

**SUMMARY OF DECISIONS OF THE CONSTITUTIONAL COURT ON THE REQUESTS FOR REVIEW OF
CONSTITUTIONALITY OF GENERAL ACTS OF THE INSTITUTIONS OF THE STATE OF BOSNIA AND HERZEGOVINA**

DECISION NUMBER	SUBJECT OF THE REVIEW OF CONSTITUTIONALITY	DECISION OF THE CONSTITUTIONAL COURT	CONCLUSION OF THE CONSTITUTIONAL COURT
<p align="center"><u>U-1/24</u> of 30 May 2024</p>	<p align="center">Issue referred by the Court of BiH</p> <p align="center">Article 12 of the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of Bosnia and Herzegovina (<i>Official Gazette of Bosnia and Herzegovina</i>, 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20)</p>	<p>- It is established that Article 12 of the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of Bosnia and Herzegovina (<i>Official Gazette of Bosnia and Herzegovina</i>, 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20) is compatible with Article I(2) and Article II(4) of the Constitution of BiH, and Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p>	<p align="center">Incompatibility with the Constitution of BiH not established!</p>
<p align="center"><u>U-11/23</u> of 18 January 2024</p>	<p align="center">Issue referred by the Cantonal Court in Tuzla</p> <p align="center">Article 3(1)(4) and (2), and Article 12 of the Law on Communal Fees (<i>Official Gazette of the SRBiH</i>, 21/77, 35/88 and 26/89)</p>	<p>- It is established that Article 3(1)(4) and (2), and Article 12 of the Law on Communal Fees (<i>Official Gazette of the SRBiH</i>, 21/77, 35/88 and 26/89) are not compatible with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- Pursuant to Article 61(2) of the Rules of the Constitutional Court of BiH, Article 3(1)(4) and (2), and Article 12 of the Law on Communal Fees (<i>Official Gazette of the SRBiH</i>, 21/77, 35/88 and 26/89) is quashed.</p>	<p align="center">Incompatibility with the Constitution of BiH established!</p>

		- Pursuant to Article 61(3) of the Rules of the Constitutional Court, Article 3(1)(4) and (2), and Article 12 of the Law on Communal Fees (<i>Official Gazette of the SRBiH</i> , 21/77, 35/88 and 26/89) shall be rendered ineffective on the first day following the date of the publication of the decision of the Constitutional Court of BiH in the <i>Official Gazette of BiH</i> .	
<u>U-21/22</u> of 18 January 2024	Article 5(3) of the Rules on Uniforms of the Armed Forces of Bosnia and Herzegovina No. 11-02- 3-1864-13/16 of 24 April 2017 (<i>Official Gazette of BiH</i>, 44/17)	- It is found that Article 5(3) of the Rules on Uniforms of the Armed Forces of Bosnia and Herzegovina No. 11-02- 3-1864-13/16 of 24 April 2017 (<i>Official Gazette of BiH</i> , 44/17) is in accordance with Article II(3)(g) of the Constitution of BiH and Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.	Incompatibility with the Constitution of BiH not established!
<u>U-27/22</u> of 23 March 2023	Law on Amendments to the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 67/22)	- It is established that the Law on Amendments to the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 67/22) is compatible with Articles I(2), II(2), II(4) and III(3)(b) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, Articles 5 and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination and Article 25 of the International Covenant on Civil and Political Rights.	Incompatibility with the Constitution of BiH not established!
<u>U-22/22</u> of 23 March 2023	Issue referred by the Court of BiH	- It is established that the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20) is not	Incompatibility with the Constitution of BiH established!

	<p>Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20)</p>	<p>compatible with Article I(2) of the Constitution of BiH and Article II(4) of the Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 26 of the International Covenant on Civil and Political Rights, on the ground that it does not contain the provisions on the right to the costs for accommodation and separate living allowance for professional staff in judicial institutions of BiH.</p> <p>- Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliamentary Assembly of BiH is ordered to harmonize, within six months from the date of the publication of the present Decision in the <i>Official Gazette of BiH</i>, the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH</i>, 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20), regarding the right to the costs for accommodation and separate living allowance for professional staff in judicial institutions of BiH, with the provisions of Article I(2) of the Constitution of BiH and Article II(4) of the Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 26 of the International Covenant on Civil and Political Rights.</p>	
<p><u>U-23/22</u> of 19 January 2023</p>	<p>Article 5(1)(a) of the Law on the Flag of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 19/01 and 23/04)</p>	<p>- It is established that Article 5(1)(a) of the Law on the Flag of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 19/01 and 23/04), in the part reading: “the common institutions or institution which is administered by or reporting to common institutions”, is not compatible with Article I(2), in conjunction with Article III(1) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH established!</p>

		<p>- Pursuant to Article 61(2) of the Rules of the Constitutional Court of BiH, Article 5(1)(a) of the Law on the Flag of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 19/01 and 23/04) is quashed in the part reading: “the common institutions or institution which is administered by or reporting to common institutions”.</p> <p>- Pursuant to Article 61(3) of the Rules of the Constitutional Court of BiH, Article 5(1)(a) of the Law on the Flag of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 19/01 and 23/04), in the part reading: “the common institutions or institution which is administered by or reporting to common institutions” shall be rendered ineffective on the next day following the date of the publication of the decision in the <i>Official Gazette of BiH</i>.</p>	
<p><u>U-19/22</u> of 19 January 2023</p>	<p>Article 14 in conjunction with Article 9(1)(c), (f) and (l) of the Law on Citizenship of Bosnia and Herzegovina – Revised Text (<i>Official Gazette of BiH</i>, 22/16)</p>	<p>- It is established that Article 14 in conjunction with Article 9(1)(c), (f) and (l) of the Law on Citizenship of Bosnia and Herzegovina – Revised Text (<i>Official Gazette of BiH</i>, 22/16), is compatible with Articles I(7)(b) and II(5) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-25/22</u> of 19 January 2023</p>	<p>Issue referred by the Municipal Court in Sarajevo</p> <p>Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of</i></p>	<p>- It is established that the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH</i>, 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20) is not compatible with Article I(2) of the Constitution of BiH, Article II(4) of the Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 26 of the International</p>	<p>Incompatibility with the Constitution of BiH established!</p>

	<p><i>BiH, 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20)</i></p>	<p>Covenant on Civil and Political Rights, on the ground that it does not contain the provisions on on-call/standby allowances.</p> <p>- Pursuant to Article 61 (4) of the Rules of the Constitutional Court of BiH, the Parliamentary Assembly of BiH is ordered to harmonise, within six months from the date of the publication of the present Decision in the <i>Official Gazette of BiH</i>, the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH, 90/05, 32/07, 17/13, 5/14, 40/14, 48/15 and 77/20</i>), regarding on-call/standby allowances, with Article I (2) of the Constitution of BiH, the provisions of Article II(4) of the Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 26 of the International Covenant on Civil and Political Rights.</p>	
<p><u>U-9/21</u> of 2 December 2021</p>	<p>Article 12(2) and (4) of the Rules of Service of the Armed Forces of Bosnia and Herzegovina no. 06-02-3-4958/12 of 28 December 2012</p>	<p>- It is established that the provisions of Article 12(2) and (4) of the Rules of Service of the Armed Forces of Bosnia and Herzegovina no. 06-02-3-4958/12 of 28 December 2012 are not compatible with Article II(3)(f) and (g) of the Constitution of BiH and Articles 8 and 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- The Minister of Defence of BiH is ordered, in accordance with Article 61(4) of the Rules of the Constitutional Court of BiH, to harmonize, no later than three months from the date of the publication of the present Decision in the <i>Official Gazette of BiH</i>, the provisions of Article 12(2) and (4) of the Rules of Service of the Armed Forces of Bosnia and Herzegovina no. 06-02-3-4958/12 of 28 December 2012 with Article II(3)(f) and</p>	<p>Incompatibility with the Constitution of BiH established!</p>

		<p>(g) of the Constitution of BiH and Articles 8 and 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- The Minister of Defence of BiH is ordered to notify the Constitutional Court of BiH, within the time limit referred to in the foregoing paragraph, about the measures taken with a view to enforcing this Decision, in accordance with Article 72(5) of the Rules of the Constitutional Court of BiH.</p>	
<p><u>U-11/19</u> of 15 July 2021</p>	<p>Law Amending the Law on the Flag of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 23/04)</p>	<p>- It is established that the Law Amending the Law on the Flag of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 23/04) is compatible with Article I(6) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-1/21</u> of 26 May 2021</p>	<p>Article 8(2), (3), (4), (5) and (6), and Article 8a and Article 32(3)(d) of the Law on Permanent and Temporary Residence of Citizens of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 32/01, 56/08 and 58/15)</p>	<p>- It is established that Article 8(2), (3), (4), (5) and (6), and Article 8a and Article 32(3)(d) of the Law on Permanent and Temporary Residence of Citizens of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 32/01, 56/08 and 58/15) are compatible with Articles I(2), II(3)(m), and II(4) of the Constitution of BiH regarding the right to freedom of movement and residence.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-5/16</u> of 26 March 2021</p>	<p>Article 109(1) and (2) of the Criminal Procedure Code of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05,</p>	<p>- It is established that the second sentence of paragraph 1 and paragraph 2 of Article 109 of the Criminal Procedure Code of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13), are not compatible with the provisions of Article II(3)(f) of the</p>	<p>Incompatibility with the Constitution of BiH established!</p>

	<p>48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13)</p>	<p>Constitution of BiH and Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- The Parliamentary Assembly of BiH is ordered, pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, to harmonise the second sentence of paragraph 1 and paragraph 2 of Article 109 of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13), with the provisions of Article II(3)(f) of the Constitution of BiH and Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- It is hereby established that the first sentence of paragraph 1 of Article 109 of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) is compatible with the provisions of Article II(3)(b) of the Constitution of BiH and Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and the provisions of Article II(3)(f) of the Constitution of BiH and Article 8 of the European Convention.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-2/20</u> of 26 November 2020</p>	<p>Article 2 of the Law on Amendments to the Animal Welfare Law (<i>Official Gazette of BiH</i>, 9/18)</p>	<p>- It is established that Article 2 of the Law on Amendments to the Animal Welfare Law (<i>Official Gazette of BiH</i>, 9/18) is compatible with Article I(2) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>

<u>U-15/18</u> of 29 November 2018	Article 20(g) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13)	- It is established that the provision of Article 20(g) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i> , 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13), in the challenged part reading as follows: “Expert associates as well as investigators working for the Prosecutor’s Office of Bosnia and Herzegovina under the authorization of the Prosecutor shall also be considered as authorized officials”, is compatible with Article (I)(2) of the Constitution of BiH.	Incompatibility with the Constitution of BiH not established!
<u>U-4/19</u> of 5 July 2019	Issue referred by the Court of BiH Article 17(22), in conjunction with Article 18(a), of the Law on the High Judicial and Prosecutorial Council of BiH (<i>Official Gazette of BiH</i>, 25/04, 93/05, 48/07 and 15/08)	- It is established that Article 17(22), in conjunction with Article 18(a), of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 25/04, 93/05, 48/07 and 15/08) is compatible with Article I(2) of the Constitution of BiH.	Incompatibility with the Constitution of BiH not established!
<u>U-5/18</u>	Law on Amendments to the Law on Excise Duties	- It is established that the Law on Amendments to the Law on Excise Duties in BiH (<i>Official Gazette of BiH</i> , 91/17), the Law	Incompatibility with the Constitution of BiH not established!

<p>of 15 February 2018</p>	<p>in BiH (<i>Official Gazette of BiH</i>, 91/17), Law on Amendments to the Law on Payments into the Single Account and Distribution of Revenues, and the Law on Amendments to the Law on Indirect Taxation System in BiH</p>	<p>on Amendments to the Law on Payments into the Single Account and Distribution of Revenues (<i>Official Gazette of BiH</i>, 91/17) and the Law on Amendments to the Law on Indirect Taxation System in BiH (<i>Official Gazette of BiH</i>, 91/17) are compatible with Articles I(2), IV and V(4) of the Constitution of BiH.</p>	
<p><u>U-8/17</u> of 30 November 2017</p>	<p>Article 1(1)(7) of the Rulebook Amending the Rulebook on Wearing Uniforms</p>	<p>- It is established that Article 1(1)(7) of the Rulebook Amending the Rulebook on Wearing Uniforms in the part reading “when in uniform, police officers are not allowed to have a beard”, which was passed by the Director of the Border Police of BiH, no. 17-07-02-1161-7/06 of 30 January 2017, is not compatible with Article II(3)(f) and (g) of the Constitution of BiH and Articles 8 and 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- Article 1(1)(7) of the Rulebook Amending the Rulebook on Wearing Uniforms, in the part reading “when in uniform, police officers are not allowed to have a beard”, passed by the Director of the Border Police of BiH, no. 17-07-02-1161-7/06 of 30 January 2017, is repealed pursuant to Article 61(2) of the Rules of the Constitutional Court of BiH.</p> <p>- The repealed Article 1(1)(7) of the Rulebook Amending the Rulebook on Wearing Uniforms, in the part reading “when in uniform, police officers are not allowed to have a beard”,</p>	<p>Incompatibility with the Constitution of BiH established!</p>

		passed by the Director of the Border Police of BiH, no. 17-07-02-1161-7/06 of 30 January 2017, is rendered ineffective the first day following the date of publication of the present Decision in the <i>Official Gazette of BiH</i> , pursuant to Article 61(3) of the Rules of the Constitutional Court of BiH.	
<u>U-6/17</u> of 28 September 2017	Article 3.15 of the Election Law of BiH	- It is established that Article 3.15 of the Election Law of BiH (<i>Official Gazette of BiH</i> , 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) is compatible with Articles I(2), II(1), II(2), II(3), II(4) and II(5) of the Constitution of BiH, Articles 14 and 17 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Articles 25 and 26 of the International Covenant on Civil and Political Rights, Article 3 of Protocol No. 1 and Article 1 of Protocol No. 12 to the European Convention and Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination.	Incompatibility with the Constitution of BiH not established!
<u>U-22/16</u> of 6 July 2017	Articles 1, 2 and 3 of the Law Declaring November 25 as Statehood Day of the Republic of Bosnia and Herzegovina	- It is established that Articles 1, 2 and 3 of the Law Declaring November 25 as Statehood Day of the Republic of Bosnia and Herzegovina (<i>Official Gazette of the Republic of Bosnia and Herzegovina</i> , 9/95) are not compatible with Article II(4) of the Constitution of BiH in conjunction with Article 1.1 and Article 2(a), (b), (c), (d) and (e) of the International Convention on the Elimination of All Forms of Racial Discrimination and Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.	Incompatibility with the Constitution of BiH not established!

<p><u>U-18/16</u> of 6 July 2017</p>	<p>Law Declaring March 1 as the Independence Day of the Republic of Bosnia and Herzegovina (<i>Official Gazette of the Republic of Bosnia and Herzegovina, 9/95</i>)</p>	<p>- It is hereby established that the Law Declaring March 1 as the Independence Day of the Republic of Bosnia and Herzegovina (<i>Official Gazette of the Republic of Bosnia and Herzegovina, 9/95</i>) is compatible with the part of the Preamble of the Constitution of BiH reading: <i>Bosniacs, Croats and Serbs, as constituent peoples (along with Others), and citizens of Bosnia and Herzegovina hereby determine the Constitution of Bosnia and Herzegovina</i>, Articles I(2) and II(4) of the Constitution of BiH, Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 1 of Protocol No. 12 to the European Convention and Article 1.1 and Article 2(a), (b), (c), (d) and (e) of the International Convention on the Elimination of All Forms of Racial Discrimination.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-6/16</u> of 6 July 2017</p>	<p>Article 114(3) of the Law on Police Officials of BiH (<i>Official Gazette of BiH, 27/04, 63/04, 5/06, 33/06, 58/06, 15/08, 35/09 and 7/12</i>)</p>	<p>- It is hereby established that Article 114(3) of the Law on Police Officials of BiH (<i>Official Gazette of BiH, 27/04, 63/04, 5/06, 33/06, 58/06, 15/08, 35/09 and 7/12</i>) is not compatible with Article I(2) of the Constitution of BiH.</p> <p>- The Parliamentary Assembly of BiH is ordered, pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, to harmonise Article 114(3) of the Law on Police Officials of BiH (<i>Official Gazette of BiH, 27/04, 63/04, 5/06, 33/06, 58/06, 15/08, 35/09 and 7/12</i>) with Article I(2) of the Constitution of BiH, not later than six months after publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Incompatibility with the Constitution of BiH established!</p>

<p><u>U-21/16</u> of 1 June 2017</p>	<p>Provisions of Article 78(3), (4) and (5) of the Law on the Intelligence-Security Agency of BiH</p>	<p>- It is established that the provisions of Article 78(3), (4) and (5) of the Law on the Intelligence-Security Agency of BiH (<i>Official Gazette of BiH</i>, 12/04, 20/04, 56/06, 32/07, 50/08 and 12/09) are not compatible with the provisions of Article I(2) of the Constitution of BiH in conjunction with Article II(3)(f) of the Constitution of BiH and Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- The Parliamentary Assembly of BiH is ordered, in accordance with Article 61(4) of the Rules of the Constitutional Court of BiH, not later than six months from the date of communication of this decision, to harmonize the provisions of Article 78(3), (4) and (5) of the Law on the Intelligence-Security Agency of BiH (<i>Official Gazette of BiH</i>, 12/04, 20/04, 56/06, 32/07, 50/08 and 12/09) with the provisions of Article I(2) of the Constitution of BiH in conjunction with Article II(3)(f) of the Constitution of BiH and Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p>	<p>Incompatibility with the Constitution of BiH established!</p>
<p><u>U-5/16</u> of 1 June 2017</p>	<p>Article 84(2), (3) and (4), 84(5), 117(d), 119(1), 118(3), 216(2), 225(2), 226(1) of the Criminal Procedure Code of BiH</p>	<p>- It is established that the provisions of Article 84(2), (3) and (4) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09,</p>	<p>Incompatibility with the Constitution of BiH established!</p>

	<p>(Official Gazette of BiH, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13)</p>	<p>93/09 and 72/13) are not compatible with the provisions of Article I(2) of the Constitution of BiH.</p> <p>- It is established that the provisions of Article 117(d) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13</i>) are not compatible with the provisions of Article I(2) in connection with Article II(3) (f) of the Constitution of BiH.</p> <p>- It is established that the provisions of Article 118(3) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13</i>) are not compatible with the provisions of Article I(2) in connection with Article II(3)(f) of the Constitution of BiH.</p> <p>- It is established that the provisions of Article 225(2) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13</i>) are not compatible with the provisions of Article I(2) in connection with Article II(3)(f) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH established!</p> <p>Incompatibility with the Constitution of BiH established!</p> <p>Incompatibility with the Constitution of BiH established!</p>
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		<p>- It is established that the provisions of Article 226(1) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) are not compatible with the provisions of Article I(2) of the Constitution of BiH.</p> <p>- The Parliamentary Assembly of BiH is ordered, in accordance with Article 61(4) of the Rules of the Constitutional Court of BiH, not later than six months from the date of communicating the present decision, to harmonize the provisions of: Article 84(2), (3) and (4) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) with the provisions of Article I(2) of the Constitution of BiH; Article 117(d) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) with the provisions of Article I(2) in connection with Article II(3)(f) of the Constitution of BiH; Article 118(3) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) with the provisions of Article I(2) in connection with Article II(3)(f) of the Constitution of BiH; Article 225(2) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and</p>	<p>Incompatibility with the Constitution of BiH established!</p>
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		<p>72/13) with the provisions of Article I(2) in connection with Article II(3)(f) of the Constitution of BiH; and Article 226(1) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) with the provisions of Article I(2) of the Constitution of BiH.</p> <p>- It is established that the provisions of Article 84(5) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) are compatible with the provisions of Articles I(2) and II(3)(e) of the Constitution of BiH.</p> <p>- It is established that the provisions of Article 119(1) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) are compatible with the provisions of Article I(2) and II(3)(f) of the Constitution of BiH and Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- It is established that the provisions of Article 216(2) of the Criminal Procedure Code of BiH (<i>Official Gazette of BiH</i>, 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07,</p>	<p>Incompatibility with the Constitution of BiH not established!</p> <p>Incompatibility with the Constitution of BiH not established!</p> <p>Incompatibility with the Constitution of BiH not established!</p>
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		<p>32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09 and 72/13) are compatible with the provisions of Article II(3)(e) of the Constitution of BiH and Articles 6 and 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p>	
<p><u>U-23/14</u> of 1 December 2016</p>	<p>Provisions of Article 10.10, 10.12, 10.15 and 10.16 of Sub-chapter B of the Election Law of BiH (Official Gazette of BiH, 23/01, 7/02, 9/02, 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)</p>	<p>- It is established that the provision of Sub-chapter B, Article 10.12(2), in the part stating that <i>each of the constituent peoples shall be allocated one seat in every canton</i> and the provisions of Chapter 20 – Transitional and Final Provisions of Article 20.16A(2), subparagraphs (a)-(j) of the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH, 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</i>) are not compatible with Article I(2) of the Constitution of BiH.</p> <p>- The Parliamentary Assembly of BiH is ordered to harmonise, in accordance with Article 61(4) of the Rules of the Constitutional Court of BiH, not later than six months from the day of delivery of this decision, the provision of Sub-chapter B, Article 10.12(2), in the part stating that <i>each of the constituent peoples shall be allocated one seat in every canton</i>, and the provisions of Chapter 20 – Transitional and Final Provisions of Article 20.16A(2) subparagraphs (a)-(j) of the Election Law of BiH (<i>Official Gazette of BiH, 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</i>), with Article I(2) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH established!</p>

		<p>- It is established that the remaining part of the provisions of Sub-chapter B - Articles 10.10 and 10.12, and Articles 10.15 and 10.16 of the Election Law of BiH (<i>Official Gazette of BiH</i>, 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) are compatible with Article I(2) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-9/15</u> of 6 April 2016</p>	<p>Issue referred by the Court of BiH</p> <p>Article 119(3) of the Law on Police Officials of BiH (<i>Official Gazette of BiH</i>, 27/04, 63/04, 5/06, 33/06 58/06, 15/087, 63/08, 35/09 and 7/02)</p>	<p>- It is established that the provision of Article 119(3) of the Law on Police Officials of BiH (<i>Official Gazette of BiH</i>, 27/04, 63/04, 5/06, 33/06 58/06, 15/087, 63/08, 35/09 and 7/02) is compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-28/14</u> of 27 November 2015</p>	<p>Article 10 of the Rulebook Amending the Rulebook on Criteria, Procedure and Method of Allocation of International Permits for Cargo Transport to Domestic Carriers (<i>Official Gazette of BiH</i>, 79/09) and Chapter III(1)(2) and (2)(2) of the</p>	<p>- It is established that Article 10 of the Rulebook Amending the Rulebook on Criteria, Procedure and Method of Allocation of International Permits for Cargo Transport to Domestic Carriers (<i>Official Gazette of BiH</i>, 79/09), in the part amending Article 16(2)(a) is not compatible with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p>	<p>Incompatibility with the Constitution of BiH established!</p>

	<p>Notice on Initiation of the Process of Distribution of CEMT Permits and Bilateral Annual Permits for France and Belgium for 2015</p>	<p>- Article 10 of the Rulebook Amending the Rulebook on Criteria, Procedure and Method of Allocation of International Permits for Cargo Transport to Domestic Carriers (<i>Official Gazette of BiH</i>, 79/09), in the part amending Article 16(2)(a), is repealed pursuant to Article 61(2) of the Rules of the Constitutional Court of BiH.</p> <p>- The repealed Article 10 of the Rulebook Amending the Rulebook on Criteria, Procedure and Method of Allocation of International Permits for Cargo Transport to Domestic Carriers (<i>Official Gazette of BiH</i>, 79/09), in the part amending Article 16(2)(a), shall be rendered ineffective on the day following the day of its publishing in the <i>Official Gazette of BiH</i>, pursuant to Article 61(3) of the Rules of the Constitutional Court of BiH.</p>	
<p><u>U-5/15</u> of 26 November 2015</p>	<p>Article 2 amending Article 8, paragraphs 2, 3, 4, 5 and 6, and Article 3 amending Article 8a, paragraph 1 of the Law Amending the Law on Permanent and Temporary Residence of Citizens of BiH (<i>Official Gazette of BiH</i>, 58/15)</p>	<p>- It is established that the provision of Article 2 amending Article 8, paragraphs 2, 3, 4, 5 and 6, and the provision of Article 3 amending Article 8a, paragraph 1 of the Law Amending the Law on Permanent and Temporary Residence of Citizens of BiH (<i>Official Gazette of BiH</i>, 58/15) are compatible with Articles II(3)(m), II(4) and II(5) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-26/14</u> of 9 July 2015</p>	<p>Articles 7(2), 9(3) and 11(4) of the Law on the</p>	<p>- It is established that Articles 7(2) and 11(4) of the Law on the System of State Aid in Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 10/12) are compatible with Article II(4) of the</p>	<p>Incompatibility with the Constitution of BiH not established!</p>

	System of State Aid in Bosnia and Herzegovina	<p>Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention.</p> <p>- It is established that Article 9(3) of the Law on the System of State Aid in Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 10/12) is compatible with Article III(1)(e) of the Constitution of BiH.</p>	Incompatibility with the Constitution of BiH not established!
<u>U-25/14</u> of 9 July 2015	Article 22(3)(a) and Article 24(2) of the Competition Act (<i>Official Gazette of BiH</i>, 48/05, 76/07 and 80/09)	- It is established that Article 22(3)(a) and Article 24(2) of the Competition Act (<i>Official Gazette of BiH</i> , 48/05, 76/07 and 80/09) are compatible with Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.	Incompatibility with the Constitution of BiH not established!
<u>U-18/14</u> of 9 July 2015	Article 4(2) and (3), Article 5, Article 6(3), Article 9(1), Article 10, Article 11(1)(d), Article 17, Article 18(1) and Article 21(1) of the Law on the Collective Management of Copyright and Related Rights (<i>Official Gazette of BiH</i>, 63/10)	- It is established that the provisions of Article 4(2) and (3), Article 5, Article 6(3), Article 9(1), Article 10, Article 11(1)(d), Article 17, Article 18(1) and Article 21(1) of the Law on the Collective Management of Copyright and Related Rights (<i>Official Gazette of BiH</i> , 63/10) are compatible with Article II(3)(i) and (k) and Article II(4) of the Constitution of BiH.	Incompatibility with the Constitution of BiH not established!

<p><u>U-20/14</u> of 26 March 2015</p>	<p>Issue referred by the Court of BiH</p> <p>Article 11 of the Law on Salaries and Other Remunerations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH</i>, 90/05 and 32/07)</p>	<p>- It is established that Article 11 of the Law on Salaries and Other Remunerations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH</i>, 90/05 and 32/07) is compatible with the provisions of Articles I(2) and II(4) of the Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 26 of the International Covenant on Civil and Political Rights.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-14/12</u> of 27 March 2015</p>	<p>Articles 9.15, 12.1 and 12.2 of the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 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 and 7/14)</p>	<p>- It is established that Articles 9.13, 9.14, 9.16 and 12.3 of the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 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 and 7/14) are not compatible with Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- It is established that Articles 9.15, 12.1 and 12.2 of the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 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 and 7/14) are compatible with Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention.</p>	<p>Incompatibility with the Constitution of BiH established!</p> <p>Incompatibility with the Constitution of BiH not established!</p>

<p><u>U-29/13</u> of 28 March 2014</p>	<p style="text-align: center;">Issue referred by the Court of BiH</p> <p style="text-align: center;">Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH, 90/05 and 32/07</i>)</p>	<p>- It is established that the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH, 90/05 and 32/07</i>) is not compatible with the provisions of Articles I(2) and II(4) of the Constitution of BiH in conjunction with Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the International Covenant on Civil and Political Rights (ICCPR), as it does not contain the provisions on reimbursement of accommodation expenses incurred in the performance of duties and responsibilities. Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the Parliamentary Assembly of BiH is ordered, in respect of the reimbursement of accommodation expenses, to bring the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH, 90/05 and 32/07</i>), within six months from the date of delivery of the present Decision, into line with the provisions of Articles I(2) and II(4) of the Constitution of BiH in conjunction with Article 14 of the European Convention, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the ICCPR.</p> <p>- The request lodged by the Court of BiH for review of compatibility of the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH, 90/05 and 32/07</i>), on the ground that the aforementioned Law does not contain the provisions on reimbursement of allowance for special conditions of work for</p>	<p>Incompatibility with the Constitution of BiH established!</p>
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		<p>certain categories of employees of the Prosecutor's Office of BiH, is dismissed.</p> <p>- It is established that the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH</i>, 90/05 and 32/07), in respect of the allegations of the Court of BiH, is compatible with the provisions of Article II(4) of the Constitution of BiH in conjunction with Article 14 of the European Convention, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the ICCPR.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-12/13</u> of 5 July 2013</p>	<p>Issue referred by the Municipal Court in Sarajevo</p> <p>Article 3 of the Law on Amendments to the Law on Settlement of Debts Arising from Old Foreign Currency Savings (<i>Official Gazette of BiH</i>, 72/07)</p>	<p>The request lodged by the Municipal Court in Sarajevo for review of compatibility of Article 3 of the Law on Amendments to the Law on Settlement of Debts Arising from Old Foreign Currency Savings (<i>Official Gazette of BiH</i>, 72/07) with the laws of Bosnia and Herzegovina, or concerning the existence of or the scope of general rules of public international law, or with the European Convention for the Protection of Human Rights and Fundamental Freedoms is dismissed as ill-founded.</p>	<p>Request dismissed!</p>
<p><u>U-7/12</u> of 30 January 2013</p>	<p>Issue referred by the Court of BiH</p> <p>Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of</p>	<p>- It is established that the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH</i>, 90/05 and 32/07) is not compatible with the provisions of Articles I(2) and II(4) of the Constitution of BiH in conjunction with Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 1 of Protocol No. 12 to the</p>	<p>Incompatibility with the Constitution of BiH established!</p>

	<p>BiH (<i>Official Gazette of BiH</i>, 90/05 and 32/07)</p>	<p>European Convention and Article 26 of the International Covenant on Civil and Political Rights (ICCPR), as it does not contain provisions in relation to compensation of travel expenses, meal allowance and family separation allowance.</p> <p>- The Parliamentary Assembly of BiH is ordered, pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, to bring, within six months from the date of delivery of the present Decision, the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of BiH (<i>Official Gazette of BiH</i>, 90/05 and 32/07) in relation to compensation of travel expenses, meal allowance and family separation allowance, into line with the provisions of Articles I(2) and II(4) of the Constitution of BiH in conjunction with Article 14 of the European Convention, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the ICCPR.</p>	
<p><u>U-6/12</u> of 13 July 2012</p>	<p>Issue referred by the Court of BiH</p> <p>Civil Procedure Code before the Court of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 36/04 and 84/07)</p>	<p>- It is established that the Civil Procedure Code before the Court of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 36/04 and 84/07) is not compatible with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the Parliamentary Assembly of BiH is ordered to harmonize the Civil Procedure Code before the Court of BiH (<i>Official Gazette of BiH</i>, 36/04 and 84/07) with regards to the transfer of jurisdiction in accordance with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention</p>	<p>Incompatibility with the Constitution of BiH established!</p>

		within a time limit not exceeding six months as of the date of delivery of this Decision.	
<u>U-3/12</u> of 13 July 2012	Article 7(e) of the Law Amending the Law on Civil Service in the Institutions of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 49/03)	- It is established that Article 7(e) of the Law Amending the Law on Civil Service in the Institutions of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 49/03) is compatible with Article II(4) of the Constitution of BiH and Article 6 of the International Covenant on Economic, Social and Cultural Rights.	Incompatibility with the Constitution of BiH not established!
<u>U-9/11</u> of 23 September 2011	Article 17 and Article 39(1) of the Law on Citizenship of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 4/97, 13/99, 41/02, 6/03, 14/03, 82/05, 43/09 and 76/09)	- It is established that Article 17 and Article 39(1) of the Law on Citizenship of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 4/97, 13/99, 41/02, 6/03, 14/03, 82/05, 43/09 and 76/09) are not compatible with Article I(7)(b) and (d) of the Constitution of BiH. - Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the Parliamentary Assembly of BiH is ordered to harmonize Article 17 and Article 39(1) of the Law on Citizenship of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 4/97, 13/99, 41/02, 6/03, 14/03, 82/05, 43/09 and 76/09) with Article I(7)(b) and (d) of the Constitution of BiH, within six months from the submission of this decision.	Incompatibility with the Constitution of BiH established!
<u>U-3/11</u> of 27 May 2011	Article 5 of the Law on Personal Identification Number (<i>Official Gazette of BiH</i>, 32/01 and 63/08)	- It is established that Article 5 of the Law on Personal Identification Number (<i>Official Gazette of BiH</i> , 32/01 and 63/08) is not compatible with Article I(2) of the Constitution of BiH. - It is ordered to the Parliamentary Assembly of BiH, pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, to harmonize Article 5 of the Law on Personal Identification	Incompatibility with the Constitution of BiH established!

		<p>Number (<i>Official Gazette of BiH</i>, 32/01 and 63/08) with the Constitution of BiH, within six months from the date of publication of this decision in the <i>Official Gazette of BiH</i>.</p> <p>- The request of 76 Representatives in the National Assembly of the Republika Srpska for review of compatibility of Article 5 of the Law on Personal Identification Number (<i>Official Gazette of BiH</i>, 32/01 and 63/08) with Articles I(1), I(3), III(1) and III(3)(a) of the Constitution of BiH, is dismissed.</p> <p>- It is established that Article 5 of the Law on Personal Identification Number (<i>Official Gazette of BiH</i>, 32/01 and 63/08) is compatible with Articles I(1), I(3), III(1) and III(3)(a) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-5/11</u> of 27 May 2011</p>	<p>The Law Amending the Law on Service in the Armed Forces of BiH (<i>Official Gazette of BiH</i>, 74/10)</p>	<p>- It is established that the Law Amending the Law on Service in the Armed Forces of BiH (<i>Official Gazette of BiH</i>, 74/10) is compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-4/11</u> of 27 May 2011</p>	<p>Article 9(3) and Article 20(13)(3) of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05,</p>	<p>- It is established that Article 9(3) and Article 20(13)(3) of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08) are not compatible with Article I(2) of the Constitution of BiH.</p> <p>- It is ordered to the Parliamentary Assembly of BiH, pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH,</p>	<p>Incompatibility with the Constitution of BiH established!</p>

	<p>77/05, 11/06, 24/06, 32/07, 33/08 and 37/08)</p>	<p>to harmonize Article 9(3) and Article 20(13)(3) of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08) with the Constitution of BiH, within six months from the date of publication of this decision in the <i>Official Gazette of BiH</i>.</p> <p>- The request of 76 Representatives of the National Assembly of the Republika Srpska for review of compatibility of Article 9(3) and Article 20(13)(3) of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08) with Articles I(1), I(3), III(1) and III(3)(a) of the Constitution of BiH, is dismissed.</p> <p>- It is established that Article 9(3) and Article 20(13)(3) of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08) are compatible with Articles I(1), I(3), III(1) and III(3)(a) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-9/09</u> of 26 November 2010</p>	<p>Article 19.1, 19.2, 19.3, 19.4, 19.5, 19.6 and 19.7 of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05,</p>	<p>- It is established that Article 19.4(2) of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08) is not compatible with Article 25 of the International</p>	<p>Incompatibility with the Constitution of BiH established!</p>

	<p>52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08)</p>	<p>Covenant on Civil and Political Rights (ICCPR) which makes an integral part of the Constitution of BiH.</p> <p>- It is established that Article 19.2(1) and (3) and Article 19.4(2 to 8) of the Election Law of BiH (<i>Official Gazette of BiH</i>, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08) are not compatible with Article II(4) of the Constitution of BiH in conjunction with Article 25 of the ICCPR.</p> <p>- It is established that the provisions of Article 19.4(1) and (9) and Article 19.7 of the Election of BiH are compatible with Article II(4) of the Constitution of BiH in conjunction with Article 25 of the ICCPR.</p>	<p>Incompatibility with the Constitution of BiH established!</p> <p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-12/09</u> of 28 May 2010</p>	<p>Article 35 of the Law on Salaries and Remunerations in the Institutions of BiH (<i>Official Gazette of BiH</i>, 50/08 and 35/09) and Decision of the Council of Ministers on the Manner and Procedure of Realisation of the Right to Remuneration during Maternity Leave in the Institutions of BiH</p>	<p>- It is established that Article 35 of the Law on Salaries and Remunerations in the Institutions of BiH (<i>Official Gazette of BiH</i>, 50/08 and 35/09) is not compatible with Article II(4) of the Constitution of BiH in conjunction with Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms with Articles 1, 2 and 11 of the UN Convention on the Elimination of All Forms of Discrimination Against Women as well as with Article 26 of the ICCPR and Article 10 of the International Covenant on Economic, Social and Cultural Rights.</p> <p>- Article 35 of the Law on Salaries and Remunerations in the Institutions of BiH (<i>Official Gazette of BiH</i>, 50/08 and 35/09) is</p>	<p>Incompatibility with the Constitution of BiH established!</p>

		<p>quashed, pursuant to Article 63(2) of the Rules of the Constitutional Court of BiH.</p> <p>- The Decision of the Council of Ministers on the Manner and Procedure of Realisation of the Right to Remuneration during Maternity Leave in the Institutions of BiH (<i>Official Gazette of BiH</i>, No. 58/09) is quashed, in accordance with Article 63(2) of the Rules of the Constitutional Court of BiH, since following the quashing of Article 35 of the Law on Salaries and Remunerations in the Institutions of BiH (<i>Official Gazette of BiH</i>, 50/08 and 35/09) legal grounds for its adoption has ceased to exist.</p> <p>- The quashed Article 35 of the Law on Salaries and Remunerations in the Institutions of BiH (<i>Official Gazette of BiH</i>, 50/08 and 35/09) and the Decision of the Council of Ministers on the Manner and Procedure of Realisation of the Right to Remuneration during Maternity Leave in the Institutions of BiH (<i>Official Gazette of BiH</i>, No. 58/09) shall cease to be in force as of the date following the date of publication of this Decision in the <i>Official Gazette of BiH</i>, pursuant to Article 63(3) of the Rules of the Constitutional Court of BiH.</p>	
<p><u>U-17/09</u> of 27 March 2010</p>	<p>Article 6 of the Law on Insurance Agency in BiH (<i>Official Gazette of BiH</i>, No. 12/04)</p>	<p>- It is established that Article 6 of the Law on Insurance Agency in BiH (<i>Official Gazette of BiH</i>, No. 12/04) is compatible with Article IV(4)(a) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>

<p><u>U-16/09</u> of 27 March 2010</p>	<p>Article 5, paragraphs 1, 3, 4, 5, 7, 8 and 9 of the Law Establishing the Company for the Transmission of Electric Power in BiH (<i>Official Gazette of BiH, 35/04</i>)</p>	<p>- It is established that Article 5, paragraphs 1, 3, 4, 5, 7, 8 and 9 of the Law Establishing the Company for the Transmission of Electric Power in BiH (<i>Official Gazette of BiH, 35/04</i>) is compatible with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-13/09</u> of 30 January 2010</p>	<p>Article 9.1(2) and (3) of the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08</i>)</p>	<p>- It is established that Article 9.1(2) and (3), Article 10.1(3) and Article 11.1(2) of the Election Law of Bosnia and Herzegovina (<i>Official Gazette of BiH, 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08 and 37/08</i>) are compatible with lines 3, 8 and 9 of the Preamble of the Constitution of BiH and Article I(2) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-5/09</u> of 25 September 2009</p>	<p>Law on the Protection of the Domestic Production under the CEFTA (<i>Official Gazette of BiH, 49/09</i>)</p>	<p>- It is established that the Law on the Protection of the Domestic Production under the CEFTA (<i>Official Gazette of BiH, 49/09</i>) is not compatible with Article III(3)(b) of the Constitution of BiH.</p> <p>- The Law on the Protection of the Domestic Production under the CEFTA (<i>Official Gazette of BiH, 49/09</i>) is quashed in its entirety pursuant to Article 63(2) of the Rules of the Constitutional Court of BiH.</p> <p>- The quashed Law on the Protection of the Domestic Production under the CEFTA (<i>Official Gazette of BiH, 49/09</i>) shall be rendered ineffective as of the day following the date of publication of this Decision in the <i>Official Gazette of BiH</i>,</p>	<p>Incompatibility with the Constitution of BiH established!</p>

		pursuant to Article 63(3) of the Rules of the Constitutional Court of BiH.	
<u>U-5/06</u> of 29 May 2009	Article 1(1), Article 2, Article 6(3), Article 10(4), Article 12(1), (2) and (3), Article 13(2)(f) and Article 18(2); Article 3, Article 7(2), Article 8(3), Article 9(1), Article 12(4) and Article 42(1), (2) and (3) and Article 19(2) of the Law on Public Broadcasting System of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, No. 78/05)	- It is considered that the request for review of the constitutionality of Article 1 paragraph 1, Article 2, the last sentence, Article 6 paragraph 3, Article 10 paragraph 4, Article 12 paragraphs 1, 2 and 3, Article 13 paragraph 2 item f) and Article 18 paragraph 2 – the part referring to three public broadcasting services; Article 3, Article 7 paragraph 2, Article 8 paragraph 3, Article 9 paragraph 1, the third and fourth sentence where it is stated that there shall be two TV and two radio stations in the territory of an Entity, Article 12 paragraph 4 and Article 42, paragraphs 1, 2 and 3 and Article 19 paragraph 2 of the Law on Public Broadcasting System of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , No. 78/05), is dismissed since not a single decision proposal received the affirmative vote of at least five judges.	It is considered that the request is dismissed!
<u>U-16/08</u> of 28 March 2009	Article 13(2) of the Law on the Court of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 29/00, 16/02, 24/02, 3/03, 37/03, 42/03, 4/04, 35/04, 61/04 and 32/07)	- It is established that Article 13(2) of the Law on the Court of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 29/00, 16/02, 24/02, 3/03, 37/03, 42/03, 4/04, 35/04, 61/04 and 32/07) is compatible with Articles I(2), III(1)(g), III(3)(a) and III(5)(a) of the Constitution of BiH.	Incompatibility with the Constitution of BiH not established!
<u>U-9/07</u> of 4 October 2008	Law on Statistics of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 26/04 and 42/04)	- It is established that the Law on Statistics of Bosnia and Herzegovina (<i>Official Gazette of BiH</i> , 26/04 and 42/04) is compatible with Article IV(4)(a) of the Constitution of BiH.	Incompatibility with the Constitution of BiH not established!

<p><u>U-6/07</u> of 4 October 2008</p>	<p>Public Procurement Law of Bosnia and Herzegovina <i>(Official Gazette of BiH, 49/04, 19/05, 52/05, 8/06, 24/06 and 70/06)</i></p>	<p>- It is established that the Public Procurement Law of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 49/04, 19/05, 52/05, 8/06, 24/06 and 70/06) is compatible with Article IV(4) of the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-3/08</u> of 4 October 2008</p>	<p>The provisions of Articles 22 and 23 of the Law on Settlement of Debts Arising from Old Foreign Currency Savings (<i>Official Gazette of BiH</i>, 28/06, 76/06 and 72/07)</p>	<p>- It is established that the provisions of Articles 22 and 23 of the Law on Settlement of Debts Arising from Old Foreign Currency Savings (<i>Official Gazette of BiH</i>, 28/06, 76/06 and 72/07) are compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-13/06</u> of 28 March 2008</p>	<p>Article 4 and 28 the Law on Settlement of Debts Arising from Old Foreign Currency Savings (<i>Official Gazette of BiH</i>, 28/06, 76/06 and 72/07)</p>	<p>- It is established that Article 4 of the Law on Settlement of Debts Arising from Old Foreign Currency Savings (<i>Official Gazette of BiH</i>, 28/06, 76/06 and 72/07) is compatible with Article II(3)(k) of the Constitution of BiH and Article 1 of the Protocol No. 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- It is established that Article 28 of the Law on Settlement of Debts Arising from Old Foreign Currency savings (<i>Official Gazette of BiH</i>, 28/06, 76/06 and 72/07) is compatible with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.</p>	<p>Incompatibility with the Constitution of BiH not established!</p> <p>Incompatibility with the Constitution of BiH not established!</p>

<p><u>U-17/05</u> of 26 May 2006</p>	<p>Article 5(2) and (6), Article 7(2), Article 46(3), Article 49(3) and Article 51(2), (4) and (5) of the Law Establishing the Company for the Transmission of Electric Power in Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 35/04)</p>	<p>- It is established that the provisions of Article 5(2) and (6), Article 7(2), Article 46(3), Article 49(3) and Article 51(2), (4) and (5) of the Law Establishing the Company for the Transmission of Electric Power in Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 35/04) are compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-3/04</u> of 27 May 2005</p>	<p>Law on Change of the name of Inhabited Place Duvno and the Municipality Duvno into Tomislavgrad (Official Gazette of SRBiH, no. 33/90)</p>	<p>The request for review of constitutionality of the Law on Change of the name of Inhabited Place Duvno and the Municipality Duvno into Tomislavgrad (Official Gazette of SRBiH, no. 33/90), is hereby dismissed as ill-founded.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-42/03</u> of 17 December 2004</p>	<p>Articles 6, 7, 9, 43, 71 and 72 of the Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 29/02)</p>	<p>- It is established that Articles 6, 7, 9, 43, 71 and 72 of the Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 29/02) are compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-24/03</u></p>	<p>Article 6(2), Article 7(2) and Article 8 of the Law on Immunity of Bosnia</p>	<p>- It is established that Article 6(2), Article 7(2) and Article 8 of the Law on Immunity of Bosnia and Herzegovina (<i>Official</i></p>	<p>Incompatibility with the Constitution of BiH not established!</p>

<p>of 22 September 2004</p>	<p>and Herzegovina (<i>Official Gazette of BiH</i>, 37/03)</p>	<p><i>Gazette of BiH</i>, 37/03) are compatible with the Constitution of BiH.</p>	
<p><u>U-55/02</u> of 26 September 2003</p>	<p>Issue referred by the Basic Court in Doboj</p> <p>Article 20 of the Law on Housing Relations – Amended Text (<i>Official Gazette of the SR Bosnia and Herzegovina</i>, 14/84, 12/87 and 36/89 and <i>Official Gazette of the Republika Srpska</i>, 19/93 and 22/93)</p>	<p>Upon the request of the Basic Court in Doboj for the review of the constitutionality of Article 20 of the Law on Housing Relations – Amended Text (<i>Official Gazette of the SR Bosnia and Herzegovina</i>, 14/84, 12/87 and 36/89 and <i>Official Gazette of the Republika Srpska</i>, 19/93 and 22/93), it is established that the contested Article is compatible with Article II(3)(f) and (k) of the Constitution of BiH and Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 1 of Protocol No. 1 to the European Convention.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-26/01</u> of 28 September 2001</p>	<p>Law on the Court of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 29/00)</p>	<p>The Law on the Court of Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 29/00) is compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>

<p><u>U-25/00</u> of 23 March 2001</p>	<p>Decision Amending the Law on Travel Documents of Bosnia and Herzegovina (<i>Official Gazette of BiH, 27/00</i>)</p>	<p>The Decision Amending the Law on Travel Documents of Bosnia and Herzegovina (<i>Official Gazette of BiH, 27/00</i>) is compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-9/00</u> of 3 November 2000</p>	<p>Law on State Border Service (<i>Official Gazette of BiH, 2/2000</i>)</p>	<p>The Law on State Border Service of Bosnia and Herzegovina (<i>Official Gazette of BiH, 2/2000</i>) is declared to be compatible with the Constitution of BiH.</p>	<p>Incompatibility with the Constitution of BiH not established!</p>
<p><u>U-1/99</u> of 14 August 1999</p>	<p>Articles 3, 5, 6, 7, 9, 10, 11, 12, 13, 15, 19, 20, 21(3), 22, 24, 25, 26, 27, 28 and 29 of the Law on the Council of Ministers of Bosnia and Herzegovina and the Ministries of Bosnia and Herzegovina (<i>Official Gazette of BiH, 4/97</i>)</p>	<p>- It is established that Articles 3, 5, 6, 7, 9, 10, 11, 12, 13, 15, 19, 20, 21(3), 22, 24, 25, 26, 27, 28 and 29 of the Law on the Council of Ministers of Bosnia and Herzegovina and the Ministries of Bosnia and Herzegovina (<i>Official Gazette of BiH, 4/97</i>) are not compatible with the Constitution of BiH.</p> <p>The Parliamentary Assembly of Bosnia and Herzegovina is given a three-month time limit from the date of publication of this Decision in the Official Gazette of Bosnia and Herzegovina to bring the aforementioned provisions of the Law on the Council of Ministers of Bosnia and Herzegovina and the Ministries of Bosnia and Herzegovina in line with the Constitution of Bosnia and Herzegovina.</p>	<p>Incompatibility with the Constitution of BiH established!</p>