

CHAPTER 1 BASIC PROVISIONS

Article 1.1a

Certain expressions used in this Law shall have the following meaning:

- 1) “Political subject” shall mean a political party, an independent candidate, a coalition, or a list of independent candidates certified for participation in elections in accordance with this Law.
- 2) “Constituency” shall mean:
 - a) a basic constituency which means a municipality, the City of Banja Luka, the District of Brčko, the city constituency of the City of Mostar and constituencies of the city area of the City of Mostar where a total number of representatives is elected and constituted for a certain level of authority and which does not contain the multimember constituencies;
 - b) a cantonal constituency where a total number of representatives is elected constituted for a certain level of authority and which does not contain multimember constituencies.
 - c) an entity constituency where the Entity level of authority is elected and constituted, containing multimember constituencies, and
 - d) an entity constituency where the State level of authority is elected.
- 3) “Multi-member constituency” shall mean a constituency where more than one but less than the total number of representatives for a certain level of authority is elected.
- 4) “Electoral cycle” shall mean the mandate period relating to a certain level of authority.
- 5) “Election threshold” shall mean a certain percentage of votes received (valid ballots) that must be won by a political subject in order for it to be eligible to participate in the allocation of mandates.
- 6) “Election campaign” shall mean actions and procedures in the period established by this Law within which a political subject informs the voters and the public, as prescribed by the Law, about their programs and candidates for the forthcoming elections.
- 7) “Compensatory mandates” shall mean the mandates that are allocated to the lists of political parties or coalitions according to the number of valid votes received, and serve to compensate for inadequate proportional representation at the entity level arrived at by summing up the results for the particular multimember constituencies in the entity.

- 8) “National Minority Member” shall mean a national of Bosnia and Herzegovina who does not belong to any of the three constituent peoples. A national minority is made of people of the same or similar ethnic background, same or similar tradition, customs, faith, language, culture and spirituality and close or related history and other features.
- 9) “Displaced person” shall mean a national of Bosnia and Herzegovina whose status of a displaced person has been established by a competent administration authority responsible for the displaced persons affairs as provided by law.
- 10) “Refugee” shall mean a national of Bosnia and Herzegovina who has the voting rights and has taken up his/her residence abroad, having the status as refugee from BiH.
- 11) “Parliamentary party” shall mean a political party represented in representative or legislative government authorities.
- 12) “Election period” shall mean the period from the day the elections are announced to the day when the election results are validated.
- 13) “Election year” shall mean the period that corresponds to a calendar year in which elections are planned to be held.
- 14) “Eligible voter (loc. *birač*)”, for the purpose of this Law, shall mean a national of Bosnia and Herzegovina registered in the Central Voters Register.
- 15) “Active voter (loc. *glasač*)”, for the purpose of this Law, shall mean a national of Bosnia and Herzegovina who is registered in the Central Voters Register and who has exercised the right to vote (i.e. the active voting right).

In Article 1.1, paragraph (1), after item (1) a new paragraph 2 is added, to read as follows:

“2) “Executive function”, in terms of this Law, means the Presidency of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina, the President and Vice Presidents of the Federation of Bosnia and Herzegovina, the President and Vice Presidents of Republika Srpska, the Government of the Federation of Bosnia and Herzegovina, including the Prime Minister, the Government of Republika Srpska, including the President of the Government, Government of the Brčko District of BiH, the Cantonal Government, the City Mayor, the Deputy City Mayor, the City Government, the Mayor, the Deputy Mayor, senior officials appointed by the Mayor, and other executive functions established by law.”

In item 2) which by these amendments becomes item 3) in sub-item a) the words “***Banja Luka***” are deleted.

Earlier items 3), 4) and 5) become items 4), 5) and 6).

After item 5), which with these amendments becomes item 6), new items 7) and 8) are added, which read:

“7) “Residence” is a municipality or district in which a citizen has settled with the intention of living permanently.

8) “Mandate” means a function or authority conferred by voting of the body of voters, which is granted for a period prescribed by the constitution or law.”

Earlier item 7), which with these amendments becomes item 9), is amended to read:

“9) “Compensation mandate” means a mandate that compensates for insufficient proportionality at the entity level, resulting from the sum of voting results for individual multi-member constituencies in each entity.”

After item 7), which with these amendments becomes item 9), new items 10) and 11) are added, which read:

“10) “Candidate list”, in terms of this Law, is a list of political subjects certified by the Central Election Commission of BiH in order to participate in the elections.

11) “Candidate list for compensatory mandates” is a list of political subjects from which a compensatory mandate is awarded according to the order of candidates on the list, and which is submitted after the verification of the regular list.”

Earlier item 8), which with these amendments becomes item 12), is amended to read:

12) “National minority” is a part of the population – citizens of Bosnia and Herzegovina who do not belong to any of the three constituent peoples, and consists of people of the same or similar ethnic origin, the same or similar traditions, customs, beliefs, language, culture and spirituality and recent or related history and other features listed in the Law on the Protection of the Rights of National Minorities.”

Earlier items 09), 10), 11), 12), 13), 14) and 15) become items 13), 14), 15), 16), 17), 18) and 19), while earlier item 6) now becomes item 20).

After item 6), which with these amendments becomes item 20), new items 21), 22), 23), 24), 25), 26), 27), 28), 29), 30), 31), 32) and 33) are added, which read:

“21) “Premature campaign” means all forms of campaigns of political subjects in the period from the announcement of elections to the period of the official start of the election campaign.

22) For the purposes of this Law, electronic media are public and private television and radio stations that have the appropriate license from the Communications Regulatory Agency.

23) *“Online media” within the meaning of this Law means Internet portals and other online platforms that represent means of communication with the aim of influencing voters. “*

24) *“Social media” are the Internet or mobile platforms that allow two-way interaction through user-generated content and communication, that is, media on certain platforms designed to allow users to generate content and interact with information and their sources.*

25) *“Hate speech” means any form of public expression or speech against any person or group of persons, based on race, color, nationality, gender or religion, ethnic origin or any other personal characteristic or orientation that encourages discrimination, hostility and violence.*

26) *“Abuse of public funds and resources” within the meaning of this Law, is the illegal use of funds and resources of the state of BiH, entities, cantons, Brčko District of BiH, and other units of local government and self-government, which candidates in elections and electoral lists, as public officials or state officials, or directly elected persons, dispose of for the performance of their official duties.*

27) *“Early voting”, within the meaning of this Law, means voting before the day of the election of voters who have the right to vote, and on the day of the election will not be able to vote in person at their polling station.*

28) *“Re-elections” are elections held after the annulment of elections at one or more polling stations or constituencies.*

29) *“Extraordinary/snap elections” are elections that are called after the reasons prescribed by the constitution occur and the term of office of elected officials lasts four years.*

30) *“Extraordinary circumstances” within the meaning of this Law means an emergency situation, a state of natural and other disasters declared by the competent authorities of Bosnia and Herzegovina and which have an impact on the conduct of the electoral process.*

31) *“Election technologies” are a set of information and communication programmes, information and communication devices, methods and procedures used in the election process and other technical equipment.*

32) *“Unconfirmed ballot” is a ballot of identical design and content as a regular ballot which is placed in a special envelope after voting and which is not counted at the regular polling station but is counted in the counting center after verification of voting right.*

33) *“Election material” is material used at the polling station and is divided into sensitive, insensitive and election technology.*

34) “Child abuse for political purposes” means involving a child in activities that may be linked to political advocacy or promotion.

Article 1.1a will be amended to read:

Certain expressions used in this Law shall have the following meaning:

- 1) “Political subject” shall mean a political party, an independent candidate, a coalition, or a list of independent candidates certified for participation in elections in accordance with this Law.
- 2) **“Executive function”, in terms of this Law, means the Presidency of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina, the President and Vice Presidents of the Federation of Bosnia and Herzegovina, the President and Vice Presidents of Republika Srpska, the Government of the Federation of Bosnia and Herzegovina, including the Prime Minister, the Government of Republika Srpska, including the President of the Government, Government of the Brčko District of BiH, the Cantonal Government, the City Mayor, the Deputy City Mayor, the City Government, the Mayor, the Deputy Mayor, senior officials appointed by the Mayor, and other executive functions established by law.”**
- 3) “Constituency” shall mean:
 - a) a basic constituency which means a municipality, city, the District of Brčko, the city constituency of the City of Mostar and constituencies of the city area of the City of Mostar where a total number of representatives is elected and constituted for a certain level of authority and which does not contain the multimember constituencies;
 - b) a cantonal constituency where a total number of representatives is elected and constituted for a certain level of authority and which does not contain multimember constituencies.
 - c) an entity constituency where the Entity level of authority is elected and constituted, containing multimember constituencies, and
 - d) an entity constituency where the State level of authority is elected.
- 4) “Multi-member constituency” shall mean a constituency where more than one, but less than the total number of representatives for a certain level of authority is elected.
- 5) “Electoral cycle” shall mean the mandate period relating to a certain level of authority.
- 6) “Election threshold” shall mean a certain percentage of votes received (valid ballots) that must be won by a political subject in order for it to be eligible to participate in the allocation of mandates.
- 7) **“Residence” is a municipality or district in which a citizen has settled with the intention**

of living permanently.

- 8) “Mandate” means a function or authority conferred by voting of the body of voters, which is granted for a period prescribed by the constitution or law.”**
- 9) “Compensation mandate” means a mandate that compensates for insufficient proportionality at the entity level, resulting from the sum of voting results for individual multi-member constituencies in each entity.**
- 10) “Candidate list”, in terms of this Law, is a list of political subjects certified by the Central Election Commission of BiH in order to participate in the elections.**
- 11) “Candidate list for compensatory mandates” is a list of political subjects from which a compensatory mandate is awarded according to the order of candidates on the list, and which is submitted after the verification of the regular list.**
- 12) “National minority” is a part of the population – citizens of Bosnia and Herzegovina who do not belong to any of the three constituent peoples, and consists of people of the same or similar ethnic origin, the same or similar traditions, customs, beliefs, language, culture and spirituality and recent or related history and other features listed in the Law on the Protection of the Rights of National Minorities.”**
- 13) “Displaced person” shall mean a national of Bosnia and Herzegovina whose status of a displaced person has been established by a competent administration authority responsible for the displaced persons affairs as provided by law.**
- 14) “Refugee” shall mean a national of Bosnia and Herzegovina who has the voting rights and has taken up his/her residence abroad, having the status as refugee from BiH.**
- 15) “Parliamentary party” shall mean a political party represented in representative or legislative government authorities.**
- 16) “Election period” shall mean the period from the day the elections are announced to the day when the election results are validated.**
- 17) “Election year” shall mean the period that corresponds to a calendar year in which elections are planned to be held.**
- 18) “Eligible voter (loc. *birač*)”, for the purpose of this Law, shall mean a national of Bosnia and Herzegovina registered in the Central Voters Register.**
- 19) “Active voter (loc. *glasac*)”, for the purpose of this Law, shall mean a national of Bosnia and Herzegovina who is registered in the Central Voters Register and who has exercised the right to vote (i.e. the active voting right).**

- 20) “Election campaign” shall mean actions and procedures in the period established by this Law within which a political subject informs the voters and the public, as prescribed by the Law, about their programs and candidates for the forthcoming elections.
- 21) “Premature campaign” means all forms of campaigns of political subjects in the period from the announcement of elections to the period of the official start of the election campaign.
- 22) “For the purposes of this Law, electronic media are public and private television and radio stations that have the appropriate license from the Communications Regulatory Agency.
- 23) “Online media” within the meaning of this Law means Internet portals and other online platforms that represent means of communication with the aim of influencing voters.”
- 24) “Social media” are the Internet or mobile platforms that allow two-way interaction through user-generated content and communication, that is, media on certain platforms designed to allow users to generate content and interact with information and their sources.
- 25) “Hate speech” means any form of public expression or speech against any person or group of persons, based on race, color, nationality, gender or religion, ethnic origin or any other personal characteristic or orientation that encourages discrimination, hostility and violence
- 26) “Abuse of public funds and resources” within the meaning of this Law, is the illegal use of funds and resources of the state of BiH, entities, cantons, Brčko District of BiH, and other units of local government and self-government, which candidates in elections and electoral lists, as public officials or state officials, or directly elected persons, dispose of for the performance of their official duties.
- 27) “Early voting”, within the meaning of this Law, means voting before the day of the election of voters who have the right to vote, and on the day of the election will not be able to vote in person at their polling station.
- 28) “Re-elections” are elections held after the annulment of elections at one or more polling stations or constituencies.
- 29) “Extraordinary/snap elections” are elections that are called after the reasons prescribed by the constitution occur and the term of office of elected officials lasts four years.
- 30) “Extraordinary circumstances” within the meaning of this Law means an emergency situation, a state of natural and other disasters declared by the competent authorities of Bosnia and Herzegovina and which have an impact on the conduct of the election process.

31) “Election technologies” are a set of information and communication programmes, information and communication devices, methods and procedures used in the election process.

32) “Unconfirmed ballot” is a ballot of identical design and content as a regular ballot which is placed in a special envelope after voting and which is not counted at the regular polling station but is counted in the counting center after verification of voting right.

33) “Election material” is material used at the polling station and is divided into sensitive, insensitive and election technology.

34) “Child abuse for political purposes” means involving a child in activities that may be linked to political advocacy or promotion.

Article 1.2a

(1) The Budget of the Institutions of BiH and International Obligations of BiH (hereinafter: the BiH budget) shall provide for the cost and expense for the conduct of elections by the Central Election Commission of BiH referred to in Article 2.9 and Article 2.19, Paragraph (17) of this Law.

(2) The budgets of entities and cantons shall provide for the cost and expense for the conduct of elections by the election management bodies referred to in Article 2.21 of this Law, pursuant to the Decision of the Central Election Commission of BiH that regulates their scope of competence as well as the provision of missing funds for financing obligations referred to in Paragraph (3) of this Article.

(3) The budgets of municipalities and cities shall provide for the cost and expense for the conduct of elections by municipal election commissions referred to in Article 2.13 as well as reimbursement costs referred to in Article 2.12, Paragraph (9) and Article 2.19, Paragraph (16) of this Law.

(4) The Budget of the Brčko District of BiH shall provide for the cost and expense for exercise of the competencies of the Election Commission of the Brčko District and reimbursement costs for the Election Commission and polling stations committees of the Brčko District of BiH pursuant to the Election Law of the Brčko District of BiH.

(5) The costs and expense for the exercise of the competencies and for the conduct of the elections shall be independently administered within the approved budget by the election commission referred to in Paragraphs (1), (2), (3) and (4) of this Article, which is authorized to determine the method of their use and supervise their allocation and use.

(6) Funds for the conduct of the elections must be provided by the institutions referred to in paragraphs (1), (2), (3) and (4) of this Article within 15 days from the day the decision to announce

the elections is issued by the Central Election Commission of BiH.

In Article 1.2a in paragraph (1) after the words “of this Law” the punctuation mark- full stop is deleted, a comma is inserted and the words “**in the manner specified in Article 1.2b**” are added.

In the same Article, after paragraph (6) a new paragraph 7) is added, to read:

“If the institutions referred to in paragraph (1) of this Article do not provide funds for conduct of elections within the deadline referred to in paragraph (6) of this Article, the Council of Ministers of BiH shall, at the request of the Central Election Commission of BiH, shall issue a special decision within eight days, ensuring funds to conduct elections.”

Article 1.2a according to this proposal reads:

Article 1.2a

- (1) The Budget of the Institutions of BiH and International Obligations of BiH (hereinafter: the BiH budget) shall provide for the cost and expense for the conduct of elections by the Central Election Commission of BiH referred to in Article 2.9 and Article 2.19, Paragraph (17) of this Law, **in the manner as defined in Article 1.2b.**
- (2) The budgets of entities and cantons shall provide for the cost and expense for the conduct of elections by the election management bodies referred to in Article 2.21 of this Law, pursuant to the Decision of the Central Election Commission of BiH that regulates their scope of competence as well as the provision of missing funds for financing obligations referred to in Paragraph (3) of this Article.
- (3) The budgets of municipalities and cities shall provide for the cost and expense for the conduct of elections by municipal election commissions referred to in Article 2.13 as well as reimbursement costs referred to in Article 2.12, Paragraph (9) and Article 2.19, Paragraph (16) of this Law.
- (4) The Budget of the Brčko District of BiH shall provide for the cost and expense for exercise of the competencies of the Election Commission of the Brčko District and reimbursement costs for the Election Commission and polling stations committees of the Brčko District of BiH pursuant to the Election Law of the Brčko District of BiH.
- (5) The costs and expense for the exercise of the competencies and for the conduct of the elections shall be independently administered within the approved budget by the election commission referred to in Paragraphs (1), (2), (3) and (4) of this Article, which is authorized to determine the method of their use and supervise their allocation and use.
- (6) Funds for the conduct of the elections must be provided by the institutions referred to in paragraphs (1), (2), (3) and (4) of this Article within 15 days from the day the decision to announce the elections is issued by the Central Election Commission of BiH.

- (7) **If the institutions referred to in paragraph (1) of this Article do not provide funds for conducting elections within the deadline referred to in paragraph (6) of this Article, the Council of Ministers of BiH shall, at the request of the Central Election Commission of BiH, issue a special decision within eight days, ensuring funds to conduct elections.**

New Article 1.2b is added after Article 1.2a and reads:

Article 1.2b

- (1) The Central Election Commission of BiH, in accordance with the provisions of Article 2.9 paragraph (1) item 3 of this Law, shall prepare a draft of its annual budget and submit it to the Committee for Finance and Budget of the House of Representatives of the Parliamentary Assembly of BiH (hereinafter: Parliamentary Committee) for approval.**
- (2) After obtaining the approval referred to in paragraph (1) of this Article, according to the deadlines from the Law on Financing of BiH Institutions, the Central Election Commission of BiH shall submit to the Ministry of Finance and Treasury of BiH a draft of its budget for inclusion in the BiH Budget.**
- (3) The BiH Ministry of Finance and Treasury, the BiH Council of Ministers and the BiH Presidency may give an opinion on the draft budget of the BiH Central Election Commission, without the possibility of amending the draft budget previously approved by the parliamentary commission referred to in paragraph (1) of this Article.”**

Earlier Article 1.2b becomes Article 1.2c.

Article 1.2b

If the mandate of a Mayor/City Mayor, who was elected directly, has been terminated in accordance with law, the funds required for the conduct of the new elections shall be provided from the budget of the Municipality/City for which the elections are conducted for the Mayor/City Mayor, as appropriate.

In the previous Article 1.2b, which with these amendments becomes Article 1.2c, the words **“who was directly elected,”** and **“new”** are deleted.

Article 1.2c according to this proposal reads:

Article 1.2c

If the mandate of a Mayor/City Mayor has been terminated in accordance with law, the funds required for the conduct of the elections shall be provided from the budget of the Municipality/City for which the elections are conducted for the Mayor/City Mayor, as appropriate.

Article 1.3

The election of members of all bodies of authority shall be made on the basis of free elections, general and equal voting rights directly by voters and secret ballots, unless otherwise stipulated by this Law.

In Article 1.3, the word “**and regular**” is added after the words “free”.

Article 1.3 according to this proposal reads:

Article 1.3

The election of members of all bodies of authority shall be made on the basis of free **and regular** elections, general and equal voting rights directly by voters and secret ballots, unless otherwise stipulated by this Law.

Article 1.6

(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 be recorded in the Central Voters Register or stand as a candidate (the candidate for the purpose of this Law refers to persons of both genders) or hold any appointed, elective or other public office on the territory of BiH.

(2) As long as any political party or coalition maintains a person referred to in paragraph (1) of this Article on a position or function in the political party, that party or coalition shall be deemed ineligible to participate in the elections.

In Article 1.6, the wording “*may be recorded in the Central Voters Register*” is deleted.

Article 1.6 according to this proposal reads:

Article 1.6

(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 (the candidate for the purpose of this Law refers to persons of both genders) or hold any appointed, elective or other public office on the territory of BiH.

(2) As long as any political party or coalition maintains a person referred to in paragraph (1) of this Article on a position or function in the political party, that party or coalition shall be deemed

Article 1.8

- (1) Judges of regular and Constitutional courts, prosecutors and their deputies, attorneys and their deputies holding public office, Ombudsmen and their deputies, members of the Human Rights Courts/Chambers/Councils, notaries members of police forces, civil servants, auditors general and duty auditors general in the institutions in Bosnia and Herzegovina and governor and vice governors of the BiH Central Bank, members of the Armed Forces of BiH, members of the Intelligence and Security Agency, and diplomatic and consular representatives of BiH abroad who have a diplomatic status in accordance with the 1961 Vienna Convention on Diplomatic Relations, may stand as a candidate for public elected office only if they resign from their position or abide by the laws regulating their status. If the BiH Central Election Commission determines that a person referred to in this paragraph had failed to resign from a position or to act in line with the law regulating his/her status in the period from certification of the candidacy to printing of the ballots, name of this person shall be removed from the certified candidates' lists, and if it was determined after the ballots were printed, no mandate shall be awarded to this person if he/she wins one.
- (2) If a delegate in the House of Peoples of the Parliamentary Assembly of BiH holds, at the same time, a mandate of a member of the House of Representatives of Parliamentary Assembly of BiH, Parliament of the Federation of BiH, National Assembly of Republika Srpska or cantonal assembly he/she shall be bound to inform in writing, within 3 days, the Central Election Commission of BiH which of the mandates he/she selected thus terminating other mandates that he/she holds.
- (3) If a delegate in the House of Peoples of the Parliamentary Assembly of BiH acquires the right to a mandate in the House of Representatives of Parliamentary Assembly of BiH, House of Representatives of the Parliament of the Federation of BiH, National Assembly of Republika Srpska or cantonal assembly pursuant to Article 9.10 of this Law and if he/she does not inform, within 3 days, the Central Election Commission of BiH on waiving of that right, the mandate shall not be allocated to him/her and it shall be distributed to the next qualified candidate on the list of the constituency according to Article 9.8, paragraph (2) of this Law. If after a question of the Central Election Commission of BiH the delegate decides to use that right his/her mandate of a delegate in the House of Peoples of the Parliamentary Assembly shall cease.
- (4) One person can hold maximum one (1) directly elected public office, or maximum one (1) directly elected office and one (1) indirectly elected office, unless otherwise specified by the Law. It is also incompatible to hold at the same time one directly or indirectly elected office and one position in an executive body of authority, except in the period until executive bodies of authority elected at the regular elections in the same electoral cycle are constituted. It is also incompatible to hold more than one position in an executive body of authority.
- (5) A person may not hold public elected office in BiH and at the same time hold any public elected or politically appointed office in another country. A person holding any elected or politically appointed office in another country shall be obliged to relinquish, within 48 hours after the verification of his or her mandate in BiH, one of the two offices he or she holds. A person who holds any public elected office in BiH and is elected to or appointed to a politically appointed office in another country, shall be obliged to relinquish his or her mandate in BiH, within 48 hours after the election or appointment in another country.
- (6) For the purpose of this Article, an executive office notably includes the Presidency of BiH, the Council of Ministers of BiH, the President and Vice Presidents of the Federation of BiH,

the President and Vice Presidents of the Republika Srpska, the Government of the Federation of BiH including the Prime Minister, the government of the Republika Srpska including the Prime Minister, the government of the District of Brčko, the Cantonal government, the City Mayor, the Deputy City Mayor, the city government, the Mayor of a municipality, the Deputy Mayor of a municipality, executives appointed by the Mayor, and other executive functions as defined by law.

In Article 1.8, paragraph (1) the second sentence will be amended to read:

“If the Central Election Commission of BiH finds that the person referred to in this paragraph has not resigned, or has not acted in accordance with the law governing his status, no mandate shall be awarded to this person, that is, the mandate that was awarded will be revoked. In the procedure of determining the factual situation referred to in this paragraph, the institutions must submit data from the records of candidates at the request of the Central Election Commission, and candidates must submit proof that they have resolved their status.”

In paragraph (4), the words ***“elected in regular elections”*** shall be deleted and at the end of the sentence the wording ***“up to a maximum of 90 days”*** shall be added.

After paragraph (4) a new paragraph (5) is added, to read as follows:

“(5) In the event that a public official does not act in accordance with the provision of paragraph (4) of this Article, the Central Election Commission of BiH shall issue a decision on revoking the mandate within 90 days.”

Earlier paragraph (5) becomes paragraph (6).

Earlier paragraph (6) is deleted.

Article 1.8 according to proposal reads:

(1) Judges of regular and Constitutional courts, prosecutors and their deputies, attorneys and their deputies holding public office, Ombudsmen and their deputies, members of the Human Rights Courts/Chambers/Councils, notaries members of police forces, civil servants, auditors general and duty auditors general in the institutions in Bosnia and Herzegovina and governor and vice governors of the BiH Central Bank, members of the Armed Forces of BiH, members of the Intelligence and Security Agency, and diplomatic and consular representatives of BiH abroad who have a diplomatic status in accordance with the 1961 Vienna Convention on Diplomatic Relations, may stand as a candidate for public elected office only if they resign from their position or abide by the laws regulating their status. **If the Central Election Commission of BiH finds that the person referred to in this paragraph has not resigned, or has not acted in accordance with the law governing his status, no mandate shall be awarded to this person, that is, the mandate that was awarded will be revoked. In the procedure of determining the factual situation referred to in this paragraph, the institutions must submit data from the records of candidates at the request of the Central Election Commission, and candidates must submit proof that they have resolved their status.**

(2) If a delegate in the House of Peoples of the Parliamentary Assembly of BiH holds, at the same time, a mandate of a member of the House of Representatives of Parliamentary Assembly of BiH, Parliament of the Federation of BiH, National Assembly of Republika Srpska or cantonal assembly he/she shall be bound to inform in writing, within 3 days, the Central Election Commission of BiH which of the mandates he/she selected thus terminating other mandates that he/she holds.

(3) If a delegate in the House of Peoples of the Parliamentary Assembly of BiH acquires the right to a mandate in the House of Representatives of Parliamentary Assembly of BiH, House of Representatives of the Parliament of the Federation of BiH, National Assembly of Republika Srpska or cantonal assembly pursuant to Article 9.10 of this Law and if he/she does not inform, within 3 days, the Central Election Commission of BiH on waiving of that right, the mandate shall not be allocated to him/her and it shall be distributed to the next qualified candidate on the list of the constituency according to Article 9.8, paragraph (2) of this Law. If after a question of the Central Election Commission of BiH the delegate decides to use that right his/her mandate of a delegate in the House of Peoples of the Parliamentary Assembly shall cease.

(4) One person can hold maximum one (1) directly elected public office, or maximum one (1) directly elected office and one (1) indirectly elected office, unless otherwise specified by the Law. It is also incompatible to hold these offices with offices in an executive body of authority, except in the period until executive bodies of authority in the same electoral cycle are constituted, and **up to a maximum of 90 days**. It is also incompatible to hold more than one position in an executive body of authority.

(5) In the event that an elected official does not act in accordance with the provision of paragraph (4) of this Article, the Central Election Commission of BiH shall issue a decision on revoking the mandate within 90 days.

(6) A person may not hold public elected office in BiH and at the same time hold any public elected or politically appointed office in another country. A person holding any elected or politically appointed office in another country shall be obliged to relinquish, within 48 hours after the verification of his or her mandate in BiH, one of the two offices he or she holds. A person who holds any public elected office in BiH and is elected to or appointed to a politically appointed office in another country, shall be obliged to relinquish his or her mandate in BiH, within 48 hours after the election or appointment in another country.

Article 1.10

(1) The term of office of an elected member of a body of authority at all levels shall terminate before the expiration of the mandate for which he or she was elected:

1. on the day when he/she resigns;
2. if he/she has been recalled in accordance with law;
3. on the day of his/her death;
4. on the day when a court judgment becomes final and binding by which he/she has been sentenced to a prison sentence of six (6) months or longer;

5. on the day when a court decision becomes final and binding by which he or she has been deprived of legal capacity (declared mentally incompetent);
6. on the day when he or she is elected or appointed to an office which is incompatible with the office of an elected member of a certain body as stipulated by law;
7. if he/she has cancelled his/her permanent residence on the territory of the constituency in which he/she was recorded as a voter in the Central Voters Register and from which he/she was elected, after the end of a six-month-period following the date of cancellation; or
8. if for reasons stipulated by law he or she loses the right to be elected.

(2) The mandate of an elected member of a body of authority at any level shall terminate on the day when one of the reasons for termination established by law occurs. The Central Election Commission of BiH shall, within maximum fifteen (15) days after the reasons for termination have occurred or became known, take the decision to terminate the mandate of an elected member of a government authority and shall notify thereof the government authority in which the elected member had the mandate.

(3) If an elected member of a body of authority resigns, the resignation shall be completed on a form produced by the Central Election Commission of BiH.

In Article 1.10 in paragraph (1) in item 5, the words “*declared mentally incapable*” are deleted.

In the same paragraph, at the end of item 7, the word “*or*” is deleted, at the end of item 8 a comma and word “**or**” are added and new item 9 is added after item 8 and reads as follows the punctuation mark “*;*” is added and the word “*or*” is deleted.

“9. on the day the decision of the Central Election Commission of BiH becomes final, which finds that the elected official did not act in accordance with the provisions of Article 1.8 of the Election Law of BiH.”

Paragraph (3) will be amended to read:

“(3) Notification on the reasons for the termination of the mandate referred to in paragraph (1) of this Article shall be submitted on the form prescribed by the Central Election Commission of BiH.”

Article 1.8 according to this proposal reads:

Article 1.10

(1) The term of office of an elected member of a body of authority at all levels shall terminate before the expiration of the mandate for which he or she was elected:

1. on the day when he/she resigns;
2. if he/she has been recalled in accordance with law;
3. on the day of his/her death;
4. on the day when a court judgment becomes final and binding by which he/she has

5. on the day when a court decision becomes final and binding by which he or she has been deprived of legal capacity;
6. on the day when he or she is elected or appointed to an office which is incompatible with the office of an elected member of a certain body as stipulated by law;
7. if he/she has cancelled his/her permanent residence on the territory of the constituency in which he/she was recorded as a voter in the Central Voters Register and from which he/she was elected, after the end of a six-month-period following the date of cancellation;
8. if for reasons stipulated by law he or she loses the right to be elected, **or**
- 9. on the day the decision of the Central Election Commission of BiH becomes final, which finds that the elected official did not act in accordance with the provisions of Article 1.8 of the Election Law of BiH.**

(2) The mandate of an elected member of a body of authority at any level shall terminate on the day when one of the reasons for termination established by law occurs. The Central Election Commission of BiH shall, within maximum fifteen (15) days after the reasons for termination have occurred or became known, take the decision to terminate the mandate of an elected member of a government authority and shall notify thereof the government authority in which the elected member had the mandate.

(3) Notification on the reasons for the termination of the mandate referred to in paragraph (1) of this Article shall be submitted on the form prescribed by the Central Election Commission of BiH.

Article 1.11

Candidates of all political parties, coalitions, lists of independent candidates as well as independent candidates and other participants in the electoral process shall have full freedom to carry out activities during the election campaign on the whole territory of BiH. Competent authorities shall ensure that no obstacles impede freedom of movement of candidates, supporters and voters during the entire electoral process.

Article 1.11 will be amended to read:

Article 1.11

“All authorities at all levels and officials in Bosnia and Herzegovina and the diplomatic and consular missions of BiH must assist the bodies responsible for conducting elections.”

Article 1.13

The application for certification to participate in the elections shall include a statement signed by the President of a political party, coalition or the independent candidate stating that the activities of the political party, coalition or the independent candidate will comply with the General Framework Agreement for Peace in Bosnia and Herzegovina.

Article 1.13 will be amended to read:

The application for certification to participate in elections shall include a statement signed by the president of a political party, coalition, independent candidate, representative of the list of independent candidates, registered association, or other registered organised form of action of national minorities and a group of at least 40 citizens with voting rights that this political party, coalition, independent candidates, registered associations, other organised forms of action of national minorities shall adhere to the General Framework Agreement for Peace in Bosnia and Herzegovina in their activities.

Article 1.14

(1) The elections at all levels of authority in BiH shall be held on the first Sunday in October unless the date conflicts with observance of a religious holiday of one of the constituent peoples of BiH. Any election that cannot be held on the first Sunday in October because of a conflict with a religious holiday shall be scheduled by the Central Election Commission of BiH for the Sunday closest to the first Sunday in October, which does not conflict with a religious holiday.

(2) At least 150 days prior to the holding of an election, the Central Election Commission of BiH shall announce the elections in accordance with this law and shall notify all competent authorities at all levels and the public when an election shall be conducted, unless otherwise provided by Chapter 14 of this law.

(3) The Central Election Commission of BiH shall publish the dates of the elections for all levels of authority in the Official Gazette of BiH, Entity official gazettes, Official Gazette of the District of Brčko and in the media.

In Article 1.14, paragraph (1) the word **“that”** is added following the word **“after”**, and word **“no”** is deleted.

Article 1.14 according to this proposal reads:**Article 1.14**

(1) The elections at all levels of authority in BiH shall be held on the first Sunday in October unless the date conflicts with observance of a religious holiday of one of the constituent peoples of BiH. Any election that cannot be held on the first Sunday in October because of a conflict with a religious holiday shall be scheduled by the Central Election Commission of BiH for the Sunday after **that** first Sunday in October, which does conflict with a religious holiday.

After Article 1.14, a new 1.14a is added, which reads:

“Article 1.14a

(1) Exceptionally, in case of extraordinary circumstances referred to in Article 1.1.a paragraph (1) point 29) of this Law, the Central Election Commission of BiH may postpone the calling and holding of regular elections.

(2) The Central Election Commission of BiH shall make a decision on postponing the calling and holding of elections referred to in Article 1.14 paragraph (1) of this Law, notifying all competent bodies at all levels of government and the public at least 150 days before the elections.

(3) In the event that extraordinary circumstances occur after the adoption of the Decision on calling and holding elections, the Central Election Commission of BiH shall issue a special Decision on postponing the day of elections.

(4) The decision on calling and holding elections referred to in paragraph (2) of this Article shall be made by the Central Election Commission of BiH once it finds that the conditions for holding elections in accordance with this Law and decisions of competent bodies are met, no later than 90 days from the official end of extraordinary circumstances.

(1) Provisions of Article 1.14, paragraphs (2) and (3) of this Law shall apply accordingly to the decision on calling and holding elections referred to in paragraphs (2) and (3) of this Article.”

CHAPTER 2 ELECTION MANAGEMENT BODIES**Article 2.1**

(1) The competent authorities responsible for the conduct of elections are the election commissions and the Polling Station Committees.

(2) The election commissions and the Polling Station Committees shall be independent and impartial in their work. No member of an election commission or a Polling Station Committee shall participate in the decision of a case in which the member and/or a close family member has

a personal or financial interest or other conflict of interest, which may raise doubt as to the ability of the member to act impartially. A “close family member” is defined in Article 15.7, paragraph (2) of this Law.

(3) All authorities at all levels and officials in Bosnia and Herzegovina and the diplomatic and consular missions of BiH must assist the bodies responsible for conducting elections.

In Article 2.1 paragraph (3) will be deleted.

Article 2.1 according to this proposal reads:

Article 2.1

- (1) The competent authorities responsible for the conduct of elections are the election commissions and the Polling Station Committees.
- (2) The election commissions and the Polling Station Committees shall be independent and impartial in their work. No member of an election commission or a Polling Station Committee shall participate in the decision of a case in which the member and/or a close family member has a personal or financial interest or other conflict of interest, which may raise doubt as to the ability of the member to act impartially. Close family members are considered family members in terms of Article 15.7 paragraph (2) of this Law.

Article 2.2

- (1) Member of the election commission and polling station shall be a person eligible to vote.
- (2) Member of the election commission shall be a person with appropriate qualifications and experience in conduct of the elections, and member of the polling station committee shall be a person with appropriate qualifications.
- (3) The Central Election Commission of BiH shall determine what required qualifications are needed for member of the election commission and polling station committee established in paragraph (2) of this Article.
- (4) Composition of election commission and polling station committee shall reflect gender representation in line with the Law on gender equality in Bosnia and Herzegovina, unless election commission and polling station committee has three members, when gender representation exists in case when one of the genders is represented with 1/3 of the total number of members.
- (5) Members of the competent authorities responsible for the conduct of elections shall have to undergo the continued training during their mandate, in accordance to the educational curricula issued by the Central Election Commission of BiH.
- (6) If a member of the election commission or polling station committee fails to undergo the

training referred to in paragraph (5) of this Article during his/her mandate, he/she shall be released from the duty.

In Article 2.2 paragraph (4) will be deleted.

Earlier paragraphs (5) and (6) become paragraphs (4) and (5).

After paragraph (6), which with these amendments becomes paragraph (5), new paragraphs (6) and (7) are added, which read:

(6) The Central Election Commission of BiH must establish a Training Centre for the purpose of training members of election management bodies.

(7) The Training Centre of the Central Election Commission of BiH has a director and assistant directors appointed by the Central Election Commission of BiH.

Following the proposal, Article 2.2 reads:

Article 2.2

- (1) Member of the election commission and polling station committee shall be a person eligible to vote.
- (2) Member of the election commission shall be a person with appropriate qualifications and experience in conduct of the elections, and member of the polling station committee shall be a person with appropriate qualifications.
- (3) The Central Election Commission of BiH shall determine what required qualifications are needed for member of the election commission and polling station committee established in paragraph (2) of this Article.
- (4) Members of the competent authorities responsible for the conduct of elections shall have to undergo the continued training during their mandate, in accordance to the educational curricula issued by the Central Election Commission of BiH.
- (5) If a member of the election commission or polling station committee fails to undergo the training referred to in paragraph (5) of this Article during his/her mandate, he/she shall be released from the duty.
- (6) The Central Election Commission of BiH must establish a Training Centre for the purpose of training members of election management bodies.**
- (7) The Training Centre of the Central Election Commission of BiH has a director and assistant directors appointed by the Central Election Commission of BiH.**

Article 2.3

(1) No person can be appointed as a member of an election commission or Polling Station Committee who:

1. is not eligible to stand as a candidate in accordance with Articles 1.6, 1.7 and 1.7a of this law;
2. is a member of the highest executive political body of a political party or coalition (a president, deputy president, the general secretary, secretary or member of the executive board or the central board);
3. holds an elected mandate or is a member of an executive body of authority except in cases referred to in Article 2.12, paragraph (4) of this Law;
4. stands as a candidate for the elections at any level of authority; or
5. has been sanctioned for a serious violation of the electoral laws or regulations where the person was found to be personally responsible for the violation, in the previous four years, starting from the day the decision became final.

(2) The Central Election Commission of BiH shall decide if the severity of the violation and the personal responsibility of the individual, as stated in paragraph (5) of this Article, prohibits the person from being a member of an election commission or a Polling Station Committee.

Article 2.3 according to this proposal reads:

1) No person can be appointed as a member of an election commission or Polling Station Committee who:

1. is not eligible to stand as a candidate in accordance with Articles 1.6, 1.7 and 1.7a of this law;
2. is a member of the highest executive political body of a political party or coalition (a president, deputy president, the general secretary, secretary or member of the executive board or the central board);
3. holds an elected mandate or is a member of an executive body of authority except in cases referred to in Article 2.12, paragraph (4) of this Law;
- 4. who is the current candidate or has been a candidate for any level of government in the last general and last local elections; and**
5. has been sanctioned for a serious violation of the electoral laws or regulations where the person was found to be personally responsible for the violation, in the previous four years, starting from the day the decision became final.

(2) The Central Election Commission of BiH shall decide if the severity of the violation and the personal responsibility of the individual, as stated in paragraph (5) of this Article, prohibits the person from being a member of an election commission or a Polling Station Committee.

Article 2.9

The BiH Central Election Commission is an independent body, which derives its authority from and reports directly to, the Parliamentary Assembly of BiH. The BiH Central Election Commission shall:

1. co-ordinate, oversee and regulate the lawful operation of all election commissions and Polling Station Committees in accordance with this law;
2. issue administrative Regulations for the implementation of this law;
- 2.a issue a decision to hold the direct elections in BiH, as provided by this Law;
3. propose a budget for the BiH Central Election Commission and report on its execution;
4. be responsible for accuracy, update and overall integrity of the Central Voters Register for the territory of BiH;
- 4.a ensure the statistical records classified by gender, age, classified by polling stations for each part of the election process;
5. certify the participation of political parties, coalitions, lists of independent candidates and independent candidates for all levels of direct elections in BiH;
6. verify and certify the lists of candidates and the candidates for all levels of direct and indirect elections in BiH covered by this law;
7. be responsible for the timely printing, distribution and security of ballots and forms for all levels of direct elections in BiH;
8. define the contents and the form of the ballot for all levels of direct elections in BiH;
9. determine and verify election results for all direct and indirect elections covered by this Law, certify that elections were conducted in accordance with this Law and publish results of all direct and indirect elections covered by this Law;
10. issue certificates to persons who receive mandates at all levels of direct and indirect elections in BiH covered by this Law;
11. notify an Election Commission or Polling Station Committee or any other competent authority responsible for the conduct of elections that it does not comply with or violates a provision of this law and order the remedial action required to be taken by the competent body;
12. publicize all Rules of Procedure, Regulations and election results of the direct and indirect elections in BiH covered by this Law, voter information and all other information necessary for the implementation of this law and all electoral laws, in the Official Gazettes and the media, both inside and outside BiH as appropriate;
13. conduct all election activities for the elections for the members of the Presidency of BiH and the members of the House of Representatives of the Parliamentary Assembly of BiH;
14. take the decision to terminate the mandate of an elected official at all levels of direct and indirect elections in BiH covered by this Law, but also where necessary conduct the preliminary fact-finding procedure (in the case where a member resigns, that it is done of his or her own volition);
15. review the decision taken by the competent authority to terminate the mandate of an elected official by recall, in order to ensure that the elected official's mandate was terminated in accordance with this Law;
16. report annually to the Parliamentary Assembly of BiH on the electoral administration in BiH, the implementation of this law and initiates amendments to this law; and
17. perform all other duties as authorized by law.

In Article 2.9 paragraph (1), after item 2.a, a new item 2.b is added, which reads:

“2.b gives opinions regarding the implementation of this Law;

Item 3 of the same Article/paragraph are amended to the following:

"3. prepares the draft of its annual budget and submits it for approval to the competent Parliamentary Commission, and, after obtaining the approval of the Parliamentary Commission, in line with the Law on Financing of BiH Institutions, submits it to the BiH Ministry of Finance and Treasury to be included in the Budget. The BiH Ministry of Finance and Treasury may give an opinion on the BiH Central Election Commission draft budget, without the possibility of amending the draft budget previously approved by the Parliamentary Commission. The BiH Central Election Commission shall submit a report on budget execution;"

Item 17 is added in the same paragraph after item 16 which reads:

"issues publications in the field of election and financing of political parties and"

In line with this amendment, present item 17) becomes item 18).

In line with this proposal Article 2.9 reads:

The BiH Central Election Commission is an independent body, which derives its authority from and reports directly to, the Parliamentary Assembly of BiH. The BiH Central Election Commission shall:

1. co-ordinate, oversee and regulate the lawful operation of all election commissions and Polling Station Committees in accordance with this law;
2. issue administrative Regulations for the implementation of this law;
- 2.a issue a decision to hold the direct elections in BiH, as provided by this Law;
- 2.b gives opinions regarding the implementation of this Law;
3. **prepares the draft of its annual budget and submits it for approval to the competent Parliamentary Commission, and, after obtaining the approval of the Parliamentary Commission, in line with the Law on Financing of BiH Institutions, submits it to the BiH Ministry of Finance and Treasury to be included in the Budget. The BiH Ministry of Finance and Treasury may give an opinion on the BiH Central Election Commission draft budget, without the possibility of amending the draft budget previously approved by the Parliamentary Commission. The BiH Central Election Commission shall submit a report on budget execution;**
4. be responsible for accuracy, update and overall integrity of the Central Voters Register for the territory of BiH;
- 4.a ensure the statistical records classified by gender, age, classified by polling stations for each part of the election process;
5. certify the participation of political parties, coalitions, lists of independent candidates and independent candidates for all levels of direct elections in BiH;
6. verify and certify the lists of candidates and the candidates for all levels of direct and indirect elections in BiH covered by this law;
7. be responsible for the timely printing, distribution and security of ballots and forms for all levels of direct elections in BiH;
8. define the contents and the form of the ballot for all levels of direct elections in BiH;

9. determine and verify election results for all direct and indirect elections covered by this Law, certify that elections were conducted in accordance with this Law and publish results of all direct and indirect elections covered by this Law;
10. issue certificates to persons who receive mandates at all levels of direct and indirect elections in BiH covered by this Law;
11. notify an Election Commission or Polling Station Committee or any other competent authority responsible for the conduct of elections that it does not comply with or violates a provision of this law and order the remedial action required to be taken by the competent body;
12. publicize all Rules of Procedure, Regulations and election results of the direct and indirect elections in BiH covered by this Law, voter information and all other information necessary for the implementation of this law and all electoral laws, in the Official Gazettes and the media, both inside and outside BiH as appropriate;
13. conduct all election activities for the elections for the members of the Presidency of BiH and the members of the House of Representatives of the Parliamentary Assembly of BiH;
14. take the decision to terminate the mandate of an elected official at all levels of direct and indirect elections in BiH covered by this Law, but also where necessary conduct the preliminary fact-finding procedure (in the case where a member resigns, that it is done of his or her own volition);
15. review the decision taken by the competent authority to terminate the mandate of an elected official by recall, in order to ensure that the elected official's mandate was terminated in accordance with this Law;
16. report annually to the Parliamentary Assembly of BiH on the electoral administration in BiH, the implementation of this law and initiates amendments to this law;
- 17. issues publications in the field of election and financing of political parties and**
18. perform all other duties as authorized by law.

Article 2.12

- (1) A Municipal Election Commission shall consist of three, five or seven members. A municipal election commission may appoint the municipal election commission Secretary, who shall perform administrative and technical duties.
- (2) The BiH Central Election Commission shall determine the number of the Municipal Election Commission members in line with the number of the registered voters and the size of a municipality.
- (3) Other criteria may be used by the BiH Central Election Commission to determine the number of Municipal Election Commission members.
- (4) The member of the Municipal Election Commission can be: the president or a judge of a regular Court, the Secretary of the Municipal Council/Municipal Assembly and City Council, persons professionally employed in Municipal administration and other persons if they meet the conditions established in the Article 2.2 of this Law, and they do not have the obstacles from the Article 2.3 of this Law.
- (5) The members of the Municipal Election Commission shall be appointed by the Municipal Council/Municipal Assembly, subject to the approval of the Central Election Commission of BiH based on a public advertisement according to the procedure established by the Central Election Commission

of BiH under a separate regulation.

(6) Members of the Municipal Election Commissions shall be dismissed by the Municipal Council, or the Municipal Assembly, with the consent of the Central Election Commission of BiH.

(7) A member of the Municipal Election Commission cannot be either a representative or attorney of the political subject participating in the elections, nor a person sentenced to an imprisonment sentence of six (6) months or longer under a final and binding court decision.

(8) Amongst the members of the Municipal Election Commission from paragraph (5) of this Article the Municipal Council/Assembly shall appoint the President, subject to the approval of the Central Election Commission of BiH.

(9) Members of election commissions of the basic election unit shall be entitled to a permanent monthly remuneration. The decision on the amount shall be reached by the Central Election Commission of Bosnia and Herzegovina in its regulation, so that in the election period it is paid out in the maximum amount of a lump sum paid for the councillor in that basic election unit, while out of the election period it will be 30% of that amount.

In Article 2.12 in paragraph (1) the words "*Municipal Election Commission*" are replaced by words "**Election Commission of the Basic Constituency**"

The words "*Municipal Election Commission*" are replaced by the words "**Election Commission of the Basic Constituency**" through the entire text of the Law in appropriate cases."

In paragraph (4) after the word "*court*" the word "**Public Defender**" is added

In line with this proposal, Article 2.12 reads:

Article 2.12

- (1) **Election Commission of the Basic Constituency** shall consist of three, five or seven members. A municipal election commission may appoint the municipal election commission Secretary, who shall perform administrative and technical duties.
- (2) The BiH Central Election Commission shall determine the number of the Municipal Election Commission members in line with the number of the registered voters and the size of a municipality.
- (3) Other criteria may be used by the BiH Central Election Commission to determine the number of Municipal Election Commission members.
- (4) The member of the Municipal Election Commission can be: the president or a judge of a regular Court, **Public Defender**, the Secretary of the Municipal Council/Municipal Assembly and City Council, persons professionally employed in Municipal administration and other persons if they meet the conditions established in the Article 2.2 of this Law, and they do not have the obstacles from the Article 2.3 of this Law.
- (5) The members of the Municipal Election Commission shall be appointed by the Municipal Council/Municipal Assembly, subject to the approval of the Central Election Commission of BiH based on a public advertisement according to the procedure established by the Central Election Commission of BiH under a separate regulation.
- (6) Members of the Municipal Election Commissions shall be dismissed by the Municipal Council, or the Municipal Assembly, with the consent of the Central Election Commission of BiH.
- (7) A member of the Municipal Election Commission cannot be either a representative or attorney of the political subject participating in the elections, nor a person sentenced to an imprisonment sentence of six (6) months or longer under a final and binding court decision.
- (8) Amongst the members of the Municipal Election Commission from paragraph (5) of this Article the Municipal Council/Assembly shall appoint the President, subject to the approval of the Central Election Commission of BiH.
- (9) Members of election commissions of the basic election unit shall be entitled to a permanent monthly remuneration. The decision on the amount shall be reached by the Central Election Commission of Bosnia and Herzegovina in its regulation, so that in the election period it is paid out in the maximum amount of a lump sum paid for the councillor in that basic election unit, while out of the election period it will be 30% of that amount.

Article 2.13

The Municipal Election Commission shall:

1. monitor and supervise the work of the Voters Register Centre referred to in Article 3.8 of the Law;
2. designate Polling Stations in the territory of the municipality for voting on all levels of authority in BiH;
3. conduct the appointment procedure, appoint and train the members of the Polling Station Committee;

4. ensure the security of, and deliver to the Polling Station Committees the polling material for voting at all levels of the elections in BiH;
5. as directed by the BiH Central Election Commission notify voters of information necessary for the administration of elections;
6. be responsible for the arrangements at the Polling Station and any other technical preparations for the elections;
7. be responsible for the proper conduct of the counting of ballots at Polling Stations and municipal counting centers;
8. compile the results of elections from all Polling Stations in the municipality, separately for each body for which elections were administered and forward the results to the BiH Central Election Commission; and
9. perform all other tasks as authorized by law and by the Regulations of the Central Election Commission of BiH.

A new item 4. is added in Article 2.13 paragraph (1) that reads:

“4. appoints and trains the election results controllers in counting centers;”

Present items 4, 5, 6, 7, 8 and 9 become items 5, 6, 7, 8, 9 and 10.

In item 7, which has become item 8 after the words “stations and” the words “proper consolidation of election results from polling stations” are added and after the words “Counting centers” the words “entering of the election results in the BiH Integrated Election Information System application” are added.

In line with this proposal, Article 2.13 reads:

The Municipal Election Commission:

1. monitor and supervise the work of the Voters Register Centre referred to in Article 3.8 of the Law;
2. designate Polling Stations in the territory of the municipality for voting on all levels of authority in BiH;
3. conduct the appointment procedure, appoint and train the members of the Polling Station Committee;
- 4. appoints and trains the election results controllers in counting centers;**
5. ensure the security of, and deliver to the Polling Station Committees the polling material for voting at all levels of the elections in BiH;
6. as directed by the BiH Central Election Commission notify voters of information necessary for the administration of elections;
7. be responsible for the arrangements at the Polling Station and any other technical preparations for the elections;
8. be responsible for the proper conduct of the counting of ballots at Polling Stations, ***proper consolidation of election results from polling stations*** at the municipal counting centers and ***entering of the election results in the BiH Integrated Election Information System application***;

9. compile the results of elections from all Polling Stations in the municipality, separately for each body for which elections were administered and forward the results to the BiH Central Election Commission; and
10. perform all other tasks as authorized by law and by the Regulations of the Central Election Commission of BiH.

Article 2.14

- (1) The composition of an election commission shall be multi-ethnic, reflecting the representation of the constituent peoples, including the others, at the constituency for which the body responsible for conducting elections is being established, taking into account the last census conducted at the state level. The composition of an election commission shall strive to ensure gender representation in line with the Law on Gender Equality in BiH, unless the election commission consists of three members in which case the equal representation shall exist when one gender is represented by 1/3 of the total members.
- (2) If the election commission is not composed in line with paragraph (1) of this Article, the Central Election Commission of BiH shall annul the appointment of members and inform the appointing body. The appointing body shall within 15 days following the decision of the Central Election Commission of BiH reappoint the body in compliance with the criteria referred to in paragraph (1) of this Article.
- (3) If the election commission is not composed in line with paragraph (1) of this Article, the Central Election Commission of BiH shall annul the appointment of members and inform the appointing body. The appointing body shall within 15 days following the decision of the Central Election Commission of BiH reappoint the body in compliance with the criteria referred to in paragraph (1) of this Article.

In Article 2.14 paragraph (1) second sentence, the words “*strive*” shall be deleted.

Article 2.14 together with the incorporated proposal reads as follows:

Article 2.14

- (1) The composition of the election commission shall be multi-ethnic, reflecting the representation of the constituent peoples, including the others, at the constituency for which the body responsible for conducting elections is being established, taking into account the last census conducted at the state level. The composition of the election commission shall ensure gender representation in line with the Law on Gender Equality in BiH, unless the election commission consists of three members in which case the equal representation shall exist when one gender is represented by 1/3 of the total members.
- (2) If the election commission is not composed in line with paragraph (1) of this Article, the Central Election Commission of BiH shall annul the appointment of members and inform the appointing body. The appointing body shall within 15 days following the decision of the Central Election Commission of BiH reappoint the body in compliance with the criteria referred to in paragraph (1) of this Article.
- (3) If the election commission is not properly constituted again, the Central Election Commission of BiH shall appoint the members of the election commission in accordance with paragraph 1 of this article.

Article 2.15

- (1) In the event that a member of the election commission resigns, dies, becomes incapacitated, is dismissed from the commission or cannot be a member of the election commission or Polling Station Committee as established in Article 2.3 of this Law, a new member shall be appointed in the manner and under the procedure provided by Article 2.12 paragraph (5) of this Law.
- (2) The appointment of a new member of the Municipal Election Commission shall be carried out no later than thirty (30) days following the day of termination of the term of the previous member, while during the election period, the Municipal Council or Municipal Assembly shall appoint a replacing member of the Municipal Election Commission, without conducting the election procedure provided in Article 2.12, paragraph (5) of this Law, no later than seven (7) days following the day of termination of the term of the member as referred to paragraph (1) of this Article. If a new member of the Municipal Election Commission is not appointed within 30 days, the Central Election Commission of BiH may appoint a new member of the Municipal Election Commission.
- (3) The term of the replacing member referred to in paragraph (2) of this Article shall last until the return of the regular member, or until a new member has been elected as under the procedure provided by Article 2.12 paragraph (5) of this Law.
- (4) If the term of a member of the election commission expires in the election period, the term shall be extended until the end of the election period, or until the election results have been validated, thereafter a new member of the election commission shall be appointed under the procedure provided by this Law.

In Article 2.15 paragraph (2) the last sentence shall be amended to reads as follows:

“If a new or replacing member of the Municipal Election Commission is not appointed within the legal deadline, the Central Election Commission of BiH may conduct their appointment.”

Article 2.15 together with the incorporated proposal reads as follows:

Article 2.15

- (1) In the event that a member of the election commission resigns, dies, becomes incapacitated, is dismissed from the commission or cannot be a member of the election commission or Polling Station Committee as established in Article 2.3 of this Law, a new member shall be appointed in the manner and under the procedure provided by Article 2.12 paragraph (5) of this Law.
- (2) The appointment of a new member of the Municipal Election Commission shall be carried out no later than thirty (30) days following the day of termination of the term of the previous member, while during the election period, the Municipal Council or Municipal Assembly shall appoint a replacing member of the Municipal Election Commission, without conducting the election procedure provided in Article 2.12 paragraph (5) of this Law, no later than seven (7) days following the day of termination of the term of the member as referred to in paragraph (1) of this Article. **If a new or replacing member of the Municipal Election Commission is not appointed within the legal deadline, the Central Election Commission of BiH may conduct their appointment.**

- (3) The term of the replacing member referred to in paragraph (2) of this Article shall last until the return of the regular member, or until a new member has been elected as under the procedure provided by Article 2.12 paragraph (5) of this Law.
- (4) If the term of a member of the election commission expires in the election period, the term shall be extended until the end of the election period, or until the election results have been validated, thereafter a new member of the election commission shall be appointed under the procedure provided by this Law.

Article 2.16

- (1) If a member of a Municipal Election Commission has a prolonged absence without a valid reason, obstructs the work of the commission or violates the provisions of this Law or other regulations, the Municipal Council/Municipal Assembly with the previously obtained consent of the Central Election Commission of BiH or the Central Election Commission of BiH may dismiss that member. As per Article 2.12 paragraph (5) of this Law, a new member of the Municipal Election Commission shall be appointed.
- (2) If a member of a municipal election commission has a prolonged absence with a valid reason, a new member of the municipal election commission shall be appointed pursuant to Article 2.12, Paragraph 5 of this Law, as his/her replacement for the period of absence.
- (3) The valid reasons in terms of the preceding Paragraph shall include illness, education, professional training and other reasons regarded valid by the authority responsible for the appointment of Municipal Election Commission.

In Article 2.16 Paragraph (1), the word “*previously*” shall be deleted.

Article 2.16 with the incorporated proposal reads as follows:

Article 2.16

- (1) If a member of a Municipal Election Commission has a prolonged absence without a valid reason, obstructs the work of the commission or violates the provisions of this Law or other regulations, the Municipal Council/Municipal Assembly with the obtained consent of the Central Election Commission of BiH or the Central Election Commission of BiH may dismiss that member. As per Article 2.12 paragraph (5) of this Law, a new member of the Municipal Election Commission shall be appointed.
- (2) If a member of a municipal election commission has a prolonged absence with a valid reason, a new member of the municipal election commission shall be appointed pursuant to Article 2.12, Paragraph 5 of this Law, as his/her replacement for the period of absence.
- (3) The valid reasons in terms of the preceding Paragraph shall include illness, education, professional training and other reasons regarded valid by the authority responsible for the appointment of Municipal Election Commission.

Article 2.19

- (1) The Polling Station Committee shall consist of three (3) or five (5) members, one of whom is the President.
- (2) The President and members of the Polling Station Committee shall have deputies.
- (3) The President and members of the Polling Station Committee and their deputies shall be appointed by the Municipal Election Commission no later than thirty (30) days prior to the date of the election.
- (4) A complaint may be filed to the Municipal Election Commission against the decision of the Municipal Election Commission appointing the President, members of the Polling Station Committees, and their deputies. An appeal may be filed to the Central Election Commission of Bosnia and Herzegovina against the decision of the Municipal Election Commission deciding the complaint.
- (5) A political party that is a coalition member or an independent candidate who is a member of the list of independent candidates shall not be entitled to participate in that election unit independently in the lottery procedure and the procedure of appointment as members of the Polling Station Committee.
- (6) A political party that is a member of several verified coalitions for different government bodies shall be entitled to participate in the lottery procedure as part of a coalition that is verified for the highest body which includes the election units of a lower level government body.
- (7) If the Municipal Election Commission fails to appoint the members of the Polling Station Committee and their deputies in line with Paragraph 3 of this Article, then the Central Election Commission of BiH shall appoint the members of the Polling Station Committee and their deputies.
- (8) Political entity in that election unit, which has a certified candidate list or a candidate for participation in the elections in line with this Law, shall be entitled to participate in the lottery procedure for allocation of positions in the Polling Station Committee.
- (9) The lottery procedure referred to Paragraph 8 of this Article shall be conducted by the Municipal Election Commission within the period of no less than sixty (60) days prior to the Election Day.
- (10) After the lottery is conducted, but not longer than within 7 days following the lottery, the political actor participating in the lottery procedure shall provide the relevant Municipal Election Commission with the list of candidates for members of the Polling Station Committee in which they won the positions by way of the lottery procedure.
- (11) Should a political entity fail to provide the names of the candidates for the Polling Station Committee members within the period provided by Paragraph 10 of this Article, such failure will be considered as the waiver from the position allocated in the Polling Station Committee, or should the number of the candidates for the Polling Station Committee members proposed by a certified political party be lower than the required number of members of the Polling Station Committee, the Municipal Election Commission shall appoint the Polling Station Committee members independently, taking into account the multi-ethnic composition of the Polling Station Committee where possible.
- (12) The lottery procedure shall be conducted in line with the mandatory instructions issued by the Central Election Commission of BiH.
- (13) Only one representative of a political actor may be a member of a Polling Station Committee.
- (14) Candidates appointed as presidents and deputy presidents of the Polling Station Committees shall have the obligation to attend the training required for the work in a Polling Station Committee and organized by the Municipal Election Commission. Once the test of knowledge has been completed, the Municipal Election Commission shall award certificates to the successful presidents and their deputies.
- (15) The presidents and deputy presidents of the Polling Station Committees who have received the certificate shall have the obligation to participate in the training of the Polling Station Committee members, which is organized by the Municipal Election Commission. Once the test of knowledge has been completed, the Municipal Election Commission shall award certificates to the successful Polling Station Committee members and their deputies.

- (16) Members of a Polling Station Committee are entitled to a remuneration. The decision on the amount of the remuneration shall be made by the Municipal Election Commission.
- (17) The decision on the amount of remuneration for the members of the Polling Station Committees for the conduct of the General Elections shall be made by Central Election Commission of BiH.

Proposal no. 1.

Article 2.19 shall be amended to read as follows:

Article 2.19

- (1) The Polling Station Committee shall consist of three (3) or five (5) members, one of whom is the President.**
- (2) The President and members of the Polling Station Committee shall have deputies.**
- (3) In order to be appointed the President, members of the Polling Station Committee and their deputies must meet the requirements provided by Articles 2.2 and 2.3 of this Law.**
- (4) The President and members of the Polling Station Committee and their deputies shall be appointed by the election commission of the basic electoral unit no later than 30 days prior to the conduct of elections from the list of candidates for appointment to the Polling Station Committee provided that they have experience in conducting elections and have been certified by the election commission of the basic electoral unit.**
- (5) The list of candidates as referred to in Paragraph (4) shall be compiled by the election commission of the basic electoral unit in period between the two election cycles through one or more public calls and shall be regularly updated every six (6) months.**
- (6) The Polling Station Committee shall be filled through public calls issued and conducted by the election commission of the basic electoral unit on the basis of criteria determined by the Central Election Commission of BiH. Based on the public call, in each basic electoral unit, there shall be appointed as many members of Polling Station Committees and their deputies as is necessary for the conduct of elections at all polling stations in that basic electoral unit. The remaining number of candidates shall be placed on the wait list.**
- (7) A complaint may be filed to the election commission of the basic electoral unit against the decision of the election commission of the basic electoral unit appointing the President, members of the Polling Station Committees, and their deputies. An appeal may be filed to the Central Election Commission of Bosnia and Herzegovina against the decision of the election commission of the basic electoral unit deciding the complaint.**
- (8) The person appointed as the President and deputy President of the Polling Station Committee shall be obliged to attend a special training for managing the work of the Polling Station Committee for each election. The training shall be conducted by the election commission of the basic electoral unit on the basis of the Education Plan and Program referred to in Article 2.2 Paragraph (5) of this Law. Once the test of knowledge has been completed, the election commission of the basic electoral unit shall award certificates to the successful presidents and their deputies. At the invitation of the election commission of the basic electoral unit Presidents and deputy Presidents of the Polling Station Committees shall be obliged to participate in the training of members of the Polling Station Committees.**
- (9) Members of the Polling Station Committees shall be obliged to attend the training for the members of the Polling Station Committees organized by the election commission of basic electoral unit for each election on the basis of the Plan and Programme as referred to in**

Paragraph 8 of this Article. Once the test of knowledge has been completed, the election commission of basic electoral unit shall award certificates to the successful Polling Station Committee members and their deputies.

- (10) If the President, deputy President, member or deputy member of the Polling Station Committee fails to attend the mandatory training as referred to in Paragraphs (7) and (8), they shall be dismissed. The vacant positions of the President, deputy President, member or deputy member of the Polling Station Committee shall be filled by the candidates from the wait list maintained by the election commission of the basic electoral unit.**
- (11) President, deputy President, member and deputy member of the Polling Station Committee who have been certified by the election commission of the basic electoral unit following the training conducted in line with Paragraphs (7) and (8) of this Article shall be appointed for each election.**
- (12) The register of the lists as referred to in Paragraphs (4), (7) and (8) shall be kept by the election commission of the basic electoral unit according to the form provided by the Central Election Commission of BiH.**
- (13) Presidents and members of Polling Station Committees are entitled to a remuneration. The decision on the amount of the remuneration shall be made by the election commission of the basic electoral unit.**
- (14) The decision on the amount of remuneration for the members of the Polling Station Committees for the conduct of the General Elections shall be made by Central Election Commission of BiH.**

Proposal no. 2

Article 2.19

- (1) The Polling Station Committee shall consist of three (3) or five (5) members, one of whom is the President.**
- (2) The President and members of the Polling Station Committee shall have deputies.**
- (3) In order to be appointed the President, members of the Polling Station Committee and their deputies must meet the requirements provided by Articles 2.2 and 2.3 of this Law.**
- (4) The President and members of the Polling Station Committee and their deputies shall be appointed by the election commission of the basic electoral unit no later than 30 days prior to the conduct of elections from the list of candidates for appointment to the Polling Station Committee provided that they have experience in conducting elections and have been certified by the election commission of the basic electoral unit. Presidents and deputy Presidents of the Polling Station Committees shall be obliged to continuously attend the trainings for presidents of the Polling Station Committees organized by the election commission of the basic electoral unit in cooperation with the Centre for training of the Central Election Commission of BiH.**

- (5) The list of candidates as referred to in Paragraph (4) shall be compiled by the election commission of the basic electoral unit in period between the two election cycles through one or more public calls and shall be regularly updated every six (6) months.**
- (6) For a cycle of General Elections the positions of members and deputy members of the Polling Station Committee shall be filled at the proposal of political entities that won seats in the previous election cycle in the Parliamentary Assembly of BiH, the Parliament of the Federation of BiH, the National Assembly of Republika Srpska and at the level of the cantons in the Federation of BiH. For a cycle of Local Elections the positions of members and deputy members of the Polling Station Committee shall be filled at the proposal of political entities that won seats in the previous election cycle for municipal/city mayor, municipal council/assembly or Assembly of the Brčko District BiH.**
- (7) Political entities referred to in Paragraph (6) of this Article shall be entitled to participate in the lottery procedure for allocation of positions of members/deputy members of the Polling Station Committee provided that they have a certified list for that level of authority.**
- (8) The lottery procedure referred to in Paragraph 7 of this Article shall be conducted by the election commission of the basic electoral unit within the period of no less than sixty (60) days prior to the Election Day.**
- (9) After the lottery has been conducted, but not longer than within 7 days following the lottery, the political entity participating in the lottery procedure shall provide the election commission of the basic electoral unit with the names of candidates for members/deputy members of the Polling Station Committee in which they won the positions by way of the lottery procedure.**
- (10) Should a political entity fail to provide the names of the candidates for the Polling Station Committee members within the period provided by paragraph (9) of this Article, such failure shall be considered as the waiver from the position allocated in the Polling Station Committee, or should the number of the candidates for the Polling Station Committee members proposed by a political entities referred to in Paragraph (6) be lower than the required number of members/deputy members of the Polling Station Committee, the election commission of the basic electoral unit shall appoint the members/deputy members of the Polling Station Committee independently, taking into account the multi-ethnic composition of the Polling Station Committee where possible.**
- (11) The lottery procedure shall be conducted in line with the mandatory instructions issued by the Central Election Commission of BiH.**
- (12) Only one representative of one political entity as referred to in Paragraph (6) of this Article may be a member of one Polling Station Committee.**
- (13) The abuse of the right to participate in the work of the Polling Station Committee in the manner of fictitious representation on behalf of one political entity who won a position in the Polling Station Committee with the sole purpose of favoring another political entity that failed to win a position in that Polling Station Committee shall be proscribed by this Law.**
- (14) The proscription as referred to in Paragraph (13) of this Article shall also apply to the members of the Polling Station Committee.**
- (15) A complaint may be filed to the election commission of the basic constituency against the decision of the election commission of the basic constituency appointing the President, members of the Polling Station Committees, and their deputies. An appeal may be filed to the Central Election Commission of Bosnia and Herzegovina against the decision of the election commission of the basic constituency deciding the complaint.**
- (16) Candidates appointed as members and deputy members of the Polling Station Committees shall be obliged to attend a special training for work in the Polling Station Committee organized by the election commission of basic electoral unit.**

- (17) **Members of Polling Station Committees are entitled to a remuneration. The decision on the amount of the remuneration shall be made by the election commission of the basic electoral unit.**
- (18) **The decision on the amount of remuneration for the members of the Polling Station Committees for the conduct of the General Elections shall be made by Central Election Commission of BiH.**

CHAPTER 3

VOTERS REGISTER

Article 3.1

- (1) The Central Voters Register constitutes the records of citizens of BiH who have the right to vote in accordance with this Law and shall be established, maintained and used for the following purposes: to organize and conduct elections in accordance with law, to conduct referendums, to conduct recalls of elected officials and to elect bodies of the local self-governance in accordance with Law.
- (2) The Central Voters Register and excerpts from the Central Voters Register are public documents.
- (3) The right of access to the Central Voter Register shall be exercised in accordance with this Law.
- (4) Political subjects certified for participation in elections, and whose candidate lists are certified for participation in elections in accordance with this Law, shall be provided upon their request with an electronic or printed excerpt from the Central Voter Register for the level of government or for the constituency in which they participate in elections.

In Article 3.1 paragraph (2) shall be amended to read:

"(2) The Central Voters Register and excerpts from the Central Voters Register are public, which is provided in accordance with the provisions of this Law, and the Implementing Regulations of the Central Election Commission with the aim of ensuring fairness and total integrity of the Central Voters Register".

In paragraph (3), the words "*Central Voters Register*" shall be replaced by the words "***excerpt from the Central Voters Register***" and after the words "*Law*" the words "**and the Law on Personal Data Protection**" shall be added.

In the same article, after paragraph (3), a new paragraph (4) and (5) are added, which reads:

"(4) A voter shall exercise the right to inspect its personal data recorded in the excerpt from the Central Voters Register by direct inspection on the website of the BiH Central Election Commission by entering its personal identification number (JMB) and/or in another adequate manner determined by a bylaw of the BiH Central Election Commission.

(5) The public shall exercise the right to inspect excerpts from the Central Voters Register by displaying temporary excerpts from the Central Voters Register via the website of the Central Election Commission of BiH or in another adequate manner determined by a bylaw of the Central Election Commission of BiH."

In the current paragraph (4), which becomes paragraph (6) with these amendments, a new sentence is added, which reads: *"The excerpt from the Central Voters Register contains the last name and first name of the voter, a photograph, the date of birth, the name of one parent of the voter, the name of the municipality or constituency for which the voter has the right to vote, the name and number of the polling station."*

Article 3.1 is therefore proposed to read as follows:

Article 3.1

- (1) The Central Voters Register constitutes the records of citizens of BiH who have the right to vote in accordance with this Law and shall be established, maintained and used for the following purposes: to organize and conduct elections in accordance with law, to conduct referendums, to conduct recalls of elected officials and to elect bodies of the local self-governance in accordance with Law.
- (2) **"The Central Voters Register and excerpts from the Central Voters Register are public, which is provided in accordance with the provisions of this Law, and the Implementing Regulations of the Central Election Commission with the aim of ensuring fairness and total integrity of the Central Voters Register".**
- (3) The right of access to the **excerpt from the Central Voters Register** shall be exercised in accordance with this Law **and the Law on Personal Data Protection**.
- (4) **A voter shall exercise the right to inspect its personal data recorded in the excerpt from the Central Voters Register by direct inspection on the website of the BiH Central Election Commission by entering its personal identification number (JMB) and/or in another adequate manner determined by a bylaw of the BiH Central Election Commission.**
- (5) **The public shall exercise the right to inspect excerpts from the Central Voters Register by displaying temporary excerpts from the Central Voters Register via the website of the Central Election Commission of BiH or in another adequate manner determined by a bylaw of the Central Election Commission of BiH.**
- (6) Political subjects certified for participation in elections, and whose candidate lists are certified for participation in elections in accordance with this Law, shall be provided upon their request with an electronic or printed excerpt from the Central Voter Register for the level of government or for the constituency in which they participate in elections. **The excerpt from the Central Voters Register contains the last name and first name of the voter, a photograph, the date of birth, the name of one parent of the voter, the name of the municipality or constituency for which the voter has the right to vote, the name and number of the polling station.**

Article 3.2

- (1) The Central Voters Register is unique, permanent and shall be regularly updated.
- (2) The following BiH citizens shall be recorded in the Central Voter Register:
 - a) those of age (18) or older;

- b) those who will become eighteen (18) years of age on the Election Day;
 - c) those who have the right to vote in accordance with this Law, but are temporarily residing abroad; and
 - d) those having the right to vote as provided by Article 20.8, paragraph (6) of this Law.
- (3) The Central Voters Register shall not contain names of BiH citizens whose full legal capacity has been withdrawn by the final and binding decision of a competent authority. In the event that such a person has already been recorded, he/she shall be deleted from the Central Voters Register, whereas in the event that the competent authority has issued the final and binding decision restoring his/her legal capacity, he/she shall be recorded in the Central Voter Register.

In Article 3.2, a new paragraph (2) is added to read as follows:

"(2) Excerpts from the Central Voters' Register shall be published twice a year in a non-election year for the purpose of updating. The competent authorities are obliged to submit data on displaced persons in the election year no later than March 31."

In paragraph (2), which by these amendments becomes paragraph (3), after the word "Register" the words "*ex officio*" shall be added and after the word "BiH" the words "***with registered residence in BiH***" shall be added.

After paragraph (2), which by these amendments becomes paragraph (3), a new paragraph (4) is added, which reads:

"(4) Exceptionally, registration may be made at the personal request in accordance with the procedure prescribed by a bylaw of the Central Election Commission of BiH."

In paragraph (4), which by these amendments becomes paragraph (5), the word "**completely**" is added after the word "*restoring*".

Article 3.2 is therefore proposed to read as follows:

Article 3.2

- (1) The Central Voters Register is unique, permanent and shall be regularly updated
- (2) **Excerpts from the Central Voters' List shall be published twice a year in a non-election year for the purpose of updating. The competent authorities are obliged to submit data on displaced persons in the election year no later than March 31.**
- (3) The following citizens of BiH, **with registered residence in BiH**, shall be recorded in the Central Voter Register **ex officio**:
 - a) those of age (18) or older;
 - b) those who will become eighteen (18) years of age on the Election Day;
 - c) those who have the right to vote in accordance with this Law, but are temporarily residing abroad; and
 - d) those having the right to vote as provided by Article 20.8, paragraph (6) of this Law.

(4) Exceptionally, registration may be made at the personal request in accordance with the procedure prescribed by a bylaw of the Central Election Commission of BiH.

(5) The Central Voters Register shall not contain names of BiH citizens whose full legal capacity has been withdrawn by the final and binding decision of a competent authority. In the event that such a person has already been recorded, he/she shall be deleted from the Central Voters Register, whereas in the event that the competent authority has issued the final and binding decision restoring **completely** his/her legal capacity, he/she shall be recorded in the Central Voter Register.

Article 3.3

The Central Voters Register shall be made and maintained on the basis of data from official records on permanent and temporary residence of citizens of BiH maintained by a competent State authority, from other public identification documents and official records on citizens of BiH maintained by the Central Election Commission of BiH and other competent authorities and on the basis of public documents and data received directly from citizens.

In Article 3.3, after the word “*state authority*”, the words “*records of issued passports of citizens of Bosnia and Herzegovina issued by diplomatic and consular missions of Bosnia and Herzegovina*” shall be added.

Article 3.3 is therefore proposed to read as follows:

Article 3.3

The Central Voters Register shall be made and maintained on the basis of data from official records on permanent and temporary residence of citizens of BiH maintained by a competent State authority, **records of issued passports of citizens of Bosnia and Herzegovina issued by diplomatic and consular missions of Bosnia and Herzegovina**, from other public identification documents and official records on citizens of BiH maintained by the Central Election Commission of BiH and other competent authorities and on the basis of public documents and data received directly from citizens.

Article 3.4

(1) The Central Voters Register shall be maintained and processed electronically.

(2) The records of the Central Voters Register or its excerpts shall be available for access and data contained therein shall be processed by the same methodology and by using the same computer program, at all locations where the data are processed and collected for the purposes of the Central Voters Register.

(3) The records of the Central Voters Register shall be processed and maintained by using computerized data processing, according to the uniform methodology and program whose contents and manner of use are determined concertedly by the competent authority of BiH and the Central Election Commission of BiH.

In Article 3.4, paragraph (3), the word “*competent authority*” shall be replaced by the word “**competent authorities**”.

Article 3.4 is therefore proposed to read as follows:

Article 3.4

(1) The Central Voters Register shall be maintained and processed electronically.

(2) The records of the Central Voters Register or its excerpts shall be available for access and data contained therein shall be processed by the same methodology and by using the same computer program, at all locations where the data are processed and collected for the purposes of the Central Voters Register.

(3) The records of the Central Voters Register shall be processed and maintained by using computerized data processing, according to the uniform methodology and program whose contents and manner of use are determined concertedly by the **competent authorities** of BiH and the Central Election Commission of BiH.

Article 3.5

(1) The Central Voters Register shall be maintained ex-officio.

(2) The Central Election Commission of BiH shall maintain the Central Voters Register for the territory of BiH on the basis of records of a competent State authority that maintains the records of citizens of BiH in accordance with the Law on Central Registers and Data Exchange, unless otherwise prescribed by this Law.

(3) The competent State authority referred to in paragraph 2 of this Article shall maintain and shall be responsible for the overall technical processing of all data of relevance for the records of the Central Voters Register (hereinafter: the authority in charge of technical maintenance of the Central Voters Register records).

(4) The competent authority that maintains the records on citizens of BiH pursuant to Law on Citizens' Single Identification Number, Law on Permanent and Temporary Residence of the Citizens of BiH and the Law on Identification Card of BiH Citizens, shall receive the data from:

- a) Competent Registry Office on death of all citizens over eighteen (18) years of age; and
- b) Competent Ministry of BiH on deregistration of BiH citizenship

(5) The competent authority in charge of technical maintenance of the Central Voter Register shall receive the data pursuant to the Law on Central Registers and Data Exchange as well as the provisions of the Law on Personal Identification Number, the Law on Permanent and Temporary Residence of BiH Citizens, and the Law on ID Cards, from a competent authority in charge of maintaining the records on any change of permanent and temporary residence.

(6) The competent authority in charge of technical maintenance of the Central Voter Register records shall receive data from the following parties:

- a) Municipal Election Commissions on Polling Stations; and
- b) Central Election Commission of BiH and Municipal Election Commissions on changes of voting options.

(7) The competent authority in charge of maintaining the official records concerning such data shall be responsible for accuracy and update of data necessary to produce the Central Voters Register.

(8) The competent Registry Offices shall provide to the authority competent for maintaining the official records concerning the Citizens' Single Identification Number, Permanent and Temporary Residence of the Citizens of BiH with the data on all changes that affect the accuracy of the Central Voters Register, in writing, not later than within seven (7) days from the date the change has occurred.

(9) The authority competent for maintaining the official records concerning the Citizens' Single Identification Number, Permanent and Temporary Residence of the Citizens of BiH is responsible for keeping the data updated and accurate and is obliged to keep the files with documents, public identification documents and requests of citizens, on the basis of which the Central Voters Register is maintained and updated, and make the access to these files possible and the files available at the request of the Central Election Commission.

Article 3.5 is amended to read as follows:

Article 3.5

(1) The Central Voters Register shall be maintained ex officio.

(2) The Central Election Commission of BiH shall maintain the Central Voters' Register for the territory of Bosnia and Herzegovina on the basis of the records of the Agency for Identification Documents, Records and Data Exchange of Bosnia and Herzegovina and other competent state bodies.

(3) The Agency for Identification Documents, Records and Data Exchange of Bosnia and Herzegovina shall maintain and be responsible for the overall technical processing of all data relevant to the records of the Central Voters Register.

(4) The Agency for Identification Documents, Records and Data Exchange of Bosnia and Herzegovina, shall receive data from the records from

- a) Competent ministries,**
- b) Central Election Commission of BiH**
- c) Election Commissions of basic constituencies about polling stations and changes in polling options.**

(5) Competent Registry Office is obliged to submit data on deaths of citizens over 18 years of age in accordance with the regulations governing the keeping of registry books.

(6) Competent Registry Offices are obliged to submit all changes that affect the relevance of the Central Voters Register to the competent body maintaining official records on personal identification number, residence and stay of BiH citizens in writing no later than seven days.

Periodic report submitted to other bodies shall also be submitted to the Central Election Commission of BiH

(7). The competent authority in charge of maintaining the official records concerning such data shall be responsible for accuracy and update of data necessary to produce the Central Voters' Register, and shall be responsible to maintain files of documents, public identification documents and citizens' requests upon which the Central Voters' Register is maintained and updated, and ensure that access to and insight to these documents is available upon request of the Central Election Commission of BiH."

Article 3.6

- (1) The Central Election Commission of BIH is responsible for accuracy, correctness and general integrity of the Central Voter Register.
- (2) In terms of maintaining the Central Voters Register, Central Election Commission of BIH shall:
 - a) inform competent authorities about the established deficiencies and take the appropriate measures and actions towards removing the irregularities and establishing the accurate and updated Central Voters Register,
 - b) draw up the excerpts from the Central Voters Register for displaced persons of BiH,
 - c) draw up the excerpts from the Central Voters Register for voters who participate in an out-of-country voting,
 - d) keep special records on the persons whose right to vote was withdrawn in accordance with the Law; and
 - e) complete and verify the final excerpts from the Central Voters Register to be used for the elections.
- (3) The excerpts from the Central Voters Register for voters referred to in paragraph (2), item b) of this Article shall be drawn up on the basis of data received from the competent State authorities and citizens in accordance with this Law.
- (4) The excerpts from the Central Voters Register for the voters referred to in paragraph (2), item c) of this Article shall be drawn up on the basis of data possessed by the Central Election Commission of BIH and data delivered by the citizens who participate in the out-of-country voting.
- (5) The competent authorities referred to in paragraphs (3) and (4) shall responsible for accuracy, update and timely delivery of data necessary to draw up the excerpts from the Central Voters Register.
- (6) The Central Election Commission of BIH shall issue its regulations guiding the following:
 - a) deadlines for and method of completion and verification of the final Central Voters' Register; and
 - b) deadlines for delivery of data on the changes in the records of displaced persons and records of citizens who participate in the out-of-country voting.

In Article 3.6, paragraph (1) is amended and reads:

“(1) The Central Election Commission of BiH, under its competences, is responsible for accuracy and general integrity of the Central Voters’ Register in line with the information provided by the body competent to maintain the records.”

In paragraph (2), point d) at the end of the sentence the word “and” is erased and punctuation mark “;” added, in point e) at the end of the sentence the word “and” is added as well as new point f) that reads:

“f) keeps special comparative records on the permanent residence and address of temporary residence of BiH citizens with the right to vote registered in the Central Voters' Register of voters residing outside BiH.”

Paragraph (4) is amended and reads:

“(4) Preparation of excerpts from the Central Voters' Register for voters referred to in paragraph (2) item c) of this Article shall be done on the basis of data:

- a) compiled by the diplomatic and consular missions of BiH and submitted to the Central Election Commission of BiH;***
- b) data submitted by voters who vote outside Bosnia and Herzegovina and;***
- c) data held by the Central Election Commission of BiH.”***

In paragraph (5) after the words “necessary” words “***Central Election Commission of BiH***” are added.

In line with this proposal Article 3.6 reads as follows:

Article 3.6

(1) The Central Election Commission of BiH, under its competences, is responsible for accuracy and general integrity of the Central Voters’ Register in line with the information provided by the body competent to maintain the records.

(2) In terms of maintaining the Central Voters Register, Central Election Commission of BiH shall:

- a) inform competent authorities about the established deficiencies and take the appropriate measures and actions towards removing the irregularities and establishing the accurate and updated Central Voters Register,**
- b) draw up the excerpts from the Central Voters Register for displaced persons of BiH,**
- c) draw up the excerpts from the Central Voters Register for voters who participate in an out-of-country voting,**
- d) keep special records on the persons whose right to vote was withdrawn in accordance with the Law;**
- and**
- e) complete and verify the final excerpts from the Central Voters Register to be used for the elections.**
- f) keep special comparative records on the permanent residence and address of temporary residence of BiH citizens with the right to vote registered in the Central Voters' Register of voters residing outside BiH.”**

(3) The excerpts from the Central Voters Register for voters referred to in paragraph (2), item b) of this Article shall be drawn up on the basis of data received from the competent State authorities and citizens in accordance with this Law.

(4) Preparation of excerpts from the Central Voters' Register for voters referred to in paragraph (2) item c) of this Article shall be done on the basis of data:

a) compiled by the diplomatic and consular missions of BiH and submitted to the Central Election Commission of BiH;

b) data submitted by voters who vote outside Bosnia and Herzegovina and;

c) data held by the Central Election Commission of BiH.

(5) The competent authorities referred to in paragraphs (3) and (4) shall be responsible for accuracy, update and timely delivery of data needed to the **BiH Central Election Commission** to draw up the excerpts from the Central Voters' Register.

(6) The Central Election Commission of BiH shall issue its regulations guiding the following:

a) deadlines for and method of completion and verification of the final Central Voters' Register; and

b) deadlines for delivery of data on the changes in the records of displaced persons and records of citizens who participate in the out-of-country voting.

Article 3.7

- (1) The Central Election Commission of BiH shall draw the excerpt from the Central Voter Register for each basic constituency, containing the data on all voters with the right to vote for the particular basic constituency, on the basis of data contained in the records of the Central Voters Register. Such excerpts shall be delivered to the given Municipal Election Commission not later than twenty (20) days prior to the Election Day.
- (2) The excerpt shall be made according to the place of permanent residence of a citizen of BiH and by Polling Station.
- (3) The Central Election Commission of BiH may issue an excerpt from the Central Voters Register also for other constituencies where the particular elections are to be conducted, for the purpose of conducting the procedure of recalling the elected official and to conducting a referendum, on the basis of data contained in the Central Voters Register.
- (4) A citizen of BiH is included in one excerpt of the Central Voters Register, for one basic constituency and in one Polling Station.

Paragraph (1) of Article 3.7 is amended and reads:

“(1) Based on the data contained in the records of the Central Voters’ register by polling stations, the Central Election Commission of BiH shall draw the excerpt from the Central Voter Register for each basic constituency, containing the data, with photo on all voters for the particular basic constituency, which is delivered to the election commission of basic constituency i.e. the diplomatic and consular mission of BiH abroad on time.”

In paragraph (2) after word “*according*” ***the word “last”*** is added, and full stop is erased after polling stations, adding a comma and words: ***“and for voters referred to in Article 3.6, paragraph (2), items b) and c) of this Law with a note on correct address of temporary residence”***.

In line with this proposals Article 3.7 reads:

Article 3.7

(1) Based on the data contained in the records of the Central Voters’ register by polling stations, the Central Election Commission of BiH shall draw the excerpt from the Central Voter Register for each basic constituency, containing the data, with photo on all voters for the particular basic constituency, which is delivered to the election commission of basic constituency i.e. the diplomatic and consular mission of BiH abroad on time.

(2) The excerpt shall be made according to the *last* place of permanent residence of a citizen of BiH and by Polling Station ***and for voters referred to in Article 3.6, paragraph (2), items b) and c) of this Law with a note on correct address of temporary residence.***

(3) The Central Election Commission of BIH may issue an excerpt from the Central Voters Register also for other constituencies where the particular elections are to be conducted, for the purpose of conducting the procedure of recalling the elected official and to conducting a referendum, on the basis of data contained in the Central Voters Register.

(4) A citizen of BIH is included in one excerpt of the Central Voters Register, for one basic constituency and in one Polling Station.

Article 3.9

(1) A citizen of BiH who has the right to vote shall be recorded in the Central Voters Register for the basic constituency where he is registered as a permanent resident in BiH, unless otherwise specified by this Law.

(2) A citizen of BiH who has the right to vote under this Law and who is temporarily residing abroad shall be recorded in the Central Voters Register for the basic constituency in which he was registered as a permanent resident in BiH before the departure abroad.

(3) A citizen of BiH who has the right to vote under this Law and who has the status of a refugee from BiH shall be recorded in the Central Voters Register for the basic constituency where he used to have permanent residence in accordance with the provisions of Article 20.8 of this Law.

(4) A citizen of BiH who has the right to vote under this Law and who has a status of a displaced person shall be recorded in the Central Voters Register for the basic constituency on the basis of the expressed voting option, in accordance with the provisions of Article 20.8 of this Law.

(5) An application for determination or a change in the voting option, in accordance with paragraph (4) of this Article, shall be submitted by applicants in person, in due time and in the form as prescribed by the Central Election Commission of BIH.

(6) If a citizen of BiH fails to submit an application for determination or a change in the voting option pursuant to paragraph 5 of this Article, he shall be recorded in the Central Voters Register for the basic constituency where he was recorded in the last elections, and if he was not recorded in the Central Voters Register at all, he shall be recorded in the Central Voters Register for the basic constituency in which he had a permanent residence according to the last Census conducted by BiH.

In paragraph (3) of Article 3.9 word “*used to have*” is changed with word “**had**”

After the proposal Article 3.9 reads as follows:

Article 3.9

1) A citizen of BiH who has the right to vote shall be recorded in the Central Voters Register for the basic constituency where he is registered as a permanent resident in BiH, unless otherwise specified by this Law.

(2) A citizen of BiH who has the right to vote under this Law and who is temporarily residing abroad shall be recorded in the Central Voters Register for the basic constituency in which he was registered as a permanent resident in BiH before the departure abroad.

(3) A citizen of BiH who has the right to vote under this Law and who has the status of a refugee from BiH shall be recorded in the Central Voters Register for the basic constituency where he **had** permanent residence in accordance with the provisions of Article 20.8 of this Law.

(4) A citizen of BiH who has the right to vote under this Law and who has a status of a displaced person shall be recorded in the Central Voters Register for the basic constituency on the basis of the expressed voting option, in accordance with the provisions of Article 20.8 of this Law.

(5) An application for determination or a change in the voting option, in accordance with paragraph (4) of this Article, shall be submitted by applicants in person, in due time and in the form as prescribed by the Central Election Commission of BH.

(6) If a citizen of BiH fails to submit an application for determination or a change in the voting option pursuant to paragraph 5 of this Article, he shall be recorded in the Central Voters Register for the basic constituency where he was recorded in the last elections, and if he was not recorded in the Central Voters Register at all, he shall be recorded in the Central Voters Register for the basic constituency in which he had a permanent residence according to the last Census conducted by BiH.

Article 3.10

(1) Records of the Central Voters Register shall contain the following information on citizens of BiH who have the right to vote:

- a) Last and first name and name of one of parents,
- b) Date of birth,
- c) National Identification number,
- d) Gender,
- e) Name of the Municipality where this person has a permanent or temporary residence,
- f) Address of the permanent/temporary residence (street, street number and town),
- g) Name of the Municipality and/or constituency for which this person is eligible to vote,
- h) Voting option,
- i) Polling Station
- j) Date of registration of the permanent or temporary residence,
- k) Field with the heading: “Notes”.

(2) Excerpts from the Central Voters Register shall be made on the basis of the electronic records of the Central Voters Register.

(3) The format and contents of an excerpt from the Central Voters Register, used for the conduct of the elections, shall be determined by the Central Election Commission of BiH.

In Article 3.10, paragraph (1) a new item b) is added and reads:

“the latest photograph and signature available to the Agency for Identification Documents, Records and Data Exchange of Bosnia and Herzegovina”.

Earlier items b), c), d), e), f), g), h), i), j), and k), become items c), d), e), f), g), h), i), j), k) i l).

In the same paragraph, in item e) that becomes item f) the word “or” is replaced by words: ***“as well as the name of the municipality where the voter has”***.

In the same paragraph in item f) that becomes item g) after word: “or” the word: ***“address”*** is added, after the open parenthesis the word ***“town”*** is added and at the end of the sentence the word ***“town”***.

In the same paragraph in item j) that becomes item k) word “or” is replaced with word ***“and”***.

In paragraph (3) the words ***“taking into consideration the Law on Protection of Personal Information”*** are added

In line with this proposal Article 3.10 reads as follows:

Article 3.10

(1) Records of the Central Voters Register shall contain the following information on citizens of BiH who have the right to vote:

- a) Last and first name and name of one of parents,
- b) ***the latest photograph and signature available to the Agency for Identification Documents, Records and Data Exchange of Bosnia and Herzegovina;***
- c) Date of birth,
- d) National Identification number,
- e) Gender,
- f) Name of the Municipality where **voter** has a permanent residence **as well as the name of the municipality where the voter has** temporary residence,
- g) Address of the permanent **or** temporary residence (**town**, street, street number),
- h) Name of the Municipality and/or constituency for which this person is eligible to vote,
- i) Voting option,
- j) Polling Station
- k) Date of registration of the permanent or temporary residence,
- l) Field with the heading: “Notes”.

- (2) Excerpts from the Central Voters Register shall be made on the basis of the electronic records of the Central Voters Register.
- (3) The format and contents of an excerpt from the Central Voters Register, used for the conduct of the elections, shall be determined by the Central Election Commission of BiH **taking into consideration the Law on Protection of Personal Data.**

Article 3.11

Central Voters Register data shall be published and its contents made available to the public taking into account the principles of protection of personal information, pursuant to the Law on Protection of Personal Information.

Article 3.11 is amended and reads:

Article 3.11

“The Central Election Commission of BiH shall make the Excerpts from the Central Voters' Register available to the public in accordance with Article 3.1 paragraph (5) of this Law in order to ensure the accuracy, timeliness and overall integrity.”

Article 3.12

- (1) Permanent residence is the municipality in which a citizen has settled down with the intention to permanently reside there and where the permanent residence is registered pursuant to the Law on Permanent and Temporary Residence of Citizens of BiH.
- (2) Permanent residence of a citizen of BiH who has the status of a displaced person or a refugee is his municipality of permanent residence in accordance with the last Census conducted by BiH.

Article 3.12 is deleted

Article 3.12a

- (1) A voter who has changed his/her permanent residence within the period of 45 days before the election day until the election day, shall appear in the excerpt from the Central Voters' Register at a regular Poling Station in the municipality in which he/she had his/her permanent residence until the day when the permanent residence was changed.
- (2) The authority in charge of maintaining the records on any change of permanent or temporary residence shall check the accuracy of the data on such changes of permanent or temporary residence. An official report shall be compiled about this check.

In Article 3.12a in paragraph (1) words: *“within the period of 45 days before the election day”* are replaced by words: ***“after the day elections were announced”*** and words *“the day when the permanent residence was changed”* with words ***“day elections were announced”***.

In line with this proposal Article 3.12a reads as follows:

Article 3.12a

(1) A voter who has changed his/her permanent residence after **the day elections were announced** until the election day, shall appear in the excerpt from the Central Voters Register at a regular Poling Station in the municipality in which he/she had his/her permanent residence until the **day elections were announced**.

(2) The authority in charge of maintaining the records on any change of permanent or temporary residence shall check the accuracy of the data on such changes of permanent or temporary residence. An official report shall be compiled about this check.

Article 3.13

(1) Entry of a voter in the Central Voters Register shall be made by the competent authorities in accordance with the provisions of Article 3.5 of this Law.

(2) Any citizen of BiH shall have access to an excerpt from the Central Voters Register and shall be entitled to request its correction if it is the correction of his personal data. Such request shall be submitted in writing to the authority referred to in paragraph (4) of this Article.

(3) Personal data referred to in paragraph (2) of this Article are data described in Article 3.10, paragraph (1), Items a), b), c), e) and j) of this Law.

(4) Corrections of personal data in the Central Voters Register shall be made by the competent authority responsible for keeping records of such data.

In Article 3.13 in paragraph (3) words: “a), b), c), e) and j)” are replaced with words: **“a), c), d), f) and k)”**.

In line with this proposal Article 3.13 reads as follows

Article 3.13

(1) Entry of a voter in the Central Voters Register shall be made by the competent authorities in accordance with the provisions of Article 3.5 of this Law.

(2) Any citizen of BiH shall have access to an excerpt from the Central Voters Register and shall be entitled to request its correction if it is the correction of his personal data. Such request shall be submitted in writing to the authority referred to in paragraph (4) of this Article.

(3) Personal data referred to in paragraph (2) of this Article are data described in Article 3.10, paragraph (1), Items **a), c), d), f) and k)** of this Law

(4) Corrections of personal data in the Central Voters' Register shall be made by the competent authority responsible for keeping records of such data.

Article 3.14

The Central Election Commission of BiH shall adopt regulations to determine the manner and procedure to draw up excerpts from the Central Voters Register in case of:

- a) homebound voters due to old age, illness or disability and
- b) voters who are prisoners or are confined to institutions and have the right to vote.

Article 3.14 is amended and reads:

Article 3.14

“The Central Election Commission of BiH shall adopt regulations to determine the manner and procedure to draw up excerpts from the Central Voters Register for a voter who is:

- a) homebound due to old age, illness or disability;**
- b) serving a prison sentence in prison facilities;**
- c) confined to an institution; and**
- d) not in his/her place of permanent resident on the Election Days, which was reported to the competent election commission of basic constituency in a timely manner.”**

Article 3.15

(1) A citizen of BiH who has the right to vote under this Law and is temporarily residing abroad and is recorded in the Central Voters Register, in order to be included in the excerpt from the Central Voters Register for out-of-country voting, is obliged to submit an application to the Central Election Commission of BiH for every elections. Proof of identity of the applicant as prescribed by this law and accurate details of the address abroad, as well as a declaration concerning the voting option: in a diplomatic and consular mission or by mail, shall be attached to the application, signed by the applicant.

(2) A citizen of BiH who has the status of a refugee from BIH and has the right to vote under this Law, and is recorded in the Central Voter Register, in order to be included in the excerpt from the Central Voters Register for out-of-country voting, is obliged to submit an application to the Central Election Commission of BIH for every elections. The application must be received before the deadline set by the Central Election Commission of BIH in the period after the elections are announced and contain the declaration concerning the voting option: in a diplomatic and consular representation mission or by mail. The applicant should attach to the signed application, the following proofs:

- a) proof of identity of the applicant as prescribed by this Law;
- b) accurate details of the address abroad and
- c) proof of the permanent residence in BiH in accordance with Article 20.8 of this Law, if he wants a change of the data recorded in the Central Voters Register for the basic constituency that he has the right to vote for.

(3) A refugee from BiH who is not recorded in the Central Voters Register, in order to be recorded in the Central Voters Register and to exercise thereby his right to vote under this Law, must submit an application to the Central Election Commission of BiH. The application must be received before the deadline set by

the Central Election Commission of BiH in the period after the elections are announced. The applicant should attach to the signed application, the following proofs:

- a) proof of identity of the applicant,
- b) proof of the citizenship of BiH,
- c) proof of change of the permanent residence in BiH, in accordance with Article 20.8 of this Law and
- d) accurate details of the address abroad.

(4) The following documents shall be admissible as valid proof on identity of the applicant, pursuant to Item a) of paragraph (3) of this Article:

- a) Passport
- b) Driving license
- c) Valid personal identity card issued by the host country and
- d) Refugee card issued by the Government of the host country or another international organization.

(5) The applicant may send the completed and signed application and the required documents by fax and electronically. The procedure and method of sending, receiving, processing, filing (archiving) and protection of electronic applications and documents shall be established by the Central Election Commission of BiH under a separate regulation.

(6) If the requirements referred to in paragraphs (1), (2) and (3) of this Article are met, the applicant shall be recorded in the excerpt from the Central Voters Register for out-of-country voting.

(7) The applicant referred to in paragraphs (1), (2) and (3) of this Article shall be held responsible for authenticity of data attached to the application.

(8) The Central Election Commission of BIH shall prescribe the layout of the application form referred to in paragraphs (1), (2) and (3) of this Article, the manner and procedure to verify the accuracy of data in the documents submitted by refugees from BIH who request to be recorded in the Central Voters Register, to verify the proofs of identity and permanent residence of the refugees and shall issue relevant instructions regarding the procedure for recording voters in the excerpts of the Central Voters Register for out of - country voting.

(9) Registration into the Central Voters Register of the citizens of BiH who have the status as refugees from BiH, and who have their voting rights as provided by this Law, shall be a continuing process conducted during the entire year, with the documentation attached as provided by paragraph (3) of this Article.

Article 3.15 is amended and reads:

Article 3.15

“(1) A citizen of BiH who has the right to vote under this Law and is temporarily residing abroad and is recorded in the Central Voters’ Register, in order to be included in the excerpt from the Central Voters’ Register for out-of-country voting, is obliged to submit an electronic application to the Central Election Commission of BiH for every elections. The application shall contain, inter alia, information on accurate details of the address abroad.

(2) The electronic application referred to in paragraph (1) of this Article shall be accompanied by:

- a) proof of identity of the applicant as prescribed by this Law;**
- b) proof issued by the competent body of the county of temporary residence on the details of accurate address in that country.**

(3) After submitting the electronic application in terms of paragraphs (1) and (2) of this Article, the applicant is obliged to sign the printed version of the electronic application and the signature must be identical to the signature on the identification document attached to the application and submit it to the Central Election Commission of BiH within the time and manner determined by a regulation of the Central Election Commission of Bosnia and Herzegovina.

(4) A citizen of BiH who has the status of a refugee from BIH and has the right to vote under this Law, and is recorded in the Central Voters’ Register, in order to be included in the excerpt from the Central Voters’ Register for out-of-country voting, is obliged to submit an electronic application to the Central Election Commission of BIH for every elections.

(5) The electronic application referred to in paragraph (4) of this Article shall be accompanied by:

- a) proof of identity of the applicant,**
- b) if voting option under which the voter is registered in the Central Voters’ Register in line with Article 20.8 of this Law is changed, the applicant shall submit the proof of change of permanent place of residence in Bosnia and Herzegovina**
- c) proof of accurate details of the address abroad.**

(6) After submitting the electronic application in terms of paragraphs (4) and (5) of this Article, the applicant is obliged to sign the printed version of the electronic application and the signature must be identical to the signature on the identification document attached to the application and submit it to the Central Election Commission of BiH within the time and manner determined by a regulation of the Central Election Commission of Bosnia and Herzegovina.

(7) A refugee from BiH who is not recorded in the Central Voters' Register shall submit an electronic application to the Central Election Commission of BiH in order to be recorded in the Central Voters' Register for voting outside Bosnia and Herzegovina.

(8) The electronic application referred to in paragraph (7) of this Article shall be accompanied by:

- a) proof of identity of the applicant,**
- b) proof of BiH citizenship,**
- c) proof of the permanent residence in BiH, in accordance with Article 20.8 of this**

Law and

- d) proof of accurate details of the address abroad**

(9) In terms of item a) of paragraph (8) of this Article the following documents shall be admissible as valid proof on identity of the applicant:

- a) Passport**
- b) Valid personal identity card issued by the host country and**
- d) Refugee card issued by the Government of the host country or another international organization.**

(10) The applicant may send the completed and signed application and the required documents by e-mail, post or in person. The procedure and method of sending, receiving, processing, filing (archiving) and protection of electronic applications and documents shall be established by the Central Election Commission of BiH under a separate regulation.

(11) If the requirements referred to in this Article are met, the applicant shall be recorded in the excerpt from the Central Voters' Register for voting outside Bosnia and Herzegovina, by-mail or at the diplomatic and consular missions of BiH abroad.

(12) The applicant referred to in paragraphs (1), (4) and (7) of this Article shall be held responsible for the accuracy of the data given in the application and authenticity of the proofs attached to the application.

(13) The Central Election Commission of BIH shall prescribe the layout of the application form referred to in paragraphs (1), (4) and (7) of this Article, the manner and procedure to verify the accuracy of data given in the application and authenticity of the proofs attached to the application.

(14) The Central Election Commission of BiH shall issue appropriate instructions regarding the procedure of registration of voters in the excerpt from the Central Voters' register for voting outside Bosnia and Herzegovina, by mail or at the diplomatic-consular missions.

15) Registration of citizens of Bosnia and Herzegovina in the Central Voters' Register shall be a continuous process.”

Article 3.16

(1) A citizen of BiH referred to in Article 3.15, paragraphs (1), (2) and (3) of this Law shall be obliged to provide all changes affecting the data that he previously submitted to the Central Election Commission of BiH and based of which he is recorded in the excerpt from the Central Voters Register for voting outside Bosnia and Herzegovina. The changes of the data must be submitted not later than the deadline established for the submission of applications for out-of-country voting in the next elections.

(2) If a citizen of BiH referred to in Article 3.15, paragraph (1) of this Law fails to submit an application before the deadline established for voting outside Bosnia and Herzegovina in the next elections, he shall be recorded in the excerpt from the Central Voters Register for voting in the appropriate Polling Station in the basic constituency of his permanent residence.

(3) If a citizen of BiH referred to in Article 3.15, paragraph (2) of this Law, fails to submit proof of his permanent residence in BiH in accordance with Article 20.8 of this Law, he shall be recorded in the excerpt from the Central Voters Register for voting outside Bosnia and Herzegovina with the right to vote for the basic constituency of his permanent residence according to the information available to the authority which performs technical maintenance of the records of the Central Voters Register.

(4) If a citizen of BiH, who is recorded in the excerpt from the Central Voters Register for out-of-country voting has returned to BiH before the deadline established for submission of applications for out-of-country voting in the next elections, he is obliged to submit a request to change his voting option to the competent Voters Register Center.

(5) Voters Register Center shall receive through the Municipal Election Commission and process all requests referred to in paragraph (4) of this Article in accordance with the regulations of the Central Election Commission of BiH and shall deliver these data to the Central Election Commission of BiH in order to record changes in excerpt from the Central Voters Register for out-of-country voting.

(6) If a citizen of BiH who is recorded in the excerpt of the Central Voters Register for out-of-country voting has returned to BiH after the expiry of the deadline established for submission of applications for out-of-country voting in the next elections, he shall be allowed to vote with the tender-ballot/enveloped ballot in the Polling Station in the basic constituency he has right to vote for.

In paragraph (1) of Article 3.16 words “(2) and (3)” are replaced by words “(4) add (7)”

In the same paragraph, first sentence, the words “**by mail or to the diplomatic and consular mission abroad**” are added after words “*Bosnia and Herzegovina*”

In paragraph (2) the words “**by mail or to the diplomatic and consular mission abroad**” are added after words “*Bosnia and Herzegovina*”

In paragraph (3) the words “**by mail or at the diplomatic and consular mission abroad**” are added after words “*Bosnia and Herzegovina*” and words “*according to the information available to the authority which performs technical maintenance of the records of the Central Voters Register*” are deleted.

In paragraph (4) words: “he is obliged to submit a request to change his voting option to the competent Voters Register Center” are replaced by words “**he will be able to exercise the right to vote by voting with tendered/enveloped ballot**”.

Paragraph (5) becomes paragraph (6), and paragraph (6) becomes paragraph (5).

In paragraph (6) that became paragraph (5) by the changes the words: “out-of-country voting” are replaced by words “**voting by mail or at the diplomatic consular mission abroad**”.

In line with this proposal Article 3.16 reads as follows:

Article 3.16

(1) A citizen of BiH referred to in Article 3.15, paragraphs (1), (4) and (7) of this Law shall be obliged to provide all changes affecting the data that he previously submitted to the Central Election Commission of BiH and based of which he is recorded in the excerpt from the Central Voters Register **by mail or to the diplomatic and consular mission abroad**. The changes of the data must be submitted not later than the deadline established for the submission of applications for out-of-country voting in the next elections.

(2) If a citizen of BiH referred to in Article 3.15, paragraph (1) of this Law fails to submit an application before the deadline established for voting outside Bosnia and Herzegovina **by mail or to the diplomatic and consular mission abroad** in the next elections, he shall be recorded in the excerpt from the Central Voters Register for voting in the appropriate Polling Station in the basic constituency of his permanent residence.

(3) If a citizen of BiH referred to in Article 3.15, paragraph (2) of this Law, fails to submit proof of his permanent residence in BIH in accordance with Article 20.8 of this Law, he shall be recorded in the excerpt from the Central Voters Register for voting outside Bosnia and Herzegovina **by mail or at the diplomatic and consular mission abroad** with the right to vote for the basic constituency of his permanent residence.

(4) If a citizen of BiH, who is recorded in the excerpt from the Central Voters Register for out-of-country voting has returned to BiH before the deadline established for submission of applications for out-of-country

voting in the next elections, **he will be able to exercise the right to vote by voting with tendered/enveloped ballot.**

(5) If a citizen of BiH who is recorded in the excerpt of the Central Voters Register for **voting by mail or at the diplomatic consular mission abroad** has returned to BiH after the expiry of the deadline established for submission of applications for out-of-country voting in the next elections, he shall be allowed to vote with the tender-ballot/enveloped ballot in the Polling Station in the basic constituency he has right to vote for.

(6) Voters Register Center shall receive through the Municipal Election Commission and process all requests referred to in paragraph (4) of this Article in accordance with the regulations of the Central Election Commission of BiH and shall deliver these data to the Central Election Commission of BiH in order to record changes in excerpt from the Central Voters Register for out-of-country voting.

Article 3.17

(1) A citizen of BiH who has the right to vote and is not found in the completed excerpt from the Central Voters Register may vote if he presents a valid identification document referred to in Article 5.12 of this Law and a confirmation on permanent residence.

(2) A voter referred to in paragraph (1) of this Article shall vote in a Polling Station according to his/her permanent residence.

(3) The Central Election Commission of BiH shall regulate the manner and procedure of voting for the voters referred to in paragraph (1) of this Article and the manner to verify these voters right to vote.

Article 3.17 is amended and reads:

Article 3.17

“(1) A citizen of BiH who has the right to vote, and is not registered in the Central Voters’ Register, may in order to exercise the voting right, vote by the tendered ballot if he presents a valid identification document referred to in Article 5.12 of this Law.

(2) A voter referred to in paragraph (1) of this Article shall vote in a Polling Station according to his/her permanent residence.

(3) The right referred to in paragraph (1) of this Article may be exercised by a voter who has reached the age of 18 after the conclusion of the Central Voters’ Register and is not registered in the Central Voters Register and a voter who is registered in the Excerpt for voting outside Bosnia and Herzegovina, who has returned to Bosnia and Herzegovina on the Election Day.

(4) The Central Election Commission of BiH shall regulate the manner and procedure of voting for the voters referred to in paragraph (1) of this Article and the manner to verify these voters right to vote.”

A new Article 3.18 is added after Article 3.17 and reads as follows:

Article 3.18

“The Central Election Commission of BiH shall issue more detailed regulations on the conditions and procedure for the application of this Chapter.”

CHAPTER 4 CERTIFICATION AND CANDIDACY FOR THE ELECTIONS

Article 4.2

In order to be certified for the elections for all bodies of authority at all levels in BiH, an independent candidate or a candidate on a political party, list of independent candidates or a coalition’s candidates list shall meet the following requirements:

1. the candidate must be recorded in the Central Voters Register in the municipality in which he or she is standing for office or in the municipality found within the boundaries of the constituency if he or she is standing for office at the higher levels of authority, no later than by the day when the elections are announced; and
2. the candidate may only run for office in one constituency at any level of authority and may appear only on one political party, coalition or list of independent candidates.

In Article 4.2, paragraph (1) a new item 3 is added and reads:

“3. That a proof was submitted to the Central Election Commission of BiH that he/she has resolved his/her status if he/she performs any of the functions referred to in Article 1.8, paragraph (1) of this Law.”

After the proposal Article 4.2 reads

Article 4.2

In order to be certified for the elections for all bodies of authority at all levels in BiH, an independent candidate or a candidate on a political party, list of independent candidates or a coalition's candidates list shall meet the following requirements:

1. the candidate must be recorded in the Central Voters Register in the municipality in which he or she is standing for office or in the municipality found within the boundaries of the constituency if he or she is standing for office at the higher levels of authority, no later than by the day when the elections are announced; and
2. the candidate may only run for office in one constituency at any level of authority and may appear only on one political party, coalition or list of independent candidates.
- 3. That a proof was submitted to the Central Election Commission of BiH that he/she has resolved his/her status if he/she performs any of the functions referred to in Article 1.8, paragraph (1) of this Law.**

Article 4.4

- (1) The application for certification of a political party or independent candidate must include a list setting out the name, original signature, number of a valid ID card and National Identity number of each voter recorded in the Central Voters Register who supports the application of the political party or independent candidate. The application shall include the account number for financing of election campaign.
- (2) The signature form shall be prescribed by the Central Election Commission of BiH. These forms shall be pre-printed forms and shall contain a space for the name of the political party or independent candidate, and sequential serial numbers.
- (3) Political parties and independent candidates shall only collect signatures on the forms assigned to them by the election commission of BiH. Other forms submitted by a political party or independent candidate shall not be accepted.
- (4) The signature form shall also include the name and surname, number of a valid ID card, original signature and National Identity number of the person(s) who are responsible for collecting the supporter's signatures.
- (5) In order to be certified for participation in the elections, a political party or an independent candidate must present to the Central Election Commission of BiH its application for participation in the elections, which contains at least:
 1. five thousand (5,000) signatures of voters recorded in the Central Voters Register for the elections for the members of the Presidency of BiH;
 2. five thousand (5,000) signatures of voters recorded in the Central Voters Register for the elections for the members of the House of Representatives of the Parliamentary Assembly of BiH;
 3. three thousand (3,000) signatures of voters recorded in the Central Voters Register for the elections for the members of the House of Representatives of the Parliament of the Federation of BiH or for the members of the National Assembly of the Republika Srpska or for the elections for the President and Vice Presidents of Republika Srpska,

4. five hundred (500) signatures of voters recorded in the Central Voters Register for elections for the delegates of the Cantonal Assemblies of the Federation of Bosnia and Herzegovina in a canton in which number of voters recorded in the Central Voters' Register on the day elections were announced did not exceed 100.000 voters, or one thousand (1000) signatures for elections in a canton in which this number exceeded

100.000 of voters recorded in the Central Voters' Register;

5. one hundred signatures of voters recorded in the Central Voters Register for the elections for the Municipal Council/Municipal Assembly and for the Head of Municipality in a municipality where the number of voters recorded in the Central Voters Register on the day when the elections are announced did not exceed ten thousand (10,000) voters, or two hundred (200) signatures for the election in the municipality in which this number exceeded ten thousand (10,000) voters recorded in the Central Voters Register.

6. five % of signatures of voters recorded in the Central Voters Register for the election of Municipal Council or Municipal Assembly and for the Head of Municipality, in a municipality where the number of voters recorded in the Central Voters Register on the day when the elections are announced did not exceed a thousand (1000) voters recorded in the Central Voters Register;

7. supporting signatures submitted for the higher level of authority shall also be applicable to the lower levels of authority included in the higher level of authority.

In Article 4.4 paragraph (2) is amended and reads:

“(2) The application is submitted electronically. After submitting the electronic application in terms of paragraph (1) of this Article, the applicant is obliged to submit the printed version of the electronic application to the Central Election Commission of BiH within the deadline and in the manner determined by the Central Election Commission of Bosnia and Herzegovina.”

In paragraph (5), in items 1 and 2 words “*five thousand (5.000)*” are replaced by words “*seven thousand (7.000)*”, and in item 3 words “*three thousand (3.000)*” are replaced by words “*five thousand (5.000)*”.

In the same paragraph items 4 and 5 are amended and read:

“4. Thousand (1000) signatures of voters recorded in the Central Voters' Register for elections for the delegates of the Cantonal Assemblies of the Federation of Bosnia and Herzegovina in a canton in which number of voters recorded in the Central Voters' Register on the day elections were announced did not exceed 50.000 voters, two thousand (2000) signatures for elections in a canton in which this number ranges between 50.000 and 100.000 of voters recorded in the Central Voters' Register, and three thousand (3.000) signatures for the elections in a canton in which this number exceeds 100.000;

5. For the elections to the Municipal/City Council, Municipal/City Assembly and for the City Mayor and Municipal Mayor, in a municipality where the number of voters recorded in the Central Voters Register on the day when the elections are announced:

- *hundred (100) signatures of voters registered in the Central Voters' Register if the number of voters does not exceed 10.000;*

- *two hundred (200) signatures of voters registered in the Central Voters' Register if the number of voters ranges between 10.000 and 20.000;*
- *three hundred (300) signatures of voters registered in the Central Voters' Register if the number of voters ranges between 20.000 and 50.000;*
- *four hundred (400) signatures of voters registered in the Central Voters' Register if the number of voters ranges between 50.000 a 100.000;*
- *five hundred (500) gnatures of voters registered in the Central Voters' Register if the number of voters exceeds 100.000."*

After this proposal Article 4.4 reads:

Article 4.4

(1) The application for certification of a political party or independent candidate must include a list setting out the name, original signature, number of a valid ID card and National Identity number of each voter recorded in the Central Voters Register who supports the application of the political party or independent candidate. The application shall include the account number for financing of election campaign.

(2) The application is submitted electronically. After submitting the electronic application in terms of paragraph (1) of this Article, the applicant is obliged to submit the printed version of the electronic application to the Central Election Commission of BiH within the deadline and in the manner determined by the Central Election Commission of Bosnia and Herzegovina

(3) Political parties and independent candidates shall only collect signatures on the forms assigned to them by the election commission of BiH. Other forms submitted by a political party or independent candidate shall not be accepted.

(4) The signature form shall also include the name and surname, number of a valid ID card, original signature and National Identity number of the person(s) who are responsible for collecting the supporter's signatures.

(5) In order to be certified for participation in the elections, a political party or an independent candidate must present to the Central Election Commission of BiH its application for participation in the elections, which contains at least:

- 1. seven thousand (7.000) signatures of voters recorded in the Central Voters' Register for the elections for the members of the Presidency of BiH;**
- 2. seven thousand (7.000) signatures of voters recorded in the Central Voters' Register for the elections for the members of the House of Representatives of the Parliamentary Assembly of BiH;**
- 3. five thousand (5.000) signatures of voters recorded in the Central Voters' Register for the elections for the members of the House of Representatives of the Parliament of the Federation of BiH or for the members of the National Assembly of the Republika Srpska or for the elections for the President and Vice Presidents of Republika Srpska,**
- 4. Thousand (1000) signatures of voters recorded in the Central Voters' Register for elections for the delegates of the Cantonal Assemblies of the Federation of Bosnia and Herzegovina in a canton in which number of voters recorded in the Central Voters' Register on the day elections were announced did not exceed 50.000 voters, two thousand (2000) signatures for elections in a canton in which this number ranges between 50.000 and 100.000 of voters recorded in the Central Voters'**

Register, and three thousand (3.000) signatures for the elections in a canton in which this number exceeds 100.000;

5. For the elections to the Municipal/City Council, Municipal/City Assembly and for the City Mayor and Municipal Mayor, in a municipality where the number of voters recorded in the Central Voters Register on the day when the elections are announced:

- hundred (100) signatures of voters registered in the Central Voters' Register if the number of voters does not exceed 10.000;**
- two hundred (200) signatures of voters registered in the Central Voters' Register if the number of voters ranges between 10.000 and 20.000;**
- three hundred (300) signatures of voters registered in the Central Voters' Register if the number of voters ranges between 20.000 and 50.000;**
- four hundred (400) signatures of voters registered in the Central Voters' Register if the number of voters ranges between 50.000 a 100.000;**
- five hundred (500) signatures of voters registered in the Central Voters' Register if the number of voters exceeds 100.000.**

6. five % of signatures of voters recorded in the Central Voters Register for the election of Municipal Council or Municipal Assembly and for the Head of Municipality, in a municipality where the number of voters recorded in the Central Voters Register on the day when the elections are announced did not exceed a thousand (1000) voters recorded in the Central Voters Register;

7. supporting signatures submitted for the higher level of authority shall also be applicable to the lower levels of authority included in the higher level of authority.

Article 4.6

(1) A political party shall submit its application for certification to the Central Election Commission of BiH no later than one hundred and thirty-five (135) days before the date of the elections.

(2) The Central Election Commission of BiH shall certify the application of a political party for participation in the elections if the application meets the requirements as established by this law no later than within 15 days following the day the application is received.

(3) If the Central Election Commission of BiH identifies incorrect or incomplete information, or if it identifies any other deficiency or irregularity in the application in the sense of this law or of an act issued by the Central Election Commission of BiH, after the date of receipt of such notification it shall notify the applicant thereof, who shall be bound to correct the information within two (2) days. Upon the expiration of this deadline in the event that the political party fails to remove the deficiency or irregularity from the application, the Central Election Commission of BiH shall not certify the application of that political party for participation in the elections, the Election Commission of BiH shall decide whether or not to certify or reject the application for participation in the elections.

Paragraph (3) in Article 4.6 is amended and reads:

“(3) If the data provided in the application are incorrect or the application contains some other shortcoming in terms of this Law or a bylaw of the Central Election Commission of BiH, the Central Election Commission of BiH shall notify the applicant thereof, and the applicant shall eliminate the shortcomings within two days of receiving the notification. If the political party does not eliminate the shortcoming referred to in this paragraph within given deadline, the Central Election Commission of BiH shall not certify the application of the political party to participate in the elections.”

A new paragraph (4) is added after paragraph (3) and reads:

“(4) The Central Election Commission of BiH shall decide whether to confirm or reject the application for participation in the elections.”

After this proposal Article 4.6 reads:

Article 4.16

(1) A political party shall submit its application for certification to the Central Election Commission of BiH no later than one hundred and thirty-five (135) days before the date of the elections.

(2) The Central Election Commission of BiH shall certify the application of a political party for participation in the elections if the application meets the requirements as established by this law no later than within 15 days following the day the application is received.

(3) If the data provided in the application are incorrect or the application contains some other shortcoming in terms of this Law or a bylaw of the Central Election Commission of BiH, the Central Election Commission of BiH shall notify the applicant thereof, and the applicant shall eliminate the shortcomings within two days of receiving the notification. If the political party does not eliminate the shortcoming referred to in this paragraph within given deadline, the Central Election Commission of BiH shall not certify the application of the political party to participate in the elections.

(4) The Central Election Commission of BiH shall decide whether to confirm or reject the application for participation in the elections.

Article 4.11

In order to be certified for the elections a political party or independent candidate must present signatures of support as established in Articles 4.4 of this law. One voter may support only one political party or independent candidate in one entity. The Central Election Commission of BiH shall regulate how the signatures of support shall be checked and verified.

In Article 4.11 words “and verified” at the end of the sentence are deleted.

After this proposal Article 4.11 reads as follows:

Article 4.11

In order to be certified for the elections a political party or independent candidate must present signatures of support as established in Articles 4.4 of this law. One voter may support only one political party or independent candidate in one entity. The Central Election Commission of BiH shall regulate how the signatures of support shall be checked.

Article 4.12

- (1) Two or more certified political parties that choose to form a coalition must submit an application for certification under one name to the Central Election Commission of BiH and a decision on the selection of the authorized representative of coalition signed by all presidents of political parties-coalition members and shall also provide the data about the coalition seat and/or address where all correspondence shall be sent to.
- (2) If the name of a coalition is identical to or so similar to a political party or coalition's name that it could cause confusion or mislead a voter, the Central Election Commission of BiH shall determine who has the right to use the name for the purposes of the elections.
- (3) A coalition shall submit its application for certification no later than 110 days before the date of the elections.
- (4) If all requirements established by this Law are met, the Central Election Commission of BiH shall certify the application of a coalition for participation in the elections no later than within 7 (seven) days following the day the application is received.
- (5) If the Central Election Commission of BiH identifies incorrect or incomplete information, or if it identifies any other deficiency or irregularity in the application in the sense of this law or of an act issued by the Central Election Commission of BiH it shall notify the applicant thereof, who shall correct the information within two days, after the date of receipt of such notification. Upon the expiration of this deadline, in the event that the coalition fails to remove the deficiency or irregularity from the application, the Central Election Commission of BiH shall not certify the application of that coalition for participation in the elections.

Paragraph (5) in Article 4.12 is amended and reads:

“(5) If the data provided in the application are incorrect or the application contains some other shortcoming in terms of this Law or a bylaw of the Central Election Commission of BiH, the Central Election Commission of BiH shall notify the applicant thereof, and the applicant shall eliminate the shortcomings within two days of receiving the notification. If the coalition does not eliminate the shortcoming referred to in this paragraph within given deadline, the Central Election Commission of BiH shall not certify the application of the coalition to participate in the elections.”

After this proposal Article 4.12 reads as follows:

Article 4.12

- (1) Two or more certified political parties that choose to form a coalition must submit an application for certification under one name to the Central Election Commission of BiH and a decision on the selection of the authorized representative of coalition signed by all presidents of political parties-coalition members and shall also provide the data about the coalition seat and/or address where all correspondence shall be sent to.
- (2) If the name of a coalition is identical to or so similar to a political party or coalition's name that it could cause confusion or mislead a voter, the Central Election Commission of BiH shall determine who has the right to use the name for the purposes of the elections.
- (3) A coalition shall submit its application for certification no later than 110 days before the date of the elections.
- (4) If all requirements established by this Law are met, the Central Election Commission of BiH shall certify the application of a coalition for participation in the elections no later than within 7 (seven) days following the day the application is received.
- (5) If the data provided in the application are incorrect or the application contains some other shortcoming in terms of this Law or a bylaw of the Central Election Commission of BiH, the Central Election Commission of BiH shall notify the applicant thereof, and the applicant shall eliminate the shortcomings within two days of receiving the notification. If the coalition does not eliminate the shortcoming referred to in this paragraph within given deadline, the Central Election Commission of BiH shall not certify the application of the coalition to participate in the elections.**

Article 4.16

- (1) A political party or independent candidate shall enclose a proof that the government stamps have been paid with its application for certification in the amount determined by the Central Election Commission of BiH for the elections in question. The cash amount paid as the Certification fee shall be refunded if a political party or independent candidate wins:
 1. for members of the BiH Presidency 1/3 of the total number of the votes elected member of the BiH Presidency won in the elections;
 2. for president and vice president of Republika Srpska 1/3 of the total number of votes elected president and vice presidents of Republika Srpska, amongst appropriate constituent people, won in the elections;
 3. for the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, the House of Representatives of the BiH Federation, for the National Assembly of Republika Srpska, and for Cantonal Assemblies in the BIH Federation more than 3% of the total number of valid votes in that constituency;
 4. for the municipal/city mayors 1/3 of the total number of votes elected municipal/city mayor won in the elections;
 5. for the municipal councilors more than 3% of the total number of valid votes in that constituency.

(2) If a coalition or a list of independent candidates had won the votes referred to in paragraph (1) of this Article, it shall be deemed that every political party in the coalition or every independent candidate on the list have met the fee refund conditions.

In Article 4.16, paragraph (1), item 3 the words ***“i.e. the multi-member constituency”***

New paragraph (3) is added after paragraph (2) and reads as follows:

“(3) The paid amount of the certification fee is also refunded in case the application for certification of a political entity is rejected.”

After this proposal Article 4.16 reads as follows:

Article 4.16

(1) A political party or independent candidate shall enclose a proof that the government stamps have been paid with its application for certification in the amount determined by the Central Election Commission of BiH for the elections in question. The cash amount paid as the Certification fee shall be refunded if a political party or independent candidate wins:

1. for members of the BiH Presidency 1/3 of the total number of the votes elected member of the BiH Presidency won in the elections;
2. for president and vice president of Republika Srpska 1/3 of the total number of votes elected president and vice presidents of Republika Srpska, amongst appropriate constituent people, won in the elections;
3. for the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, the House of Representatives of the BiH Federation, for the National Assembly of Republika Srpska, and for Cantonal Assemblies in the BIH Federation more than 3% of the total number of valid votes in that constituency ***i.e. the multi-member constituency***;
4. for the municipal/city mayors 1/3 of the total number of votes elected municipal/city mayor won in the elections;
5. for the municipal councilors more than 3% of the total number of valid votes in that constituency.

(2) If a coalition or a list of independent candidates had won the votes referred to in paragraph (1) of this Article, it shall be deemed that every political party in the coalition or every independent candidate on the list have met the fee refund conditions.

(3) The paid amount of the certification fee is also refunded in case the application for certification of a political entity is rejected.

Article 4.18

The certified political party, coalition or list of independent candidates shall submit to the Central Election Commission of BiH the candidates' lists for certification. Name and last name of the candidate on the candidates' list of a certified political subject must be identical to the name and last name of the candidate in the Central Voters' Register.

New paragraph (2) is added to Article 4.18 and reads:

“(2) The Central Election Commission of BiH shall not accept changes in the name and surname of the candidate after the verification of the candidates' list, unless it is found to be a technical error in the name and surname.”

After this proposal Article 4.18. reads as follows:

Article 4.18

(1) The certified political party, coalition or list of independent candidates shall submit to the Central Election Commission of BiH the candidates' lists for certification. Name and last name of the candidate on the candidates' list of a certified political subject must be identical to the name and last name of the candidate in the Central Voters' Register.

(2) The Central Election Commission of BiH shall not accept changes in the name and surname of the candidate after the verification of the candidates' list, unless it is found to be a technical error in the name and surname.

Article 4.20

The name of a candidate on a political party, coalition or independent candidates list may not be withdrawn after the candidates list is certified by the Central Election Commission of BiH. If the candidate is incapacitated or rejects the mandate after the election results are certified by the Central Election Commission of BiH, the name of the candidate shall be erased from the candidates list and the mandate shall be allocated in accordance with Article 9.10, except for lists in cantons and municipalities which shall be allocated in accordance with Article 13.5. The candidate, or in the event that the candidate is incapacitated, his or her representative must submit the rejection of the mandate in writing to the Central Election Commission of BiH. A candidate may not withdraw his or her candidacy before the certification of the election results.

In Article 4.20 in the second sentence before word “*incapacitated*” the words “**fully legally**” is added, and in third sentence after words “*the candidate is*” word “**fully legally**”.

The last sentence of the Article is deleted.

After this proposal Article 4.20 reads as follows:

Article 4.20

The name of a candidate on a political party, coalition or independent candidates list may not be withdrawn after the candidates list is certified by the Central Election Commission of BiH. If the candidate is **fully legally** incapacitated or rejects the mandate after the election results are certified by the Central Election Commission of BiH, the name of the candidate shall be erased from the candidates list and the mandate shall be allocated in accordance with Article 9.10, except for lists in cantons and municipalities which shall be allocated in accordance with Article 13.5. The candidate, or in the event that the candidate is **fully legally** incapacitated, his or her representative must submit the rejection of the mandate in writing to the Central Election Commission of BiH.

Article 4.21

- (1) Political parties, lists of independent candidates and coalition's candidates' lists must be submitted to the Central Election Commission of BiH no later than 90 days prior to the elections.
- (2) No later than 25 days after a candidates list has been submitted to it, the Central Election Commission of BiH shall review the candidates list and shall certify or reject candidates on the list. The Central Election Commission of Bosnia and Hercegovina shall notify the political party, coalition or list of independent candidates of any rejected individual candidates. A political party, coalition, or list of independent candidates shall have five days after the date of receipt of such notification to correct a candidates list by replacing candidates or providing further documentation if requested by the Central Election Commission of BiH.
- (3) From the certification of the candidates' lists until the mandate of the body expires, the political party, coalition or list of independent candidates may not amend the candidates list nor may a candidate withdrawn his/her candidacy.
- (4) Following certification of the candidates' list and until such time as the printing of the ballots has commenced, a political party, coalition or list of independent candidates shall be entitled to replace a candidate on the list only in case of death of the candidate or if circumstances referred in Article 1.10, paragraph (1), point 5 of this Law occurred in the meanwhile.

In Article 4.21, paragraph (2) a new sentence is added at the end and reads:

“Certification or rejection of the candidates' list must be completed no later than 65 days before Election Day.”

After this proposal Article 4.21 reads as follows:

Article 4.21

- (1) Political parties, lists of independent candidates and coalition's candidates' lists must be submitted to the Central Election Commission of BiH no later than 90 days prior to the elections.
- (2) No later than 25 days after a candidates list has been submitted to it, the Central Election Commission of BiH shall review the candidates list and shall certify or reject candidates on the list. The Central Election Commission of Bosnia and Hercegovina shall notify the political party, coalition or list of independent candidates of any rejected individual candidates. A political party, coalition, or list of independent candidates shall have five days after the date of receipt of such notification to correct a candidates list by replacing candidates or providing further documentation if requested by the Central Election Commission of BiH. **Certification or rejection of the candidates' list must be completed no later than 65 days before Election Day.**
- (3) From the certification of the candidates' lists until the mandate of the body expires, the political party, coalition or list of independent candidates may not amend the candidates list nor may a candidate withdrawn his/her candidacy.
- (4) Following certification of the candidates' list and until such time as the printing of the ballots has commenced, a political party, coalition or list of independent candidates shall be entitled to replace a

candidate on the list only in case of death of the candidate or if circumstances referred in Article 1.10, paragraph (1), point 5 of this Law occurred in the meanwhile.

Article 4.24

(1) Each political party and coalition certified to submit candidates for the House of Representatives of the Parliamentary Assembly of BiH, the House of Representatives of the Parliament of the Federation of BiH, or the National Assembly of the Republika Srpska shall submit a list of candidates for compensatory mandates to the Central Election Commission of Bosnia and Hercegovina. Such list shall be submitted for each of the bodies listed above for which the political party or coalition is certified, within five days of the date of certification of the candidates' lists, as per Article 4.21 of this Law.

(2) The list of candidates for compensatory mandates shall include only the names of candidates already included on the regular candidates lists submitted by the political party or coalition for one or more multi-member constituencies. Candidates on a list of candidates for compensatory mandates may be from the list of any multi-member constituency within the same entity and at the same electoral level. Every candidates' list for compensatory mandates shall include candidates of male and female gender, who are equally represented. The equal representation of the genders shall exist in case when one of the genders is represented with minimum of 40% of the total number of candidates on the list. The minority gender candidates shall be distributed on the candidates' list for compensatory mandates in the following manner: at least one minority gender candidate amongst the first two candidates, two minority gender candidates amongst the first five candidates, and three minority gender candidates amongst the first eight candidates, et seq.

(3) A candidates' list for compensatory mandates may contain a maximum number of so many candidate names as are already certified to a political party or coalition on all regular candidates' lists for all multi-member constituencies within the same entity and at the same electoral level.

(4) Lists of candidates for compensatory mandates shall not be published on the ballot, but shall only be used for purposes of awarding compensatory mandates pursuant to Articles 9.7, 10.6, and 11.6 of the Law. The lists shall be published by the Central Election Commission of BiH in the "Official Gazette of BiH" and in the media.

In Article 4.24, paragraph (4) in the last sentence word: "*list*" is replaced by words "*these lists*".

After this proposal Article 4.24 reads as follows:

Article 4.24

Each political party and coalition certified to submit candidates for the House of Representatives of the Parliamentary Assembly of BiH, the House of Representatives of the Parliament of the Federation of BiH, or the National Assembly of the Republika Srpska shall submit a list of candidates for compensatory mandates to the Central Election Commission of Bosnia and Hercegovina. Such list shall be submitted for each of the bodies listed above for which the political party or coalition is certified, within five days of the date of certification of the candidates' lists, as per Article 4.21 of this Law.

(2) The list of candidates for compensatory mandates shall include only the names of candidates already included on the regular candidates lists submitted by the political party or coalition for one or more multi-member constituencies. Candidates on a list of candidates for compensatory mandates may be from the list of any multi-member constituency within the same entity and at the same electoral level. Every

candidates' list for compensatory mandates shall include candidates of male and female gender, who are equally represented. The equal representation of the genders shall exist in case when one of the genders is represented with minimum of 40% of the total number of candidates on the list. The minority gender candidates shall be distributed on the candidates' list for compensatory mandates in the following manner: at least one minority gender candidate amongst the first two candidates, two minority gender candidates amongst the first five candidates, and three minority gender candidates amongst the first eight candidates, et seq.

(3) A candidates' list for compensatory mandates may contain a maximum number of so many candidate names as are already certified to a political party or coalition on all regular candidates' lists for all multi-member constituencies within the same entity and at the same electoral level.

(4) Lists of candidates for compensatory mandates shall not be published on the ballot, but shall only be used for purposes of awarding compensatory mandates pursuant to Articles 9.7, 10.6, and 11.6 of the Law. **These lists** shall be published by the Central Election Commission of BiH in the "Official Gazette of BiH" and in the media.

Article 4.25

(1) For the purpose of this Chapter, each document or writ submitted to the Central Election Commission BiH by a political party, coalition, independent candidate or independent candidate list shall be considered valid only if it is signed by the person/s indicated in the application for certification as persons authorized for representation and whose signatures are deposited with the Central Election Commission of BiH.

(2) For the purpose of this Chapter, the Central Election Commission of BiH shall have all relations with political parties, coalitions, independent candidate and lists of independent candidates exclusively through the head office of the political party, coalition, independent candidate or independent candidate lists or through a person authorized to represent them before the Central Election Commission of BiH.

In Article 4.25, paragraph (1) a comma is added at the end of the sentence as well as words ***"on form whose design and content shall be prescribed by the Central Election Commission of BiH"***

After this proposal Article 4.25 reads as follows:

Article 4.25

(1) For the purpose of this Chapter, each document or writ submitted to the Central Election Commission BiH by a political party, coalition, independent candidate or independent candidate list shall be considered valid only if it is signed by the person/s indicated in the application for certification as persons authorized for representation and whose signatures are deposited with the Central Election Commission of BiH.

(2) For the purpose of this Chapter, the Central Election Commission of BiH shall have all relations with political parties, coalitions, independent candidate and lists of independent candidates exclusively through the head office of the political party, coalition, independent candidate or independent candidate lists or through a person authorized to represent them before the Central Election Commission of BiH, **on form whose design and content shall be prescribed by the Central Election Commission of BiH.**

CHAPTER 5

CONDUCT OF ELECTIONS

Article 5.1

- (1) Voting shall be conducted at Polling Stations, unless otherwise provided by this law.
- (2) The Polling Stations shall be designated by the Municipal Election Commission no later than 65 days before the Election Day. The Municipal Election Commission, immediately after designating the Polling Stations, shall submit a list of the locations of the Polling Stations to the Central Election Commission of BiH. The Central Election Commission of BiH may change the location of a Polling Station if it determines that the location is not an appropriate location for polling.
- (3) A Polling Station may not be located in a place of worship, a government building, a building which is owned by or is the seat of a political party, or a building that has been used as a place of torture or abuse, or premises in which alcohol is served and consumed.
- (4) Each Polling Station shall be designated by a serial number.
- (5) The Municipal Election Commission shall publicize, no later than 15 days before the Election Day, which Polling Stations have been designated for voting and where the voters will cast their votes.

A new paragraph (2) is added to Article 5.1 and reads as follows:

“(2) Voters who will not be able to vote in person at their polling station on the Election Day for justified reasons, due to professional obligation, education, health or other justified reasons, shall be allowed to vote earlier, within the deadline, in the manner and according to the procedure established by the Central Election Commission of BiH.”

In paragraph (2) that becomes paragraph (3) with these amendments words ***“taking into consideration accessibility of the polling stations for voters with disabilities”*** are added in the first sentence after the words “before the Election Day”.

Earlier paragraphs (2), (3), (4) and (5) become paragraphs (3), (4), (5) and (6).

According to this proposal Article 5.1 reads as follows:

Article 5.1

- (1) Voting shall be conducted at Polling Stations, unless otherwise provided by this law.
- (2) Voters who will not be able to vote in person at their polling station on the Election Day for justified reasons, due to professional obligation, education, health or other justified reasons, shall be allowed to vote earlier, within the deadline, in the manner and according to the procedure established by the Central Election Commission of BiH.**
- (3) The Polling Stations shall be designated by the Municipal Election Commission no later than 65 days before the Election Day **taking into consideration accessibility of the polling stations for voters with disabilities**. The Municipal Election Commission, immediately after designating the Polling Stations, shall submit a list of the locations of the Polling Stations to the Central Election Commission of BiH. The Central Election Commission of BiH may change the location of a Polling Station if it determines that the location is not an appropriate location for polling.

(4) A Polling Station may not be located in a place of worship, a government building, a building which is owned by or is the seat of a political party, or a building that has been used as a place of torture or abuse, or premises in which alcohol is served and consumed.

(5) Each Polling Station shall be designated by a serial number.

(6) The Municipal Election Commission shall publicize, no later than 15 days before the Election Day, which Polling Stations have been designated for voting and where the voters will cast their votes.

Article 5.3

(1) The Municipal Election Commission, as directed by the Central Election Commission of BiH, shall deliver, no later than twelve (12) hours prior to the opening of polling stations on election day, the polling material to the Polling Station Committee, including the required number of ballot boxes, the required number of ballots, the required number of candidates lists, the excerpt from the Central Voters Register for a specific Polling Station, and the form of the Polling Station committee Poll Book whereof the minutes shall be made, signed by all Polling Station Committee members.

(2) In the event that the polling material referred to in the paragraph (1) of this Article is not delivered as complete and correct, the Polling Station Committee shall inform the Municipal Election Commission thereof, and the Municipal Election Commission shall be required to remove all detected deficiencies without delay, but not later than by the time the Polling Station is opened.

(3) The Polling Station Committee shall be responsible for security of the polling material from its receipt until the Polling Station Committee has completed all its duties after the close of the Polling Station, and polling materials have been delivered to the Municipal Election Commission, in accordance with this Law.

In Article 5.3, paragraph (1) after the words “polling station committee” the words ***“at the polling station”*** are added.

New sentence at the end of the same paragraph is added and reads:

“On the night before the opening of the polling station the polling material is stored in locked rooms at the polling station location.”

In paragraph (2) the word ***“immediately”*** is added after the words “polling station committee”.

In paragraph (3) words ***“shall lock the polling material referred to in paragraph (1) of this Article at the polling station in presence of the police immediately upon its receipt and”***

New paragraph (4) is added after paragraph (3) and reads:

“(4) The police shall provide assistance in safeguarding of the polling material referred to in paragraph (1) of this Article.”

After this proposal Article 5.3 reads as follows:

Article 5.3

(1) The Municipal Election Commission, as directed by the Central Election Commission of BiH, shall deliver, no later than twelve (12) hours prior to the opening of polling stations on election day, the polling material to the Polling Station Committee **at the polling station**, including the required number of ballot boxes, the required number of ballots, the required number of candidates lists, the excerpt from the

Central Voters Register for a specific Polling Station, and the form of the Polling Station committee Poll Book whereof the minutes shall be made, signed by all Polling Station Committee members. **On the night before the opening of the polling station the polling material is stored in locked rooms at the polling station location**

(2) In the event that the polling material referred to in the paragraph (1) of this Article is not delivered as complete and correct, the Polling Station Committee shall **immediately** inform the Municipal Election Commission thereof, and the Municipal Election Commission shall be required to remove all detected deficiencies without delay, but not later than by the time the Polling Station is opened.

(3) The Polling Station Committee **shall lock the polling material referred to in paragraph (1) of this Article at the polling station in presence of the police immediately upon its receipt and** shall be responsible for security of the polling material from its receipt until the Polling Station Committee has completed all its duties after the close of the Polling Station, and polling materials have been delivered to the Municipal Election Commission, in accordance with this Law.

(4) The police shall provide assistance in safeguarding of the polling material referred to in paragraph (1) of this Article.

Article 5.4

(1) The Central Election Commission of BiH shall provide to the Polling Station Committee a sufficient number of ballots, which shall include a number of extra ballots in addition to the number of ballots needed for voters of that Polling Station according to the excerpt from the Central Voters Register. The manner in which all ballots issued to a Polling Station are accounted for shall be defined in Regulations issued by the Central Election Commission of BiH.

(2) The number of ballots received and distributed to Polling Stations shall be verified by the competent Municipal Election Commission in accordance with Regulations issued by the Central Election Commission of BiH.

(3) The Central Election Commission of BiH shall issue Regulations for the control of ballots.

In Article 5.4, paragraph (3) words ***“on design, content, paper properties and characteristics, print and”*** are added after the words *“shall issue Regulations for”* and after word *“control”* words ***“issued”*** is added.

After this proposal Article 5.4 reads as follows:

Article 5.4

(1) The Central Election Commission of BiH shall provide to the Polling Station Committee a sufficient number of ballots, which shall include a number of extra ballots in addition to the number of ballots needed for voters of that Polling Station according to the excerpt from the Central Voters Register. The manner in which all ballots issued to a Polling Station are accounted for shall be defined in Regulations issued by the Central Election Commission of BiH.

(2) The number of ballots received and distributed to Polling Stations shall be verified by the competent Municipal Election Commission in accordance with Regulations issued by the Central Election Commission of BiH.

(3) The Central Election Commission of BiH shall issue Regulations *on design, content, paper properties and characteristics, print and* the control of **issued** ballots.

Article 5.5

All members of the Polling Station Committee or their deputies must attend the entire process of voting, including establishment of voting results.

Article 5.5 is amended and reads as follows:

Article 5.5

- (1) President and all members of the polling station committee must be present for the entire process of voting and vote counting.**
- (2) The president and members of the polling station committee shall be replaced by their deputies in the event of their absence during the voting or counting process.**
- (3) At a polling station where more than 350 voters voted, the deputy presidents and deputy members of the polling station committee are obliged to participate in the entire process of vote counting.**

Article 5.6

(1) The President of a Polling Station Committee, together with the other members of the Polling Station Committee, shall take care of order at the Polling Station and the surrounding area. If order at a Polling Station is breached, the President of a Polling Station Committee may require assistance by the police. Voting shall be suspended while police are present at the Polling Station.

(2) When opening the Polling Station, the President of the Polling Station Committee shall have the obligation to assign duties, in accordance with the regulation of the Central Election Commission of Bosnia and Herzegovina, to each member of the Polling Station Committee and to register them in the section of the Polling Station Poll Book designated for the entry of the said data.

(3) The President of a Polling Station Committee may expel from the Polling Station and surrounding area any person disrupting order at the Polling Station. Any expulsion from the Polling Station shall be recorded in the Polling Station Poll Book. The Polling Station Committee shall decide on expulsion of an observer accredited under Chapter 17 of this law.

(4) It is not allowed to carry weapons or dangerous objects at the Polling Station and surrounding area, except for police officers in cases referred to in paragraph 1 of this Article.

(5) It is not allowed to bring to the Polling Station and the surrounding area political insignia and symbols.

In Article 5.6, paragraph (1) words “*may require*” are replaced by words “*shall require*”.

In line with the proposal Article 5.6 reads as follows:

Article 5.6

(1) The President of a Polling Station Committee, together with the other members of the Polling Station Committee, shall take care of order at the Polling Station and the surrounding area. If order at a Polling Station is breached, the President of a Polling Station Committee **shall require** assistance by the police. Voting shall be suspended while police are present at the Polling Station.

(2) When opening the Polling Station, the President of the Polling Station Committee shall have the obligation to assign duties, in accordance with the regulation of the Central Election Commission of Bosnia and Herzegovina, to each member of the Polling Station Committee and to register them in the section of the Polling Station Poll Book designated for the entry of the said data.

(3) The President of a Polling Station Committee may expel from the Polling Station and surrounding area any person disrupting order at the Polling Station. Any expulsion from the Polling Station shall be recorded in the Polling Station Poll Book. The Polling Station Committee shall decide on expulsion of an observer accredited under Chapter 17 of this law.

(4) It is not allowed to carry weapons or dangerous objects at the Polling Station and surrounding area, except for police officers in cases referred to in paragraph 1 of this Article.

(5) It is not allowed to bring to the Polling Station and the surrounding area political insignia and symbols

Article 5.7

(1) A Poll Book shall be kept during the voting process. The Poll Book is a written document in which information related to voting and other events occurring at the Polling Station and the surrounding area, from the opening of the Polling Station until the establishing of the voting results, is recorded. The form of the Poll Book shall be regulated by the Central Election Commission of BiH. The following information shall be recorded in the Poll Book:

1. a list of all election material and the quantities thereof delivered to the Polling Station;
2. a list of all accredited observers at the Polling Station;
3. observations on all important events occurring at the Polling Station; and
4. all information required by this law to be recorded in the Poll Book.

(2) A member of the Polling Station Committee, a voter or an accredited observer shall be entitled to enter into the Poll Book his or her opinion or objections concerning the voting process or deliver them in writing, and receive a receipt issued by the President of the Polling Station committee certifying the submission of such objections. In addition, the President may also inform thereof the Municipal Election Commission. If the person has not signed the Poll Book personally then his or her opinion or objections will not be considered.

(3) If a member of the Polling Station Committee, a voter or an accredited observer is prevented from entering his/her opinions or objections into the Poll Book, such opinions or objections may then be communicated by them to the Municipal Election Commission.

In Article 5.7, paragraph (1) a new sentence ***“The Poll Book shall be kept continuously, in detail and legibly.”***

In line with the proposal Article 5.7 reads as follows:

Article 5.7

(1) A Poll Book shall be kept during the voting process. The Poll Book is a written document in which information related to voting and other events occurring at the Polling Station and the surrounding area, from the opening of the Polling Station until the establishing of the voting results, is recorded. **The Poll Book shall be kept continuously, in detail and legibly.** The form of the Poll Book shall be regulated by the Central Election Commission of BiH. The following information shall be recorded in the Poll Book:

1. a list of all election material and the quantities thereof delivered to the Polling Station;
2. a list of all accredited observers at the Polling Station;
3. observations on all important events occurring at the Polling Station; and
4. all information required by this law to be recorded in the Poll Book.

(2) A member of the Polling Station Committee, a voter or an accredited observer shall be entitled to enter into the Poll Book his or her opinion or objections concerning the voting process or deliver them in writing, and receive a receipt issued by the President of the Polling Station committee certifying the submission of such objections. In addition, the President may also inform thereof the Municipal Election Commission. If the person has not signed the Poll Book personally then his or her opinion or objections will not be considered.

(3) If a member of the Polling Station Committee, a voter or an accredited observer is prevented from entering his/her opinions or objections into the Poll Book, such opinions or objections may then be communicated by them to the Municipal Election Commission.

Article 5.8

Before the polls open, and in the presence of accredited observers, the Polling Station Committee in the composition as foreseen in the Article 5.5 of this law shall:

1. display the empty ballot boxes and seal them;
2. count and record on the appropriate forms the total number of voters for the Polling Station based on the excerpt from the Central Voters Register; and
3. count and record on the appropriate forms the total number of all ballots received by the Polling Station.

New point 4 is added in Article 5.8 and reads:

“4. display in a visible place the list of members of the polling station committee with the name of the political entity that nominated them.”

In line with the proposal Article 5.8 reads as follows:

Article 5.8

Before the polls open, and in the presence of accredited observers, the Polling Station Committee in the composition as foreseen in the Article 5.5 of this law shall:

1. display the empty ballot boxes and seal them;
2. count and record on the appropriate forms the total number of voters for the Polling Station based on the excerpt from the Central Voters Register; and
3. count and record on the appropriate forms the total number of all ballots received by the Polling Station.
- 4. display in a visible place the list of members of the polling station committee with the name of the political entity that nominated them.**

Article 5.9

(1) Voting shall last continuously during the day commencing at 0700 hours and ending at 1900 hours. If there is a disturbance of the order, the President of the Polling Station Committee may interrupt the polling until order is restored. The reasons and causes of the interruption of polling shall be entered into the Poll Book of the Polling Station Committee.

(2) The Polling Station shall close at 1900 hours. Voters who are in line at the Polling Station at the time of closing shall be allowed to cast their vote.

(3) If the polling was interrupted because of the disturbance of order for three (3) hours or less, the polling shall be prolonged for the period of the interruption, which shall be decided by the President of the Polling Station Committee. If the interruption is more than three (3) hours, then the Municipal Election Commission shall decide the length of time for which polling shall be prolonged.

(4) If the Polling Station is not opened on time, the voting in that Polling Station may be extended by the length of time which the delay lasted if the delay is three (3) hours or less. If the delay is more than three

hours, then the Municipal Election Commission shall decide the length of time for which voting shall be extended.

In Article 5.9, words “*for three hours or less*” in paragraphs (3) and (4) are replaced by words “***less than three hours***”.

In line with this proposal Article 5.9 reads as follows:

Article 5.9

(1) Voting shall last continuously during the day commencing at 0700 hours and ending at 1900 hours. If there is a disturbance of the order, the President of the Polling Station Committee may interrupt the polling until order is restored. The reasons and causes of the interruption of polling shall be entered into the Poll Book of the Polling Station Committee.

(2) The Polling Station shall close at 1900 hours. Voters who are in line at the Polling Station at the time of closing shall be allowed to cast their vote.

(3) If the polling was interrupted because of the disturbance of order for **less than three (3) hours**, the polling shall be prolonged for the period of the interruption, which shall be decided by the President of the Polling Station Committee. If the interruption is more than three (3) hours, then the Municipal Election Commission shall decide the length of time for which polling shall be prolonged.

(4) If the Polling Station is not opened on time, the voting in that Polling Station may be extended by the length of time which the delay lasted if the delay is **less than three (3) hours**. If the delay is more than three hours, then the Municipal Election Commission shall decide the length of time for which voting shall be extended.

Article 5.10

The Central Election Commission of BiH and the competent authorities responsible for the conduct of elections shall ensure that the voting shall be secret and shall be conducted in person, by the way of a ballot.

In Article 5.10 word “*competent*” are replaced by word “***lower***”.

In the same article words “***or electronically***” are added after word “*ballot*”

In line with the proposal Article 5.10 reads as follows:

Article 5.10

The Central Election Commission of BiH and the **lower** authorities responsible for the conduct of elections shall ensure that the voting shall be secret and shall be conducted in person, by the way of a ballot **or electronically**.

Article 5.13

(1) A member of the Polling Station Committee shall be obliged to identify the voter, shall mark his or her name and surname in the excerpt from the Central Voters Register, the voter shall sign the excerpt from the Central Voters Register and a member of the Polling Station Committee shall issue the appropriate ballot(s).

(2) The signature of a voter in the excerpt of the Central Voter Register must correspond to the signature on the identification document the voter presented to the Polling Station committee member, about which the Polling Station Committee member shall have the obligation to warn him, and it is the responsibility of the member of the Polling Station Committee to ascertain that.

Paragraph (2) of Article 5.13 is amended and reads:

“(2) A member of the polling station committee shall have the responsibility and duty to warn each voter that the signature on the excerpt from the Central Voters' Register must be identical to the signature on the identification document presented to the member of the polling station committee for identification referred to in paragraph (1) of this Article.”

In line with the proposal Article 5.13 reads as follows:

Article 5.13

(1) A member of the Polling Station Committee shall be obliged to identify the voter, shall mark his or her name and surname in the excerpt from the Central Voters Register, the voter shall sign the excerpt from the Central Voters Register and a member of the Polling Station Committee shall issue the appropriate ballot(s).

(2) A member of the polling station committee shall have the responsibility and duty to warn each voter that the signature on the excerpt from the Central Voters' Register must be identical to the signature on the identification document presented to the member of the polling station committee for identification referred to in paragraph (1) of this Article.

Article 5.14

(1) The Central Election Commission of BiH shall determine the format and layout (form and contents) of the ballots for direct elections at all levels of authority in BiH.

(2) The ballot shall allow a voter to vote for only one of the following options:

1. an independent candidate, if there are any;
2. a political party, coalition, or independent candidates list, if there are any; or
3. within one list of candidates of one political party, coalition, or list of independent candidates, the opportunity to mark one or more candidates on the one list chosen by the voter. Where a voter has validly marked one or more candidates on one list, the list shall be considered to have received one valid vote for the purpose of allocating mandates.

(3) A voter may cast his or her vote only as provided in this Article.

In Article 5.14 words “*format and contents*” are replaced by words: “***format, content, features and characteristics***”.

In paragraph (2), point 3 word “*more*” is replaced by words “***maximum of three***”.

In paragraph (3) after word “member” words “***which shall be regulated in detail by a bylaw of the Central Election Commission of BiH***” are added.

Once the above-proposed amendment has been incorporated, Article 5.14 shall read as follows:

Article 5.14

(1) The Central Election Commission of BiH shall determine the **format, content, features and characteristics** of the ballots for all levels of direct elections in Bosnia and Herzegovina.

(2) The ballot shall allow the eligible voter to vote for only one of the following options:

1. an independent candidate; or

2. a political party, coalition, or independent candidates list, or

3. within one list of candidates of one political party, coalition, or list of independent candidates, the opportunity to mark one or a **maximum of three** candidates. If an eligible voter has validly marked one or a **maximum of three** candidates on one list, the list shall be considered to have received one valid vote for the purpose of allocating mandates.

(3) A voter may cast his or her vote only as provided in this article, **which shall be regulated in detail by a bylaw of the Central Election Commission of BiH**.

Article 5.15

(1) A ballot shall contain only the following elements:

1. date of the election;
2. name of the body for which election is being made;
3. names of political parties, coalitions, lists of independent candidates and names of independent candidates designated with the marking as “independent candidate” in the sequence specified in the collective list based on the lottery conducted to determine their order on the ballot, and names of all the candidates; and
4. instructions on the manner of using and marking the ballot.

(2) A lottery number shall be drawn for each political party, coalition, list of independent candidates and independent candidate to determine their order on the ballot. The lottery number shall be used for the political party or coalition at every level of elections in which this political party or coalition appears on

the ballot. The Central Election Commission of BiH shall publicize the location, date, and time at which the lottery for ballot order shall be held. Representatives of political parties, coalitions, and lists of independent candidates, independent candidates, and other accredited observers may attend the lottery.

In Article 5.15, Paragraph (1), Sub-Paragraph 4 the words “using and” shall be erased.

In Paragraph (2), in the third sentence, words “**determine the method and procedures for the lottery,**” shall be added after words “Central Election Commission of BiH shall”.

Once the above-proposed amendment has been incorporated, Article 5.15 shall read as follows:

Article 5.15

(1) A ballot shall contain only the following elements:

1. date of the election;
2. name of the body for which election is being made;
3. names of political parties, coalitions, lists of independent candidates and names of independent candidates designated with the marking as “independent candidate” in the sequence specified in the collective list based on the lottery conducted to determine their order on the ballot, and names of all the candidates; and
4. instructions on the manner of marking the ballot.

(2) A lottery number shall be drawn for each political party, coalition, list of independent candidates and independent candidate to determine their order on the ballot. The lottery number shall be used for the political party or coalition at every level of elections in which this political party or coalition appears on the ballot. The Central Election Commission of BiH shall **determine the method and procedures for the lottery**, publicize the location, date, and time at which the lottery for ballot order shall be held. Representatives of political parties, coalitions, lists of independent candidates, independent candidates, and other accredited observers may attend the lottery.

Article 5.17

A ballot shall be invalid if:

1. it is filled in or is filled in in such a way that it is not possible to reliably ascertain for which political party, coalition, independent candidate, or list of independent candidates a voter has cast his or her vote;
2. names of candidates have been added in writing; or
3. more than one political party, coalition, independent candidate or list of independent candidates has been marked; or

4. the voter can be identified based on markings added by the voter to the ballot, such as a signature;
or
5. the voter marks the ballot in a manner other than as provided by Article 5.14 of the Law.

In Article 5.17, Paragraph (1), Sub-Paragraph 1 shall be erased. Previously Sub-Paragraph 5 shall become Sub-Paragraph 1 and word “**or**” shall be added to the end of the sentence.

In Sub-Paragraph 4, the punctuation mark “;” and word “or” at the end of the sentence shall be erased and a full stop shall be added.

Following Paragraph (1), a new Paragraph (2) shall be added to read as follows:

“(2) A ballot which is not filled in shall not be considered invalid and it shall be statistically recorded in a separate manner.”

Once the above-proposed amendment has been incorporated, Article 5.17 shall read as follows:

Article 5.17

A ballot shall be invalid if:

1. the voter marks the ballot in a manner other than as provided by Article 5.14 of the Law; or
2. names of candidates have been added in writing; or
3. more than one political party, coalition, independent candidate or list of independent candidates has been marked; or
4. the voter can be identified based on markings added by the voter to the ballot, such as a signature.

(2) A ballot which is not filled in shall not be considered invalid and it shall be statistically recorded in a separate manner.

Article 5.19

(1) Upon request of an eligible voter who is blind, illiterate or bodily incapacitated, the President of the Polling Station Committee shall approve the procedure wherein another person, selected by the eligible voter concerned, may assist the eligible voter in signing the excerpt from the Central Voters Register, and casting the vote.

(2) The assisting person may not be a member of the Polling Station Committee, an accredited observer, or an observer of a political party, coalition, list of independent candidates or independent candidate.

(3) The person assisting the eligible voter shall print his or her name and sign the excerpt from the Central Voters Register next to the name of the eligible voter whom he or she assisted. The person assisting the eligible voter does not need to be a registered voter.

(4) A person may, in terms of Paragraphs 1 and 2 of this article, help only one eligible voter.

In Article 5.19, a new Paragraph (5) shall be added to read as follows:

“(5) Central Election Commission of BiH shall regulate the method of implementation of this Article with a bylaw.”

Once the above-proposed amendment has been incorporated, Article 5.19 shall read as follows:

Article 5.19

(1) Upon request of an eligible voter who is blind, illiterate or bodily incapacitated, the President of the Polling Station Committee shall approve the procedure wherein another person, selected by the eligible voter concerned, may assist the eligible voter in signing the excerpt from the Central Voters Register, and casting the vote.

(2) The assisting person may not be a member of the Polling Station Committee, an accredited observer, or an observer of a political party, coalition, list of independent candidates or independent candidate.

(3) The person assisting the eligible voter shall print his or her name and sign the excerpt from the Central Voters Register next to the name of the eligible voter whom he or she assisted. The person assisting the eligible voter does not need to be a registered voter.

(4) A person may, in terms of Paragraphs 1 and 2 of this article, help only one eligible voter.

(5) Central Election Commission of BiH shall regulate the method of implementation of this Article with a bylaw.

Article 5.21

(1) A citizen of BiH who has the right to vote and is abroad shall have the right to vote by mail. The Central Election Commission of BiH shall regulate the manner and procedure of voting by BiH citizens by mail.

(2) The Central Election Commission of BiH shall establish regulations for voting by citizens of BiH who have the right to vote and are homebound due to old age, illness or disability, who are prisoners or confined to institutions.

In Article 5.21, Paragraph (2), after the word “disability”, the following words shall be added: **“or they will not be able for justified reasons to vote in person at their polling station on the day of election,”**

Once the above-proposed amendment has been incorporated, Article 5.21 shall read as follows:

Article 5.21

(1) A citizen of BiH who has the right to vote and is abroad shall have the right to vote by mail. The Central Election Commission of BiH shall regulate the manner and procedure of voting by BiH citizens by mail.

(2) The Central Election Commission of BiH shall establish regulations for voting by citizens of BiH who have the right to vote and are homebound due to old age, illness or disability, **or they will not be able for justified reasons to vote in person at their polling station on the day of election**, who are prisoners or confined to institutions.

Article 5.23

(1) If ballots are counted at the Polling Station, the Polling Station Committee shall start establishing the voting results after completion of the voting process and closure of the Polling Station.

(2) The Polling Station Committee shall count the unused and spoiled ballots first, and put them into separate packages to be sealed.

(3) The Polling Station Committee shall then separately count the number of eligible voters who signed the excerpts from the Central Voters Register, the number of eligible voters who signed the special form described in Article 5.18 of this law, and determine the total number of eligible voters who voted at the Polling Station and shall record this information on the appropriate forms. The Polling Station Committee shall then open the ballot boxes one by one, and count the envelopes containing the tendered ballots if any, as well as the ballots contained in the ballot box. After that, the Polling Station Committee shall count the valid ballots used to cast votes for each individual political party, coalition, list of independent candidates, independent candidate, as well as the number of votes for each candidate on a list of candidates, and shall determine the number of invalid ballots.

In Article 5.23, Paragraph (1), the words “establishing the voting results after completion of the voting process” shall be replaced with the following words: **“counting of votes after completion of the voting process”**.

Once the above-proposed amendment has been incorporated, Article 5.23 shall read as follows:

Article 5.23

(1) If ballots are counted at the Polling Station, the Polling Station Committee shall start **counting of votes after completion of the voting process** and closure of the Polling Station.

(2) The Polling Station Committee shall count the unused and spoiled ballots first, and put them into separate packages to be sealed.

(3) The Polling Station Committee shall then separately count the number of eligible voters who signed the excerpts from the Central Voters Register, the number of eligible voters who signed the special form described in Article 5.18 of this law, and determine the total number of eligible voters who voted at the

Polling Station and shall record this information on the appropriate forms. The Polling Station Committee shall then open the ballot boxes one by one, and count the envelopes containing the tendered ballots if any, as well as the ballots contained in the ballot box. After that, the Polling Station Committee shall count the valid ballots used to cast votes for each individual political party, coalition, list of independent candidates, independent candidate, as well as the number of votes for each candidate on a list of candidates, and shall determine the number of invalid ballots.

Article 5.25

(1) Except in the case in which the Central Election Commission of BiH determines that the count shall be fully or partially conducted in counting centers, in accordance with Article 5.22, Paragraph 2 of this Law, the following information shall be recorded on the appropriate forms by the Polling Station Committee after the closing of the Polling Station and completion of the counting procedure:

1. the total number of all ballots cast;
2. the total number of valid votes cast for each political party, coalition, list of independent candidates and independent candidate;
3. the total number of votes for each individual candidate on a candidates list;
4. the total number of invalid ballots, stating separately the number of ballots that are invalid because they are blank and the number of ballots that are invalid due to wrong markings;
5. the total number of spoiled ballots;
6. the total number of tendered ballots contained in the ballot box if appropriate; and
7. the total number of unused ballots.

(2) The Polling Station Poll Book and the appropriate forms shall be signed by all members of the Polling Station Committee. If a member refuses to sign, then the President or one of the signing members shall record this and the reason why the member will not sign.

In the Article 5.25, Paragraph (1), Sub-Paragraph 4, the punctuation mark “,” and the words “*stating separately the number of ballots that are invalid because they are blank and the number of ballots that are invalid due to wrong markings*” shall be erased.

After the point 4 a new point 5 shall be added to read as follows:

“5. the total number of unfilled ballots;”

Previously points 5, 6 and 7 shall become points 6, 7 and 8.

Once the above-proposed amendment has been incorporated, Article 5.25 shall read as follows:

Article 5.25

(1) Except in the case in which the Central Election Commission of BiH determines that the count shall be fully or partially conducted in counting centers, in accordance with Article 5.22, Paragraph 2 of this Law,

the following information shall be recorded on the appropriate forms by the Polling Station Committee after the closing of the Polling Station and completion of the counting procedure:

1. the total number of all ballots cast;
2. the total number of valid votes cast for each political party, coalition, list of independent candidates and independent candidate;
3. the total number of votes for each individual candidate on a candidates list;
4. the total number of invalid ballots;
5. **the total number of unfilled ballots;**
6. the total number of spoiled ballots;
7. the total number of tendered ballots contained in the ballot box if appropriate; and
8. the total number of unused ballots.

(2) The Polling Station Poll Book and the appropriate forms shall be signed by all members of the Polling Station Committee. If a member refuses to sign, then the President or one of the signing members shall record this and the reason why the member will not sign.

Article 5.26

(1) After establishing the voting results, the Polling Station Committee shall immediately, and no later than 12 hours after the close of the Polling Station, deliver the Polling Station Poll Book, the excerpt from the Central Voters Register, all the special forms described in Article 5.18 of this law, all tendered ballots, valid ballots, invalid ballots, unused and spoiled ballots separately, and all other forms required by the Central Election Commission of BiH, to the competent Municipal Election Commission. The President of the Polling Station Committee shall retain a copy of the report on results of the voting.

(2) The President of the Polling Station Committee shall post the table containing a detailed overview for the voting results categorized by political entity and candidate at the Polling Station so that the results can be publicly viewed, and copies of the results of voting shall be handed over to the accredited observers overseeing the work of the Polling Station Committee upon their request.

(3) The Polling Station Committee shall deliver all remaining election materials to the Municipal Election Commission.

In the Article 5.26, Paragraph 1, the words “*establishing the voting results*” shall be replaced with the words: “**completion of the process of counting**”.

Once the above-proposed amendment has been incorporated, Article 5.26 shall read as follows:

Article 5.26

- (1) After **completion of the process of counting**, the Polling Station Committee shall immediately, and no later than 12 hours after the close of the Polling Station, deliver the Polling Station Poll Book, the excerpt from the Central Voters Register, all the special forms described in Article 5.18 of this law, all tendered ballots, valid ballots, invalid ballots, unused and spoiled ballots separately, and all other forms required by the Central Election Commission of BiH, to the competent Municipal Election Commission. The President of the Polling Station Committee shall retain a copy of the report on results of the voting.
- (2) The President of the Polling Station Committee shall post the table containing a detailed overview for the voting results categorized by political entity and candidate at the Polling Station so that the results can be publicly viewed, and copies of the results of voting shall be handed over to the accredited observers overseeing the work of the Polling Station Committee upon their request.
- (3) The Polling Station Committee shall deliver all remaining election materials to the Municipal Election Commission.

Article 5.27

- (1) After receiving all the election-related documents and materials from the Polling Station Committees, the Municipal Election Commission shall establish a consolidated summary of the results of voting within the area of the municipality for the bodies at all levels of authority at which the elections were conducted and shall make a report accordingly, which shall be submitted to the Central Election Commission of BiH within 24 hours after closing of the polls. The consolidated summary of results for the municipality shall contain the same information as required under Article 5.25 of this Law. The Municipal Election Commission shall retain a copy of the consolidated summary of results of the voting and distribute it to other electoral bodies in line with the regulations of the Central Election Commission of BiH.
- (2) The Municipal Election Commission shall post the table containing a detailed overview for the consolidated summary of the results of voting categorized by political entity and candidate for public viewing, and copies of consolidated voting results shall be delivered to accredited observers of activities of the Municipal Election Commission upon their request.

In the Article 5.27, Paragraph (1) a new sentence ***“Election results controllers shall have the obligation to enter the election results from the Polling Station voting results forms, and from the forms for correctly consolidated established election results.”*** shall be added after the words: “of this Law”.

Once the above-proposed amendment has been incorporated, Article 5.27 shall read as follows:

Article 5.27

- (1) After receiving all the election-related documents and materials from the Polling Station Committees, the Municipal Election Commission shall establish a consolidated summary of the results of voting within the area of the municipality for the bodies at all levels of authority at which the elections were conducted

and shall make a report accordingly, which shall be submitted to the Central Election Commission of BiH within 24 hours after closing of the polls. The consolidated summary of results for the municipality shall contain the same information as required under Article 5.25 of this Law. **Election results controllers shall have the obligation to enter the election results from the Polling Station voting results forms, and from the forms for correctly consolidated established election results.** The Municipal Election Commission shall retain a copy of the consolidated summary of results of the voting and distribute it to other electoral bodies in line with the regulations of the Central Election Commission of BiH.

(2) The Municipal Election Commission shall post the table containing a detailed overview for the consolidated summary of the results of voting categorized by political entity and candidate for public viewing, and copies of consolidated voting results shall be delivered to accredited observers of activities of the Municipal Election Commission upon their request.

Article 5.30

(1) After the Central Election Commission of BiH establishes and announces the election results, the Municipal Election Commission, a certified political party, coalition, list of independent candidates, or independent candidate may request that a recount of ballots be conducted by the Central Election Commission of BiH in specified electoral units in which the political party, coalition, list of independent candidates, or independent candidate stood for election. An accredited observer may request that a recount of ballots be conducted by the Central Election Commission of BiH at the Polling Station at which the observer observed. A certified political party, coalition, list of independent candidates, independent candidate, or observer may request that a recount of ballots be conducted by the Central Election Commission of BiH for absentee ballots, ballots cast outside BiH or tendered/enveloped ballots.

(2) A group of 50 or more voters who voted at the same Polling Station may request that a recount of ballots be conducted by the Central Election Commission of BiH at the Polling Station at which they voted.

(3) A Municipal Election Commission may request that a recount of ballots be conducted by the Central Election Commission of BiH at a Polling Station in its municipality.

(4) The Central Election Commission of BiH shall consider a request for recount if the request meets the following requirements:

1. the request is in writing and signed by the accredited observer, group of 50 or more voters who voted at the same Polling Station, independent candidate, president of the political party, leader of a list of independent candidates, any of the presidents of political parties which formed a coalition, or Municipal Election Commission;
2. the request states with specificity the facts which justify a recount, including the specific Articles of this Law which were disregarded or violated;
3. the request states with specificity the approximate number of ballots believed to have been affected;
4. the request states how the results would have been affected by the violation of the Law, and
5. the request is presented to the Central Election Commission of BiH within three days following the

date when the Central Election Commission of BiH announced the election results.

(5) The Central Election Commission of BiH may order a recount, ex officio, even if no request for recount has been made under Paragraph 1 of this Article or if the request for recount has been deemed invalid under Paragraph 3 of this article.

(6) The Central Election Commission of BiH shall order a recount if it is established that this Law was violated and that the violation affects the allocation of mandates.

In the Article 5.30, Paragraph (4), point 5, the words “three days” shall be replaced with the words “**72 hours**”.

Once the above-proposed amendment has been incorporated, Article 5.30 shall read as follows:

Article 5.30

(1) After the Central Election Commission of BiH establishes and announces the election results, the Municipal Election Commission, a certified political party, coalition, list of independent candidates, or independent candidate may request that a recount of ballots be conducted by the Central Election Commission of BiH in specified electoral units in which the political party, coalition, list of independent candidates, or independent candidate stood for election. An accredited observer may request that a recount of ballots be conducted by the Central Election Commission of BiH at the Polling Station at which the observer observed. A certified political party, coalition, list of independent candidates, independent candidate, or observer may request that a recount of ballots be conducted by the Central Election Commission of BiH for absentee ballots, ballots cast outside BiH or tendered/enveloped ballots.

(2) A group of 50 or more voters who voted at the same Polling Station may request that a recount of ballots be conducted by the Central Election Commission of BiH at the Polling Station at which they voted.

(3) A Municipal Election Commission may request that a recount of ballots be conducted by the Central Election Commission of BiH at a Polling Station in its municipality.

(4) The Central Election Commission of BiH shall consider a request for recount if the request meets the following requirements:

1. the request is in writing and signed by the accredited observer, group of 50 or more voters who voted at the same Polling Station, independent candidate, president of the political party, leader of a list of independent candidates, any of the presidents of political parties which formed a coalition, or Municipal Election Commission;
2. the request states with specificity the facts which justify a recount, including the specific Articles of this Law which were disregarded or violated;
3. the request states with specificity the approximate number of ballots believed to have been affected;

4. the request states how the results would have been affected by the violation of the Law, and
 5. the request is presented to the Central Election Commission of BiH within **72 hours** following the date when the Central Election Commission of BiH announced the election results.
- (5) The Central Election Commission of BiH may order a recount, ex officio, even if no request for recount has been made under Paragraph 1 of this Article or if the request for recount has been deemed invalid under Paragraph 3 of this article.
- (6) The Central Election Commission of BiH shall order a recount if it is established that this Law was violated and that the violation affects the allocation of mandates.

Article 5.32

- (1) After completion of a recount of ballots and after the expiry of the deadline for filing of an appeal, i.e. after the decisions have become final and binding, the Central Election Commission of BiH shall verify the election results for the bodies of authority at each level, within 30 days after the elections are held.
- (2) The Central Election Commission of BiH shall issue the regulations governing the verification of the election results.

In the Article 5.32, Paragraph (1), after the words “*at each level*”, the words “**as a rule,**” shall be added, and after the words “*30 days*”, the words “**and not later than 45 days**” shall be added.

Following the Paragraph (1), a new Paragraph (2) shall be added to read as follows:

“(2) *The decision of the Central Election Commission of BiH on verification of election results is final, binding and cannot be appealed.*”

The previously Paragraph (2) shall become Paragraph (3).

Once the above-proposed amendment has been incorporated, Article 5.32 shall read as follows:

Article 5.32

- (1) After completion of a recount of ballots and after the expiry of the deadline for filing of an appeal, i.e. after the decisions have become final and binding, the Central Election Commission of BiH shall verify the election results for the bodies of authority at each level, **as a rule**, within 30 days **and not later than 45 days** after the elections are held.
- (2) The decision of the Central Election Commission of BiH on verification of election results is final, binding and cannot be appealed.**
- (3) The Central Election Commission of BiH shall issue the regulations governing the verification of the election results.

CHAPTER 6 PROTECTION OF THE ELECTORAL RIGHT

Article 6.2

(1) Any voter and any political entity whose right established by this Law is violated may file a complaint with the election commission not later than within 48 hours, or within 24 hours in the election period after the violation occurred, unless otherwise specified by this Law.

(2) The election commissions may, upon receiving information concerning violations from the scope of their competence, initiate a procedure by virtue of their authority against a political entity and persons employed or those otherwise engaged in the election administration because of the violations of the provisions of this Law.

(3) The initiative for the procedure, in terms of Paragraph 2 of this Article, may be launched by a legal or natural entity to the competent Election Commission, in writing, whereby information about the place, time, content of the violation and name of the perpetrator shall be mandatory.

In the Article 6.2, Paragraph (2), after the words “*election commissions may, upon receiving*”, the word “**any**” shall be added.

In the Paragraph (3), the words “*launched by a legal or natural entity*” shall be replaced with the word “**submitted**”.

Once the above-proposed amendment has been incorporated, Article 6.2 shall read as follows:

Article 6.2

(1) Any voter and any political entity whose right established by this Law is violated may file a complaint with the election commission not later than within 48 hours, or within 24 hours in the election period after the violation occurred, unless otherwise specified by this Law.

(2) The election commissions may, upon receiving **any** information concerning violations from the scope of their competence, initiate a procedure by virtue of their authority against a political entity and persons employed or those otherwise engaged in the election administration because of the violations of the provisions of this Law.

(3) The initiative for the procedure, in terms of Paragraph 2 of this Article, may be **submitted** to the competent Election Commission, in writing, whereby information about the place, time, content of the violation and name of the perpetrator shall be mandatory.

Article 6.3

(1) The complaint shall be filed using the form prescribed by the Central Election Commission of BiH. It shall contain a brief description of the committed violation and, as an attachment, the evidence that confirms the allegations of the complaint. The complaint also must be signed by the complainant. If the complainant

is a political party or a coalition or a list of independent candidates, it shall be signed by the President or the authorized representative of the political party or the coalition or the list of independent candidates or a person authorized by them, with the authorization attached to the complaint. The data about the authorized representative shall be deposited with the Municipal Election Commission.

(2) The complaint shall be sent to all parties that are mentioned in the complaint without delay. The parties mentioned in the complaint shall have the opportunity to respond in writing within 24 hours after receiving the complaint. The authorized bodies may order a hearing of the parties.

(3) The Central Election Commission of BiH shall establish the procedural guidelines for adjudicating complaints filed with election commissions.

(4) The complaint which has been filed by an unauthorized person under Article 6.2 of this Law or which has been filed untimely or is incomplete, shall be rejected.

(5) The complaint shall also be rejected if it is impossible to establish who has submitted the complaint. The filed complaint or appeal in the procedure of protection of the electoral right shall not postpone the conduct of election-related activities prescribed by this Law.

In the Article 6.3, Paragraph (1), after the words “shall be filed”, the word “**only**” shall be added, and after the words “Central Election Commission of BiH”, the words “**or through the electronic application**” shall be added.

In Paragraph (4), after the words “*or is incomplete,*” the words “**or is not filed in line with Paragraph (1) of this Article**” shall be added.

Once the above-proposed amendment has been incorporated, Article 6.3 shall read as follows:

Article 6.3

(1) The complaint shall be filed **only** using the form prescribed by the Central Election Commission of BiH **or through the electronic application**. It shall contain a brief description of the committed violation and, as an attachment, the evidence that confirms the allegations of the complaint. The complaint also must be signed by the complainant. If the complainant is a political party or a coalition or a list of independent candidates, it shall be signed by the President or the authorized representative of the political party or the coalition or the list of independent candidates or a person authorized by them, with the authorization attached to the complaint. The data about the authorized representative shall be deposited with the Municipal Election Commission.

(2) The complaint shall be sent to all parties that are mentioned in the complaint without delay. The parties mentioned in the complaint shall have the opportunity to respond in writing within 24 hours after receiving the complaint. The authorized bodies may order a hearing of the parties.

(3) The Central Election Commission of BiH shall establish the procedural guidelines for adjudicating complaints filed with election commissions.

(4) The complaint which has been filed by an unauthorized person under Article 6.2 of this Law or which has been filed untimely or is incomplete, **or is not filed in line with Paragraph (1) of this Article**, shall be rejected.

(5) The complaint shall also be rejected if it is impossible to establish who has submitted the complaint. The filed complaint or appeal in the procedure of protection of the electoral right shall not postpone the conduct of election-related activities prescribed by this Law.

Article 6.6

(1) The Central Election Commission of BiH shall have the first-instance competence to decide on complaints submitted for violation of rules of the election process, electoral rights, violations referred to in Chapter 16 of this Law committed by a political entity and violations referred to in Article 7.3, Paragraph (1), Sub-Paragraph 3 and 7, Article 7.3, Paragraph (2) and Article 7.4, Paragraph (1), Sub-Paragraph 3 of this Law.

(2) Decisions of election commissions may be appealed to the Central Election Commission of BiH, within 48 hours following the receipt of the first-instance decision.

(3) The Central Election Commission of BiH shall adjudicate the complaint and appeal and make a decision no later than within 48 hours from the expiration of the deadline referred to in Article 6.3 Paragraph 3 of this Law. The Central Election Commission of BiH shall immediately notify the complainant and the other parties of its decision.

(4) A complaint or appeal which has been filed by an unauthorized person under Article 6.2 of this Law, or a complaint or appeal which have been filed untimely, shall be rejected.

(5) When adjudicating an appeal or complaint, the Central Election Commission of BiH may proceed on the facts established or may conduct hearings. The Central Election Commission of BiH may allow parties to present new evidence or base its decisions on documents from the written records of the lower-instance commissions.

In Article 6.6, after Paragraph (3), a new Paragraph (4) shall be added to read as follows:

“(4) As an exception in especially complex cases when, in order to establish facts and circumstances which are significant for resolving the matter, it is necessary to conduct a hearing of the parties and witnesses, and to gain an insight and read a large amount of material evidence, the Central Election Commission of BiH shall conduct the procedure within 3 and no longer than 5 days after the expiry of the deadline from the Article 6.3, Paragraph (2) of this Law.”

Previously Paragraph (4) and (5) shall become Paragraphs (5) and (6).

After previously Paragraph (5) which shall become Paragraph (6) once this amendment has been incorporated, new Paragraphs (7) and (8) shall be added to read as follows:

“(7) The Central Election Commission of BiH shall announce information on filed complaints and appeals in a timely manner.

(8) The Central Election Commission of BiH shall keep a separate register of complaints and appeals, as well as passed decisions. The methods for keeping the register shall be regulated by a bylaw issued by the Central Election Commission of BiH.”

Once the above-proposed amendment has been incorporated, Article 6.6 shall read as follows:

Article 6.6

(1) The Central Election Commission of BiH shall have the first-instance competence to decide on complaints submitted for violation of rules of the election process, electoral rights, violations referred to in Chapter 16 of this Law committed by a political entity and violations referred to in Article 7.3, Paragraph (1), Sub-Paragraph 3 and 7, Article 7.3, Paragraph (2) and Article 7.4, Paragraph (1), Sub-Paragraph 3 of this Law.

(2) Decisions of election commissions may be appealed to the Central Election Commission of BiH, within 48 hours following the receipt of the first-instance decision.

(3) The Central Election Commission of BiH shall adjudicate the complaint and appeal and make a decision no later than within 48 hours from the expiration of the deadline referred to in Article 6.3 Paragraph 3 of this Law. The Central Election Commission of BiH shall immediately notify the complainant and the other parties of its decision.

(4) As an exception in especially complex cases when, in order to establish facts and circumstances which are significant for resolving the matter it is necessary to conduct a hearing of the parties and witnesses, and to gain an insight and read a large amount of material evidence, the Central Election Commission of BiH shall conduct the procedure within 3 and no longer than 5 days after the expiry of the deadline from the Article 6.3, Paragraph (2) of this Law.

(5) A complaint or appeal which has been filed by an unauthorized person under Article 6.2 of this Law, or a complaint or appeal which have been filed untimely, shall be rejected.

(6) When adjudicating an appeal or complaint, the Central Election Commission of BiH may proceed on the facts established or may conduct hearings. The Central Election Commission of BiH may allow parties to present new evidence or base its decisions on documents from the written records of the lower-instance commissions.

(7) The Central Election Commission of BiH shall announce information on filed complaints and appeals in a timely manner.

(8) The Central Election Commission of BiH shall keep a separate register of complaints and appeals, as well as passed decisions. The methods for keeping the register shall be regulated by a bylaw issued by the Central Election Commission of BiH.

Article 6.7

The Central Election Commission of BiH shall have the authority, in adjudicating ex officio or when deciding on appeals and complaints, to order an election commission, the Voters Registration Centre or a Polling Station Committee to undertake measures to correct the identified irregularities. The Central Election Commission of BiH shall also have the authority to impose the following penalties:

1. fines not to exceed 10.000 KM;
2. removal of a candidate from a candidates list when it is determined that the candidate was personally responsible for the violation;
3. de-certification of a political party, coalition, list of independent candidates or independent candidate; and
4. prohibition of engagement of an individual to work at a Polling Station, the Voters Registration Centre, or the Municipal Election Commission or another election commission as established pursuant to Article 2.21 of this Law.
- 5.

Article 6.7 of the Election Law of BiH shall be amended to read as follows:

Article 6.7

(1) The Central Election Commission of BiH shall have the authority, in adjudicating ex officio or when deciding on appeals and complaints, to order an election commission, the Center for Voters' Register, the controllers of election results in counting centers or a Polling Station Committee to undertake measures to correct the identified irregularities.

(2) The Central Election Commission of BiH shall also have the authority to impose the following penalties:

- 1. fines not to exceed 30.000 KM;**
- 2. removal of a candidate from a candidates list when it is determined that the candidate was personally responsible for the violation;**
- 3. de-certification of a political party, coalition, list of independent candidates or independent candidate; and**
- 4. prohibition of engagement of an individual to work at a Polling Station, the Center for Voters' Register, the Municipal Election Commission, the counting centers or another election commission as established pursuant to Article 2.21 of this Law.**

Article 6.9

(1) The Appellate Division of the Court of BiH shall be competent to hear appeals against decisions of the Central Election Commission of BiH. An appeal shall be submitted to the Appellate Division of the Court

of BiH no later than two days after receipt of the decision of the Central Election Commission of BiH by which the decision is taken on implementation of this Law.

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

(3) When deciding on the implementation of this Law, the Appellate Division of the Court of BiH is obliged to make a decision on an appeal within three 3 days from the day of receipt of the appeal.

In Article 6.9, Paragraph (1), the words “**by which the decision is taken on implementation of this Law**” shall be erased.

After Paragraph (3), a new Paragraph (4) shall be added to read as follows:

“(4) The Court of BiH announces the information on decisions pursuant to Paragraph (3) of this Article in a timely manner.”

Once the above-proposed amendment has been incorporated, Article 6.9 of the Election Law shall read as follows:

Article 6.9

- (1) The Appellate Division of the Court of Bosnia and Herzegovina shall have the authority to handle appeals against decisions of the Central Election Commission of BiH. An appeal shall be filed to the Appellate Division of the Court of Bosnia and Herzegovina within two days of the date of receiving the decision of the Central Election Commission of BiH.
- (2) The appeal shall be filed through the Central Election Commission of BiH.
- (3) When deciding on the application of this Law, the Appellate Division of the Court of Bosnia and Herzegovina shall decide on the appeal within three days of the date of receiving the appeal.
- (4) **The Court of BiH shall publish information about decisions referred to in paragraph (3) of this Article in a timely manner.**

CHAPTER 7 RULES OF CONDUCT IN THE ELECTION CAMPAIGN

Title of Chapter 7 shall be amended to read as follows:

***“CHAPTER 7
RULES OF CONDUCT IN THE ELECTION PERIOD***

In Chapter 7, a new Article 7.1 shall be added to read as follows:

“Article 7.1

- (1) **During an early election campaign, running a paid election campaign in electronic and print media or any form of paid public advertisements shall be prohibited, other than organising of internal gatherings of bodies and statutory bodies of political entities, which implies the time period from the election announcement date to the date of the official start of the election campaign.**
- (2) **Running of early election campaign or an election campaign with stereotypical and offensive contents against men and/or women, or a campaign that encourages stereotypical and offensive behaviour based on sex or humiliating treatment of different sexes shall be prohibited.**
- (2) **During the time period referred to in paragraph (1) of this Article, the provisions of Article 7.3 of this Law shall apply accordingly.”**

After Article 7.1, a new Article 7.1a shall be added to read as follows:

“Article 7.1a

Candidates of political parties, coalitions, lists of independent candidates and independent candidates and other participants in the election process shall be free to conduct election activities on the entire territory of Bosnia and Herzegovina throughout the election campaign. Competent authorities shall ensure the freedom of movement of candidates, supporters and eligible voters throughout the election process.”

Existing Article 7.1 shall become Article 7.1b

After Article 7.1, which shall become Article 7.1b once the proposed amendments have been incorporated, new Article 7.1c shall be added to read as follows:

“Article 7.1c

During the election campaign, political entities shall ensure equal promotion of candidates of both sexes in media appearances, public meetings and other forms of the election campaign, in order to ensure equality of candidates of both sexes.”

Article 7.2

- (1) The competent municipal authorities shall ensure equal treatment of political parties, coalitions, lists of independent candidates and independent candidates certified for participation in the elections in their requests to use public places and public facilities for campaign purposes, including holding of meetings, display of notices, placards, posters, and other similar materials.
- (2) It shall be forbidden to remove, cover, damage or alter any printed notices, placards, posters or other materials that are legally used for the purpose of election campaigning by political parties, coalitions, list of independent candidates, or independent candidates. The Central Election Commission of BiH shall forbid any posting, printing and dissemination of notices, placards, posters or other materials used for the purpose of election campaigning by political parties, coalitions, list of independent candidates, or independent candidates, that present women or men in stereotypical and offensive or humiliating ways, and shall order the political party, coalition, list of independent candidates, or independent candidate to remove the posted materials. The decision of the Central Election Commission of BiH shall be final in the administrative procedure; however, an administrative dispute may be initiated against the decision.
- (3) Competent bodies shall not allow political parties, coalitions, lists of independent candidates and independent candidates to display notices, placards and posters, or to place their names or slogans related to the election campaign inside or on the buildings used by government authorities at all levels, public enterprises, public institutions and local communities, on religious facilities, on public roads and public areas, except for the places designated for distribution of posters and advertising.

In Article 7.2, a new paragraph 4 shall be added to read as follows:

“(4) Elected government member or public official shall not use public resources for the purposes of any form of election campaign, own promotion, or promotion of a political entity.”

According to the proposal Article 7.2 shall read as follows:

Article 7.2

(1) The competent municipal authorities shall ensure equal treatment of political parties, coalitions, lists of independent candidates and independent candidates certified for participation in the elections in their requests to use public places and public facilities for campaign purpose, including holding of meetings, display of notices, placards, posters, and other similar materials.

(2) It shall be forbidden to remove, cover, damage or alter any printed notices, placards, posters or other materials that are legally used for the purpose of election campaigning by political parties, coalitions, list of independent candidates, or independent candidates. The Central Election Commission of BiH shall forbid any posting, printing and dissemination of notices, placards, posters or other materials used for the purpose of election campaigning by political parties, coalitions, list of independent candidates, or independent candidates, that present women or men in stereotypical and offensive or humiliating ways, and shall order the political party, coalition, list of independent candidates, or independent candidate to remove the posted materials. The decision of the Central Election Commission of BiH shall be final in the administrative procedure; however, an administrative dispute may be initiated against the decision

(3) Competent bodies shall not allow political parties, coalitions, lists of independent candidates and independent candidates to display notices, placards and posters, or to place their names or slogans related to the election campaign inside or on the buildings used by government authorities at all levels, public enterprises, public institutions and local communities, on religious facilities, on public roads and public areas, except for the places designated for distribution of posters and advertising.

(4) Elected government member or public official shall not use public resources for the purposes of any form of election campaign, own promotion, or promotion of a political entity.

After Article 7.2, a new Article 7.2a shall be added to read as follows:

Article 7.2a

A political entity shall make sure that all notices, placards, posters and other similar materials that were used for election campaigning purposes of the political entity have been removed within 15 days of the election date.

Article 7.3

(1) Candidates and supporters of political parties, lists of independent candidates, lists of members of national minorities and coalitions, as well as independent candidates and their supporters, and election administration officials or those otherwise hired by the election administration shall not:

- 1) carry or display weapons at political meetings, Polling Stations and the surrounding area, or during any gatherings related to the activities of political parties, coalitions, lists of independent candidates and independent candidates in the election process;
- 2) disturb gatherings of other political parties, coalitions and independent candidates, or incite others to conduct such activities;
- 3) prevent journalists from carrying out their duties in accordance with the rules of profession and the election rules;
- 4) promise any financial reward or other material gain with the purpose of gaining support of eligible voters, or threaten supporters of other political parties, coalitions, list of independent candidates or independent candidates;
- 5) induce ineligible voter to vote;
- 6) induce a person to vote more than once in the same election, or to vote in the name of another person; or
- 7) use language which could provoke or incite one to violence or spreading of hatred, or publish or use pictures, symbols, audio and video recordings, text messages, Internet communications or any other materials that can have such effect.

(2) Impersonating on behalf of any political party, coalition, list of independent candidates or independent candidate shall be prohibited.

In Article 7.3 paragraph (1), point 7) words “*language which could provoke or incite one to violence or spreading of hatred, or*” shall be replaced with words “***hate speech, and/or***”, and after the word “*communications*”, a comma is added followed by “***social networks, and mobile applications***”.

New point 8) is added in the same paragraph:

“Abuse of a child for political purposes.”

In paragraph (2), the full stop shall be replaced by a comma, followed by a new sentence to read as follows:

“as well as the abuse of the legal right to participate in the work of a Polling Station Committee on behalf of one political entity contrary to the provision of Article 2.19 of this Law by fictitiously representing a political entity entitled to a seat at the Polling Station Committee, in order to favour another political entity not entitled to the seat at the Polling Station Committee.”

Once the above-proposed amendments have been incorporated, Article 7.3 shall read as follows:

**“Article
7.3**

(1) Candidates and supporters of political parties, lists of independent candidates, lists of members of national minorities and coalitions, as well as independent candidates and their supporters, and election administration officials or those otherwise hired by the election administration shall not:

- 1) carry or display weapons at political meetings, Polling Stations and the surrounding area, or during any gatherings related to the activities of political parties, coalitions, lists of independent candidates and independent candidates in the election process;
- 2) disturb gatherings of other political parties, coalitions and independent candidates, or incite others to conduct such activities;
- 3) prevent journalists from carrying out their duties in accordance with the rules of profession and the election rules;
- 4) promise any financial reward or other material gain with the purpose of gaining support of eligible voters, or threaten supporters of other political parties, coalitions, list of independent candidates or independent candidates;
- 5) induce ineligible voter to vote;
- 6) induce a person to vote more than once in the same election, or to vote in the name of another person; or
- 7) use **hate speech, and/or**, publish or use pictures, symbols, audio and video recordings, text messages, Internet communications, **social networks, and mobile applications** or any other materials that can have such effect.

8) Abuse of a child for political purposes.”

(2) Impersonating on behalf of any political party, coalition, list of independent candidates or independent candidate shall be prohibited, **as well as the abuse of the legal right to participate in the work of a Polling Station Committee on behalf of one political entity contrary to the provision of Article 2.19 of this Law by fictitiously representing a political entity entitled to a seat at the Polling Station Committee, in order to favour another political entity not entitled to the seat at the Polling Station Committee**

Article 7.4

(1) Commencing twenty-four (24) hours prior to opening of the Polling Stations, and until they close, political parties, coalitions, lists of independent candidates and independent candidates and candidates on the lists of members of national minorities shall be prohibited from engaging in public political activities including, but not limited to:

1. holding meetings for the purpose of election campaigning;
2. presenting any kind of materials for the purpose of influencing eligible voters at the Polling Station and the surrounding area;
3. using national and international means of communication to influence eligible voters;
4. using megaphones or other loudspeaker systems for the purpose of influencing eligible voters; and
5. any activity that interferes with, or obstructs the election process.

(2) Means of communication referred to in paragraph (1) sub-paragraph 3) of this Article include means that can deliver audio, video or textual contents. Such means include, but are not limited to, radio and TV programme, print media, the Internet, text messages or video messages delivered via mobile phones etc.

Point 5) of paragraph (1) in Article 7.4 shall be deleted.

In paragraph (2), words “*radio and TV programme*” shall be replaced with “**audio-visual media services and media radio services**”

After paragraph (2), new paragraph (3) shall be added to read as follows:

“(3) Any activities disturbing or obstructing the election process shall be prohibited.”

Once the above-proposed amendment has been incorporated, Article 7.4 of the Election Law shall read as follows:

Commencing twenty-four (24) hours prior to opening of the Polling Stations, and until they close, political parties, coalitions, lists of independent candidates and independent candidates and candidates on the lists of members of national minorities shall be prohibited from engaging in public political activities including, but not limited to:

1. holding meetings for the purpose of election campaigning;
2. presenting any kind of materials for the purpose of influencing eligible voters at the Polling Station and the surrounding area;

- 3. using national and international means of communication to influence eligible voters;
 - 4. using megaphones or other loudspeaker systems for the purpose of influencing eligible voters; and
- (2) Means of communication referred to in paragraph (1) sub-paragraph 3) of this Article include means that can deliver audio, video or textual contents. Such means include, but are not limited to, **audio-visual media services and media radio services**, print media, the Internet, text messages or video messages delivered via mobile phones etc.
- (3) Any activities disturbing or obstructing the election process shall be prohibited.**

CHAPTER 8 PRESIDENCY OF BOSNIA AND HERZEGOVINA

Article 8.4

If a Member of the Presidency of BiH vacates his or her office for any reason, or is permanently or temporarily unable to perform his or her function, the Member's replacement in the Presidency of BiH shall succeed to the office of the BiH Presidency Member in accordance with the Law on Succession of a BiH Presidency Member (Official Gazette of BiH, No. 21/00)

In Article 8, words "Official Gazette of BiH, no. 21/00" shall be deleted.

Once the above-proposed amendment has been incorporated, Article 8.4 shall read as follows:

Article 8.4

If a Member of the Presidency of BiH vacates his or her office for any reason, or is permanently or temporarily unable to perform his or her function, the Member's replacement in the Presidency of BiH shall assume the office of the BiH Presidency Member in accordance with the Law on Succession of a BiH Presidency Member

Subchapter A

HOUSE OF REPRESENTATIVES OF THE PARLIAMENTARY ASSEMBLY OF BOSNIA AND HERZEGOVINA

Article 9.11

The Parliamentary Assembly of Bosnia and Herzegovina shall review the constituencies and the number of mandates allocated to each constituency established in this Chapter every four years, to ensure that they are drawn in accordance with democratic principles, particularly the proportionality between the number of mandates and the number of registered eligible voters on the Central Voters Register, bearing in mind geographical constraints.

In Article 9.11, after “*of Bosnia and Herzegovina shall,*” the words “***be obligated to***” shall be added.

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

“(2) If the Parliamentary Assembly of BiH fails to comply with paragraph (1) of this Article, the Central Election Commission of BiH shall be authorized to reassign the mandates by a special decision, in accordance with the number of registered eligible voters by constituencies within the existing boundaries.”

Once the above-proposed amendment has been incorporated, Article 9.11 shall read as follows:

(1) The Parliamentary Assembly of Bosnia and Herzegovina shall **be obligated to** review the constituencies and the number of mandates allocated to each constituency established in this Chapter every four years to ensure that they are drawn in accordance with democratic principles, particularly the proportionality between the number of mandates and the number of registered eligible voters on the Central Voters Register, bearing in mind geographical constraints.

(2) If the Parliamentary Assembly of BiH fails to comply with paragraph (1) of this Article, the Central Election Commission of BiH shall be authorized to reassign the mandates by a special decision, in accordance with the number of registered eligible voters by constituencies, without changing the existing boundaries.

Subchapter B

HOUSE OF PEOPLES OF THE PARLIAMENTARY ASSEMBLY OF BOSNIA AND HERZEGOVINA

Article 9.12b

- (1) Croat and Bosniak Delegates to the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina shall be elected immediately after the House of Peoples of the Parliament of the Federation of BIH has been inaugurated, but not later than within thirty (30) days of the date of certification of the election in accordance with this Law.
- (2) Delegates from the Republika Srpska to the House of Peoples of the Parliamentary Assembly of BIH shall be elected immediately after the National Assembly of the Republika Srpska has been inaugurated, but not later than within thirty (30) days of the date of certification of the election in accordance with this Law.

In Article 9.12 b, paragraphs (1) and (2), the word “certification of the election” shall be replaced with *“validation of the election results.”*

Once the above-proposed amendment has been incorporated, Article 9.12b shall read as follows:

Article 9.12b

- (1) Croat and Bosniak Delegates to the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina shall be elected immediately after the House of Peoples of the Parliament of the Federation of BIH has been inaugurated, but not later than within thirty (30) days of the date of **validation of the election results** in accordance with this Law.
- (2) Delegates from the Republika Srpska to the House of Peoples of the Parliamentary Assembly of BIH shall be elected immediately after the National Assembly of the Republika Srpska has been inaugurated, but not later than within thirty (30) days of the date of **validation of the election results** in accordance with this Law.

CHAPTER 10

Article 10.3

- (1) Political parties, coalitions and independent candidates, certified in accordance with Chapter 4 of this Law, may stand for election in a constituency.

(2) Every independent candidate for a constituency mandate shall run with a deputy on a single ticket. The deputy shall have no powers or authorities, other than in case when he or she succeeds to the office of the elected candidate, pursuant to Article 9.10 of this Law.

In Article 10.3 paragraph (1), after the word “*coalitions*”, the word “and” shall be replaced by a comma, and after the words “independent candidates”, words “***and lists of independent candidates***” shall be added.

Once the above-proposed amendment has been incorporated, Article 10.3 shall read as follows:

Article 10.3

(1) Political parties, coalitions, independent candidates **and lists of independent candidates**, certified in accordance with Chapter 4 of this Law, may stand for election in a constituency.

(2) Every independent candidate for a constituency mandate shall run with a deputy on a single ticket. The deputy shall have no powers or authorities, other than in case when he or she succeeds to the office of the elected candidate, pursuant to Article 9.10 of this Law.

Article 10.6

(1) A compensatory mandate received by a political party or coalition according to Article 10.5 of this Law shall be allocated one by one to unelected candidates on the political party or coalition’s list of candidates for compensatory mandates, beginning at the top of the list, until all mandates have been distributed or until the list has been exhausted.

(2) Should each constituent people fail to win a minimum of four mandates, the later compensatory mandate shall be given to the candidate of the relevant constituent people from the compensatory list of the political party or coalition having received the highest number of votes and having eligible candidates of the relevant constituent people left on the list.

(3) If a political party or coalition does not have enough eligible candidates of the relevant constituent people on its compensatory list to fill the seats allocated to it, the mandate shall be transferred to the party or coalition’s list having received the highest number of votes and having such candidates left on its compensatory list. If no candidate from the relevant constituent people can be found on any compensatory list, the seat shall be transferred to the party or coalition’s list having received the highest number of votes and having such candidates left on another list, in accordance with Article 9.8, paragraph (2) of this Law.

In Article 10.6, paragraph (3), the word “*another*” shall be replaced with “**regular.**”

Once the above-proposed amendment has been incorporated, Article 10.6 shall read as follows:

Article 10.6

(1) A compensatory mandate received by a political party or coalition according to

Article 10.5 of this Law shall be allocated one by one to unelected candidates on the political party or coalition’s list of candidates for compensatory mandates, beginning at the top of the list, until all mandates have been distributed or until the list has been exhausted.

(2) Should each constituent people fail to win a minimum of four mandates, the later compensatory mandate shall be given to the candidate of the relevant constituent people from the compensatory list of the political party or coalition having received the highest number of votes and having eligible candidates of the relevant constituent people left on the list.

(3) If a political party or coalition does not have enough eligible candidates of the relevant constituent people on its compensatory list to fill the seats allocated to it, the mandate shall be transferred to the party or coalition’s list having received the highest number of votes and having such candidates left on its compensatory list. If no candidate from the relevant constituent people can be found on any compensatory list, the seat shall be transferred to the party or coalition’s list having received the highest number of votes and having such candidates left on **regular** list, in accordance with Article 9.8, paragraph (2) of this Law.

Article 10.9

The Parliament of the Federation of BiH shall review the constituencies and the number of mandates allocated to each constituency that are established in this Chapter every four years, to ensure that they are drawn in accordance with democratic principles, particularly the proportionality between the number of mandates and the number of registered eligible voters on the Central Voters Register, bearing in mind geographical constraints.

In Article 10.9, the words ***“be obligated to”*** shall be added after *“of BiH shall”*.

In Article 10.9, new paragraph (2) shall be added to read as follows:

“(2) If the Parliament of the Federation of BiH fails to comply with paragraph (1) of this Article, the CEC BiH shall be authorized to reassign the mandates by a special decision, in accordance with the number of registered eligible voters by constituencies within the existing boundaries.”

Once the above-proposed amendment has been incorporated, Article 10.9 shall read as follows:

Article 10.9

(1) The Parliament of the Federation of BiH shall **be obligated to** review the constituencies and the number of mandates allocated to each constituency that are established in this Chapter every four years, to ensure that they are drawn in accordance with democratic principles, particularly the proportionality between the number of mandates and the number of registered eligible voters on the Central Voters Register, bearing in mind geographical constraints.

(2) If the Parliament of the Federation of BiH fails to comply with paragraph (1) of this Article, the CEC BiH shall be authorized to reassign the mandates by a special decision, in accordance with the number of registered eligible voters by constituencies within the existing boundaries.

Article 10.13

The election of delegates to the House of Peoples of the Federation of BiH Parliament shall take place as soon as a Cantonal Assembly convenes after the elections for the cantonal assemblies, and no later than one month after certification of the election in accordance with Article 5.32 of this Law.

In Article 10.13 b, the word “*certification of the election*” shall be replaced with “***validation of the election results***.”

Once the above-proposed amendment has been incorporated, Article 10.13 shall read as follows:

Article 10.13

The election of delegates to the House of Peoples of the Federation of BiH Parliament shall take place as soon as a Cantonal Assembly convenes after the elections for the cantonal assemblies, and no later than one month after **validation of the election results** in accordance with Article 5.32 of this Law.

Article 10.16

(1) If the required number of delegates to the House of Peoples of the Federation of BiH from among each constituent people or from the group of Others in a given cantonal legislature are not elected, then the remaining number of Bosniak, Croat, Serb or Other delegates shall be elected from another canton until the required number of delegates from among each constituent people has been elected.

(2) The Central Election Commission of BiH shall reallocate the seats that cannot be filled from one canton immediately after completion of the first round of the election of the delegates to the House of Peoples of the Federation of BiH Parliament in all cantons. The Central Election Commission shall reallocate that seat to the non-elected candidate who has the highest quotient on all lists running for the appropriate constituent people or for the group of Others in all cantons.

In Article 10.16 paragraph (1), after the words “*has been elected*”, the words “***in the first round of the election***” shall be added.

In paragraph (2), before the words “*the Central Election Commission*”, words “***in the second election round***” shall be inserted.

Once the above-proposed amendment has been incorporated, Article 10.16 shall read as follows:

Article 10.16

(1) If the required number of delegates to the House of Peoples of the Federation of BiH from among each constituent people or from the group of Others in a given cantonal legislature are not elected, then the remaining number of Bosniak, Croat, Serb or Other delegates shall be elected from another canton until the required number of delegates from among each constituent people has been elected **in the first round of the election**.

(2) **In the second election round**, the Central Election Commission of BiH shall reallocate the seats that cannot be filled from one canton immediately after completion of the first round of the election of the delegates to the House of Peoples of the Federation of BiH Parliament in all cantons. The Central Election Commission shall reallocate that seat to the non-elected candidate who has the highest quotient on all lists running for the appropriate constituent people or for the group of Others in all cantons.

Article 10.18

(1) The mandate of a delegate to the House of Peoples of the Federation of BiH shall last four years.

(2) If a cantonal assembly is dissolved, the mandates of the delegates appointed by that cantonal assembly shall expire upon the appointment of new delegates to be elected by the new cantonal assembly after new elections. The mandate of such new delegates shall last until the next regularly scheduled elections.

In Article 10.18, paragraph (2), words “*new cantonal assembly*” shall be replaced with “***new composition of the cantonal assembly***.”

Once the above-proposed amendment has been incorporated, Article 10.18 shall read as follows:

(1) The mandate of a delegate to the House of Peoples of the Federation of BiH shall last four years.

(2) If a cantonal assembly is dissolved, the mandates of the delegates appointed by that cantonal assembly shall expire upon the appointment of new delegates to be elected by the **new composition of the cantonal assembly** after new elections. The mandate of such new delegates shall last until the next regularly scheduled elections.

CHAPTER 11

Article 11.9

The National Assembly of the Republika Srpska shall review the constituencies and the number of mandates allocated to each constituency that are established in this Chapter every four years, to ensure that they are drawn in accordance with democratic principles, particularly the proportionality between the number of mandates and the number of registered eligible voters on the Central Voters Register, bearing in mind geographical constraints.

In Article 11.9, the words ***“be obligated to”*** shall be added after *“of the Republika Srpska shall”*.

After paragraph (1), new paragraph (2) shall be added to read as follows:

“(2) If the National Assembly of the Republika Srpska fails to comply with paragraph (1) of this Article, the Central Election Commission of BiH shall be authorized to reassign the mandates by a special decision, in accordance with the number of registered eligible voters by constituencies within the existing boundaries.”

Once the above-proposed amendment has been incorporated, Article 11.9 shall read as follows:

Article 11.9

(1) The National Assembly of the Republika Srpska shall **be obligated to** review the constituencies and the number of mandates allocated to each constituency that are established in this Chapter every four years, to ensure that they are drawn in accordance with democratic principles, particularly the proportionality between the number of mandates and the number of registered eligible voters on the Central Voters Register, bearing in mind geographical constraints.

(2) If the National Assembly of the Republika Srpska fails to comply with paragraph (1) of this Article, the Central Election Commission of BiH shall be authorized to reassign the mandates by a special decision, in accordance with the number of registered eligible voters by constituencies within the existing boundaries.

Article 11.12

- (1) Any political party represented in the caucuses of their respective constituent peoples and the Others or any member of one of these caucuses, including ad hoc members elected in accordance with Article 11.11, paragraph 2 of this Law, shall have the right to propose one or more candidates on the list for election of delegates of that relevant caucus.
- (2) Any list may contain a number of candidates that is larger than the number of delegates to be elected.
- (3) No delegate in the National Assembly or councillor of the municipal assembly may be a candidate.
- (4) Each delegate in the National Assembly of the Republika Srpska shall cast one vote for a list within his or her caucus.
- (5) The vote shall be cast as a secret ballot.

In Article 11.12, words “*any member of one of these caucuses*” shall be replaced with “*any delegate.*”

Once the above-proposed amendment has been incorporated, Article 11.12 shall read as follows:

Article 11.12

(1) Any political party represented in the caucuses of their respective constituent peoples and the Others or **any delegate**, including ad hoc members elected in accordance with Article 11.11, paragraph 2 of this Law, shall have the right to propose one or more candidates on the list for election of delegates of that relevant caucus.

(2) Any list may contain a number of candidates that is larger than the number of delegates to be elected.

(3) No delegate in the National Assembly or councillor of the municipal assembly may be a candidate.

(4) Each delegate in the National Assembly of the Republika Srpska shall cast one vote for a list within his or her caucus.

(5) The vote shall be cast as a secret ballot.

Article 11.15

The election of delegates to the Council of Peoples of the Republika Srpska shall take place as soon as the National Assembly of the Republika Srpska convenes, and no later than one month after the validation of the results in accordance with Article 5.32 of this Law.

In Article 11.15, words “*one month*” shall be replaced with “**30 days**”.

Once the above-proposed amendment has been incorporated, Article 11.15 shall read as follows:

Article 11.15

The election of delegates to the Council of Peoples of the Republika Srpska shall take place as soon as the National Assembly of the Republika Srpska convenes, and no later than **30 days** after the validation of the results in accordance with Article 5.32 of this Law.

CHAPTER 13

Article 13.2

The number of members of a Municipal Council/Assembly shall be as follows:

- 1) A municipality with a number of registered voters less than eight thousand (8,000), shall have between eleven (11) and seventeen (17) members;
- 2) A municipality with a number of registered voters between eight thousand (8,000) and twenty thousand (20,000), shall have between seventeen (17) and twenty-five (25) members; and
- 3) A municipality with a number of registered voters more than twenty thousand (20,000), shall have between twenty-five (25) and thirty-one (31) members.

Article 13.2 shall be amended to read as follows:

Article 13.2

“(1) The number of members of a Municipal and City Council/Assembly shall be as follows:

- 1) A municipality/city with a number of eligible voters registered in the Central Voters’ Register less than eight thousand (8,000), shall have between eleven (11) and seventeen (17) members;***
- 2) A municipality/city with a number of eligible voters registered in the Central Voters’ Register between eight thousand (8,000) and twenty thousand (20,000), shall have between seventeen (17) and twenty-five (25) members;***
- 3) A municipality/city with a number of eligible voters registered in the Central Voters Register between 20.000 i 100.000, shall have between twenty-five (25) and twenty-nine (29) members;***
- 4) A municipality/city with a number of eligible voters registered in the Central Voters Register exceeding 100,000 shall have between twenty-nine (29) and thirty-one (31) members***

(2) Within the period of 90 days prior to the date when the elections are announced, the Central Election Commission of BiH shall inform the bodies referred to in paragraph (1) of this Article about the number of eligible voters registered in the Central Voters Register for each individual basic electoral constituency in order to meet the mandatory requirement of harmonizing the statutes of cities/municipalities.”

Article 13.3

The number of members of a Cantonal Assembly shall be as follows:

- 1) A canton with a number of registered voters less than seventy-five thousand (75,000), shall have between twenty (20) and twenty-five (25) members;
- 2) A canton with a number of registered voters between seventy-five thousand (75,000) and two hundred thousand (200,000), shall have between twenty-five (25) and thirty (30) members; and
- 3) A canton with a number of registered voters more than two hundred thousand (200,000), shall have between thirty (30) and thirty-five (35) members.

Article 13.3 shall be amended to read as follows:

Article 13.3

The number of members of a Cantonal Assembly shall be as follows:

- 1) A canton with a number of eligible voters registered in the Central Voters Register less than seventy-five thousand (75,000), shall have between twenty-one (21) and twenty-five (25) members;**
- 2) A canton with a number of eligible voters registered in the Central Voters Register between seventy-five thousand (75,000) and one hundred and fifty thousand (150,000), shall have between twenty-five (25) and twenty-nine (29) members;**
- 3) A canton with a number of eligible voters registered in the Central Voters Register between one hundred and fifty thousand (150,000) and two hundred thousand (200,000), shall have between twenty-nine (29) and thirty-one (31) members; and**
- 4) A canton with a number of eligible voters registered in the Central Voters Register exceeding two hundred thousand (200,000), shall have between thirty-one (31) and thirty-five (35) members.**

Article 13.7

(1) The Municipal Mayor or City Mayor shall each be elected in accordance with this Law, the constitutions, the entity legislation, and Municipal or City statutes respectively.

(2) If the Municipal Mayor or City Mayor are elected directly, the Municipal Mayor or City Mayor shall each be elected by the voters registered in the Central Voter Register of the particular Polling Station in accordance with this Law, the entity legislation, Municipal or City statutes respectively.

(3) In the event that the term of office for an elected Municipal Mayor or City Mayor referred to in paragraph (2) of this Article has terminated as provided by Article 1.10 of this Law or if he/she has been recalled, the Municipal mayor or City Mayor shall each be elected in accordance with this Law, the entity legislation, Municipal or City statutes respectively.

In Article 13.7, under paragraph (2), the word “*If*” shall be replaced with the word “**When**”

After paragraph (3), new paragraphs (4) and (5) shall be added to read as follows:

“(4) In the event that, during the period between the date when the ballots are printed and the election date, a candidate for the position of Municipal/City Mayor has deceased, or a final court judgment has been delivered against him/her sentencing him/her to imprisonment for a term of 6 months or longer, or a final court ruling has been issued against him/her depriving him/her of the full legal capacity, the BiH Central Election Commission shall allow the political entity that nominated him/her to provide the name of a substitute candidate to the Central Election Commission of BiH within 48 hours after the above circumstances arise, and, where necessary, announce the postponed elections in accordance with Article 14.2 of this Law.

(5) In the event that, in the period between the election date and date when the mandate is assigned, the candidate for the position of the Municipal/City Mayor who won the largest number of votes in the election has deceased, or has been sentenced to imprisonment for a term of six months or more, or a final court ruling has been issued against him/her depriving him of the full legal capacity, no mandate shall be assigned to him/her and the Central Election Commission of BiH shall announce early elections in accordance with Article 14.3 of this Law.”

Once the above-proposed amendments have been incorporated, Article 13.7 shall read as follows:

Article 13.7

(1) The Municipal Mayor or City Mayor shall each be elected in accordance with this Law, the constitutions, the entity legislation, and Municipal or City statutes respectively.

(2) **When** the Municipal Mayor or City Mayor are elected directly, the Municipal Mayor or City Mayor shall each be elected by the voters registered in the Central Voter Register of the particular Polling Station in accordance with this Law, the entity legislation, Municipal or City statutes respectively.

(3) In the event that the term of office for an elected Municipal Mayor or City Mayor referred to in paragraph (2) of this Article has terminated as provided by Article 1.10 of this Law or if he/she has been recalled, the Municipal mayor or City Mayor shall each be elected in accordance with this Law, the entity legislation, Municipal or City statutes respectively.

In the event that, during the period between the date when the ballots are printed and the election date, a candidate for the position of Municipal/City Mayor has deceased, or a final court judgment has been delivered against him/her sentencing him/her to imprisonment for a term of 6 months or longer, or a final court ruling has been issued against him/her depriving him/her of the full legal capacity, the BiH Central Election Commission shall allow the political entity that nominated him/her to provide the name of a substitute candidate to the Central Election Commission of BiH within 48 hours after the above circumstances arise, and, where necessary, announce the postponed elections in accordance with Article 14.2 of this Law.

(5) In the event that, in the period between the election date and date when the mandate is assigned, the candidate for the position of the Municipal/City Mayor who won the largest number of votes in the election has deceased, or has been sentenced to imprisonment for a term of six months or more, or a final court ruling has been issued against him/her depriving him of the full legal capacity, no mandate shall be assigned to him/her and the Central Election Commission of BiH shall announce early elections in accordance with Article 14.3 of this Law.

Article 13.10

(1) The members of the City Council/Assembly shall be elected by the Municipal Councils/Assemblies which form the City.

(2) Mandates for the City Council/Assembly shall be allocated to candidate lists according to the system of proportional representation of political parties, coalitions, lists of independent candidates or groups of members as set forth in Article 13.5 of this law. Distribution of mandates amongst the candidates from the same list shall be done according to the order on the list of candidates for this election.

(3) Each City Council/Assembly shall elect a Mayor and a President of the City Council/Assembly as set forth by law and statute.

In Article 13.10, under paragraph (1), after the word *“elected”* the words: *“the voters registered in the Central Voters’ Register of the respective Municipality/City and”* shall be added.

After paragraph (3), the new paragraph (4) shall be added to read as follows:

“(4) The BiH Central Election Commission shall adopt a bylaw regulating the manner of conducting these elections.”

Once the above-proposed amendments have been incorporated, Article 13.10 shall read as follows:

Article 13.10

(1) The members of the City Council/Assembly shall be elected by **the voters registered in the Central Voters Register of the respective Municipality/City** and the Municipal Councils/Assemblies which form the City.

(2) Mandates for the City Council/Assembly shall be allocated to candidate lists according to the system of proportional representation of political parties, coalitions, lists of independent candidates or groups of members as set forth in Article 13.5 of this law.

Distribution of mandates amongst the candidates from the same list shall be done according to the order on the list of candidates for this election.

(3) Each City Council/Assembly shall elect a Mayor and a President of the City Council/Assembly as set forth by law and statute.

(4) The BiH Central Election Commission shall adopt a bylaw regulating the manner of conducting these elections.

CHAPTER 14

REPEATED, POSTPONED AND EARLY ELECTIONS

In the title of Chapter 14, after the word “*POSTPONED*” a comma and the word “BY-ELECTIONS” shall be added.

Once the above-proposed amendment has been incorporated, the title of Chapter 14 shall read as follows:

CHAPTER 14

REPEATED/RUNOFF ELECTIONS, BY-ELECTIONS AND EARLY ELECTIONS

Article 14.1

Repeated elections shall be conducted using the same candidate lists and the same excerpts from the Central Voters Register which were used in the invalidated elections and shall be conducted on a date determined by the Central Election Commission of BiH which shall be no later than fourteen (14) days from the date when the decision of the Central Election Commission of BIH to annul the elections became final.

In Article 14.1, the comma and the words “*which shall be no later than fourteen (14) days from the date when the decision of the Central Election Commission of BIH to annul the elections became final*” shall be deleted.

After paragraph (1), the new paragraph (2) shall be added to read as follows:

“(2) The BiH Central Election Commission shall announce the repeated elections, as a rule, within 15 days following the date when the decision of the Central Election Commission of BIH to annul the elections became final.”

Once the above-proposed amendments have been incorporated, Article 14.1 shall read as follows:

Article 14.1

(1) Repeated elections shall be conducted by using the same candidate lists and the same excerpts from the Central Voters Register which were used in the invalidated elections and shall be conducted on a date determined by the Central Election Commission of BiH

(2) The BiH Central Election Commission shall announce the repeated elections, as a rule, within 15 days following the date when the decision of the Central Election Commission of BiH to annul the elections became final.

Article 14.2

(1) The decision to postpone the elections at a particular polling station or electoral unit shall be issued by the Central Election Commission of BiH on the basis of facts indicating that the elections are not possible to be conducted in accordance with the provisions of this Law.

(2) Postponed elections shall be conducted if, in an electoral unit or at a Polling Station, the voting did not take place on the day designated for voting.

(3) Postponed elections shall be scheduled by the Central Election Commission of BiH.

(4) Postponed elections shall, as a rule, be conducted within seven (7) days, and no later than thirty (30) days, from the day designated for voting in the regular elections.

In Article 14.2, under paragraph (4), after the word "*in the regular elections*", a comma and the following wording shall be added "***unless otherwise prescribed by this Law***".

Once the above-proposed amendment has been incorporated, Article 14.2 shall read as follows:

Article 14.2

(1) The decision to postpone the elections at a particular polling station or electoral unit shall be issued by the Central Election Commission of BiH on the basis of facts indicating that the elections are not possible to be conducted in accordance with the provisions of this Law.

(2) Postponed elections shall be conducted if, in an electoral unit or at a Polling Station, the voting did not take place on the day designated for voting.

(3) Postponed elections shall be scheduled by the Central Election Commission of BiH.

(4) Postponed elections shall, as a rule, be conducted within seven (7) days, and no later than thirty (30) days, from the day designated for voting in the regular elections, **unless otherwise prescribed by this Law.**

After Article 14.3a, the new Article 14.4 shall be added to read as follows:

Article 14.4

- 1) If an elected body is dissolved in accordance with the Constitution, the Central Election Commission shall decide to announce the by-elections.**
- 2) The term of office for the officials elected in the by-elections shall be 4 years.**
- 3) The elections referred to in paragraph (1) of this Article shall be conducted in the manner and deadlines set forth in Article 14.3 of this Chapter.**

**CHAPTER 15
CAMPAIGN FINANCE**

The title of Chapter 15 shall be amended to read as follows:

**„CHAPTER 15
FINANCING OF POLITICAL ENTITIES“**

In Chapter 15, a new Article 15.1 shall be added to read as follows:

“Article 15.1

Funds for financing the expenses of election campaigns shall be provided by a political party and independent candidates participating in elections for the authorities of Bosnia and Herzegovina at all levels from the sources prescribed by the Law on Political Party Financing and in the manner prescribed by this Law.”

The current Article 15.1 shall become Article 15.1a

Article 15.1a

(1) A political party and independent candidate that participates in the elections for bodies of authority at all levels in BiH shall be obliged to file with the Central Election Commission of BiH, at the time of submission of the application for certification to participate in the elections a financial report for the period beginning three months prior to the date of submission. In addition, no later than thirty (30) days after the election results are published in the Official Gazette of BiH, a financial report shall be submitted to the Central Election Commission of BiH for the period beginning on the day of submission of the application for certification until the certification of the results. These reports shall contain the following:

1. All cash at hand;
 2. All income and disbursements based on: memberships; transparent; contributions from abroad; contributions from individual and legal entities; contributions in the form of goods and services (hereinafter referred to as “in-kind contributions”); returns on its own assets and entrepreneurial activities in accordance with provisions of the Law on Political Party Financing; credits; loans; donations; rebates; refunds; other operating expenditures; and other sources for the reporting period as determined by the Central Election Commission of BiH;
 3. Identification of the person or source of any payment and in-kind contribution, as well as the identification of a person who received that payment, in excess of one hundred (100) convertible marks, together with the date and amount of any such receipt;
 4. The total amount of all account payables and total amount of disbursements in the following categories: costs for printing and distribution of posters, printing costs for pre-election announcements, statements and so on, in the public media, organizational and operational costs for organizing rallies, costs for printing, reproducing and delivering pre-election materials directly to voters, and
 5. the amount and nature of outstanding debts and obligations owed by or to the person who files a report and where such debts and obligations are settled for less than their reported amount or value, a statement as to the circumstances and conditions under which such debts or obligations were extinguished.
- (2) The application for participation in the elections filed by a political party and an independent candidate shall not be certified if the political party and the independent candidate have failed to submit the financial report for the period commencing three months prior to the start of the period designated for submission of the application for certification.

In the current previous Article 15.1, which by virtue of these amendments now becomes Article 15.1a, in paragraph (1), under sub-paragraph 3, the wording “*in excess of one hundred (100) convertible marks*” shall be deleted.

In the same paragraph, under point 4, after the words “*in the public media*” the following wording shall be added “*and over the internet*”.

Once the above-proposed amendment has been incorporated, Article 15.1a shall read as follows:

Article 15.1a

(1) A political party and independent candidate that participates in the elections for bodies of authority at all levels in BiH shall be obliged to file with the Central Election Commission of BiH, at the time of submission of the application for certification to participate in the elections a financial report for the period beginning three months prior to the date of submission. In addition, no later than thirty (30) days after the election results are published in the Official Gazette of BiH, a financial report shall be submitted to the BiH Central Election Commission for the period beginning on the day of submission of the application for certification until the certification of the results. These reports shall contain the following

1. All cash at hand;
 2. All income and disbursements based on: memberships; transparent; contributions from abroad; contributions from individual and legal entities; contributions in the form of goods and services (hereinafter referred to as “in-kind contributions”); returns on its own assets and entrepreneurial activities in accordance with provisions of the Law on Political Party Financing; credits; loans; donations; rebates; refunds; other operating expenditures; and other sources for the reporting period as determined by the Central Election Commission of BiH;
 3. Identification of the person or source of any payment and in-kind contribution, as well as the identification of a person who received that payment, in excess of one hundred (100) convertible marks, together with the date and amount of any such receipt;
 4. The total amount of all account payables and total amount of disbursements in the following categories: costs for printing and distribution of posters, printing costs for pre-election announcements, statements and so on, in the public media **and over the internet**, organizational and operational costs for organizing rallies, costs for printing, reproducing and delivering pre-election materials directly to voters, and
 5. the amount and nature of outstanding debts and obligations owed by or to the person who files a report and where such debts and obligations are settled for less than their reported amount or value, a statement as to the circumstances and conditions under which such debts or obligations were extinguished.
- (2) The application for participation in the elections filed by a political party and an independent candidate shall not be certified if the political party and the independent candidate have failed to submit the financial report for the period commencing three months prior to the start of the period designated for submission of the application for certification.

After the current Article 15.1, which by virtue of these amendments now becomes Article 15.1a, the new Articles 15.1b, 15.1c and 15.1d shall be added to read as follows:

“Article 15.1b

- (1) A political party and an independent candidate participating in the elections for the authorities of Bosnia and Herzegovina at all levels shall open a special account for financing the election campaign expenses, in accordance with Article 4.4 paragraph (1) of this Law.**
- (2) The account for financing the election campaign shall be opened by the Main Board of the respective political party as appropriate.**
- (3) The special account for financing the election campaign expenditures shall be opened by the political party and the independent candidate no later than on the day of submission of the application for certification for participation in the elections, but not**

earlier than three months prior to the date of submission of the application for certification.

(4) The funds that the political party and the independent candidate participating in the elections for the authorities of Bosnia and Herzegovina at all levels intend to spend for the election campaign must be paid credit to the special account for financing the election campaign.

(5) No payments may be received on the special account for financing the election campaign, other than those intended for financing the election campaign, nor may the funds from that account be used for any purpose other than coverage of the costs of the election campaign.

(6) If, once the payment of all transactions has been made, in accordance with this Law, there remain any unspent funds on the special account for financing the election campaign of the political party, these funds shall be paid credit to the transaction account of the political party head office.

(7) If the funds held on the special account for financing the election campaign are not sufficient to cover the expenses, the political party shall pay the outstanding liabilities based of the election campaign expenses from the account of the political party head office.

(8) If, once all transactions have been completed, in accordance with this Law, there remain any unspent funds on the special account for financing the election campaign of the independent candidate, these funds shall be returned to all sources or donors. The return of the remaining funds shall be proportional to the amounts of payments or donations given.

Article 15.1c

(1) When two or more political parties operate within a coalition, they may use the special account for financing the campaign expenses to finance the election campaign expenses of one of the political parties, members of the coalition, which shall be regulated by a mutual agreement of the political parties that is to be submitted and deposited with the Central Election Commission of BiH. Funds that an individual political party is obligated to pay to the special account for financing of the election campaign expenses in accordance with the concluded mutual agreement shall not considered a donation or income of the political party that has opened the special account for financing of the election campaign.

(2) A political party may give a loan to another political party for financing of the election campaign based on a mutual agreement, by making payment to the special account for financing of the election campaign. The loan given by the political party to another political party on the basis of the mutual agreement and the repayment of the loan to the central account of the political party that has granted the loan shall not be considered a donation.

(3) The loan agreement with a clearly defined loan repayment period shall be submitted to the Central Election Commission of BiH.

Article 15.1d

(1) A political party and an independent candidate participating in the elections for the authorities of Bosnia and Herzegovina at all levels shall, at the time of submitting the application for certification for participation in the elections, submit to the Central Election Commission of BiH a report on the transactions completed through the special account for the period from its opening until the day of submitting the application for election certification.

(2) The application for participation in the elections of the political party and the independent candidate shall not be certified unless the political party and the independent candidate fail to submit the report on the transactions completed through the special account for financing election campaign expenses for the period from its opening to the day of submitting the application for election certification.

(3) Three days before the election day, the report on the transactions completed through the transaction account for financing the election campaign shall be submitted by entering it in the electronic application; including a report on all monetary and non-monetary donations, as well as the identity of the donor, together with the date and amount of such payment; report on the costs (expenditures) of the election campaign, as well as the accounts of suppliers and service providers, with updated data until the date of the report submission.

(4) Within 30 days following the date of publication of the election results in the BiH Official Gazette, the financial report on the transactions completed through the transaction account for election campaign financing shall be submitted by entering it in the electronic application, including on the sources of election campaign funding, election campaign expenses (expenditures) for the period between the date of submission of the application for certification for the elections and the date of confirmation of the election results, as well as on the amount and type of outstanding debts for election campaign expenses.

Article 15.2

(1) The Central Election Commission of BiH shall issue Regulations in order to implement this chapter, whereby it shall specify in detail the content, form, manner and other details of reporting.

(2) All persons who are required to file reports must also file such additional reports as required by the Central Election Commission of BiH or by the Law on Party Financing.

In Article 15.2, in paragraph (1), at the end of the sentence after the word “reporting” the words **“including also the contents of the statement under Article 15.1, paragraph (1) point 5”** shall be added

Once the above-proposed amendment has been incorporated, Article 15.2 shall read as follows:

Article 15.2

(1) The BiH Central Election Commission shall issue Regulations in order to implement this chapter, whereby it shall specify in detail the content, form, manner and other details of reporting **including also the contents of the statement under Article 15.1, paragraph (1), point 5.**

(2) All persons who are required to file reports must also file such additional reports as required by the Central Election Commission of BiH or by the Law on Party Financing.

Article 15.3

(1) Every political entity, coalition or list of independent candidates, shall appoint a competent person who shall be in charge for filing reports and record-keeping, and who shall be authorized to receive communications from the Central Election Commission of BiH.

(2) Those who file reports shall inform the Central Election Commission of BiH about appointing the competent person referred to in paragraph 1 of this article within three (3) days of his or her appointment, and must file the amendments within three (3) days, of any changes to his or her status.

(3) The competent person shall sign each such report and shall be responsible for keeping records that support the reports, and must make such reports available to the Central Election Commission of BiH upon request.

In Article 15.3, the words „*three (3) days*“ shall be replaced with the words „*fifteen (15) days*“.

Once the above-proposed amendment has been incorporated, Article 15.3 shall read as follows:

Article 15.3

(1) Every political entity, coalition or list of independent candidates, shall appoint a competent person who shall be in charge for filing reports and record-keeping, and who shall be authorized to receive communications from the Central Election Commission of BiH.

(2) Those who file reports shall inform the Central Election Commission of BiH about appointing the competent person referred to in paragraph 1 of this article within **fifteen (15) days** of his or her appointment, and must file the amendments within **fifteen (15) days**, of any changes to his or her status.

(3) The competent person shall sign each such report and shall be responsible for keeping records that support the reports, and must make such reports available to the Central Election Commission of BiH upon request.

Article 15.4

An independent candidate shall be directly responsible for filing reports with the Central Election Commission of BiH.

In Article 15.4, after the words „*reports*“, the words „*covered by this Chapter*“ shall be added.

Once the above-proposed amendment has been incorporated, Article 15.4 shall read as follows:

Article 15.4

An independent candidate shall be directly responsible for filing reports **covered by this Chapter** with the Central Election Commission of BiH.

Article 15.5

The Central Election Commission of BiH shall enable public access to all reports, and shall take appropriate actions to ensure that all citizens have easy access to information contained within the reports.

In Article 15.5, after the words „*access to all reports*“, the words ***“through the official website of the BiH Central Election Commission”*** shall be added.

Once the above-proposed amendment has been incorporated, Article 15.5 shall read as follows:

Article 15.5

The BiH Central Election Commission shall enable public access to all reports **through the official website of the BiH Central Election Commission**, and shall take appropriate actions to ensure that all citizens have easy access to information contained within the reports.

Article 15.7

(1) The candidates elected at all levels of authority shall be obligated to submit to the Central Election Commission of Bosnia and Herzegovina, on a special form, a signed statement on his or her total property situation, containing:

- 1) current income and sources of income, including all incomes, wages, profit from property, contributions as defined in Article 15.1 of this law, account receivables and other incomes realized in BiH and abroad for a period of the past calendar year;
- 2) property, including money, bank accounts, business documentation, shares, securities, bonds, real property, personal property, occupancy right and other property and possessions which exceed five thousand (5,000) convertible marks, in BiH and abroad; and
- 3) disbursements and other liabilities, including all debts, liabilities, promissory notes, loans and guarantees of such liabilities in BiH and abroad.

(2) The statement should include the property situation of the candidates and close members of his or her family: spouse, children and members of the family household whom it is the candidate's legal obligation to sustain.

In Article 15.7 in paragraph (1), the words "*The candidates elected*" shall be replaced by the words "*The elected officials*".

Once the above-proposed amendment has been incorporated, Article 15.7 shall read as follows:

Article 15.7

(1) **Elected officials** at all levels of authority shall be obligated to submit to the Central Election Commission of Bosnia and Herzegovina, on a special form, a signed statement on his or her total property situation, containing:

1) current income and sources of income, including all incomes, wages, profit from property, contributions as defined in Article 15.1 of this law, account receivables and other incomes realised in BiH and abroad for a period of the past calendar year;

2) property, including money, bank accounts, business documentation, shares, securities, bonds, real property, personal property, occupancy right and other property and possessions which exceed five thousand (5,000) convertible marks, in BiH and abroad; and

3) disbursements and other liabilities, including all debts, liabilities, promissory notes, loans and guarantees of such liabilities in BiH and abroad.

(2) The statement should include the property situation of the candidates and close members of his or her family: spouse, children and members of the family household whom it is the candidate's legal obligation to sustain.

Article 15.8

(1) All candidates elected at all levels of authority shall be obligated to submit to the Central Election Commission of BiH, within thirty (30) days from the publication of the verification of mandates in the Official Gazette of BiH, a signed statement of their property situation referred to in Article 15.7 of this law on a special form.

(2) Candidates elected to a body of authority at all levels shall be required to submit a statement of their property situation to the Central Election Commission of BiH 30 days after to the expiration of the mandate for which they have been elected, as well as in the case of cessation of the mandate in the context of the provisions of Article 1.10, paragraph (1), points 1), 3), 5), 6) and 7) of this Law, within 30 days from the cessation of the mandate.

(3) The Central Election Commission of BiH shall issue instructions to regulate the format and the manner of filling out of necessary forms as described by paragraph (1) of this Article and Article 15.7 of this Law.

In Article 15.8, paragraph (1), the words “*candidates elected*” shall be replaced by the words “*The elected officials*”.

In the same paragraph, after the words “*referred to in Article 15.7 of this Law*”, the words “*in the electronic format and*” shall be added.

In paragraph (2) word “3)” is replaced by words “2), 4)”

Once the above-proposed amendments have been incorporated, Article 15.8 shall read as follows:

Article 15.8

(1) **The elected officials** at all levels of authority shall be obligated to submit to the Central Election Commission of BiH, within thirty (30) days from the publication of the verification of mandates in the Official Gazette of BiH, a signed statement of their property situation referred to in Article 15.7 of this law **in the electronic format** and on a special form.

(2) Candidates elected to a body of authority at all levels shall be required to submit a statement of their property situation to the Central Election Commission of BiH 30 days after to the expiration of the mandate for which they have been elected, as well as in the case of cessation of the mandate in the context of the provisions of Article 1.10, paragraph (1), sub-paragraphs 1), **2), 4)**, 5), 6) and 7) of this Law, within 30 days from the cessation of the mandate.

(3) The Central Election Commission of BiH shall issue instructions to regulate the format and the manner of filling out of necessary forms as described by paragraph (1) of this Article and Article 15.7 of this Law.

Article 15.9

The Central Election Commission of BiH shall make the forms containing the statements on total property situation available to the public. The Central Election Commission of BiH shall not be responsible for accuracy of data or complaints regarding the information contained in the forms.

Article 15.9 is amended and reads:

Article 15.9

(1) **The Central Election Commission of BiH shall publish asset declaration on the website of the Central Election Commission of BiH.**

(2) **The Central Election Commission of BiH shall not be responsible for the accuracy of the data contained in the form.**

(3) **The Central Election Commission of BiH shall, by a regulation, regulate the form and content of the asset declaration form as deadlines and manner of delivery.**

Article 15.10

(1) The Central Election Commission of BiH shall announce the number of voters for each electoral unit within seven days of the day of completion of the Central Voters Register. The number of voters shall serve as a basis to determine a maximum amount that a political entity shall be allowed to spend for financing the election campaign.

(2) The maximum amount allowed to be spent for financing the election campaign shall represent a result of the multiplication of the number of voters in all electoral units in which the political entity referred to in Paragraph 1 of this Article has a list of candidates by:

- 1) 0.30 KM for the elections of Municipal/City Mayor and members of the Municipal Council/Assembly
 - 2) 0.20 KM for the elections of members of Cantonal Assemblies
 - 3) 0.30 KM for the elections of members of the RS National Assembly and the House of Representatives of the Federation Parliament
 - 4) 0.30 KM for the elections of members of the Parliamentary Assembly of BiH
 - 5) 0.30 KM for the elections of members of the Presidency of BiH
 - 6) 0.30 KM for the elections of President and Vice-President of the Republika Srpska
- (3) For the elections referred to in paragraph (2), sub-paragraph 1) of this Article, in the municipalities with less than 3,000 voters recorded in the Central Voter Register, it shall be considered that 3,000 voters are registered.

(4) If the elections are repeated in an electoral unit, or in the Polling Station, the costs of the election campaign per voter can increase by up to 30% of the costs of the elections annulled in the electoral unit or the polling.

In Article 5.10, paragraph (1), after the words “*the Central Voters Register,*” the words “*completed forty-five (45) days before the election day*” shall be added.

In the same Article in paragraph (2) sub-paragraphs 1) through 6) shall be amended to read as follows:

„1) 0.30 KM..... for the elections of City Mayor/Municipal Mayor and members of the Municipal/City Council and City/Municipal Assembly.

2) 0.10 KM for the elections of members of Cantonal Assemblies

3) 0.20 KM.for the elections of members of the RS National Assembly and the House of Representatives of the Federation Parliament

4) 0.20 KM for the elections of members of the Parliamentary Assembly of BiH

5) 0.20 KM for the elections of members of the Presidency of BiH

6) 0.20 KMfor the elections of President and Vice-President of the Republika Srpska“.

Once the above-proposed amendments have been incorporated, Article 15.10 shall read as follows:

Article 15.10

(1) The Central Election Commission of BiH shall announce the number of voters for each electoral unit within seven days of the day of completion of the Central Voters Register ***completed forty-five (45) days before the Election Day***. The number of voters shall serve as a basis to determine a maximum amount that a political entity shall be allowed to spend for financing the election campaign.

(2) The maximum amount allowed to be spent for financing the election campaign shall represent a result of the multiplication of the number of voters in all electoral units in which the political entity referred to in paragraph (1) of this Article has a list of candidates by:

1) 0.30 KM.....for the elections of City Mayor/Municipal Mayor and members of the Municipal/City Council and City/Municipal Assembly.

2) 0.10 KM.....for the elections of members of Cantonal Assemblies

3) 0.20 KM.....for the elections of members of the RS National Assembly and the House of Representatives of the Federation Parliament

4) 0.20 KM.....for the elections of members of the Parliamentary Assembly of BiH

5) 0.20 KM.....for the elections of members of the Presidency of BiH

6) 0.20 KMfor the elections of President and Vice-President of the Republika Srpska

(3) For the elections referred to in paragraph sub-paragraph 1) of this Article, in the municipalities with less than 3,000 voters recorded in the Central Voter Register, it shall be considered that 3.000 voters are registered.

(4) If the elections are repeated in an electoral unit, or in the Polling Station, the costs of the election campaign per voter can increase by up to 30% of the costs of the elections annulled in the electoral unit or the polling.

CHAPTER 16

MEDIA IN THE ELECTION CAMPAIGN

The words "IN THE ELECTION CAMPAIGN" in the title of Chapter 16 shall be deleted.

Once the above-proposed amendment has been incorporated, the title of Chapter 16 shall read as follows:

CHAPTER 16

MEDIA

Article 16.1

The media in BiH shall cover election activities in a just, professional and competent manner, consistently respecting the journalists' code of conduct and generally accepted democratic rules and principles, especially the basic principle of freedom of expression.

In Article 16.1, a new paragraph shall be added to read as follows:

(2) The media shall make the information about media ownership available to the public and transparent.

Once the above-proposed amendment has been incorporated, Article 16 shall read as follows:

Article 16.1

(1) The media in BiH shall cover election activities in a just, professional and competent manner, consistently respecting the journalists' code of conduct and generally accepted democratic rules and principles, especially the basic principle of freedom of expression.

(2) The media shall make the information about media ownership available to the public and transparent.

Article 16.2

Electronic media shall cover pre-election activities and observe the principle of balance, fairness and impartiality.

Article 16.2 is amended and reads:

(1) Electronic media shall cover pre-election activities and observe the principle of balance, equal access, equality, fairness and impartiality.

(2) In the event of a failure by the media to comply with paragraph (1) of this Article, the election authorities shall be authorized to submit the matter to the Communications Regulatory Agency for its further action.

Article 16.3

(1) In broadcasts of the electronic media, no political entity shall have a privileged position with respect to another political entity.

(2) Officials at all levels of authority who participate in the elections as candidates must not enjoy a privileged position with respect to other participants in the election process.

(3) Informing on regular activities of officials at all levels of authority is allowed within information programs of electronic media, with no reference to their candidacy for the elections or their party membership, whenever the information is about the activities that fall within the scope of activities of the body they represent as set forth by the Law.

In Article 16.3, new paragraphs (4) and (5) shall be added to read as follows:

“(4) In the event of any violation of this Article, the election authorities shall be authorized to submit the matter to the Communications Regulatory Agency for its further action.

(5) The Central Election Commission of BiH shall conduct the procedure for determining the responsibility of candidates for violations of this Article.”

Once the above-proposed amendment has been incorporated, Article 16.3 shall read as follows:

Article 16.3

(1) In broadcasts of the electronic media, no political entity shall have a privileged position with respect to another political entity.

(2) Officials at all levels of authority who participate in the elections as candidates must not enjoy a privileged position with respect to other participants in the election process.

(3) Informing on regular activities of officials at all levels of authority is allowed within information programs of electronic media, with no reference to their candidacy for the elections or their party membership, whenever the information is about the activities that fall within the scope of activities of the body they represent as set forth by the Law.

(4) In the event of any violation of this Article, the election authorities shall be authorized to submit the matter to the Communications Regulatory Agency for its further action.

(5) The Central Election Commission of BiH shall conduct the procedure for determining the responsibility of candidates for violations of this Article.

Article 16.4

Electronic media shall pay special attention to respect the principles of balance, fairness and impartiality in information programs, especially in news, interviews and discussions on important political issues, such as round tables and similar, which thematically do not directly concern the election activities of political entities, but which could influence opinion of eligible voters.

In Article 16.4, paragraph (1), the words "*balance, fairness*" are replaced by the words "***balance, equal access, equality and fairness***" shall be added.

Once the above-proposed amendment has been incorporated, Article 16.4 shall read as follows:

Electronic media shall pay special attention to respect the principles of **balance, equal access, equality and fairness** in information programs, especially in news, interviews and discussions on important political issues, such as round tables and similar, which thematically do not directly concern the election activities of political entities, but which could influence opinion of eligible voters.

Article 16.5

(1) The electronic media shall clearly and without reservation disclose the following information in releasing results of a public opinion survey:

- a) Name of the institution or person that ordered and paid the survey,
- b) Name and the seat of the institution that conducted the survey,
- c) Size of the sample and a possible tolerance in the survey results,
- d) The period in which the survey was conducted.

(2) Results of a telephone public opinion research or street poll conducted among voters during the campaign shall not be presented as a reliable or trustful opinion of a particular social group, which must be particularly emphasized by the media that conducts the survey and announces results.

In Article 16.5, paragraph (2) words „*the campaign*” are replaced by words „***election period***“.

After this proposal Article 16.5 reads as follows:

Article 16.5

(1) The electronic media shall clearly and without reservation disclose the following information in releasing results of a public opinion survey:

a)

- a) Name of the institution or person that ordered and paid the survey,
- b) Name and the seat of the institution that conducted the survey,
- c) Size of the sample and a possible tolerance in the survey results.
- d) The period in which the survey was conducted.

(2) Results of a telephone public opinion research or street poll conducted among voters during **the election period** shall not be presented as a reliable or trustful opinion of a particular social group, which must be particularly emphasized by the media that conducts the survey and announces results.

Article 16.6 is amended and reads as follows:

Article 16.6

During the election period, journalists or presenters may not express their possible party affiliation or affection.

Article 16.11

(1) No media coverage of any political and election campaign activity shall take place in the whole territory of Bosnia and Herzegovina during the period beginning twenty-four (24) hours prior to the opening of the Polling Stations.

(2) The campaign silence period shall continue until the close of the Polling Stations.

Article 16.11 is amended and reads as follows:

Article 16.11

No media coverage of any political and election campaign activity shall take place during the period beginning twenty-four (24) hours prior to the opening of the Polling Stations when the campaign silence period begins.

Article 16.13

The electronic media shall have the right to refuse to broadcast a political advertisement in case that:

- a) the advertisement has not been properly ordered in a written form;
- b) the advertisement does not meet technical and professional standards which are clearly identified and of which the political entity has been duly informed; and
- c) the advertisement or the content thereof violates the Constitution or laws of BiH.

Article 16.13 shall be amended to read as follows:

“Article 16.13

(1) The electronic media shall have the right to refuse to publish a paid political advertisement in case that:

- a) the advertisement has not been properly ordered in a written form;**
- b) the advertisement does not meet technical and professional standards which are clearly identified and of which the political entity has been duly informed; and**
- c) the advertisement includes any discrimination or prejudice based on sex, race, ethnicity, nationality, religion or belief, disability, special needs, age, sexual orientation, social background, or any other content that has as its purpose or effect nullification or impairment of the recognition, enjoyment or exercise on an equal basis of rights and freedoms of any person;**
- d) the advertisement humiliates, intimidates, and incites hatred, violence or discrimination against one person or a group because of their sex, race, ethnicity, nationality, religion or belief, disability, special needs, age, sexual orientation, social background, or any other circumstance that has as its purpose or effect nullification or impairment of the recognition, enjoyment or exercise on an equal basis of their rights and freedoms;**
- e) the advertisement involves the abuse of children for political purposes in accordance with international standards and**
- f) the advertisement contravenes other regulations of the Communications Regulatory Agency of BiH.**

(2) In the event that electronic media believe that the content of the ordered paid political advertising falls under sub-paragraphs c), d), e) and f) of paragraph (1) of this Article, they may address the Communications Regulatory Agency, which will issue a binding opinion on the content.

(3) In the event that electronic media refuse to publish a paid political advertisement, citing sub-paragraphs c), d), e) and f) of paragraph 1 of this Article, the political entity whose advertisement was refused shall have the right to address the Communications Regulatory Agency, which will issue a binding opinion in relation to the content.

(4) The Communications Regulatory Agency of BiH shall issue a binding opinion referred to in paragraphs (2) and (3) of this Article within 48 hours at the latest, and shall submit it to the Central Election Commission of BiH for information.

Article 16.14

(1) The public electronic media shall present political entities in an equal and fair manner and shall inform the public of all issues related to the campaign and the election process during 30 days prior to the Election Day.

(2) The public electronic media shall provide free broadcast time for direct access by political entities during 30 days prior to the Election Day.

(3) No conduct of a paid election campaign shall be allowed by way of electronic and printed media, or any form of paid public advertising, except for the holding of internal gatherings of authorities and statutory bodies of the political entities, within the period between the day when elections are announced and the day of official start of the election campaign. No conduct of an election campaign shall be allowed by way of electronic and printed media where the content is stereotype and offensive against men and/or women or which encourages any stereotype and offensive behavior on the grounds of gender or any humiliating attitude against the members of different genders.

(4) The regulations of the Central Election Commission of BIH shall determine the amount of broadcast time to be allocated to the political entities, the broadcast time and duration of the broadcast, as well as the geographic regions covered by the broadcasts.

(5) The public electronic media shall provide equal conditions for paid political advertisements of political parties in the duration of maximum 30 minutes per week during 30 days prior to the Election Day.

In Article 16.14 in paragraphs (1), (2) and (5) the words “30 days prior to the Election Day” shall be replaced with the words “***the election campaign***”.

In the same Article in paragraph (3) word “paid” and the last sentence shall be deleted.

After paragraph 3, new paragraph (4) shall be added to read as follows:

“(4) No content that is stereotype or offensive against men or women shall be allowed in electronic and print media during the election period.”

Current paragraphs (4) and (5) shall become paragraphs (5) and (6).

Once the above-proposed amendment has been incorporated, Article 16.14 shall read as follows:

Article 16.14

- (1) **During the election campaign**, the public electronic media shall present political entities in an equal and fair manner and shall inform the public of all issues related to the campaign and the election process.
- (2) **During the election campaign**, the public electronic media shall provide free broadcast time for direct access by political entities.
- (3) No conduct of a paid election campaign shall be allowed by way of electronic and printed media, or any form of public advertising, except for the holding of internal gatherings of authorities and statutory bodies of the political entities, within the period between the day when elections are announced and the day of official start of the election campaign.
- (4) **No content that is stereotype or offensive against men or women shall be allowed in electronic and print media during the election period.**
- (5) The regulations of the Central Election Commission of BIH shall determine the amount of broadcast time to be allocated to the political entities, the broadcast time and duration of the broadcast, as well as the geographic regions covered by the broadcasts.
- (6) **During the election campaign**, the public electronic media shall provide equal conditions for paid political advertisements of political parties in the duration of maximum 30 minutes per week.

New Article 16.14a is added after Article 16.14 and reads as follows:

“Article 16.14a

The provision of Article 16.14 (3) and (5) shall apply accordingly to private electronic media, online media, social media or any form of public advertising.”

After Article 16.15, new Article 16.15a shall be added to read as follows:

Article 16.15a

During the election campaign, political entities may also run an online campaign.

Article 16.16

(1) The body regulating the work of the electronic media that is responsible to implement laws and regulations related to media, shall be competent in all cases of violation of the provisions governing the media concerning elections as established by this Law and other laws governing the work of the media.

(2) The Central Election Commission of BiH shall be competent to decide objections to violations of this Chapter committed by political entities.

In Article 16.16, paragraph (2) shall be amended to read as follows:

“(2) In the event of violations of the provisions of this chapter by the political entities, the competent authority shall be the Central Election Commission of BiH.”

Once the above-proposed amendment has been incorporated, Article 16.16 shall read as follows:

Article 16.16

(1) The body regulating the work of the electronic media that is responsible to implement laws and regulations related to media, shall be competent in all cases of violation of the provisions governing the media concerning elections as established by this Law and other laws governing the work of the media.

(2) In the event of violations of the provisions of this chapter by the political entities, the competent authority shall be the Central Election Commission of BiH.

Article 16.17

The political entities shall refer to the Press Council of BiH with their complaints to the content in the print media concerning coverage of the election campaign.

In Article 16.17, after the words “*print*”, the words “***online media***” shall be added, and after the words “*Press Council*” the words “**and Online Media**” shall be added.

Once the above-proposed amendment has been incorporated, Article 16.17 shall read as follows:

Article 16.17

The political entities shall refer to the Press Council **and Online Media** with their complaints to the content in the print and **online media** concerning coverage of the election campaign.

In Article 16.17, new Article 16.17a shall be added to read as follows:

“Article 16.17a

In the event of false information spread by a political entity by way of electronic media or the internet that could undermine the integrity of the election process and misinform the voters, the Central Election Commission of BiH shall be authorized to conduct the procedure.”

In Article 16.17a, new Article 16.17b shall be added to read as follows:

Article 16.17b

1) During the election campaign, female candidates running for elections at all levels of government shall be entitled to 30 minutes free of charge time on the Public Broadcasting Service for presentation of their program and the program of their respective political entities.

(2) Private electronic media shall, under equal conditions, enable the presentation referred to in paragraph (1) of this Article.

(3) In the event of violation of the provisions of this Article, female candidates shall have the right to submit the matter to the Communications Regulatory Agency.

CHAPTER 17

ELECTION OBSERVERS

Article 17.2

(1) Observers shall not in any way interfere with election activities and they shall respect the secrecy of the voting. An observer may have only one representative at a time at a public election commission meeting, Voter Registration Centre, Counting Centre, Polling Station, or any other relevant location, as specified by the Central Election Commission of BiH.

(2) International observers shall not be subject to the limitation of the number of observers referred to in Paragraph (1) of this Article.

(3) Observers, while observing election activities, shall wear official accreditation identification and an observer shall not wear or carry any insignia or mark that identifies him or her with a particular political party, coalition, list of independent candidates or independent candidate.

In Article 17.2 paragraph (1), the second sentence shall be amended to read as follows:

“There may be only one representative present at a time at a public election commission meeting, Voter Registration Centre, Polling Station, or any other relevant location, as specified by the Central Election Commission of BiH.”

After paragraph (2), new paragraph (3) shall be added to read as follows:

(3) Observation of ballot counting in the counting centre shall be organised in such a way that at each table where the ballots are counted, accredited entities may have one observer each throughout the counting process as well as throughout all other election activities in the counting center.

Current paragraph (3) shall become paragraph (4).

Once the above-proposed amendment has been incorporated, Article 17.2 shall read as follows:

Article 71.2

(1) Observers shall not in any way interfere with election activities and they shall respect the secrecy of the voting. **There may be only one representative present at a time at a public election commission meeting, Voter Registration Centre, Polling Station, or any other relevant location, as specified by the Central Election Commission of BiH.**

(2) International observers shall not be subject to the limitation of the number of observers referred to in Paragraph (1) of this Article.

(3) **Observation of ballot counting in the counting center shall be organised in such a way that at each table where ballots are counted, accredited entities may have one observer each throughout the counting process as well as throughout all other election activities in the counting center.**

(4) Observers, while observing election activities, shall wear official accreditation identification and an observer shall not wear or carry any insignia or mark that identifies him or her with a particular political party, coalition, list of independent candidates or independent candidate.

An observer who has been denied accreditation by a Municipal, Cantonal, or Entity Election Commission may within three (3) days from the day of receipt of the decision file an objection with the Central Election Commission of BiH, which will resolve it within seven (7) days from the day of the receipt.

In Article 17.8, the word “*objection*” shall be replaced with the word “*complaint*”.

Once the above-proposed amendment has been incorporated, Article 17.8 shall read as follows:

Article 17.8

An observer who has been denied accreditation by a Municipal, Cantonal, or Entity Election Commission may within three (3) days from the day of receipt of the decision file **a complaint** with the Central Election Commission of BiH, which will resolve it within seven (7) days from the day of the receipt.

CHAPTER 18

BRČKO DISTRICT OF BOSNIA AND HERZEGOVINA

Article 18.3

The costs and expenses for the elections in the Brčko District shall be provided for in the budget of the institutions of BiH and international obligations of BiH, the Federation of BiH, the Republika Srpska and the Brčko District, depending on the level for which the elections are conducted.

Article 18.3 shall be deleted.

CHAPTER 19A

PENALTY PROVISIONS

Article 19.8

(1) A fine in the amount between 200.00 KM and 1,000.00 KM shall be imposed on those employed or hired in the election administration for violation, if he/she:

- a) participates in the decision which may raise doubt as to his/her ability to act impartially (Article 2.1);
- b) fails to designate polling stations in the territory of the municipality for voting at all levels of authorities in BiH (Article 2.13 paragraph (1) sub-paragraph 2));

- c) fails to provide the polling materials for voting at all levels of the elections in BiH (Article 2.13 paragraph (1) sub-paragraph 4));
- d) fails to notify voters of all information necessary for the administration of elections in line with the regulations of the BiH Central Election Commission (Article 2.13 paragraph (1) sub-paragraph 5));
- e) conducts the counting of ballots at polling stations and in municipal counting centers in an inappropriate manner (Article 2.13 paragraph (1) sub-paragraph 7));
- f) appoints the president and members of polling stations and their deputies in contravention to Article 2.19 paragraph (3);
- g) fails to update data in line with the changes in the number of voters and regulations of the BiH Central Election Commission (Article 3.8, paragraph (3) sub-paragraph b));
- h) fails to provide access to the excerpt from the Central Voters Register in the territory of its municipality (Article 3.8, paragraph (3) sub-paragraph c));
- i) fails to provide data for the Central Voters List as stipulated by the regulations of the BiH Central Election Commission (Article 3.8, paragraph (3) sub-paragraph d));
- j) fails to keep the records of requests and appeals and fails to keep the supporting documentation (Article 3.8 paragraph (4));
- k) designates the polling stations contrary to Article 5.1, paragraph (3));
- l) fails to provide the polling material for voting (Article 5.3, paragraph (3));
- m) is unjustifiably absent during the entire voting process (Article 5.5);
- n) fails to assign duties to the members of the Polling Station Committee (Article 5.6, paragraph (2));
- o) the Poll Book on the operation of the polling committee does not contain the information stipulated by this law (Article 5.7);
- p) fails to explain to the voters the manner of voting and fails to secure secrecy of the voting (Article 5.11, paragraph (1));
- r) fails to verify the identity of the voter and his/her signature in the excerpt from the Central Voters Register in accordance with this Law (Article 5.13);
- s) issues ballot(s) contrary to the regulations governing the issuance of ballot (Article 5.13);
- t) helps individuals with voting in the manner which is not in accordance with this Law (Article 5.19, paragraph (2));
- u) the forms have been filled contrary to Article 5.25; and

v) the data of the consolidated summary of voting results for the municipality are not in accordance with Article 5.27;

(2) For violations referred to in paragraph (1) points a), l), m), n), o), p), r), s), t) and u) of this Article, the members of the polling station committee shall be fined in the amount from 300.00 KM to 3,000.00 KM.

Once the above-proposed amendment has been incorporated, Article 19.8 shall read as follows:

(1) A fine in the amount between **600 KM and 3,000 KM** shall be imposed on those employed or hired in the election administration for violation, if he/she:

- a) participates in the decision which may raise doubt as to his/her ability to act impartially (Article 2.1);
- b) fails to supervise and to control the work of the Center for Voters' Register referred to in Article 3.8 of this Law (Article 2.13, paragraph (1), item 1));
- c) fails to designate polling stations in the territory of the municipality for voting at all levels of authorities in BiH (Article 2.13 paragraph (1) item 2));
- d) fails to conduct the appointment procedure, does not appoint and does not train the members of the polling station committee (Article 2.13, paragraph (1), item 3));
- e) fails to appoint or train controllers of election results in the counting centers (Article 2.13, paragraph (1), item 5));
- f) fails to provide and to deliver the polling materials for voting at all levels of the elections in BiH (Article 2.13 paragraph (1) item 5));
- g) fails to notify voters of all information necessary for the administration of elections in line with the regulations of the BiH Central Election Commission (Article 2.13 paragraph (1) item 6));
- h) fail to arrange the polling station and does not make other technical preparations for the elections (Article 2.13, paragraph (1), item 7));
- i) incorrectly counts ballots at polling stations and municipal counting centers, incorrectly consolidates determined election results from polling stations and fails to enter or incorrectly enters election results into the JIIS application (Article 2.13 paragraph (1) item 8));
- j) does not ensure the publicity of the sessions (Article 2.17);
- k) appoints the president and members of polling stations and their deputies in contravention to Article 2.19 paragraph (3);
- l) fails to appoint within 30 days before the day of the election the president and members of the polling station committee as well as their deputies appoint the election commission of the basic constituency no later than (Article 2.19 paragraph (4))

- m) fills the polling station committee contrary to Article 2.19 paragraph (6) (Proposal 1)
- n) fails to ensure participation in the lottery procedure for the allocation of seats of members of the polling station committee or deputy members of the polling station committee to political entities that have a certification list referred to in Article 2.19 paragraph (6) (Article 2.19 paragraph (7)) (Proposal 2)
- o) does not complete the draw within 60 days before the day of the election (Article 2.19, paragraph (8)) (Proposal 2)
- p) appoints a polling station committee contrary to Article 2.19 paragraph (12) (Proposal 2)
- q) fails to update data in line with the changes in the number of voters and regulations of the BiH Central Election Commission (Article 3.8, paragraph (3) item b));
- r) fails to provide access to the excerpt from the Central Voters Register in the territory of its municipality (Article 3.8, paragraph (3) item c));
- s) fails to provide data for the Central Voters List as stipulated by the regulations of the BiH Central Election Commission (Article 3.8, paragraph (3) item d));
- t) fails to keep the records of requests and appeals and fails to keep the supporting documentation (Article 3.8 paragraph (4));
- u) designates the polling stations contrary to Article 5.1, paragraph (4));
- v) fails to ensure in a timely manner that the space designated for the polling station is prepared and opened during the voting (Article 5.2 paragraph (3)) fails to provide the polling material for voting (Article 5.3, paragraph (3));
- w) is unjustifiably absent during the entire voting **and ballot counting** process (Article 5.5, paragraph (1) and (3));
- x) fails to assign duties to members of the polling station committee (Article 5.6 paragraph (2));
- y) does not remove any person who disturbs the order at the polling station (Article 5.6 paragraph (3));
- z) allows the introduction of features and symbols with a political connotation at the polling station (Article 5.6 paragraph (5));
- aa) the minutes of the work of the polling station committee do not contain the data prescribed by this Law (Article 5.7, paragraph (1) and (2));
- bb) does not display empty ballot boxes and does not seal them (Article 5.8 paragraph (1) item 1)
- cc) does not count and does not enter in the appropriate forms the total number of voters for the polling station on the basis of an excerpt from the Central Voters Register (Article 5.8, paragraph (1), item 1)
- dd) does not count and does not enter in the appropriate forms the total number of all ballots received for that polling station (Article 5.8, paragraph (1), item 1)
- ee) does not display in a visible place the list of members of the polling station committee with the name of the political entity that nominated them (Article 5.8, paragraph (1), item 4);
- ff) does not allow voters waiting in line at the polling station at the time of its closure to vote (Article 5.9 paragraph (2));
- gg) does not explain to the voter the manner of voting and does not ensure the secrecy of the vote (Article 5.11 paragraph (1));
- hh) fails to establish the identity of the voter and the signature of the voter on the excerpt from the Central Voters Register in accordance with this Law (Article 5.13);
- ii) if it issues a ballot or ballots contrary to the regulations governing the issuance of ballots (Article 5.13);

- j) assists a person in voting in a manner that is not in accordance with this Law (Article 5.19, paragraph (2));
- k) in case of damage to the ballot paper, does not issue a new ballot paper to the voter (Article 5.20);
- l) the forms are completed contrary to Article 5.25 and
- m) after the completion of the counting process, the polling station committee shall not immediately, and no later than 12 hours after the closing of the polling station, submit to the competent municipal election commission the documentation referred to in Article (5.26 paragraph (1))
- n) does not publicly present a detailed tabular presentation of the results of voting at the polling station by political entities and candidates so that the public can have insight into them and does not hand over copies of voting results to accredited observers of the polling station committee at their request (5.26 paragraph (1))
- o) the data of the consolidated total voting results for the municipality are not in accordance with Article 5.27.

(2) For the violations referred to in paragraph (1) points a) g,) n), o), p), r), s), t) u), v), z), aa), bb) and cc) of this Article, the members of the Polling Station Committee shall be fined in the amount from 600.00 KM to 10,000.00 KM.

(3) For the violations referred to in paragraph (1) points a) g,) n), o), p), r), s), t) u), v), z), aa), bb) and cc) of this Article, the political entity on whose behalf the member of the Polling Station Committee is appointed shall be liable to a fine ranging between 3,000.00 KM and 10,000.00 KM.

Article 19.9

(1) A political entity shall be fined in the amount from 1,000.00 KM to 10,000.00 KM for violation if it:

- a) fails to submit changes of data within ten (10) days (Article 4.22);
- b) removes, covers up, damages or alters printed notices, placards, posters or other materials which are used, in accordance with law, for purposes of the election campaign of political parties, coalitions, lists of independent candidates or independent candidates (Article 7.2, paragraph (2));
- c) displays notices, placards and posters, or places its names or slogans related to the election campaign, in or on the buildings of government authorities at all levels, public enterprises, public institutions and local communities, and on religious facilities, on public roads and in public areas, except for the places designated for distribution of posters and advertising; (Article 7.2, paragraph 3)).
- d) carries and displays weapons in political gatherings, polling stations and their surroundings, as well as during gatherings related to the activities of political parties,

coalitions, independent candidates' lists and independent candidates in the election process (Article 7.3 paragraph (1) sub-paragraph 1);

- e) disturbs gatherings of other political parties, coalitions and independent candidates, and incites others to conduct such activities (Article 7.3 paragraph (1) sub-paragraph 2);
- f) prevents journalists from carrying out their work in accordance with their professional rules and election rules (Article 7.3 paragraph (1) sub-paragraph 3);
- g) promises any financial rewards with the purpose of gaining the support of voters or threatens the supporters of other political parties, coalitions, independent candidates' lists and independent candidates (Article 7.3 paragraph (1) sub-paragraph 4);
- h) induces persons to vote who are not entitled to vote (Article 7.3 paragraph (1) sub-paragraph 5);
- i) induces persons to vote more than once in the same election, or to vote in the name of another person (Article 7.3 paragraph (1) sub-paragraph 6);
- j) uses language which could provoke or incite someone to violence or spreading of hatred, or publishes or uses pictures, symbols, audio and video recordings, SMS text messages, internet messages or other materials that can have such effect (Article 7.3 paragraph (1) sub-paragraph 7.);
- k) impersonates any political party, coalition, independent candidates' list or independent candidate (Article 7.3 paragraph (2));
- l) holds meetings for the purpose of election campaigning (Article 7.4 paragraph (1) sub-paragraph 1);
- m) presents any kind of materials for the purpose of influencing voters at a polling station and the surrounding area (Article 7.4 paragraph (1) sub-paragraph 2);
- n) uses national and international means of communication with the aim of influencing eligible voters (Article 7.4 paragraph (1) sub-paragraph 3);
- o) uses a megaphone or other public address systems for the purpose of influencing voters (Article 7.4 paragraph (1) sub-paragraph 4);
- p) carries out any activity that interferes with or obstructs the election process (Article 7.4 paragraph (1) sub-paragraph 5);
- r) he/she fails to submit on a special form a signed statement of his/her property situation within thirty (30) days from the day when the mandate verification is published in the Official Gazette of BiH (Article 15.7 and 15.8);

- s) exceeds the maximum amount allowed to be spent for financing the election campaign from Article 15.10;
- t) conducts the election campaign in the period from the day when the elections have been announced to the day of official start of the election campaign (Article 16.14, paragraph (3));
- u) [if] an observer, while observing election process, interferes with the election activities and fails to respect the secrecy of voting (Article 17.2 paragraph (1));
- v) [if] an observer, while observing election activities, fails to wear official accreditation or wears or carries any insignia or symbols that identify him/her with a particular political party, coalition, independent candidates' list and independent candidate (Article 17.2 paragraph (3)).

(2) For the violations referred to in paragraph (1) points b), c), d), e), f), g), h), i), j), k), l), m), n), o) and p) of this Article committed by a follower of a political entity, that political entity shall be sanctioned.

(3) For the violations referred to in paragraph (1) subparagraph a) of this Article, the responsible person in the political party, coalition and list of independent candidates shall also be fined in the amount from 200 to 5.000 KM.

(4) For the violations referred to in paragraph (1) points b), c), d), e), f), g), h), i), j), k), l), m), n), o), p) and r) of this Article, the candidate of the political subject shall also be fined in the amount from 1.000 to 5.000 KM.

(5) For the violations referred to in paragraph (1) points d), h) and i) of this Article, those employed or hired in the election administration shall also be fined in the amount from 200 KM to 1.000 KM.

Pursuant to this proposal, Article 19.9 reads as follows:

(1) A political entity shall be fined in the amount from **3,000.00 KM** to **30,000.00 KM** for violation if it:

- a) **[if] its candidate fails to resign from office, or fails to comply with the law governing his/her status (Article 1.8 paragraph (4));**
- b) fails to submit changes of data within ten (10) days (Article 4.22);
- c) fails to ensure equal promotion of candidates of both sexes in media appearances, public rallies and other forms of election campaign (Article 7.1c)
- d) removes, covers up, damages or alters printed notices, placards, posters or other materials which are used, in accordance with law, for purposes of the election campaign of political parties, coalitions, lists of independent candidates or independent candidates

- (Article 7.2, paragraph (2));
- e) displays notices, placards and posters, or places its names or slogans related to the election campaign, in or on the buildings of government authorities at all levels, public enterprises, public institutions and local communities, and on religious facilities, on public roads and in public areas, except for the places designated for distribution of posters and advertising; (Article 7.2, paragraph 3));
 - f) **uses public resources for his/her own and for the promotion of the political entity he/she is a member of (Article 7.2, paragraph (4));**
 - g) **fails to, within 15 days from the Election Day, remove all notices, placards, posters and other similar material used for campaign purposes (Article 7.2a);**
 - h) carries and displays weapons in political gatherings, polling stations and their surroundings, as well as during gatherings related to the activities of political parties, coalitions, independent candidates' lists and independent candidates in the election process (Article 7.3 paragraph (1) sub-paragraph 1);
 - i) disturbs gatherings of other political parties, coalitions and independent candidates, and incites others to conduct such activities (Article 7.3 paragraph (1) sub-paragraph 2);
 - j) prevents journalists from carrying out their work in accordance with their professional rules and election rules (Article 7.3 paragraph (1) sub-paragraph 3);
 - k) promises any financial rewards **or other material benefit** with the purpose of gaining the support of voters or threatens the supporters of other political parties, coalitions, independent candidates' lists and independent candidates (Article 7.3 paragraph (1) points 4);
 - l) induces persons to vote who are not entitled to vote (Article 7.3 paragraph (1) sub-paragraph 5);
 - m) induces persons to vote more than once in the same election, or to vote in the name of another person (Article paragraph (1) sub-paragraph 6);
- 7.3
- n) uses hate speech and/or published pictures, symbols, audio and video recordings, SMS text messages, internet messages or other materials that can have such effect (Article 7.3 paragraph (1) sub-paragraph 7);
 - o) impersonates any political party, coalition, independent candidates' list or independent candidate, **or fictitiously represents a political entity to which a seat in the Polling Station Committee was allocated so as to favor another political entity to which that seat in the Polling Station Committee was not allocated.** (Article 7.3 paragraph (2));
- p) Abuse of children in political purposes (Article 7.4, paragraph (1), point 1));
 - q) holds meetings for the purpose of election campaigning (Article 7.4 paragraph (1) sub-paragraph 1);
 - r) presents any kind of materials for the purpose of influencing voters at a polling station and the surrounding area (Article 7.4 paragraph (1) sub-paragraph 2);
 - s) uses national and international means of communication with the aim of influencing eligible voters (Article 7.4, paragraph (1) item 3);
 - t) uses a megaphone or other public address systems for the purpose of influencing voters (Article 7.4 paragraph (1) item 4);
 - u) obstructs or hinders electoral process (Article 7.4, paragraph (3));
 - v) fails to submit, within thirty days from the day of publication of the election results in the Official Gazette of BiH, the financial report for the period from the day of submission of the application for certification to participate in the elections until the day of verification of election results (Article 15.1a)
 - w) does not open a special account for financing the costs of the election campaign (Article 15.1b paragraph (1))

- x) fails to pay the funds intended for spending on the election campaign to a special account for financing the election campaign (Article 15.1b paragraph (4))
- y) receives payments other than those intended to finance the election campaign to a special campaign finance account or uses funds from that account for any purpose other than to cover campaign expenses (Article 15.1b paragraph (5)).
- z) fails to submit a loan agreement to the Central Election Commission of BiH (Article 15.1c paragraph (3))
- aa) fails to submit an asset declaration form within thirty (30) days from the day when the mandate verification is published in the Official Gazette of BiH (Article 15.7 and 15.8);
- bb) exceeds the maximum amount allowed to be spent for financing the election campaign from Article 15.10;
- cc) enjoys a privileged position in electronic media and uses public office to get a privileged position in electronic media (Article 16.3);
- dd) conducts the election campaign in the period from the day when the elections have been announced to the day of official start of the election campaign (Article 16.14, paragraph (3));
- ee) by way of electronic and print media, places stereotype and offensive content against men and women (Article 16.14 paragraph (4));
- ff) **by way of electronic media or the internet spreads false information that could undermine the integrity of the election process and misinforms the voters (Article 16.17a;)**
- gg) [if] an observer, while observing election process, interferes with the election activities and fails to respect the secrecy of voting (Article 17.2 paragraph (1));
- hh) [if] an observer, while observing election activities, fails to wear official accreditation or wears or carries any insignia or symbols that identify him/her with a particular political party, coalition, independent candidates' list and independent candidate (Article 17.2 paragraph (3));

(2) For the violations referred to in paragraph (1) points **d), e), g), h), i), j), k), l), m), n), o), p), q), r), s), t), aa), bb), cc), and dd)** of this Article committed by a follower of a political entity, that political entity shall be sanctioned.

(3) For the violations referred to in paragraph (1) point **b)** of this Article, the responsible person in the political party, coalition and list of independent candidates shall also be fined in the amount from **600 KM do 15.000 KM**.

(4) For violations referred to in paragraph (1) points **d), e), f), h), i), j), k), l), m), n), o), p), q), r), s), aa), bb), cc), dd), ee) and ff)** of this Article, the candidate of the political subject shall also be fined in the amount from **3.000 KM to 15.000 KM**.

(5) For violations referred to in paragraph (1) points **i), l), and m)** of this Article, those employed or hired in the election administration shall also be fined in the amount from **600 KM do 3.000 KM**.

(6) **For the violations referred to in Article (1) points f), h), i), k), n), o), s), t), bb), dd) and ff) the Central Election Commission of BiH may, besides fines, annul certification of political entity.**

CHAPTER 20

TRANSITIONAL AND FINAL PROVISIONS

After Article 20.16A, new Article 20.17 shall be added to read as follows:

Article 20.17

The Committees for Constitutional and Legal Affairs of both houses of the Parliamentary Assembly of Bosnia and Herzegovina are hereby authorized to determine the consolidated version of the Election Law of Bosnia and Herzegovina within 30 days from the day of entry into force of this Law.