



INSTRUCTION
ON THE PROCESS OF IMPLEMENTATION OF INDIRECT ELECTIONS FOR
AUTHORITIES IN BOSNIA AND HERZEGOVINA COVERED BY THE ELECTION
LAW OF BOSNIA AND HERZEGOVINA
(Consolidated text)

Sarajevo, May 2024

Pursuant to Article 2.9, Paragraph (1) Items 2, 6, 10 and 12, in conjunction with Articles 9.12 to 9.12i, Articles 10.10 to 10.18, Articles 11.10 to 11.16 and Articles 13.10 to 13.12 of the Election Law of Bosnia and Herzegovina (“Official Gazette of BiH”, No23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14, 31/16, 41/20, 38/22, 51/22, 67/22 and 24/24), at its 20th session held on May 3, 2024, the Central Election Commission of BiH adopted the following

INSTRUCTION
ON THE PROCESS OF IMPLEMENTATION OF INDIRECT ELECTIONS FOR
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CHAPTER I. INTRODUCTORY REMARKS

Article 1
(Scope)

(1) The Instruction on the process of implementation of indirect elections for authorities in Bosnia and Herzegovina covered by the election law of Bosnia and Herzegovina (hereinafter: the Instruction) shall define the method and procedure for nomination and verification of candidates; certification of candidates' lists; election; establishing of voting results; validation of voting results; and issuance of certificates of elections:

- a) in the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina (hereinafter: House of Peoples of the Parliamentary Assembly of BiH);
- b) in the House of Peoples of the Parliament of the Federation of Bosnia and Herzegovina (hereinafter: House of Peoples of the Parliament of the Federation of BiH);
- c) in the Council of Peoples of the Republika Srpska (hereinafter: the Council of Peoples of the RS); and
- d) in the City Council of the City of Sarajevo and the Assembly of the City of Istočno Sarajevo.

(2) This Instruction shall define the method and procedure for verification of candidates; certification of candidates' lists; and issuance of certificates to persons who receive mandates for the President and Vice-Presidents of the Federation of Bosnia and Herzegovina and Mayors of the City of Sarajevo, the City of Mostar (hereinafter: City Mayor) and of Brčko District of Bosnia and Herzegovina.

CHAPTER II. HOUSE OF PEOPLES OF THE PARLIAMENTARY ASSEMBLY OF BIH

Part A. Nomination of Candidates

Article 2

(Nomination of Candidates from the House of Peoples of the FBiH Parliament - Article 9.12, Paragraph (2) of the Election Law of BiH)

(1) Bosniak and Croat delegates to the House of Peoples of the Parliament of the Federation of BiH shall elect delegates from their respective constituent people.

(2) Each political subject participating in the Bosniak or Croat caucus or each delegate from the Bosniak or the Croat caucus in the House of Peoples of the Parliament of the Federation of BiH shall have the right to nominate one or more candidates to the list for the election of Bosniak or Croat delegates to the House of Peoples of the Parliamentary Assembly of BiH.

Article 3

(Nomination of Candidates from the National Assembly of the Republika Srpska - Articles 9.12e, 9.12a, Paragraph (4) and (5) of the Election Law of BiH)

(1) Each political subject or each delegate to the National Assembly of the RS shall have the right to nominate one or more candidates to the list for the election of Serb delegates to the House of Peoples of the Parliamentary Assembly of BiH.

(2) Delegates from the Republika Srpska (5 Serbs) to the House of Peoples of the Parliamentary Assembly of BiH shall be elected by the National Assembly of the Republika Srpska (hereinafter: National Assembly of the RS). All delegates to the National Assembly of the RS shall have the right to participate in the process of electing delegates from the Republika Srpska to the House of Peoples of the Parliamentary Assembly of BiH.

Article 4

(Number of Candidates on the List - Article 9.12e of the Election Law of BiH)

The list referred to under Articles 2 and 3 of this Instruction may include more candidates than the number of delegates to be elected to the House of Peoples of the Parliamentary Assembly of BiH.

Article 5

(Submission of Candidates' lists)

The candidates' list referred to under Articles 2 and 3 of this Instruction shall be submitted for certification to the Central Election Commission of Bosnia and Herzegovina (hereinafter: the Central Election Commission of BiH) through the House of Peoples of the Parliament of the Federation of BiH or the National Assembly of the RS using the form whose content is determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

Article 6
(Declaration of Acceptance of Candidacy)

The candidates on the candidates' list referred to under Article 5 of this Instruction shall personally sign the Declaration of Acceptance of Candidacy at the BiH Central Election Commission, on the form that is an integral part of this Instruction.

Article 7
(Delivery of Forms)

The forms referred to under Articles 5 and 6 of this Instruction shall be timely delivered by the Central Election Commission of BiH to the House of Peoples of the Parliament of the Federation of BiH and the National Assembly of the RS.

Part B. Certification of candidates' lists

Article 8
(Procedure of Certification of candidates' lists)

(1) Upon receiving the candidates' lists referred to under Articles 2 and 3 of this Instruction and their certification, the Central Election Commission of BiH shall, no later than within 24 hours, deliver the decision on certification to the House of Peoples of the Parliament of the Federation of BiH and the National Assembly of the RS.

(2) In the event a list referred to under Paragraph (1) of this Article includes the name of a person who has been certified as a candidate in direct elections in the same election cycle, the Central Election Commission of BiH shall carry out verification to establish whether such candidate's declaration of affiliation with a particular constituent people or the group of the Others is identical to such candidate's declaration made during certification for direct elections in the same election cycle.

(3) In the event the candidate's declaration of affiliation with a particular constituent people or the group of the Others is not identical to the declaration given by such candidate during certification for direct elections in the same election cycle, the Central Election Commission of BiH shall reject the candidate on the list.

Article 9
(Measures to Remedy Irregularities)

If it is established that a candidates' list is incomplete in that it does not include the full name of a political subject or the first and last names of the delegate who makes the nomination, first and last names and unique ID number of the nominated candidate or that a candidates' list has not been submitted on the prescribed form, the Central Election Commission of BiH shall immediately notify this to the House of Peoples of the Parliament of the Federation of BiH or the National Assembly of the RS, which shall make any necessary corrections or additions no later than within 48 hours of receiving the notification of the Central Election Commission of BiH.

Article 10
(Rejection of a candidates' list)

In the event corrections or additions are not effected within the time period defined under Article 9 of this Instruction, the Central Election Commission of BiH shall reject such candidates' list.

Article 11
(Signing of Forms)

The forms referred to under Article 5 of this Instruction shall be signed by the president of the political subject or by the delegate who makes the nomination of candidates.

Part C. Election

Article 12
(Method of Voting - Articles 9.12d and 9.12f of the Election Law of BiH)

- (1) Each delegate from the Bosniak or the Croat caucus in the House of Peoples of the Parliament of the Federation of BiH shall cast one vote for a candidates' list for the election of Bosniak or Croat delegates to the House of Peoples of the Parliamentary Assembly of BiH.
- (2) Each delegate to the National Assembly of the RS shall cast one vote for a list of candidates for the election of Serb delegates to the House of Peoples of the Parliamentary Assembly of BiH from the Republika Srpska.
- (3) The vote shall be cast by a secret ballot in accordance with provisions of the Election Law of BiH and this Instruction.

Article 13
(Ballot)

- (1) The voting referred to under Article 12 of this Instruction shall be done on a ballot whose form and content are determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.
- (2) In the event several candidates' lists are nominated in the manner defined under Articles 2 and 3 of this Instruction, the order on the ballot shall be determined by the House of Peoples of the Parliament of the Federation of BiH and the National Assembly of the RS through a drawing of lots.

Article 14
(Conduct of Election)

The election referred to under Article 12 of this Instruction shall be conducted by competent election management bodies.

Part D. Establishment and confirmation of election results and allocation of mandates

Article 15
(Deadline for Delivery of Election Material)

Complete election material including the results of voting referred to under Article 12 of this Instruction shall be delivered immediately after the voting procedure, but no later than within 24 hours, to the Central Election Commission of BiH.

Article 16
(Establishment of Election Results)

In the process of establishing the results of voting, the Central Election Commission of BiH shall establish whether the entire process of voting and election has been conducted in accordance with the Election Law of BiH and this Instruction, and shall establish election results.

Article 17
(Confirmation of Election Results and Allocation of Mandates)

(1) Following the expiry of the period for appeals against the decision on establishment of election results, namely after the decision becomes final and binding, the Central Election Commission of BiH shall confirm election results and shall allocate mandates in accordance with Article 9.5 of the Election Law of BiH.

(2) In the event the procedure laid down under Part C of Chapter II of this Instruction is violated, the Central Election Commission of BiH shall annul the election and shall order repeating of the part of the process of election of delegates where violations have been committed.

(3) Following the expiry of the period for appeals against the decision on annulment, namely after the decision becomes final and binding, but no later than within three days, the Central Election Commission of BiH shall order repeating of the part of the process of election of delegates where violations have been committed.

Article 18
(Protection of the Electoral Right)

In cases of any complaints regarding the process of candidacy, certification, validation and allocation of mandates in the House of Peoples of the Parliamentary Assembly of BiH, the general rules for the protection of the electoral right defined in Chapter 6 of the Election Law of BiH and in the regulations of the Central Election Commission of BiH shall apply.

Article 19
(Notification of Election Results)

The Central Election Commission of BiH shall notify the election results and the elected convocation of the House of Peoples of the Parliamentary Assembly of BiH to the elected delegates, as well as to the House of Peoples of the Parliamentary Assembly of BiH, the House of Peoples of the Parliament of the Federation of BiH and the National Assembly of the RS.

Article 20
(Publication in Official Gazettes and Certificate of election - Article 2.9, Paragraph (1), points 10 and 12 of the Election Law of BiH)

(1) The Central Election Commission of BiH shall publish in official gazettes the election results for the House of Peoples of the Parliamentary Assembly of BiH.

(2) The Central Election Commission of BiH shall issue to each delegate elected to the House of Peoples of the Parliamentary Assembly of BiH a certificate of election, whose form and content are determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

**CHAPTER III. HOUSE OF PEOPLES OF THE PARLIAMENT OF THE
FEDERATION OF BOSNIA AND HERZEGOVINA**

Part A. Nomination of Candidates and Election of Delegates

Article 21
**(Nomination of Candidates from Cantonal Assemblies and Election of Delegates -
Article 10.11, Paragraphs (1) and (2) and Article 10.12 of the Election Law of BiH)**

(1) Each political subject represented in the respective caucuses of the constituent peoples and the Others in each of ten cantons in the Federation of BiH or each member of one of these caucuses shall have the right to nominate one or more candidates on a list for election of delegates of that particular caucus from that canton.

(2) The representatives from among Bosniaks, Croats, Serbs and the Others in the Cantonal Assembly shall elect delegates of their respective constituent peoples and of the Others in that Canton.

(3) This Instruction determines the preliminary number of delegates to be selected from amongst delegates elected from Cantonal Assemblies, as follows:

- a) from the legislature of Canton 1, Una-Sana Canton, eight delegates are elected, including three from among the Bosniak people, one from among the Croat people, three from among Serb people and one from among the group of Others;
- b) from the legislature of Canton 2, Posavina Canton, four delegates are elected, including one from among the Bosniak people, one from among the Croat people, one from among Serb people and one from among the group of Others;
- c) from the legislature of Canton 3, Tuzla canton, ten delegates are elected, including five from among the Bosniak people, one from among the Croat people, three from among Serb people and one from among the group of Others;
- d) from the legislature of Canton 4, Zenica-Doboj Canton, nine delegates are elected, including four from among the Bosniak people, two from among the Croat people, two from among Serb people and one from among the group of Others;
- e) from the legislature of Canton 5, Goražde Canton, four delegates are elected, including one from among the Bosniak people, one from among the Croat people, one from among Serb people and one from among the group of Others;
- f) from the legislature of Canton 6, Central Bosnia Canton, eight delegates are elected, including two from among the Bosniak people, four from among the Croat people, one from among Serb people and one from among the group of Others;
- g) from the legislature of Canton 7, Herzegovina-Neretva Canton, nine delegates are elected, including one from among the Bosniak people, five from among the Croat people, two from among Serb people and one from among the group of Others;
- h) from the legislature of Canton 8, West Herzegovina Canton, seven delegates are elected, including one from among the Bosniak people, four from among the Croat people, one from among Serb people and one from among the group of Others;
- i) from the legislature of Canton 9, Canton Sarajevo, twelve delegates are elected, including four from among the Bosniak people, one from among the Croat people, five from among Serb people and two from among the group of Others, and
- j) from the legislature of Canton 10, Canton 10, nine delegates are elected, including one from among the Bosniak people, three from among the Croat people, four from among Serb people and one from among the group of Others.

Article 22

(Submission of candidates' lists from the cantonal assemblies for certification and mandate allocation – Article 10.11, paragraph (2) and (3) and Article 10.16 of the BiH Election Law)

(1) Delegates from among the Bosniak, Croat, Serb people, and from among Others in the legislature of each canton submit candidates' lists for certification to the Central Election Commission of BiH. After certification of those lists, elections are conducted among the constituent peoples and Others, and the voting results are submitted to the Central Election Commission of Bosnia and Herzegovina.

(2) The final allocation of mandates is initially determined in the cantons where the number of delegates from Article 21, paragraph (3) of this Instruction has been preliminarily established. If the preliminarily determined number of delegates in that canton is not elected, the distribution of the remaining delegates shall be carried out by the Central Election Commission of Bosnia and Herzegovina in accordance with Article 10.16 of the Election Law of Bosnia and Herzegovina.

Article 23

Number of Candidates on the List - Article 10.11, Paragraph (3) of the Election Law of BiH)

The list referred to under Article 21 and 22 of this Instruction may include a larger number of candidates than is the number of delegates to be elected, provided that the legislature of the Canton has a larger number of delegates from among Bosniaks, Croats, Serbs and the Others than is the number of delegates from among Bosniaks, Croats, Serbs and the Others that are to be elected to the House of Peoples of the Parliament of the Federation of BiH.

Article 24

(Submission of candidates' lists)

The candidates' referred to under Articles 21, 22 and 23 of this Instruction shall be submitted for certification to the Central Election Commission of Bosnia and Herzegovina through the Cantonal Assembly, using the form whose content is determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

Article 25

(Declaration of Acceptance of Candidacy)

The candidates on the candidates' list referred to under Articles 23 and 24 of this Instruction shall personally sign the Declaration of Acceptance of Candidacy at the BiH Central Election Commission, on the form that is an integral part of this Instruction.

Article 26
(Delivery of Forms)

The forms referred to under Articles 24 and 25 of this Instruction shall be timely delivered by the Central Election Commission of BiH to Cantonal Assemblies.

Part B. Certification of candidates' lists

Article 27
(Procedure of Certification of candidates' lists)

(1) Upon receiving the candidates' lists referred to under Articles 23 and 24 of this Instruction and their certification, the Central Election Commission of BiH shall, no later than within 24 hours, deliver the decision on certification to the cantonal assemblies.

(2) In the event a list referred to under Paragraph (1) of this Article includes the name of a person who has been certified as a candidate in direct elections in the same election cycle, the Central Election Commission of BiH shall carry out verification to establish whether such candidate's declaration of affiliation with a particular constituent people or the group of the Others is identical to such candidate's declaration made during certification for direct elections in the same election cycle.

(3) In the event the candidate's declaration of affiliation with a particular constituent people or the group of the Others is not identical to the declaration given by such candidate during certification for direct elections in the same election cycle, the Central Election Commission of BiH shall reject the candidate on the list.

Article 28
(Measures to Remedy Irregularities)

If it is established that a candidates' list is incomplete in that it does not include the full name of a political subject or the first and last names of the delegate who makes the nomination, first and last names and unique ID number of the nominated candidate or that a candidates' list has not been submitted on the prescribed form, the Central Election Commission of BiH shall immediately notify this to the cantonal assembly that submitted the list and that shall make any necessary corrections or additions no later than within 48 hours of receiving the notification of the Central Election Commission of BiH.

Article 29
(Rejection of a candidates' list)

In the event corrections or additions are not effected within the time period defined under Article 28 of this Instruction, the Central Election Commission of BiH shall reject such candidates' list.

Article 30
(Signing of Forms)

The lists referred to under Article 21, 22 and 23 of this Instruction shall be signed by the president of the political subject or by a delegate who nominates the candidates.

Part C. Election

Article 31
(Method of Voting - Article 10.14 of the Election Law of BiH)

- (1) Each delegate in the Cantonal Assembly shall cast one vote for the list containing their appropriate caucus.
- (2) The vote shall be cast by secret ballot.

Article 32
(Conduct of Election)

The election referred to under Article 31 of this Instruction shall be implemented by competent election management bodies.

Article 33
(Ballot)

- (1) The voting referred to under Article 31 of this Instruction shall be done on a ballot whose form and content are determined by the Central Election Commission of BiH.
- (2) If there are several candidates' lists, the order of candidates' lists on the ballot shall be determined by the Cantonal Assembly through the drawing of lots.

Part D. Establishment, certification of election results and allocation of mandates

Article 34
(Deadline for Delivery of Election Material)

Complete election material including the results of voting referred to under Article 31 of this Instruction shall be delivered immediately after the voting procedure, but no later than within 24 hours, to the Central Election Commission of BiH.

Article 35
(Establishment of Election Results)

In the process of establishing the results of voting, the Central Election Commission of BiH shall establish whether the entire process of voting and election has been conducted in accordance with the Election Law of BiH and this Instruction, and shall establish election results.

Article 36
(Confirmation of Election Results and Allocation of Mandates)

(1) Following the expiry of the period for appeals against the decision on establishment of election results, namely after the decision becomes final and binding, the Central Election Commission of BiH shall confirm election results and shall allocate mandates in accordance with Article 9.5 of the Election Law of BiH.

(2) In the event the procedure laid down under Part C of Chapter III of this Instruction is violated, the Central Election Commission of BiH shall annul the election and shall order repeating of the part of the process of election of delegates where violations have been committed.

(3) The mandates shall be allocated according to the formula defined under Article 9.5 of the Election Law of BiH and in accordance with the procedure defined under Article 10.16 of the Election Law of BiH.

Article 37
(Protection of the Electoral Right)

In cases of any complaints regarding the process of candidacy, certification, confirmation and allocation of mandates in the House of Peoples of the Parliament of the Federation of BiH, the general rules for the protection of the electoral right defined in Chapter 6 of the Electoral Law and the regulations of the BiH Central Election Commission shall apply.

Article 38
(Procedure in case there is a vacant seat in the House of Peoples of the Parliament of the Federation of BiH after re-allocation of mandates)

(1) If the required number of delegates to the House of Peoples of the Parliament of the Federation of BiH is not elected from among each constituent people and from the Others following re-allocation of mandates in accordance with Article 10.16 of the Election Law of BiH, provided that there are delegates in Cantonal Assemblies from the missing constituent people or the Others who have taken part in the election to the House of Peoples of the Parliament of the Federation of BiH or who have not been elected to the House of Peoples of the Parliament of the Federation of BiH, the Central Election Commission of BiH shall re-allocate that seat to the unelected candidate with the highest quotient on all list of political subjects.

(2) If a seat remains vacant in the way described in paragraph (1) of this Article, the Central Election Commission of BiH will notify the cantonal assemblies that have a representative from

among the missing constituent peoples and from among Others who did not participate in the election process for the House of Peoples of the Parliament of the Federation of BiH, i.e., those who were not elected to the House of Peoples of the Parliament of the Federation of BiH.

(3) Within 48 hours of receiving the notice referred to under paragraph (1) of this Article, Cantonal Assemblies shall inform each political subject and each member of the caucus of the Others of the notice received and shall allow authorized proponents to put forward candidates' lists and to conduct indirect elections in line with this Instruction.

(4) Exceptionally, if, following the procedure outlined in paragraphs (1), (2), and (3) of this Article, a specific number of delegates from one of the constituent peoples or from among Others is missing (Article 10.10 of the Law), the Central Election Commission of BiH shall issue a special directive to prescribe the method of filling and completing the missing number of delegates from among the constituent people or from among Others, applying Article 10.16 of the BiH Election Law.

Article 39 **(Notification of Election Results)**

The Central Election Commission of BiH shall notify the election results and the elected convocation of the House of Peoples of the Parliament of the Federation of BiH to the elected delegates, the House of Peoples of the Parliament of the Federation of BiH and Cantonal Assemblies.

Article 40 **(Publication in official gazettes and certificate of the allocation of Mandate - Article 2.9, Paragraph (1), points 10 and 12 of the Election Law of BiH)**

(1) The Central Election Commission of BiH shall publish in official gazettes the election results for the House of Peoples of the Parliament of the Federation of BiH.

(2) The Central Election Commission of BiH shall issue to each delegate elected to the House of Peoples of the Parliament of the Federation of BiH a certificate of election, whose form and content are determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

CHAPTER IV. COUNCIL OF PEOPLES OF THE REPUBLIKA SRPSKA

Part A. Nomination of Candidates

Article 41 **(Nomination of Candidates from Caucuses in the National Assembly of the RS - Article 11.11, Paragraph (1) and Article 11.12, Paragraph (2) of the Election Law of BiH)**

(1) A delegate of the Council of Peoples of the RS shall be elected by their respective caucus in the National Assembly of the RS.

(2) Any political subject represented in the caucuses of the respective constituent peoples and the Others or any member of one of these caucuses, including *ad hoc* members elected in accordance with Article 11.12 of the Election Law of BiH, shall have the right to nominate one or more candidates on the list for election of delegates of that relevant caucus.

Article 42

(Number of candidates on the list - Article 11.12, Paragraph (2) of the Election Law of BiH)

The list referred to under Article 41 of this Instruction may include more candidates than the number of delegates to be elected to the Council of Peoples of the RS.

Article 43

(Submission of candidates' lists)

The lists of candidates referred to under Article 41 of this Instruction shall be submitted for certification to the Central Election Commission of BiH using the form whose content is determined by the Central Election Commission of BiH and which is an integral part of this Instruction.

Article 44

(Declaration of Acceptance of Candidacy)

The candidates on the candidates' list referred to under Article 41 of this Instruction shall personally sign the Declaration of Acceptance of Candidacy at the BiH Central Election Commission, on the form that is an integral part of this Instruction.

Article 45

(Delivery of Forms)

The forms referred to under Articles 43 and 44 of this Instruction shall be timely delivered by the Central Election Commission of BiH to the National Assembly of the RS.

Part B. Certification of candidates' lists

Article 46

(Procedure of Certification of Lists of Candidates)

(1) Upon receiving the candidates' lists referred to under Articles 41 and 42 of this Instruction and their certification, the Central Election Commission of BiH shall, no later than within 24 hours, deliver the decision on certification to the respective caucus in the National Assembly of the RS.

(2) In the event a list referred to under Paragraph (1) of this Article includes the name of a person who has been certified as a candidate in direct elections in the same election cycle, the Central Election Commission of BiH shall carry out verification to establish whether such

candidate's declaration of affiliation with a particular constituent people or the group of the Others is identical to such candidate's declaration made during certification for direct elections in the same election cycle.

(3) In the event the candidate's declaration of affiliation with a particular constituent people or the group of the Others is not identical to the declaration given by such candidate during certification for direct elections in the same election cycle, the Central Election Commission of BiH shall reject the candidate on the list.

Article 47 **(Measures to Remedy Irregularities)**

If it is established that a candidates' list is incomplete in that it does not include the full name of a political subject or the first and last names of the delegate who makes the nomination, first and last names and unique ID number of the nominated candidate or that a candidates' list has not been submitted on the prescribed form, the Central Election Commission of BiH shall immediately notify this to the National Assembly of the RS, which shall make any necessary corrections or additions no later than within 48 hours of receiving the notification of the Central Election Commission of BiH.

Article 48 **(Rejection of a candidates' list)**

In the event corrections or additions are not effected within the time period defined under Article 48 of this Instruction, the Central Election Commission of BiH shall reject such candidates' list.

Article 49 **(Signing of Forms)**

The forms referred to under Article 43 of this Instruction shall be signed by the president of the political subject or by a delegate who nominates the candidates.

Part C. Election

Article 50 **(Method of voting - Article 11.12, Paragraphs (4) and (5) of the Election Law of BiH)**

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

(2) The vote shall be cast by secret ballot.

Article 51
(Ballot)

(1) The voting referred to under Article 50 of this Instruction shall be done on a ballot whose form and content are determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

(2) If there are several candidates' lists, the order of candidates' lists on the ballot shall be determined by the National Assembly of the RS through the drawing of lots.

Article 52
(Conduct of Election)

The election referred to under Article 50 of this Instruction shall be implemented by the competent election management body.

Part D. Establishment, confirmation of election results and allocation of mandates

Article 53
(Deadline for Delivery of Election Material)

Complete election material including the results of voting referred to under Article 50 of this Instruction shall be delivered immediately after the voting procedure, but no later than within 24 hours, to the Central Election Commission of BiH.

Article 54
(Establishment of election results)

In the process of establishing the results of voting, the Central Election Commission of BiH shall establish whether the entire process of voting and election has been conducted in accordance with the Election Law of BiH and this Instruction, and shall establish election results.

Article 55
(Confirmation of election results and allocation of mandates)

(1) Following the expiry of the period for appeals against the decision on establishment of election results, namely after the decision becomes final and binding, the Central Election Commission of BiH shall confirm election results and shall allocate mandates in accordance with Article 9.5 of the Election Law of BiH.

(2) In the event the procedure laid down under Part C of Chapter IV of this Instruction is violated, the Central Election Commission of BiH shall annul the election and shall order repeating of the part of the process of election of delegates where violations have been committed.

Following the expiry of the period for appeals against the decision on annulment, namely after the decision becomes final and binding, but no later than within three days, the Central Election Commission of BiH shall order repeating of the part of the process of election where violations have been committed.

Article 56
(Protection of the Electoral Right)

In cases of any complaints regarding the process of candidacy, certification, validation and allocation of mandates in the RS Council of Peoples, the general rules for the protection of the electoral right defined in Chapter 6 of the Election Law of BiH and in the regulations of the Central Election Commission of BiH shall apply.

Article 57
(Notification of Election Results)

The Central Election Commission of BiH shall notify the election results and the elected convocation of the RS Council of Peoples to the elected delegates, the Council of Peoples of the RS and the National Assembly of the RS.

Article 58
(Publication in official gazettes and certificate of the allocation of mandate - Article 2.9, Paragraph (1), points 10 and 12 of the Election Law of BiH)

(1) The Central Election Commission of BiH shall publish in official gazettes the election results for the RS Council of Peoples.

(2) The Central Election Commission of BiH shall issue to the delegate elected to the Council of Peoples of the RS a certificate of election, whose form and content are determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

CHAPTER IVa. PRESIDENT AND VICE-PRESIDENTS OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

Part A. Verification of candidates

Article 58a
(Submission of names of candidates for verification)

The House of Peoples of the FBiH Parliament shall timely submit to the Central Election Commission of BiH the names of candidates for president and vice-presidents of the Federation of Bosnia and Herzegovina (hereinafter: president and vice-presidents of the FBiH) from Article 9.13 of the BiH Election Law. The names shall be submitted on the forms that are an integral part of this Instruction aimed at verification as to whether they meet the requirements

of Articles 1.6, 1.7, 17a, 1.8, 1.10, Paragraph (1), point (2) and Article 4.2 of the Election Law of BiH for candidacy for the President and Vice-Presidents of the Federation of BiH. (Forms PiP FBiH 1 and 2)

Article 58b
(Declaration of acceptance of candidacy and delivery of forms)

The candidates referred to under Article 58a of this Instruction shall personally sign the Declaration of Acceptance of Candidacy at the BiH Central Election Commission, on the form that is an integral part of this Instruction. (Form PiP FBiH 3)

Part B. Certification of candidacy

Article 58c
(Procedure of Certification of Lists of Candidates)

(1) The BiH Central Election Commission shall verify if the candidates meet the conditions for the candidacy. Central Election Commissions shall verify the proposed candidates after receiving the form referred to under Article 58a of this Instruction the BiH and no later than within 24 hours following certification of the candidacy it shall deliver the decision the House of Peoples of the Parliament of the Federation of BiH.

(2) In the event that the proposed candidate participated in direct elections in the same election cycle, the Central Election Commission of BiH shall complete verification to establish whether such candidate's declaration of affiliation with a particular constituent people or the group of the Others is identical to such candidate's declaration made during certification for direct elections in the same election cycle.

(3) In the event that the candidates do not meet conditions referred to in paragraph (1) of this Article or the candidate's declaration of affiliation with a particular constituent people or the group of the Others referred to in paragraph (2) of this Article is not identical to the declaration given by such candidate during certification for direct elections in the same election cycle, the Central Election Commission of BiH shall not certify the candidate.

Article 58d
(Measures to Remedy Irregularities)

If it is established that the proposal of a group of delegates does not include all the information set forth in Article 9.13 of the BiH Election Law, first and last names and unique ID number of the proposed candidate or the proposal has not been submitted on the prescribed form, the Central Election Commission of BiH shall immediately notify this to proponent through the House of Peoples of the Parliament of the Federation of BiH, who shall make any necessary corrections or additions within 48 hours of receiving the notification of the Central Election Commission of BiH.

Article 58e
(Rejection to certify the candidate)

In the event corrections or additions are not effected within the time period defined under Article 85d of this Instruction, the Central Election Commission of BiH shall reject to certify the candidate.

Article 58f
(Signing of Forms)

The form referred to under Articles 58a of this Instruction shall be signed by all delegates, members of the group proposing the candidates.

Article 58g
(Certification of candidates' lists)

After the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina submits the list or candidates list referred to in Article 9.14 of the Election Law of BiH to the Central Election Commission of Bosnia and Herzegovina, using the form that is an integral part of this Instruction (Form PiP FBiH 6), the Central Election Commission of BiH shall conduct verification procedure and certify the list or lists within 48 hours

Article 58h
(Election for president and two vice presidents of the FBiH)

(1) Elections for the president and two vice-presidents of the Federation of BiH shall be conducted in accordance with the provisions of Article 9.14, 9.15, 9.16, 9.17, 9.18, and 9.19 of the Election Law of BiH.

(2) The decision of the competent House of the Parliament of the Federation of BiH regarding the selection of a list of three candidates in accordance with Articles 9.13 to 9.18 of the Election Law of BiH, and the decision referred to in Article 9.19, paragraph (1) of the Election Law of BiH, along with complete election materials, shall be submitted to the Central Election Commission of BiH for the establishment and confirmation of election results in line with Article 2.9, paragraph (1), point 9 of the BiH Election Law.

Article 58i
(Publication in official gazettes and certificate of the allocation of mandate - Article 2.9, Paragraph (1), points 10 and 12 of the Election Law of BiH)

(1) The Central Election Commission of BiH shall publish in official gazettes the election results for the President and two vice-presidents of the Federation of BiH.

(2) The Central Election Commission of BiH shall issue to the elected President and Vice-Presidents of the Federation of BiH a certificate of election, on a form whose content is determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

CHAPTER V. CITY COUNCIL OF THE CITY OF SARAJEVO

Part A. Nomination of Candidates

Article 59

(Election of Members of the City Council of the City of Sarajevo)

Members of the City Council of the City of Sarajevo shall be elected in accordance with the Election Law of BiH and the Statute of the City of Sarajevo.

Article 60

(Submission of candidates' lists)

The candidates' lists for election of members of the City Council of the City of Sarajevo shall be timely submitted for certification to the Central Election Commission of BiH, using the form determined by the Central Election Commission of BiH which forms an integral part of this Instruction.

Article 61

(Declaration of acceptance of candidacy and delivery of forms)

- (1) The candidates on the candidates' lists referred to in Article 60 of this Instruction must personally sign the declaration of acceptance of candidacy at the BiH Central Election Commission, using the form that is an integral part of this Instruction.
- (2) The forms referred to under Article 60 of this Instruction shall be timely delivered by the Central Election Commission of BiH to Municipal Councils.

Part B. Certification of candidates' lists

Article 62

(Procedure of certification of candidates' lists)

- (1) Upon receiving the candidates' lists referred to under Articles 60 of this Instruction and their certification, the Central Election Commission of BiH shall, no later than within 24 hours, deliver the decision on certification to the municipal councils.
- (2) In the event a list referred to under paragraph (1) of this Article includes the name of a person who has been certified as an candidate in direct elections in the same election cycle, the Central Election Commission of BiH shall carry out verification to establish whether such candidate's declaration of affiliation with a particular constituent people or the group of the Others is identical to such candidate's declaration made during certification for direct elections in the same election cycle.

(3) In the event the candidate's declaration of affiliation with a particular constituent people or the group of the Others is not identical to the declaration given by such candidate during certification for direct elections in the same election cycle, the Central Election Commission of BiH shall reject the candidate on the list.

Article 63
(Measures to Remedy Irregularities)

If it is established that a candidates' list is incomplete in that it does not include the full name of a political subject, list of independent candidates and/or group of municipal councilors, the first and last names of the nominated candidate the Central Election Commission of BiH shall immediately notify this to the municipal council, which shall make any necessary corrections or additions no later than within 48 hours of receiving the notification of the Central Election Commission of BiH.

Article 64
(Rejection of a candidates' list)

In the event corrections or additions are not effected within the time period defined under Article 63 of this Instruction, the Central Election Commission of BiH shall reject such candidates' list.

Article 65
(Signing of Forms)

The forms referred to under Article 60 of this Instruction shall be signed by the nominator or authorized person of the nominator.

Part C. Election

Article 66
(Election - Article 13.10, Paragraph (1) of the Election Law of BiH)

Members of the City Council of the City of Sarajevo shall be elected by Municipal Councils that make up the city.

Part D. Establishment, Certification of Election Results and Allocation of Mandates

Article 67
(Deadline for Delivery of Election Material)

Complete election material including the results of voting referred to under Article 66 of this Instruction shall be delivered immediately after the voting procedure, but no later than within 24 hours, to the Central Election Commission of BiH.

Article 68
(Establishment of election results)

In the process of establishing the results of voting, the Central Election Commission of BiH shall establish whether the entire process of voting and election has been conducted in accordance with the Election Law of BiH and this Instruction, and shall establish election results.

Article 69
(Confirmation of Election Results and Allocation of Mandates)

(1) Following the expiry of the period for appeals against the decision on establishment of election results, namely after the decision becomes final and binding, the Central Election Commission of BiH shall confirm election results and shall allocate mandates in accordance with Article 13.5 of the Election Law of BiH.

(2) In the event the procedure is violated, the Central Election Commission of BiH shall annul the election and shall order repeating of the part of the process of election of councilors where violations have been committed.

(3) Following the expiry of the period for appeals against the decision on annulment, namely after the decision becomes final and binding, but no later than within three days, the Central Election Commission of BiH shall order repeating of the part of the process of election of councilors where violations have been committed.

Article 70
(Protection of the Electoral Right)

In cases of any complaints regarding the process of candidacy, certification, validation and allocation of mandates in the City Council of the City of Sarajevo, the general rules for the protection of the electoral right defined in Chapter 6 of the Election Law of BiH and in the regulations of the Central Election Commission of BiH shall apply.

Article 71
(Notification of Election Results)

The Central Election Commission of BiH shall notify the election results and the elected convocation of the City Council of the City of Sarajevo to the elected councilors, municipal council and the City Council of the City of Sarajevo.

Article 72
(Publication in Official Gazettes and Certificate of election - Article 2.9, Paragraph (1), points 10 and 12 of the Election Law of BiH)

(1) The Central Election Commission of BiH shall publish in official gazettes the election results for the City Council of the City of Sarajevo.

(2) The Central Election Commission of BiH shall issue to each councilor elected to the City Council of the City of Sarajevo a certificate of election, whose form and content are determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

CHAPTER VI. ASSEMBLY OF THE CITY OF ISTOČNO SARAJEVO

Part A. Nomination of Candidates

Article 73

(Election of Members of the Assembly of the City of Istočno Sarajevo)

Members of the Assembly of the City of Istočno Sarajevo shall be elected in accordance with provisions of the Election Law of BiH, the Election Law of the RS and the Statute of the City of Istočno Sarajevo.

Article 74

(Submission of candidates' lists)

The candidates' lists and Declarations of Acceptance of Candidacy for election of members of the Assembly of the City of Istočno Sarajevo shall be timely submitted for certification to the Central Election Commission of BiH, using the form determined by the Central Election Commission of BiH which forms an integral part of this Instruction.

Article 75

(Declaration of Acceptance of Candidacy)

(1) The candidates on the candidates' lists referred to in Article 74 of this Instruction must personally sign the declaration of acceptance of candidacy at the BiH Central Election Commission, using the form that is an integral part of this Instruction.

(2) The forms referred to under Article 74 of this Instruction shall be timely delivered by the Central Election Commission of BiH to Municipal Assemblies.

Part B. Certification of candidates' lists

Article 76

(Procedure of certification of candidates' lists)

(1) Upon receiving the candidates' lists referred to under Articles 74 of this Instruction and their certification, the Central Election Commission of BiH shall, no later than within 24 hours, deliver the decision on certification to the municipal assemblies.

(2) In the event a list referred to under paragraph (1) of this Article includes the name of a person who has been certified as an candidate in direct elections in the same election cycle, the Central Election Commission of BiH shall carry out verification to establish whether such candidate's declaration of affiliation with a particular constituent people or the group of the Others is identical to such candidate's declaration made during certification for direct elections in the same election cycle.

(3) In the event the candidate's declaration of affiliation with a particular constituent people or the group of the Others is not identical to the declaration given by such candidate during certification for direct elections in the same election cycle, the Central Election Commission of BiH shall reject the candidate on the list.

Article 77 **(Measures to Remedy Irregularities)**

If it is established that a candidates' list is incomplete in that it does not include the full name of a political subject, list of independent candidates and/or group of members, the first and last names of the nominated candidate the Central Election Commission of BiH shall immediately notify this to the municipal assembly, which shall make any necessary corrections or additions no later than within 48 hours of receiving the notification of the Central Election Commission of BiH.

Article 78 **(Rejection of a candidates' list)**

In the event corrections or additions are not effected within the time period defined under Article 77 of this Instruction, the Central Election Commission of BiH shall reject such candidates' list.

Article 79 **(Signing of Forms)**

The forms referred to under Article 77 of this Instruction shall be signed by the nominator or authorized person of the nominator.

Part C. Election

Article 80 **(Election - Article 13.10, Paragraph (1) of the Election Law of BiH)**

Members of the City Assembly of the City of Istočno Sarajevo shall be elected by Municipal Assemblies that make up the city.

Part D. Establishment, Certification of Election Results and Allocation of Mandates

Article 81
(Deadline for Delivery of Election Material)

Complete election material including the results of voting referred to under Article 80 of this Instruction shall be delivered immediately after the voting procedure, but no later than within 24 hours, to the Central Election Commission of BiH.

Article 82
(Establishment of election results)

In the process of establishing the results of voting, the Central Election Commission of BiH shall establish whether the entire process of voting and election has been conducted in accordance with the Election Law of BiH and this Instruction, and shall establish election results.

Article 83
(Confirmation of Election Results and Allocation of Mandates)

(1) Following the expiry of the period for appeals against the decision on establishment of election results, namely after the decision becomes final and binding, the Central Election Commission of BiH shall confirm election results and shall allocate mandates.

(2) In the event the procedure is violated, the Central Election Commission of BiH shall annul the election and shall order repeating of the part of the process of election of councilors where violations have been committed.

(3) Following the expiry of the period for appeals against the decision on annulment, namely after the decision becomes final and binding, but no later than within three days, the Central Election Commission of BiH shall order repeating of the part of the process of election of councilors where violations have been committed.

Article 84
(Protection of the Electoral Right)

In cases of any complaints regarding the process of candidacy, certification, validation and allocation of mandates in the City Assembly of the City of Istočno Sarajevo, the general rules for the protection of the electoral right defined in Chapter 6 of the Election Law of BiH and in the regulations of the Central Election Commission of BiH shall apply.

Article 85
(Notification of Election Results)

The Central Election Commission of BiH shall notify the election results and the elected convocation of the City Assembly of the City of Istočno Sarajevo to the elected councilors, municipal assemblies and the City Assembly of the City of Istočno Sarajevo.

Article 72

(Publication in Official Gazettes and Certificate of election - Article 2.9, Paragraph (1), points 10 and 12 of the Election Law of BiH)

(1) The Central Election Commission of BiH shall publish in official gazettes the election results for the City Assembly of the City of Istočno Sarajevo.

(2) The Central Election Commission of BiH shall issue to each councilor elected to the City Assembly of the City of Istočno Sarajevo a certificate of election, whose form and content are determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

CHAPTER VII. MAYORS OF THE CITY OF SARAJEVO, CITY OF MOSTAR AND BRČKO DISTRICT OF BOSNIA AND HERZEGOVINA

Part A. Verification of Candidates

Article 87

(Submission of Names of Candidates for Verification)

The responsible election management body shall timely submit to the Central Election Commission of BiH the names of candidates on the form that forms an integral part of this Instruction, for verification as to whether they meet the requirements of Articles 1.6, 1.7, 17a, 1.8, 1.10, Paragraph (1), point 5), and Article 4.2 of the Election Law of BiH for candidacy for Mayors of the City of Sarajevo, City of Mostar and Brčko District of BiH.

Article 88

(Election of Mayor - Article 13.10, Paragraph (3) of the Election Law of BiH)

Mayors of the City of Sarajevo, City of Mostar and Brčko District of BiH shall be elected by the City Council or the City Assembly, in the manner defined by Law and Statute.

Article 89

(Submission of candidates' lists)

The candidates' lists shall be submitted for certification to the Central Election Commission of BiH using the form whose content is determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

Article 90

(Declaration of Acceptance of Candidacy)

(1) The candidates on the candidates' lists referred to in Article 89 of this Instruction must personally sign the declaration of acceptance of candidacy at the BiH Central Election Commission or the election commission of basic constituency, using the form that is an integral part of this Instruction.

(2) The forms referred to under Article 89 and paragraph (1) of this Instruction shall be timely delivered by the Central Election Commission of BiH to the city council/Brčko District Assembly.

Part B. Certification of candidates' lists

Article 91 (Procedure of certification of candidates' lists)

(1) Upon receiving the candidates' lists referred to under Articles 89 of this Instruction and their certification, the Central Election Commission of BiH shall, no later than within 24 hours, deliver the decision on certification to the city council/Brčko District Assembly.

(2) In the event a list referred to under paragraph (1) of this Article includes the name of a person who has been certified as an candidate in direct elections in the same election cycle, the Central Election Commission of BiH shall carry out verification to establish whether such candidate's declaration of affiliation with a particular constituent people or the group of the Others is identical to such candidate's declaration made during certification for direct elections in the same election cycle.

(3) In the event the candidate's declaration of affiliation with a particular constituent people or the group of the Others is not identical to the declaration given by such candidate during certification for direct elections in the same election cycle, the Central Election Commission of BiH shall reject the candidate on the list.

Article 92 (Measures to Remedy Irregularities)

If it is established that a candidates' list is incomplete in that it does not include the full name of a caucus that proposes the candidate, the first and last names of the nominated candidate or that the candidates' list is not submitted on the prescribed form, the Central Election Commission of BiH shall immediately notify this to the city council/Brčko District Assembly., which shall make any necessary corrections or additions no later than within 48 hours of receiving the notification of the Central Election Commission of BiH.

Article 93 (Rejection of a candidates' list)

In the event corrections or additions are not effected within the time period defined under Article 92 of this Instruction, the Central Election Commission of BiH shall reject such candidates' list.

Article 94 (Signing of Forms)

The forms referred to under Articles 89 and 90 of this Instruction shall be signed by the nominator or authorized person of the nominator.

Article 95
(Publication in Official Gazettes and Certificate of the Allocation of Mandate - Article 2.9, Paragraph (1), Items 10 and 12 of the Election Law of BiH)

- (1) The Central Election Commission of BiH shall publish in official gazettes the election results for the Mayors of the City of Sarajevo, City of Mostar and Brčko District of BiH,
- (2) The Central Election Commission of BiH shall issue to the elected Mayor referred to under Article 88 of this Instruction a certificate of the allocation of mandate, on a form whose content is determined by the Central Election Commission of BiH and which forms an integral part of this Instruction.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Article 96
(Addendum of the Instruction)

The addenda to this Instruction shall regulate the manner and procedure of candidate verification, certification of candidates' lists, and issuance of certificates to individuals who have received the mandate of President and Vice President of the Federation of Bosnia and Herzegovina.

Article 96a
(Use of masculine and feminine expressions)

Words that are, for the sake of clarity, listed in one gender in this Instruction refer to both male and female genders without discrimination.

Article 97
(Ineffectiveness)

Instruction on the process of implementation of indirect elections for legislative authorities in Bosnia and Herzegovina (Official Gazette of BiH, no. 38/14), Instruction amending the Instruction on the process of implementation of indirect elections for legislative authorities in Bosnia and Herzegovina (Official Gazette of BiH, no. 90/16), Instruction amending the Instruction on the process of implementation of indirect elections for legislative authorities in Bosnia and Herzegovina (Official Gazette of BiH, no. 8/17), and Instruction amending the Instruction on the process of implementation of indirect elections for legislative authorities in Bosnia and Herzegovina (Official Gazette of BiH, no. 91/18), shall become ineffective on the day of entry into force of this Instruction.

Article 98
(Regulations covered by this Instruction)

This Instruction covers the Instruction on the process of implementation of indirect elections for authorities in Bosnia and Herzegovina (Official Gazette of BiH, no. 75/22), Instruction amending the Instruction on the process of implementation of indirect elections for authorities in Bosnia and Herzegovina (Official Gazette of BiH, no. 83/22) and the Instruction amending the Instruction on the process of implementation of indirect elections for authorities in Bosnia and Herzegovina, number: 05-1-02-2-565-1/2024 of May 3, 2024.

Article 99
(Entry into Force and Publication in Official Gazettes)

This Instruction shall be published in Official Gazette of BiH, the Official Gazette of the Federation of BiH, the Official Gazette of the RS, the Official Gazette of Brčko District of BiH and on the website of the Central Election Commission of BiH, www.izbori.ba.

Number: 05-1-02-2-566-1/44
Sarajevo, May 3, 2024

President
Dr. Irena Hadžiabdić