



## CENTRAL ELECTION COMMISSION

Pursuant to Article 2.9 Paragraph (1) Item 2 and Article 2.12 Paragraph (5) of the Election Law of Bosnia and Herzegovina (“Official Gazette of BiH”, no. 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08) and Article 18 of the Rules of Procedure of the Central Election Commission of Bosnia and Herzegovina (“Official Gazette BiH”, number 50/07), the Central Election Commission of Bosnia and Herzegovina, at its 23<sup>rd</sup> session held on May 29, 2008, p a s s e d the following

### INSTRUCTION

#### **on procedures for nominating members of Municipal Election Commissions, the Election Commission of the City of Banja Luka, the Election Commission of the City of Mostar and the Election Commission of Brčko District of BiH**

#### **Article 1 (Purpose)**

This Instruction lays down the procedure for nominating members of Municipal Election Commissions, the City Election Commissions of the City of Mostar and the City of Banja Luka and the Election Commission of Brčko District of Bosnia and Herzegovina (hereinafter: Election Commission), conducted by: the Municipal Assembly/Council, the Assembly of the City of Banja Luka, the City Council of the City of Mostar, and the Assembly of Brčko District of Bosnia and Herzegovina (hereinafter: competent body).

#### **Article 2 (Procedures for Nominating Election Commissions)**

For the purpose of reaching a lawful decision, efficiency of practice and the uniformity of the prescribed criteria on state level, the competent body shall act as follows during the procedure of nominating a member of the Election Commission:

- a) reach the decision to publish a public announcement for nominating Election Commissions. The aforesaid decision shall lay down the following: the means of announcing (the media – TV, radio, daily newspaper), the conditions a candidate needs to fulfill, the deadline for submitting the applications of the candidates, the duration of the mandate of the elected member and the like. The competent body nominates a commission for conducting the procedure according to the public announcement (hereinafter: Tender Commission);
- b) next to the general conditions prescribed by the law, the text of the public announcement referred to in item a) of this Article shall also contain special conditions prescribed by Articles 2.2, 2.3 and 2.14 of the BiH Election Law of Bosnia and Herzegovina and the Decision on establishing the qualifications for members of Election Commissions (“Official Gazette BiH”, number 40/06), as well as a note on necessary gender and national structure;
- c) after the expiry of the public announcement, the Tender Commission shall submit a written report to the competent body, where all relevant data for each person who submitted an application following the public announcement shall be stated. The Tender Commission shall classify candidates into two categories in the said report: those who fulfill the conditions explicated in the public announcement and those who do not fulfill the conditions. The Tender Commission shall

interview the candidates fulfilling the conditions explicated in the public announcement, after which it shall make up a rank-list with the sequence of candidates according to their success at the interview, and shall submit it to the competent body;

d) the competent body shall evaluate the position of the candidates on the rank-list referred to in item c) of this Article, and shall reach the decision on nominating members of the Election Commission and submit it to the Central Election Commission of Bosnia and Herzegovina (hereinafter: the BiH Central Election Commission) for consenting;

e) the BiH Central Election Commission shall issue a written consent to the decision on nominating the members of the Election Commission referred to in item d), if the procedures prescribed in this Article are followed and if the chosen candidates fulfill the prescribed conditions, and it shall submit that consent to the competent body.

### **Article 3 (Publishing Public Announcement)**

(1) The public announcement referred to in Article 2, Paragraph (1), item a) of this Instruction shall be published within the deadline of 90 days prior to the expiry of the mandate of the members of the Election Commission, and in an election years within the deadline of 30 days prior to the expiry of the mandate of the members of the Election Commission.

(2) The public announcement referred to in Paragraph (1) of this Article shall remain vacant for eight days since the day of its publication.

### **Article 4 (Mandate of the Election Commission)**

(1) The mandate of the member of the Election Commission shall last seven years, and shall commence from the day the BiH Central Election Commission consents to the decision on nominating the Election Commission passed by the competent body.

(2) The provisions set out in Paragraph (1) of this Article shall also refer to members of the Election Commission with incumbent mandate on the day of the entry into force of the Law on Amendments to the Election Law of Bosnia and Herzegovina (“Official Gazette of BiH”, number 33/08).

### **Article 5 (Entry into Force)**

This Rulebook shall enter into force on the day of its enactment and it shall be published in the “Official Gazette of BiH”, the “Official Gazette of the Federation of BiH”, the “Official Gazette of RS” and the “Official Gazette of the BiH District of Brčko” and on the website of the BiH Central Election Commission.

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Sarajevo, May 29, 2008

President

Dr. Suad Arnautović