



INSTRUCTION
on lottery in the Central Election Commission of Bosnia and Herzegovina

Sarajevo, January 2009

Pursuant to Article 2.9, paragraph (1), sub-paragraph 2., and in connection with Article 9.5, 9.8 and 13.5 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), the Central Election Commission of Bosnia and Herzegovina has at its 1st session held on January 13, 2009 p a s s e d

INSTRUCTION

on lottery in the Central Election Commission of Bosnia and Herzegovina

Article 1 **(Relevance)**

This Instruction shall stipulate lottery procedure (hereinafter: the lottery) in the Central Election Commission of Bosnia and Herzegovina (hereinafter: the BiH Central Election Commission).

Article 2 **(Lottery)**

The lottery shall be conducted when due to identical quotients the result is same in awarding the mandates, and also when completing representatives bodies where distribution of mandates from constituent peoples and from the order of the Others is mandatory.

Article 3 **(Place of the lottery)**

- (1) The lottery shall be conducted in the premises of the BiH Central Election Commission.
- (2) After determining the date of the lottery, the BiH Central Election Commission shall inform political subjects participating in the lottery procedure about the time and the place where the lottery is to be held.
- (3) The notice on the lottery shall be sent by fax, mail or by telephone.

Article 4 **(Persons responsible for the lottery)**

The lottery shall be conducted by civil servants from the Secretariat of the BiH Central Election Commission as appointed by the BiH Central Election Commission.

Article 5 **(Transparency)**

- (1) The lottery is public and can be attended by all interested parties.
- (2) The BiH Central Election Commission shall inform the public on time and place of the lottery by a press release or through its web site www.izbori.ba.

Article 6 **(Lottery procedure)**

- (1) The lottery shall be conducted in the following manner:
 - a) The paper with the names of political subject, that is with the names of the candidate

- with the same quotient, is placed into identical diaphanous balls, which are subsequently placed in a transparent lottery bowl after what the draw can commence;
- b) A person, appointed by the BiH Central Election Commission, will firstly mix the plastic balls by the hand, and will then draw one plastic ball with the name of a political subject, namely the candidate with the same quotient, and report out loud the name of the political subject, namely the candidate that has been drawn. In that manner it will be established which political subject, namely the candidate with the same quotient, has won the mandate;
 - c) The information on the name of the political subject, namely the candidate, who won the mandate, shall be made public on a board in the premises where the lottery is conducted;
 - d) The procedure for withdrawal of a mandate is identical to procedure of awarding mandate from point a) of this Article if the lottery is to be performed for that procedure.

Article 7 (Minutes)

The minutes on conducted lottery are made in accordance with provisions of the Law on administrative proceedings (“Official Gazette of BiH”, no. 29/02, 12/04 and 88/07).

Article 8 (Audio-video recording)

- (1) The lottery procedure may be recorded by audio-video equipment, what will be recorded in the minutes on the lottery procedure.
- (2) The minutes shall contain the information on who and on whose behalf the audio-video recording took place and the place where the recordings will be kept.
- (3) If the BiH Central Election Commission orders audio-video recording of the lottery, the recordings on the lottery procedure shall be kept with the BiH Central Election Commission together with the minutes on lottery procedure.

Article 9 (Complaint)

- (1) During the lottery, as well as after its completion, an unsatisfied party can submit a complaint to the BiH Central Election Commission.
- (2) An official shall enter the complaint in the minutes.
- (3) The BiH Central Election Commission shall pass a decision on the complaint.

Article 10 (Entry into force)

This Instruction shall enter into force on the day of its adoption and shall be published in “Official Gazette of BiH”, “Official Gazette of FBiH”, “Official Gazette of RS”, and “Official Gazette of BiH District of Brčko” and on the web site of the BiH Central Election Commission www.izbori.ba.

Number: 05-1-02-2-158/09
Sarajevo, January 13, 2009

President
Dr. Suad Arnautović