### Article 161

(Proposal for a resolution following the  
debate on interpellation)

- (1) Within three days after the debate on an interpellation has concluded, any representative may propose a resolution as referred to in Articles 148 and 149 of these Rules of Procedure.

- (2) Provided that general conditions have been satisfied the proposed interpellation shall be included on the agenda for the next session.

### Section C. Information sessions and Annual Reports by the BiH Council of Ministers

#### Article 162

##### (Informative activities before committees)

- (1) Members of the BiH Council of Ministers, upon their request or by request of the competent committee, shall appear before the committee during an information session concerning the relevant issue.
- (2) The committee may request to be provided with a written report on the same issue before the session begins.
- (3) The committee may, after the debate has concluded or at its next session, adopt resolutions presenting its position or the guidelines concerning the respective policy of a ministry.
- (4) The committee may initiate a procedure to call an invited member of the BiH Council of Ministers to account in the following cases:
  - a) if she/he does not respond to the invitation by the committee;
  - b) if she/he does not provide the committee with necessary information;
  - c) if she/he presents incomplete or incorrect information.

#### Article 163

##### (Report by the BiH Council of Ministers)

- (1) The BiH Council of Ministers shall submit its report to the House at least once a year.



- (2) The House shall consider the report on the the BiH Council of Ministers within thirty days of its submission. After debate, the House may express its political view on the submitted report in a resolution.

## CHAPTER IX. Internal regulation

### Article 164

#### (Amendments and changes to the Rules of Procedure)

The House may, at any time, by way of proposal by representatives, make amendments to the current Rules of Procedure, in compliance with the BiH Constitution, using the decision-making procedure pursuant to Article IV. 3.d) of the BiH Constitution.

### Article 165

#### (Regulating specific issues through conclusions)

- (1) The House may, through a conclusion, regulate specific issues that are not otherwise regulated by the Rules of Procedure. In such a case, the provisions pertaining to basic legislative procedures shall apply unless they refer to work at the committee stage.
- (2) A conclusion shall be binding until it is regulated differently by the Rules of Procedure. A conclusion shall be applied from the day of adoption unless it provides otherwise.

### Article 166

#### (Conclusions of the committees)

Committees may adopt conclusions for the same purpose referred to in Article 165 of these Rules of Procedure and regarding issues within their respective competences. Such conclusions shall be subordinate to the conclusions of the House.

## CHAPTER X. Relations with other BiH institutions

### Section A. Council of Ministers of BiH

#### Article 167

##### (Rights and duties of the Council of Ministers of BiH)

Within its rights and duties as listed in the BiH Constitution, the BiH Council of Ministers may:

- a) submit proposed draft laws to the House and give its opinion on draft laws proposed and submitted by other parties;
- b) request that a session of the House be convened to consider an issue on which the Council wants both to present its position and obtain the opinion, i.e. position of the House;
- c) participate, through its representative, in the sessions of the House, Extended Collegium and the committees;
- d) intervene in debates at any point;
- e) request that an item be included on the agenda of a session of the House. In such cases the requested item shall be included on the agenda of the House;
- f) request that debate on a non-mandatory item on the agenda be postponed in order to prepare a position and present it at the next session. In such cases the item shall be taken off the agenda of the House.

#### Article 168

##### (Representation of the BiH Council of Ministers)

- (1) The BiH Council of Ministers shall be represented in the House by its Chair or by one or more of its members unless otherwise prescribed by these Rules of Procedure or the law.

- (2) Ministers may be represented by deputy ministers and at committee sessions by assistant ministers unless otherwise prescribed by these Rules of Procedure or the law.

#### Article 169

(Notifying the BiH Council of Ministers on the sessions of the House and its committees)

The House and its committees shall notify the BiH Council of Ministers of the dates on which it will hold its sessions in order to accommodate the representatives of the BiH Council of Ministers.

### Section B. Presidency of BiH

#### Article 170

(Notifying the BiH Presidency about the sessions of the House)

- (1) The Speaker of the House shall notify the BiH Presidency under the conditions referred to in Article 101 of these Rules of Procedure of any session where the draft laws proposed by the BiH Presidency will be considered.
- (2) The BiH Presidency shall, through its representatives, attend the sessions of the House and may participate in discussion at any point.

#### Article 171

(Positions and Report of the Presidency of BiH)

- (1) The BiH Presidency shall, upon the request by the House, present its positions and inform the House about the issues falling within its competence.
- (2) The BiH Presidency shall, at the request of the House, submit to the House a report on the expenditures of the BiH Presidency at least once a year.

## Section C. Other institutions

### Article 172

#### (Co-operation with other BiH institutions)

The exercise of the House's rights and duties as well as its co-operation with other BiH institutions shall comply with the BiH Constitution and the law.

## CHAPTER XI. Miscellaneous

### Article 173

#### (Appointment of the members of Parliamentary delegations)

- (1) Before appointing members of the BiH PA to participate in parliamentary assemblies or other international institutions, the Collegium shall, in co-operation with the Collegium of the House of Peoples, determine the number of members to be selected by both Houses. The Collegium shall attempt to achieve a proportional formula reflecting the composition of the BiH PA.
- (2) The House shall appoint its members who will participate in international parliamentary assemblies or other international institutions and ensure that the appointed members reflect the composition of the House. The Collegium shall take care, assisted by the Secretariat, to create and maintain the conditions necessary for the implementation of planned international activities and ad hoc parliamentary delegations.
- (3) The delegation shall, within seven days after the appointment of its members, appoint a head and two deputy heads, and then determine the working program and inform the House thereof.

- (4) The delegation shall adopt its rules of procedure and strictly define the rights and duties of the head, deputy heads and members of the delegation, relations with the House, methods of submitting reports, and other issues relevant for its work.

Article 174  
Groups for friendship

In accordance with the criteria set forth in Article 173 of these Rules of Procedure, the House may appoint its members in a group for friendship with other countries.

Article 175  
(Consultations for newly appointed representatives  
of Bosnia and Herzegovina)

- (1) The BiH authorities competent to conduct the nomination process determining which BiH representatives will hold membership in international institutions shall be obliged to hold consultations in the House when developing membership lists.
- (2) The consultations shall be presented at the session of the Joint Collegium, before the House takes a vote on the issue.

Article 176  
(Languages)

- (1) The minutes from meetings and reports of the House, committees and joint committees shall be written in the Bosnian, Croatian and Serbian languages, in Latin and Cyrillic alphabets. Laws, amendments to the Constitution, rules of procedures, conclusions and resolutions shall be written and published in the same manner.
- (1) A representative shall state in writing in which language she/he wants to be served the materials from paragraph 1 of this Article.

Article 177  
(Handling confidential materials)

The Houses shall prescribe, by their decisions, how to handle confidential materials. The members of the House shall sign a statement on maintaining confidentiality after the expiration of their mandate in the House or a committee.

Article 178  
(Placing the emblem and the flag of BiH)

The emblem and the flag of Bosnia and Herzegovina shall be placed in the conference halls of the House and each caucus' facilities. Furthermore, the national anthem shall be played pursuant to the law.

CHAPTER XII. The Secretariat

Article 179  
(Establishment and organisation of the Secretariat)

- (1) The House shall, together with the House of Peoples, set up a Secretariat.
- (1) The organisation and activities of the Secretariat shall be regulated by special acts.

Article 180  
(Appointment of the Secretary of the House)

The House shall have a Secretary who will be appointed by the House upon a proposal by the Collegium.

## Article 181

### (Appointment of the Secretary of Common Services)

Both Houses shall, upon the proposal of the Collegiums of both Houses, appoint the Secretary of Common Services.

## Article 182

### (Rights and duties of the Secretary of the House)

- (1) The Secretary of the House shall:
  - a) assist the Collegium and the Speaker of the House in their duties;
  - b) ensure minutes are taken and kept from the sessions of the House, Collegium, Extended Collegium and the committees;
  - c) take care of official publication of the debates;
  - d) take care of publishing, affixing the stamp to and referring, whichever the case may be, the laws and acts passed by the House;
  - e) be responsible for other rights and duties as determined by these Rules of Procedure and other duties entrusted to him/her by the Collegium and the Speaker of the House.
- (2) In case the Secretary of the House is prevented from attending a session of the House, the Speaker of the House shall be assisted in chairing the session by an employee from the Secretariat as designated by the Collegium and upon the proposal of the Secretary of the House.

## CHAPTER XIII. Interim and final provisions

### Article 183

(Passing the Rules of Procedure of the House)

The Rules of Procedure of the House shall be passed pursuant to the decision-making procedure and in accordance with Article IV.3.d) of the BiH Constitution.

### Article 184

(Procedure with pending proposals)

Pending draft laws and other acts shall be completed pursuant to the provisions of the former Rules of Procedure ("Official Gazette of BiH", No. 20/00).

### Article 185

(Procedure regarding pending proposals in case elections bring a new sitting of the House)

- (1) Draft laws and other acts that were submitted before the previous sitting of the House expired and whose proponents are the BiH Presidency, the BiH Council of Ministers and the House of Peoples, shall continue in the new sitting of the House in the same legislative process under which the draft law or other act was considered in the preceding sitting.
- (2) The procedure regarding draft laws and other acts whose proponents were representatives from the preceding sitting of the House and who are not in the new sitting of the House shall not be continued. They shall be referred to the caucuses in order that an elected representative might take over the role of proponent.



Article 186  
(Expiration)

The Rules of Procedure of the House of Representatives of the BiH PA ("Official Gazette BiH", No. 20/00) shall no longer apply with these Rules of Procedure entering into force.

Article 187  
(Entering into force)

These Rules of Procedure shall enter into force on the eighth day from its publishing in the "Official Gazette of BiH".

No: 01-34-6-96/00  
January 16<sup>th</sup>, 2006  
Sarajevo

Parliamentary Assembly BiH  
House of Representatives  
Speaker  
dr. Nikola [piri}

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Corrections to the Rules of Procedure of the House of Representatives of the Parliamentary Assembly of BiH, published in the "Official Gazette of BiH", No.: 91/06, are included in the text of these Rules of Procedure.

AMENDMENTS AND CHANGES  
TO THE RULES OF PROCEDURE  
OF THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENTARY ASSEMBLY  
OF BOSNIA AND HERZEGOVINA



Pursuant to the Article IV.3.d) of the Constitution of Bosnia and Herzegovina and Article 136 of the Rules of Procedure of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, ("Official Gazette of BiH", No. 20/00), the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, at its 79<sup>th</sup> session held on 18 May 2006, passed the following

AMENDMENTS AND CHANGES  
TO THE RULES OF PROCEDURE  
OF THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENTARY ASSEMBLY  
OF BOSNIA AND HERZEGOVINA

Article 1

Article 186 of the Rules of Procedure of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina ("Official Gazette of BiH", No. 33/06) shall be amended and read as follows:

"The Rules of Procedure of the House of Representatives of the Parliamentary Assembly of BiH ("Official Gazette BiH", No. 20/00) shall no longer apply when these Rules of Procedure enter into force."

Article 2

In Article 187, at the end of the line, instead of a full stop, a comma shall be inserted and new text shall be added: "and shall be applied starting from the beginning of the new mandate of the House."

Article 3

These amendments and changes shall enter into force on the day following the day of its publication in the "Official Gazette of BiH".

Ref. No.: 01-34-6-96/06

18 May 2006

Sarajevo

Speaker of the  
House of Representatives  
Martin Ragu`

Pursuant to Article IV.3.d) of the Constitution of Bosnia and Herzegovina, the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina at its 85th session held on 18 September 2006, adopted the following

AMENDMENTS AND CHANGES  
TO THE RULES OF PROCEDURE  
OF THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENTARY ASSEMBLY  
OF BOSNIA AND HERZEGOVINA

Article 1

In the Rules of Procedure of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina (Official Gazette of BiH, No. 33/06), in Article 6, a new Paragraph 2 shall be added and shall read as follows:

"(2) Political parties, coalitions and lists of independent candidates which have at least one representative in the House shall each propose one candidate at the inaugural session, whereas the elected independent candidates shall be nominated automatically for membership in Committee for the Preparation of the Election of the BiH Council of Ministers. At the same session, the House shall decide about membership in the Committee for the Preparation of the Election of the BiH Council of Ministers, immediately upon the election of the Collegium of the House. "

Article 2

In Article 7 paragraph 2, after the words "in performance of its duties", the following words shall be added: "with the exception of the Committee for the Preparation of the Election of the BiH Council of Ministers".

Article 3

In Article 30, a new paragraph (2) shall be added to read as follows:

"(2) Paragraph 1 of this Article shall not apply to the composition of the Committee for the Preparation of the Election of the BiH Council of Ministers."

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These amendments and changes to the Rules of Procedure of the House of Representatives of the Parliamentary Assembly of BiH were published in the "Official Gazette of BiH", No.: 81/06.

The former paragraphs 2, 3, and 4 shall become paragraphs 3, 4, and 5.

#### Article 4

After Article 30, a new Article 30 a) shall be added to read as follows:

##### "Article 30 a)

(Composition of the Committee for the Preparation of the Election of the BiH Council of Ministers)

- (1) The number of members of the Committee for the Preparation of the Election of the BiH Council of Ministers is not constant and shall be established for each newly elected House separately, at the inaugural session, depending on the election results.
- (2) The number of members of the Committee for the Preparation of the Election of the BiH Council of Ministers during the term of the newly elected House may not be changed, regardless of any eventual change since the inaugural session of the House concerning membership in political parties and coalitions or any subsequent acquisition of independent representative status. The only exception shall be the end of an independent candidate's term in which case such a vacancy is not to be filled.
- (3) The Committee for the Preparation of the Election of the BiH Council of Ministers shall be composed of one representative from each political party, coalition, list of independent candidates, as well as all independent candidates who hold a representative's mandate in the House.
- (4) In the event that a member of the Committee for the Preparation of the Election of the BiH Council of Ministers' mandate as a representative ends, as provided under the BiH Election Law, his/her Committee membership shall automatically be awarded to the candidate of the political party, coalition and list of independent candidates that have received the vacant mandate. In the event that the representative's mandate ends for an independent candidate, his/her Committee membership shall remain vacant."

## Article 5

In Article 34, at the end of paragraph 4, the full-stop shall be deleted and the following text shall be added: "except for the session of the the Committee for the Preparation of the Election of the BiH Council of Ministers."

Paragraph 5 shall be amended to read as follows:

- (5) "Notwithstanding Paragraph 1 of this Article, the sessions of the Committee for the Preparation of the Election of the BiH Council of Ministers shall be convened upon the personal initiative of the Chair and at the proposal of at least one member of the Committee."

## Article 6

In Article 40, paragraph 1, after the words "genders" the full-stop shall be replaced with a comma and item g) shall be amended to read as follows:

- "g) Committee for the Preparation of the Election of the BiH Council of Ministers."

## Article 7

After Article 46, the new Article 46a) shall be amended to read as follows:

### Article 46.a)

(Committee for the Preparation of the Election of the  
BiH Council of Ministers)

- (1) The Committee for the Preparation of the Election of the BiH Council of Ministers shall review and analyze all available information for the purpose of assessing and establishing candidates' suitability to carry out the roles of Chair and member of the BiH Council of Ministers to which they have been nominated and shall endorse, by its opinion, a recommendation to the House in favor of confirming the candidates nominated to the positions of Chair and member of the BiH Council of Ministers.
- (2) The recommendation of the Committee for the Preparation of the Election of the BiH Council of Ministers shall not be binding upon the House.

- (3) Regarding the person nominated to be the Chair of the BiH Council of Ministers as well as for the persons nominated to be Members and Deputy Members, the Presidency of Bosnia and Herzegovina shall, within the deadline set forth in the Law, provide the Committee with the following:
- a) a signed declaration, in the form and in the content outlined by the Central Election Commission, by which the nominated person provides the data referred to in Article 10.d. Paragraph 1, Item a), lines 1) through 6) of the Law on the BiH Council of Ministers; and
  - b) the official confirmation by the BiH Central Election Commission stating that the person concerned meets all the requirements established by Article 10 c) of the Law on the BiH Council of Ministers.

#### Article 8

After Article 46, the new Article 46b) which reads as follows:

#### Article 46.b)

(Procedures followed by the Committee for the Preparation of the Election of the BiH Council of Ministers)

- "(1) A member of the Committee for the Preparation of the Election of the BiH Council of Ministers may request that a person nominated to be Chair of the BiH Council of Ministers, a Minister or Deputy Minister be invited to attend a session and answer the questions asked of him/her.
- (2) A member of the Committee for the Preparation of the Election of the BiH Council of Ministers shall have a total of five (5) minutes per person nominated to ask the questions referred to in Paragraph 1 of this Article.
- (3) Each person nominated shall have a total of fifteen (15) minutes to answer all questions asked by a member of the Committee for the Preparation of the Election of the BiH Council of Ministers pursuant to Paragraphs 1 and 2 of this Article.



- (4) The request to attend a session to answer questions referred to in Paragraph 1 of this Article shall be submitted in writing to the Chair of the Committee for the Preparation of the Election of the BiH Council of Ministers. The Chair shall send the request to the respective addressee.
- (5) Article 92, paragraph 2 of these Rules of Procedure provides for public access, but the Committee for the Preparation of the Election of the BiH Council of Ministers may restrict public access to a session at which a person nominated to the position of the Chair of the BiH Council of Ministers, Minister or Deputy Minister is supposed to answer the questions asked of him/her.
- (6) Should the nominated person fail to respond to the invitation to attend a session of the Committee for the Preparation of the Election of the BiH Council of Ministers, the Committee may postpone the discussion on that matter and notify the proponent, the BiH Presidency or the Chair of the BiH Council of Ministers, thereof and request from the proponent to make sure that the nominated person attend the following session. Should the nominated person fail to respond to the invitation to attend the following session as well, the person shall not receive the recommendation for his/her confirmation."

#### Article 9

These amendments to the Rules of Procedure of the House of Representatives of the Parliamentary Assembly of BiH shall enter into force on the eighth day after their publication in the "Official Gazette of Bosnia and Herzegovina", and shall apply after 2006 General Elections.

No. 01-34-6-1/06  
18 September 2006  
Sarajevo

SPEAKER  
House of Representatives  
Parliamentary Assembly of  
Bosnia and Herzegovina  
Martin Ragu`





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