



## **RULEBOOK**

**on certification and conditions for certification of political subjects to  
participate in the 2020 Local Elections**

Sarajevo, May 2020

Based on Article 2.9, paragraph (1), point 2 and in conjunction with Article 4.4, 4.5, paragraph (1), 4.10, 4.11, 4.12, 4.13, 4.15, 4.19 and 4.22, paragraph (1) of the Election Law of Bosnia and Herzegovina (Official Gazette of BiH, no. 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14 and 31/16) the Central Election Commission of Bosnia and Herzegovina, at its 19<sup>th</sup> session held on 5<sup>th</sup> May, 2020 passed

## **RULEBOOK**

### **on certification and conditions for certification of political subjects to participate in the 2020 Local Elections**

#### **Article 1 (Subject-matter)**

This Rulebook shall regulate the modalities for submitting the certification application and conditions for certification of political subjects, the modalities for submitting signatures of support and conditions for exemption from the obligation to collect signatures of support, as well as the modalities for verification and confirmation of signatures of support and application forms for certification of political subjects, including the format and the contents of the candidates' lists and prescribed statements to participate in the 2020 Local Elections.

#### **Article 2 (Modalities for submitting the certification forms and communication between the BiH CEC and the parties to the proceeding - Article 4.4 paragraph (1), Article 4.10, Article 4.12, Article 4.15 and Article 4.19, paragraph (4) of the BiH Election Law)**

(1) Applications for certification of political subjects and attachments submitted with the application, as well as candidates' applications and candidates' lists shall be submitted on the forms referred to in Article 9 of this Rulebook. Applications shall be submitted directly to the Central Election Commission of Bosnia and Herzegovina (hereinafter: the BiH Central Election Commission) or by e-mail, subject to submission of complete original documentation by registered mail to the address of the Central Election Commission of BiH, within the prescribed deadline.

(2) The distribution of candidates of underrepresented gender on the candidates' lists shall be performed according to the Instruction which is an integral part of this Rulebook.

(3) The communication between the BiH Central Election Commission and political subjects in the election period shall be done:

- a) directly at the main office,
- b) via e-mail;
- c) through the website of the BiH Central Election Commission [www.izbori.ba](http://www.izbori.ba),
- d) by fax,
- e) by phone,
- f) via visual communication applications (Skype, Viber, Zoom, etc.)

(4) The Election Commission shall disclose detailed information on the method of operations, means of communication with political entities and the working hours.

(5) Political subject shall list the address of the registered office, telephone number, fax number and e-mail address in the certification application form.

### **Article 3**

#### **(Conditions for certification - Article 1.6, Article 1.13, Article 4.3 and Article 15.1 of the BiH Election Law)**

- (1) In addition to signatures of support referred to in Article 4.4 of the BiH Election Law the political parties and independent candidates shall submit the following documents along with the application for participation in the 2020 Local Elections:
  - a) Decision on entry in the register with the competent authority. If the decision is older than 60 days, it shall be accompanied by an excerpt from the court register that is not older than 60 days, in accordance with Article 4.3 of the BiH Election Law (submitted only by political parties);
  - b) a statement prescribed by Articles 1.6 and 1.13 of the BiH Election Law;
  - c) proof of payment of the certification tax in accordance with the Decision on amount of certification tax for participation in the 2020 Local Elections, and
  - d) a financial report covering a period of three (3) months prior to the submission of the application, in accordance with Article 15.1 of the BiH Election Law.

### **Article 4**

#### **(The modalities for submission of signatures of support – Article 4.4 of the BiH Election Law)**

Signatures of support of voters who are supporting application of a political parties or an independent candidate (hereinafter: signatures of support) shall be collected on a form that is integral part of this Rulebook.

### **Article 5**

#### **(Exemption from the obligation to collect signatures of support – Article 4.5 of the BiH Election Law)**

- (1) A political party and an independent candidate shall be exempt from the obligation to collect signatures of support for the city/municipal mayor and in the municipal council/assembly, city assembly/council if they already hold mandate of a city/municipal mayor or a mandate in the municipal council/assembly, city assembly/council for which application is submitted.
- (2) A political party and an independent candidate holding a mandate at a level higher than the local level, but do hold mandate at the local level must collect signatures of support.
- (3) The number of required signatures of support is determined by Article 4.4, paragraph (5), points 5 and 6 of the BiH Election Law, whereat it is not necessary to separately collect signatures for candidacy for the city/municipal mayor and municipal/city council if it is the same basic constituency.
- (4) The basis for the exemptions from the obligation to collect signatures of support referred to in paragraph (1) of this Article are the confirmed results in the last local elections.

### **Article 6**

#### **(Coalition as a mandate holder - Article 4.13 and Article 4.15 of the BiH Election Law)**

If a coalition or list of independent candidates won a mandate in the 2016 Local Elections, it is considered that each political party member of that coalition or each independent candidate on the list of independent candidates won a mandate and shall be exempt from the obligation to collect signatures of support.

## **Article 7**

### **(Modalities for verification and confirmation of signatures of support – Article 4.11 of the BiH Election Law)**

- (1) Verification of the signatures of support referred to in Article 4.4, paragraph (5) of the BiH Election Law shall be performed by the method of statistical sampling. The size of the statistical sample is 10% (ten percent) of the total number of signatures of support submitted.
- (2) A political party or independent candidate found to have submitted a smaller number of signatures of support than the number required by Article 4.4 paragraph (5) of the BiH Election Law neither meet the certification requirement, nor will be given an additional deadline to remove the shortcomings. Verification of signatures of support shall be performed only for those bodies for which a sufficient number of signatures of support has been submitted.
- (3) A certain sample of signatures of support shall be marked for political parties and independent candidates who meet the condition referred to in paragraph (2) of this Article, and it shall be verified, taking into account that the sample is evenly distributed among the submitted signatures of support. The BiH Central Election Commission shall form a database for verification that shall contain: the name of the political party or independent candidate, the name and last name of the signatory and the national identification number of the signatory.
- (4) The first verification round shall determine if the voters have given their signature to two or more political parties or independent candidates. If such cases are identified, the signature shall be considered invalid for all political parties or independent candidates to whom it is given.
- (5) Signatures of support shall be verified by comparing the entered data from paragraph (3) of this Article and data from the Central Voters' Register (data on national identification number and the constituency for which the voter has the right to vote), namely voters' signatures of support for the elections to the municipal council/assembly, city assembly/council, and the city/municipal mayor shall be verified to confirm if the voter who gave signature of support to a party or an independent candidate is registered in the Central Voters' Register to vote for the basic constituency for which the application to participate in the elections is submitted.
- (6) Signatures of support found to be given by a person not registered as a voter in the Central Voters' Register in line with paragraph (5) of this Article shall be considered invalid.
- (7) Following the verification and the percentage of valid signatures obtained on the statistical sample, the latter shall be applied to the total number of signatures of support submitted.
- (8) If the number of accepted original signatures is equal to or greater than the number of original signatures of support required under the provisions of Article 4.4, paragraph (5) of the BiH Election Law, the BiH Central Election Commission shall accept and confirm signatures of support of a political party or an independent candidate.
- (9) If the number of accepted original signatures of support based on the entered statistical sample is less than the number of signatures of support required by the provision of Article 4.4 paragraph (5) of the BiH Election Law, the BiH Central Election Commission shall enter all submitted signatures of support and verify validity of all submitted signatures of support.
- (10) If, even after the procedure set forth in paragraph (9) of this Article, it is determined that a political party or an independent candidate do not have a sufficient number of signatures of support set forth in Article 4.4 paragraph (5) of the BiH Election Law, the political party or the independent

candidate shall be obligated to remove the irregularity no later than two days following the day of the receipt of the BiH Central Election Commission's notification.

(11) A political party or an independent candidate that fail to supplement the number of missing signatures of support within the period specified in paragraph (10) of this Article or the amended number of signatures of support after the verification is less than the determined number prescribed by Article 4.4 paragraph (5) of the BiH Election Law shall not be certified to participate in the elections, i.e. they can be certified for a body for which a sufficient number of valid signatures of support have been submitted.

(12) Signatures of support of voters registered in the Central Voters' Register shall not be submitted for the election of representatives to fill the guaranteed seats for the members of the national minorities.

### **Article 8** **(Determining a code – Article 4.22, paragraph (1) of the BiH Election Law)**

Aimed at keeping the records on applications filed by political subjects to participate in the elections, the BiH Central Election Commission shall determine special codes for information and statistical processing of the data for the political subjects that file an application for certification to participate in the 2020 Local Elections.

### **Article 9** **(Attachments)**

(1) The integral part of this Rulebook are:

- a) Application form for certification of political subjects (political parties, independent candidates, coalitions, lists of independent candidates, groups of citizens and associations for filling guaranteed seats for members of national minorities);
- b) Form for collection of signatures of support;
- c) Forms for registration of candidates' lists and candidates;
- d) Table of gender representation on candidates' lists - instructions on the distribution of candidates of underrepresented gender on candidates' lists; and
- e) Minutes on delivery.

(2) Application forms for certification and forms for collecting signatures of support referred to in paragraph (1), points a), b) and c) of this Article shall be available at the BiH Central Election Commission within the deadline determined by the Central Election Commission of BiH in the Instruction on deadlines and sequence of electoral activities.

(3) The forms referred to in paragraph (1) of this Article shall be printed in the languages and scripts in official use in Bosnia and Herzegovina.

(4) Records on all issued forms referred to in paragraph (1) of this Article shall be kept in the BiH Central Election Commission.

(5) The minutes referred to in paragraph (1), point e) of this Article shall be made at submission of the application by a political subject, and by signing of the minutes by a political subject it shall be considered that the political subject is aware of any shortcomings in the application.

(6) If the political subject has submitted the application electronically or by mail, the minutes shall be made by the officer and delivered electronically to the political subject.

**Article 10**  
**(Duties of participants in the election process)**

All participants in the election process shall carry out the activities prescribed by this Rulebook in line with the recommendations and measures prescribed by the competent authorities in Bosnia and Herzegovina for the duration of the state of natural and other disaster, i.e. extraordinary situation.

**Article 11**  
**(Ineffectiveness)**

Enforcement of the Rulebook on certification and conditions for certification of political subjects to participate in the 2018 General Elections (Official Gazette of BiH, number 29/18) shall become ineffective by entry into force of this Rulebook.

**Article 12**  
**(Entry into force and publication in Official Gazettes)**

This Rulebook shall enter into force on the day of its publication in Official Gazette of BiH, and it shall be published in the Official Gazette of Federation BiH, Official Gazette of Republika Srpska, Official Gazette of the BiH District of Brčko and web page of the BiH Central Election Commission [www.izbori.ba](http://www.izbori.ba).

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Sarajevo, 5<sup>th</sup> May, 2020

President  
Vanja Bjelica-Prutina, sgd.