

**SUMMARY OF DECISIONS OF THE CONSTITUTIONAL COURT ON THE REQUESTS FOR REVIEW OF  
CONSTITUTIONALITY OF GENERAL ACTS OF THE INSTITUTIONS OF THE ENTITY OF THE FEDERATION OF BiH**

<b>DECISION NUMBER</b>	<b>SUBJECT OF THE REVIEW OF CONSTITUTIONALITY</b>	<b>DECISION OF THE CONSTITUTIONAL COURT</b>	<b>CONCLUSION OF THE CONSTITUTIONAL COURT</b>
<p align="center"><u>U-3/24</u> of 11 July 2024</p>	<p align="center"><b>Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the Federation of Bosnia and Herzegovina (<i>Official Gazette of FBiH, 89/23 and 100/23</i>)</b></p>	<p>- It is established that the Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the Federation of Bosnia and Herzegovina (<i>Official Gazette of FBiH, 89/23 and 100/23</i>) is <b>not compatible</b> with Articles I(1), I(2) and VI(5) of the Constitution of Bosnia and Herzegovina (BiH).</p> <p>- Pursuant to Article 61(1) of the Rules of the Constitutional Court of BiH and Article 2(2) of the Law on the Temporary Prohibition of the Disposal of State Property of BiH (<i>Official Gazette of BiH, 18/05, 29/06, 85/06, 32/07, 41/07, 74/07, 99/07, 58/08 and 22/22</i>), the Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the Federation of BiH (<i>Official Gazette of FBiH, 89/23 and 100/23</i>) is quashed and shall be rendered ineffective following the date of publication of that decision in <i>the Official Gazette of FBiH, 89/23 and 100/23</i>.</p> <p>- Pursuant to Article 61 of the Rules of the Constitutional Court of BiH, the Government of the Federation of BiH and the Ministry of Agriculture, Water Management and Forestry of the Federation of BiH are ordered to undertake all activities to annul all decisions and activities based on the Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

		<p>Federation of BiH (<i>Official Gazette of FBiH</i>, 89/23 and 100/23).</p> <p>- Pursuant to Article 72(5) of the Rules of the Constitutional Court, the Government of the Federation of BiH and the Ministry of Agriculture, Water Management and Forestry of the Federation of BiH are ordered to notify the Constitutional Court of BiH of the measures taken to enforce this decision within three months from the date of delivery of this decision.</p>	
<p><a href="#"><u>U-5/24</u></a> of 30 May 2024</p>	<p><b>Issue referred by the Cantonal Court in Sarajevo</b></p> <p><b>Article 147(1) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 19/93 – Decision of the Constitutional Court of FBiH, 94/20 – Ruling of the Constitutional Court of FBiH, 90/21, 19/22 and 42/23 - Decision of the Constitutional Court of FBiH) and Article 2(3) of the Rulebook on Reimbursement of Funeral Expenses in the Event of Death of the Pension Beneficiary (<i>Official Gazette of FBiH</i>, 47/18 and 48/22)</b></p>	<p>- It is established that Article 147(1) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 19/93 – Decision of the Constitutional Court of FBiH, 94/20 – Ruling of the Constitutional Court of FBiH, 90/21, 19/22 and 42/23 - Decision of the Constitutional Court of FBiH), in the part stipulating “with a place of residence in the Federation or the Brčko District of Bosnia and Herzegovina”, and Article 2(3) of the Rulebook on Reimbursement of Funeral Expenses in the Event of Death of the Pension Beneficiary (<i>Official Gazette of FBiH</i>, 47/18 and 48/22), <b>are not compatible</b> 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 (European Convention).</p> <p>- Pursuant to Article 61(2) of the Rules of the Constitutional Court, the following articles are repealed:</p> <p>- Article 147(1) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 19/93 – Decision of the Constitutional Court of FBiH, 94/20 – Ruling of the Constitutional Court of FBiH, 90/21, 19/22 and 42/23 - Decision of the Constitutional Court of FBiH), in the part</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

		<p>stipulating “with a place of residence in the Federation or the Brčko District of Bosnia and Herzegovina”, and</p> <ul style="list-style-type: none"> <li>- Article 2(3) of the Rules of the Rulebook on Reimbursement of Funeral Expenses in the Event of Death of the Pension Beneficiary (<i>Official Gazette of FBiH</i>, 47/18 and 48/22).</li> <li>- Pursuant to Article 61(3) of the Rules of the Constitutional Court, Article 147(1) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 19/93 – Decision of the Constitutional Court of FBiH, 94/20 – Ruling of the Constitutional Court of FBiH, 90/21, 19/22 and 42/23 - Decision of the Constitutional Court of FBiH), in the part stipulating “with a place of residence in the Federation or the Brčko District of Bosnia and Herzegovina”, and Article 2(3) of the Rulebook on Reimbursement of Funeral Expenses in the Event of Death of the Pension Beneficiary (<i>Official Gazette of FBiH</i>, 47/18 and 48/22), 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>.</li> </ul>	
<p><b><u>U-20/23</u></b>  <b>of 18</b>  <b>January</b>  <b>2024</b></p>	<p><b>Issue referred by the Cantonal Court in Tuzla</b></p> <p><b>Article 102(2) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 93/19 – Decision of the Constitutional Court of the Federation of BiH, 94/20 – Ruling of the Constitutional Court of</b></p>	<p>- It is established that Article 102(2) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 93/19 – Decision of the Constitutional Court of FBiH, 94/20 – Ruling of the Constitutional Court of FBiH, 90/21, 19/22 and 42/23) and Articles 7, 14 and 20 of the Law on the Establishment of the Institute for Medical Expert Examination (<i>Official Gazette of FBiH</i>, 70/07, 26/14, 40/18 and 25/22) <b>are compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention and Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>

	<p><b>the Federation of BiH, 90/21, 19/22 and 42/23) and Articles 7, 14 and 20 of the Law on the Establishment of the Institute for Medical Expert Examination (Official Gazette of FBiH, 70/07, 26/14, 40/18 and 25/22)</b></p>		
<p><b><u>U-12/23</u> of 28 September 2023</b></p>	<p><b>Issue referred by the Municipal Court in Sarajevo</b></p> <p><b>Article 20 of the Law on Salaries and Compensations in the Government Authorities of the Federation of Bosnia and Herzegovina (Official Gazette of FBiH, 45/10, 111/12, 20/17, 22/19 and 94/20)</b></p>	<p>- It is established that Article 20 of the Law on Salaries and Compensations in the Government Authorities of the Federation of BiH (<i>Official Gazette of FBiH</i>, 45/10, 111/12, 20/17, 22/19 and 94/20), Section IV, the subparagraph stipulating <i>expert judicial advisors in the Supreme Court of the Federation of BiH</i>, <b>is not compatible</b> with Article II(4) of the Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the International Covenant on Civil and Political Rights (ICCPR).</p> <p>- Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to amend the relevant provisions, within a time limit of six months from the day of publication of this decision in the <i>Official Gazette of BiH</i>, so as to stipulate the annual adjustment of the monthly net salary of the expert judicial advisors in the Supreme Court of the Federation of BiH by the percentage increase in the average monthly net salary in BiH in accordance 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 and Article 26 of the ICCPR.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

<p><b><u>U-13/23</u></b> of 13 July 2023</p>	<p><b>Issue referred by the Cantonal Court in Tuzla</b></p> <p><b>Article 46(5) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 93/19 - Decision of the Constitutional Court of FBiH, 94/20 - Ruling of the Constitutional Court of FBiH, 90/21 and 19/22)</b></p>	<p>- It is established that Article 46(5) of the Law on Pension and Disability Insurance (<i>Official Gazette of FBiH</i>, 13/18, 93/19 - Decision of the Constitutional Court of FBiH, 94/20 - Ruling of the Constitutional Court of FBiH, 90/21 and 19/22) <b>is compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6 of the European Convention, Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention and Article II(4) of the Constitution of BiH and Article 14 of the European Convention in conjunction with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-2/23</u></b> of 13 July 2023</p>	<p><b>Issue referred by the Cantonal Court in Tuzla</b></p> <p><b>Articles 29 and 30 of the Law on Tax Administration of the Federation of Bosnia and Herzegovina (<i>Official Gazette of FBiH</i>, 33/02, 28/04, 57/09, 40/10, 29/11 – Decision of the Constitutional Court, 27/12, 7/13, 71/14, 91/15 and 44/22)</b></p>	<p>- It is established that Articles 29 and 30 of the Law on Tax Administration of the Federation of BiH (<i>Official Gazette of FBiH</i>, 33/02, 28/04, 57/09, 40/10, 29/11 - Decision of the Constitutional Court, 27/12, 7/13, 71/14, 91/15 and 44/22) <b>are compatible</b> with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-27/22</u></b> of 23 March 2023</p>	<p><b>Amendments to the Constitution of the Federation of Bosnia and Herzegovina (<i>Official</i></b></p>	<p>- It is established that the Amendments to the Constitution of the Federation of BiH (<i>Official Gazette of FBiH</i>, 79/22 and 80/22) <b>are compatible</b> with Articles I(2), II(2), II(4) and</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>

	<i>Gazette of FBiH, 79/22 and 80/22)</i>	III(3)(b) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention, Articles 5 and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination and Article 25 of the ICCPR.	
<u>U-18/22</u> of 22 September 2022	<p><b>Issue referred by the Municipal Court in Zavidovići – Maglaj Branch</b></p> <p><b>Article 56 (3) of the Law on Misdemeanours (Official Gazette of FBiH, 63/14)</b></p> <p><b>Article 56 (2) (3) and Article 94 of the Law on Misdemeanours (Official Gazette of FBiH, 63/14)</b></p>	<p>- It is established that Article 56 (3) of the Law on Misdemeanours (<i>Official Gazette of FBiH, 63/14</i>), in the part reading as follows: “When the misdemeanour warrant is served through postal services, it shall be considered that the delivery was effected upon the expiry of five working days after the authorised body mailed it. When the misdemeanour warrant is left on a motor vehicle, the date of service shall be the date on which it was left on a motor vehicle”, <b>is not compatible</b> with Article II (3) (e) of the Constitution of BiH and Article 6 (1) of the European Convention with regard to the right of access to court.</p> <p>- Pursuant to Article 61 (4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to harmonise, within six months at the latest from the day of publication of this Decision in the <i>Official Gazette of BiH</i>, Article 56 (3) of the Law on Misdemeanours, in the part reading as follows: “When the misdemeanour warrant is served through postal services, it shall be considered that the delivery was effected upon the expiry of five working days after the authorised body mailed it. When the misdemeanour warrant is left on a motor vehicle, the date of service shall be the date on which it was left on a motor vehicle” with Article II(3)(e) of the Constitution of BiH and Article 6 of the European Convention.</p> <p>- It is established that Article 56 (2) (3) and Article 94 of the Law on Misdemeanours (<i>Official Gazette of FBiH, 63/14</i>) <b>are</b></p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p> <p><b>Incompatibility with the Constitution of BiH not established!</b></p>

		<b>compatible</b> with Article II (3) (e) of the Constitution of BiH and Article 6 (1) of the European Convention.	
<u><a href="#">U-12/22</a></u> of 22 September 2022	<b>Issue referred by the Cantonal Court in Sarajevo</b>  <b>Article 71(2)(c) of the Bankruptcy Law (<i>Official Gazette of F BiH, 53/21</i>)</b>	- It is established that Article 71(2)(c) of the Bankruptcy Law ( <i>Official Gazette of F BiH, 53/21</i> ) <b>is compatible</b> with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention and Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention.	<b>Incompatibility with the Constitution of BiH not established!</b>
<u><a href="#">U-11/22</a></u> of 14 July 2022	<b>Issue referred by the Municipal Court in Sarajevo</b>  <b>Article 3 of the Law on Amendments to the Law on Principles of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children (<i>Official Gazette of F BiH, 14/09</i>)</b>	- It is established that Article 3 of the Law on Amendments to the Law on Principles of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children ( <i>Official Gazette of F BiH, 14/19</i> ), which reads, Article 18.b of the Law shall be amended and read as follows: “For the purpose of exercising the rights set forth in this Law, the persons with disability are classified according to the determined percentage of the impairment into two groups, as follows: I group – persons with disability with 100% impairment, II group - persons with disability with 90% impairment ’ “ <b>is compatible</b> with Article II(4) of the Constitution of BiH, Article 14 of the European Convention and Article 1 of Protocol No. 12 to the European Convention.	<b>Incompatibility with the Constitution of BiH not established!</b>
<u><a href="#">U-7/22</a></u> of 14 July 2022	<b>Issue referred by the Municipal Court in Sarajevo</b>  <b>Article 40(3) and Article 41(2) of the Law on Compulsory Traffic Insurance (<i>Official Gazette of F BiH, 57/20 and 103/21</i>)</b>	- It is established that Article 40(3) and Article 41(2) of the Law on Compulsory Traffic Insurance ( <i>Official Gazette of F BiH, 57/20 and 103/21</i> ) <b>are compatible</b> with Article II(4) of the Constitution of BiH and Article 14 of the European Convention in conjunction with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention and Article 1 of Protocol No. 12 to the European Convention.	<b>Incompatibility with the Constitution of BiH not established!</b>





	<p><b>Article 173 of the Labour Law (Official Gazette of FBiH, 26/16, 89/18, 23/20 – Decision of the Constitutional Court of FBiH, 31/20 - Decision of the Constitutional Court of FBiH and 49/21 – Final provisions of the Law on Peaceful Labour Dispute Resolution)</b></p>	<p>with Article I(2) and Article II(3)(e) and (k) of the Constitution of BiH and Article 6 of the European Convention and Article 1 of Protocol No. 1 to the European Convention.</p>	
<p><b><u>U-12/21</u> of 24 March 2022</b></p>	<p><b>Issue referred by the Municipal Court in Srebrenik</b></p> <p><b>Article 105 of the Law on Misdemeanours (Official Gazette of FBiH, 63/14)</b></p>	<p>- It is established that Article 105 of the Law on Misdemeanours (<i>Official Gazette of FBiH, 63/14</i>) is <b>compatible</b> with Article II(3)(d) of the Constitution of BiH and Article 5(1)(b) of the European Convention, Article II(3)(e) of the Constitution of BiH and Article 6 of the European Convention and Article 4(1) of Protocol No. 7 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-8/21</u> of 23 September 2021</b></p>	<p><b>Decision of the FBiH Ministry of Interior, no. 01 03 03/2-10-1-7845/20 of 1 February 2021</b></p>	<p>- Having deliberated on a request for resolving a dispute between the Ministry of Civil Affairs of BiH and the Ministry of Interior of the Federation of BiH in the case of acquiring citizenship of BiH and the Federation of BiH, initiated upon an application filed by A.G., a citizen of the Arab Republic of Egypt,</p> <p>- it is hereby established that decision of the FBiH Ministry of Interior, no. 01-03-03/2-10-1-845/20 of 1 February 2021, is <b>compatible</b> with Article I(7) of the Constitution of BiH.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>

		- Decision of the FBiH Ministry of Interior, no. 01-03- 03/2-10-1-845/20 of 1 February 2021, shall remain in effect.	
<p><u>U-7/21</u> of 23 September 2021</p>	<p><b>Issue referred by the Municipal Court in Sarajevo</b></p> <p><b>Law on Salaries and Other Compensations of Judges and Prosecutors of the Federation of BiH (Official Gazette of FBiH, 72/05, 22/09, 27/12 – Decision of the Constitutional Court of FBiH, 55/13 and 55/17 – Decision of the Constitutional Court of FBiH)</b></p>	<p>- It is established that the Law on Salaries and Other Compensations of Judges and Prosecutors of the Federation of BiH (<i>Official Gazette of FBiH</i>, 72/05, 22/09, 27/12 – Decision of the Constitutional Court of FBiH, and 55/13 and 55/17 – Decision of the Constitutional Court of FBiH) <b>is not compatible</b> with Article I(2) of the Constitution of BiH and 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 as it does not contain the provisions related to the compensation for on-call duty/standby.</p> <p>- Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to harmonise, within a time limit of six month from the day of publication of this Decision in the <i>Official Gazette of BiH</i>, the Law on Salaries and Other Compensations of Judges and Prosecutors of the Federation of BiH (<i>Official Gazette of FBiH</i>, 72/05, 22/09, 27/12 – Decision of the Constitutional Court of FBiH, and 55/13 and 55/17 – Decision of the Constitutional Court of FBiH) with regard to the compensation for on-call duty/standby with Article I(2) of the Constitution of BiH and 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><b>Incompatibility with the Constitution of BiH established!</b></p>

<p><b><u>U-10/19</u></b> of <b>6 February</b> <b>2020</b></p>	<p><b>Issue referred by the Municipal Court in Cazin</b></p> <p><b>Article 69(3) and (4) of the Law on Enforcement Procedure of the FBiH (Official Gazette of FBiH, 32/03, 52/03, 33/06, 39/09, 35/12 and 46/16; and Official Gazette of BiH, 42/18)</b></p>	<p>- It is established that the provisions of Article 69(3) and (4) of the Law on Enforcement Procedure of the FBiH (<i>Official Gazette of FBiH</i>, 32/03, 52/03, 33/06, 39/09, 35/12 and 46/16; and <i>Official Gazette of BiH</i>, 42/18) <b>are not compatible</b> with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>- The Parliament of the Federation of BiH is hereby ordered, pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, to harmonise, within six months from the date of publication of the present Decision in the <i>Official Gazette of BiH</i>, the provisions of Article 69(3) and (4) of the Law on Enforcement Procedure of the Federation of BiH (<i>Official Gazette of FBiH</i>, 32/03, 52/03, 33/06, 39/09, 35/12 and 46/16; and the <i>Official Gazette of BiH</i>, 42/18) with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>
<p><b><u>U-6/19</u></b> of <b>4 October</b> <b>2019</b></p>	<p><b>Issue referred by the Cantonal Court in Sarajevo</b></p> <p><b>Article 2(2) and (3) of the Law on the Amount of Default Interest (Official Gazette of FBiH, 56/04, 68/04, 29/05 and 48/11)</b></p> <p><b>Article 4 of the Law on the Amount of Default Interest Applicable to Unsettled Debts (Official</b></p>	<p>- It is established that the provisions of Article 2(2) and (3) of the Law on the Amount of Default Interest (<i>Official Gazette of FBiH</i>, 56/04, 68/04, 29/05 and 48/11) <b>are not compatible</b> with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>- The provisions of Article 2(2) and (3) of the Law on the Amount of Default Interest Applicable to Unsettled Debts (<i>Official Gazette of FBiH</i>, 56/04, 68/04, 29/05 and 48/11) are hereby rendered ineffective, because they are not compatible with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

	<p><b><i>Gazette of FBiH, 56/04, 68/04, 29/05 and 48/11</i></b></p>	<p>- In accordance with Article 61 (3) of the Rules of the Constitutional Court of BiH, the provisions of Article 2(2) and (3) of the Law on the Amount of Default Interest Applicable to Unsettled Debts (<i>Official Gazette of FBiH, 56/04, 68/04, 29/05 and 48/11</i>) shall be rendered ineffective on the day following the day of the publication of the decision of the Constitutional Court in the <i>Official Gazette of BiH</i>.</p> <p>- It is established that Article 4 of the Law on the Amount of Default Interest Applicable to Unsettled Debts (<i>Official Gazette of FBiH, 56/04, 68/04, 29/05 and 48/11</i>) <b>is compatible</b> with Article II (3)(k) of the Constitution of Bosnia and Herzegovina and Article 1 of Protocol No. 1 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-7/18</u> of 31 May 2018</b></p>	<p><b>Law on Land Registry of the Federation of BiH (<i>Official Gazette of FBiH, 19/03 and 54/04</i>)</b></p>	<p>- It is established that Articles 63, 66, 67, 70, 71, 72 and 76 of the Law on Land Registry of the Federation of BiH (<i>Official Gazette of FBiH, 19/03 and 54/04</i>) <b>are compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6 of the European Convention, Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention, Article 13 of the European Convention in conjunction with the right to a fair trial and the right to property, and Article II(4) of the Constitution of BiH and Article 14 of the European Convention in conjunction with the right to a fair trial and the right to property.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>

<p><b><u>U-20/16</u> of 30 March 2017</b></p>	<p><b>Issue referred by the Municipal Court in Bihać</b></p> <p><b>Article 1 of the Law on Amendments to the Law on the Enforcement Procedure of the Federation of BiH (<i>Official Gazette of FBiH, 46/16</i>)</b></p>	<p>- It is established that Article 1 of the Law on Amendments to the Law on the Enforcement Procedure of the Federation of BiH (<i>Official Gazette of FBiH, 46/16</i>) <b>in not compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.</p> <p>- Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to harmonise Article 1 of the Law on Amendments to the Law on the Enforcement Procedure of the Federation of BiH (<i>Official Gazette of FBiH, 46/16</i>) with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention within a time limit not exceeding six months following the publication of this Decision in the <i>Official Gazette of BiH</i>.</p> <p>- Pursuant to Article 72(5) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to inform the Constitutional Court of BiH within a time limit referred to in the previous paragraph of the measures undertaken with the aim of enforcing this Decision.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>
<p><b><u>U-17/16</u> of 19 January 2017</b></p>	<p><b>All the laws and other general acts adopted by the Parliament of the Federation of BiH since its constitution, which took place following the 2014 elections</b></p>	<p>The request seeking a review of the constitutionality of “all the laws and other general acts adopted by the Parliament of the Federation of BiH since its constitution, which took place following the 2014 elections” is dismissed as ill-founded</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-4/15</u> of</b></p>	<p><b>Issue referred by the Cantonal Court in Mostar</b></p>	<p>- It is hereby established that Article 17(4) of the Law on Enforcement Procedure of the Federation of BiH (<i>Official Gazette of FBiH, 32/03, 52/03, 33/06, 39/09 and 35/12</i>) <b>is</b></p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>

<p><b>30 September 2015</b></p>	<p><b>Article 17(4) of the Law on Enforcement Procedure of the Federation of BiH</b> <i>(Official Gazette of FBiH, 32/03, 52/03, 33/06, 39/09 and 35/12)</i></p>	<p><b>compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.</p>	
<p><b><u>U-14/12</u> of 26 March 2015</b></p>	<p><b>Article IV.B.1, Article 1(2) (as modified by Amendment XLI) and Article IV.B.1, Article 2(1) and (2) (as modified by Amendment XLII) of the Constitution of the Federation of BiH</b></p>	<p>- It is established that Article IV.B.1, Article 1(2) (as modified by Amendment XLI) and Article IV.B.1, Article 2(1) and (2) (as modified by Amendment XLII) of the Constitution of the Federation of BiH <b>are not compatible</b> with Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>
<p><b><u>U-22/14</u> of 4 December 2014</b></p>	<p><b>Issue referred by the Municipal Court in Gračanica</b></p> <p><b>Article 330(1)(b) of the Criminal Procedure Code</b> <i>(Official Gazette of FBiH, 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53/07, 9/09, 12/10, 8/13 and 59/14)</i></p>	<p>- It is established that Article 330(1)(b) of the Criminal Procedure Code <i>(Official Gazette of FBiH, 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53/07, 9/09, 12/10, 8/13 and 59/14)</i> <b>is compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-17/14</u> of 24 September 2014</b></p>	<p><b>Article 3 of the Law on More Favourable Early Retirement of War Veterans</b> <i>(Official Gazette of FBiH, 41/13)</i></p>	<p>- It is established that Article 3 of the Law on More Favourable Early Retirement of War Veterans <i>(Official Gazette of FBiH, 41/13)</i> <b>is compatible</b> with Article I(2) and Article II(4) of the Constitution of BiH and Article 14 of the European Convention in conjunction with Article II(3)(e) of the Constitution of BiH</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>

		and Article 6 of the European Convention, Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention and Article 1 of Protocol No. 12 to the European Convention.	
<u>U-13/14</u> of 4 July 2014	<b>Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH</b> ( <i>Official Gazette of FBiH, 35/14</i> )	<p>- It is hereby established that the Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH (<i>Official Gazette of FBiH, 35/14</i>) <b>is not compatible</b> with Articles III(2)(c) and III(3)(b) of the Constitution of BiH. The Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH (<i>Official Gazette of FBiH, 35/14</i>) shall be quashed, in accordance with Article 61(2) of the Rules of the Constitutional Court of BiH.</p> <p>- The quashed Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH (<i>Official Gazette of FBiH, 35/14</i>) shall cease to be in force on the day following the day of the publication of this decision in the <i>Official Gazette of BiH</i>, in accordance with Article 61(3) of the Rules of the Constitutional Court of BiH.</p>	<b>Incompatibility with the Constitution of BiH established!</b>
<u>U-5/13</u> of 5 July 2013	<b>Issue referred by the Municipal Court in Tešanj</b>  <b>Articles 86(1) and (2) and 88 of the Law on Protection and Rescue of People and Material Goods in Case of Natural or other Disasters</b> ( <i>Official</i>	<p>- It is hereby established that the provisions of Articles 86(1) and (2) and 88 of the Law on Protection and Rescue of People and Material Goods in Case of Natural or other Disasters (<i>Official Gazette of FBiH, 39/03, 22/06 and 43/10</i>) <b>are compatible</b> with Articles 1, 2 and 42 of the Law on Demining in BiH (<i>Official Gazette of BiH, 5/02</i>).</p>	<b>Incompatibility with the Constitution of BiH not established!</b>

	<i>Gazette of FBiH, 39/03, 22/06 and 43/10)</i>		
<u>U-2/13</u> of 24 May 2013	<b>Law on Pension and Disability Insurance</b> <i>(Official Gazette of FBiH, 29/98, 49/00, 32/01, 61/02, 73/05, 59/06, 4/09 and 55/12)</i>	- It is established that the Law on Pension and Disability Insurance ( <i>Official Gazette of FBiH, 29/98, 49/00, 32/01, 73/05, 59/06, 4/09 and 55/12</i> ) with regards to the statements of the Serb People Caucus in the House of Peoples of the Parliamentary Assembly of BiH is <b>compatible</b> with the Constitution of BiH.	<b>Incompatibility with the Constitution of BiH not established!</b>
<u>U-9/12</u> of 30 January 2013	<b>Article 18(d)(4) of the Law on Amendments to the Law on the Fundamentals of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children</b> ( <i>Official Gazette of FBiH, 14/09</i> )	- It is established that Article 18(d)(4) of the Law on Amendments to the Law on the Fundamentals of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children ( <i>Official Gazette of FBiH, 14/09</i> ) is <b>not compatible</b> with Article II(2) of the Constitution of BiH in conjunction with Article 1 of Protocol No. 12 to the European Convention.  - The Parliament of the Federation of BiH is ordered, in accordance with Article 63(4) of the Rules of the Constitutional Court of BiH, to bring in line the provision of Article 18(d)(4) of the Law on Amendments to the Law on the Fundamentals of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children ( <i>Official Gazette of FBiH, 14/09</i> ) with Article II(2) of the Constitution of BiH in conjunction with Article 1 of Protocol No. 12 to the European Convention, within six months at the latest from the date of the delivery of this decision.	<b>Incompatibility with the Constitution of BiH established!</b>
<u>U-8/12</u> of 23 November 2012	<b>Issue referred by the Municipal Court in Sarajevo</b>	- The request lodged by the Municipal Court in Sarajevo for review of constitutionality of Article 384 of the Civil Procedure Code of the Federation of BiH ( <i>Official Gazette of FBiH, 53/03, 73/05 and 19/06</i> ), in relation to Article II(3)(e) of the	<b>Incompatibility with the Constitution of BiH not established!</b>



	<p><b>Article 384 of the Civil Procedure Code of the Federation of BiH (<i>Official Gazette of FBiH</i>, 53/03, 73/05 and 19/06)</b></p>	<p>Constitution of BiH and Article 6(1) of the European Convention is dismissed.</p> <p>- It is established that Article 384 of the Civil Procedure Code of the Federation of BiH (<i>Official Gazette of FBiH</i>, 53/03, 73/05 and 19/06) <b>is compatible</b> with the Constitution of BiH and Article 6(1) of the European Convention.</p>	
<p><b><u>U-15/11</u> of 30 March 2012</b></p>	<p><b>Issue referred by the Cantonal Court in Sarajevo</b></p> <p><b>Article 39e paragraphs 3 and 4 of the Law on Sale of Apartments with Occupancy Right (<i>Official Gazette of FBiH</i>, 27/97, 11/98, 22/99, 27/99, 7/00, 32/01, 61/01, 15/02, 54/04, 36/06, 45/07, 51/07, 72/08, 23/09 and 5/10)</b></p> <p><b>Article 39a of the Law on Sale of Apartments with Occupancy Right (<i>Official Gazette of FBiH</i>, 27/97, 11/98, 22/99, 27/99, 7/00, 32/01, 61/01, 15/02, 54/04, 36/06, 45/07, 51/07, 72/08, 23/09 and 5/10)</b></p>	<p>- It is established that the provision of Article 39e, paragraphs 3 and 4 of the Law on Sale of Apartments with Occupancy Right (<i>Official Gazette of FBiH</i>, 27/97, 11/98, 22/99, 27/99, 7/00, 32/01, 61/01, 15/02, 54/04, 36/06, 45/07, 51/07, 72/08, 23/09 and 5/10), in part relating to the determination of compensation <b>is not compatible</b> with Article II(3)(k) the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>- The Parliament of the Federation of BiH is ordered, in accordance with Article 63(4) of the Rules of the Constitutional Court of BiH, to bring in line the provision of Article 39e paragraphs 3 and 4 of the Law on Sale of Apartments with Occupancy Right (<i>Official Gazette of FBiH</i>, 27/97, 11/98, 22/99, 27/99, 7/00, 32/01, 61/01, 15/02, 54/04, 36/06, 45/07, 51/07, 72/08, 23/09 and 5/10), in part relating to the determination of compensation, with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention within the period of three months after this decision is published in the <i>Official Gazette of BiH</i>.</p> <p>- It is established that Article 39a of the Law on Sale of Apartments with Occupancy Right (<i>Official Gazette of FBiH</i>, 27/97, 11/98, 22/99, 27/99, 7/00, 32/01, 61/01, 15/02, 54/04, 36/06, 45/07, 51/07, 72/08, 23/09 and 5/10) <b>is compatible</b> with</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p> <p><b>Incompatibility with the Constitution of BiH not established!</b></p>

		Article II(3)(k) the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.	
<b><u>U-17/11</u> of 30 March 2012</b>	<b>Issue referred by the Cantonal Court in Goražde</b>  <b>Articles 2, 7 and 24 of the Law on Personal Income Tax (<i>Official Gazette of FBiH, 10/08, 9/10 and 44/11</i>)</b>	- It is established that Articles 2, 7 and 24 of the Law on Personal Income Tax ( <i>Official Gazette of FBiH, 10/08, 9/10 and 44/11</i> ) <b>are compatible</b> with Article I(7), Article II(1), Article II(2), Article II(3)(e), (k) and (m), Article II(4) and Article II(6) of the Constitution of BiH and Article 14 of the European Convention taken in conjunction with Article 6 of the European Convention and Article 1 of Protocol No. 1 to the European Convention and Article 1 of Protocol No. 12 to the European Convention	<b>Incompatibility with the Constitution of BiH not established!</b>
<b><u>U-9/09</u> of 26 November 2010</b>	<b>Provisions of Article VI.C. paragraphs 4 and 7 of Amendment CI to the Constitution of the Federation of BiH (<i>Official Gazette of FBiH, 9/04</i>)</b>	- It is established that the provision of Article VI.C. paragraph 7 of Amendment CI to the Constitution of the Federation of BiH, the remaining provisions of Articles 7 and 15, Article 16, the remaining provisions of Articles 17 and 38, and Articles 44 and 45 of the Statute of the City of Mostar <b>are compatible</b> with Article II(4) of the Constitution of BiH in conjunction with Article 25 of the ICCPR.	<b>Incompatibility with the Constitution of BiH not established!</b>
<b><u>U-5/10</u> of 26 November 2010</b>	<b>Issue referred by the Cantonal Court in Mostar</b>  <b>Article 3 of the Law Amending the Law on</b>	- It is established that Article 3 of the Law Amending the Law on Enforcement Procedure ( <i>Official Gazette of FBiH, 39/09</i> ) <b>is not compatible</b> with Article II(3)(e) and Article II(3)(k) the Constitution of BiH and Article (6)(1) of the European	<b>Incompatibility with the Constitution of BiH established!</b>

	<p><b>Enforcement Procedure</b> <i>(Official Gazette of FBiH, 39/09)</i></p>	<p>Convention and Article 1 of Protocol No. 1 to the European Convention.</p> <p>- Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to bring in line, no later than three months from the day of publishing this decision in the <i>Official Gazette of BiH</i>, the provisions of Article 3 of the Law Amending the Law on Enforcement Procedure (<i>Official Gazette of FBiH, 39/09</i>) with Article II(3)(e) and Article II(3)(k) the Constitution of BiH, Article (6)(1) of the European Convention and Article 1 of Protocol No. 1 to the European Convention.</p>	
<p><u>U-17/06</u> of 29 September 2006</p>	<p><b>Issue referred by the Supreme Court of FBiH</b></p> <p><b>Articles 152, 153, 154, 155, 156 and 157 of the Law on Minor Offences violating Federation of BiH Regulations</b> (<i>Official Gazette of FBiH, 9/96 and 29/00</i>)</p>	<p>- It is established that Articles 152, 153, 154, 155, 156 and 157 of the Law on Minor Offences violating Federation of BiH Regulations (<i>Official Gazette of FBiH, 9/96 and 29/00</i>) <b>are incompatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.</p> <p>- The Parliament of the Federation of BiH is hereby ordered, in accordance with Article 63(4) of the Rules of the Constitutional Court of BiH, to bring Articles 152, 153, 154, 155, 156 and 157 of the Law on Minor Offences Violating Federation of BiH Regulations (<i>Official Gazette of FBiH, 9/96 and 29/00</i>) into line with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention within six months as from the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>
<p><u>U-4/04</u> of</p>	<p><b>Articles 1 and 2 of the Law on the Coat-of-Arms and Flag of the Federation of</b></p>	<p>- It is established that Articles 1 and 2 of the Law on the Coat-of-Arms and Flag of the Federation of BiH (<i>Official Gazette of FBiH, 21/96 and 26/96</i>) <b>are not compatible</b> with Article II(4)</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

<p><b>31 March 2006</b></p>	<p><b>BiH (<i>Official Gazette of FBiH</i>, 21/96 and 26/96)</b></p>	<p>of the Constitution of BiH, in conjunction with Articles 1.1 and Article 2(a) and (c) of the International Convention on the Elimination of All Forms of Racial Discrimination referred to in Annex I to the Constitution of BiH.</p> <p>- Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to bring Articles 1 and 2 of the 4 Law on the Coat-of-Arms and Flags of the Federation of BiH into line with the Constitution of BiH within six months as from the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	
<p><b><u>U-5/05</u> of 27 January 2006</b></p>	<p><b>All the laws published in the <i>Official Gazette of FBiH</i>, no. 19/03 through 78/04</b></p>	<p>- It is established that the following Laws: Law on the Prosecutor's Office of the Federation of BiH, the Law on Amendments to the Law on Procedure for Registration of the Legal Persons in the Court Register, the Law on Internal Affairs of the Federation of BiH, the Law on Immunity of the Federation of BiH, the Law on Amendments to the Law on Banks of the Federation of BiH, the Law on Amendments to the Law on the Banking Agency of the Federation of BiH, the Law on Treasury in the Federation of BiH, the Law on Amendments to the Law on the Government of the Federation of BiH, the Law on the FBiH Ministries and Other Bodies of the FBiH Administration, the Law on Land Registries of the Federation of BiH, the Law on Cessation of Validity of the Law on Deposit Insurance in the Federation of BiH, the Law on Protection from Defamation of the Federation of BiH, the Law on Amendments to the Criminal Code of the Federation of BiH (all published in the <i>Official Gazette of FBiH</i>, 19/03), the Law on Enforcement of the Budget of the Federation of BiH for 2003, the Law on Amendments to the Law on the Centre for Education of Judges and Prosecutors in the Federation of BiH</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>

(published in the *Official Gazette of FBiH*, 21/03), the Law on Amendments to the Law on Banks, the Law on Amendments to the Law on Salary Transactions, the Law on Amendments to the Law on Defence of the Federation of BiH, the Law on Amendments to the Law on Tourist-Industry Associations and Promotion of Tourism in the Federation of BiH, the Law on Amendments to the Law on Tourism-Catering Industry, the Law on Amendments to the Law on Libraries, the Law on Amendments to the Law on Bill of Exchange (all published in the *Official Gazette of FBiH*, 28/03), the Law on Bankruptcy Procedure, the Law on Amendments to the Law on Obligations, the Law on Amendments to the Law on Property Relations, the Law on Amendments to the Law on Bar Exam, the Law on Amendments to the Law on Handicrafts and Trades, the Law on Amendments to the Labour Law, the Law on Amendments to the Law on Forests, the Law on Amendments to the Law on Cessation of Application of the Law on Abandoned Apartments, the Law on Amendments to the Law on Legal Profession of the Federation of BiH, the Law on Liquidation Procedure, the Law on Civil Service in the Federation of BiH, the Law on Amendments to the Law on Procedure for Registration of the Legal Entities in the Court Register, the Law on Amendments to the Law on Business Companies (all published in the *Official Gazette of FBiH*, 29/03), the Law on Enforcement Procedure (published in the *Official Gazette of FBiH*, No. 32/03), the Law on Waste Management, the Law on Air Protection, the Law on Water Protection, the Law on Environmental Protection, the Law on Protection of Nature, the Law on Fund for the Environmental Protection of the Federation of BiH (all published in the *Official Gazette of FBiH*, 33/03), the Law on Ministerial, Governmental and Other Appointments of the Federation of BiH, the Law on

Amendments to the Law on Chambers of Commerce in the Federation of BiH (published in the *Official Gazette of FBiH*, 34/03), the Criminal Procedure Code of the Federation of BiH (published in the *Official Gazette of FBiH*, 35/03), the Criminal Code of the Federation of BiH, the Law on Protection of the Witnesses under Threat and Vulnerable Witnesses (published in the *Official Gazette of FBiH*, 36/03), the Law on Amendments to the Law on Registered Pledges on Movables and Membership Stakes, the Law on Amendments to the Law on Proceedings before the Constitutional Court of the Federation of BiH, the Law on Amendments to the Law on Sale Taxes Applicable to Products and Services, the Law on Amendments to the Law on Special Tax Applicable to Oil Derivatives, the Law on Amendments to the Law on Special Tax Applicable to Coffee, the Law on Amendments to the Law on Entitlement to the Public Revenue, the Law on Amendments to the Law on Special Tax Applicable to Beer, the Law on Amendments to the Law on Special Tax Applicable to Non-Alcoholic Beverages, the Law on Amendments to the Law on Special Tax Applicable to Alcohol (all published in the *Official Gazette of FBiH*, 37/03), the Law on Protection and Rescuing People and Material Goods from Natural and Other Disasters (*Official Gazette of FBiH*, 39/03), the Law on Amendments to the Law on Procedure for Registration of the Legal Entities in the Court Register, the Law on Amendments to the Law on Foreign Investments, the Law on Amendments to the Law on Companies for Management of Funds and on Investment Funds (all published in the *Official Gazette of FBiH*, 50/03), the Civil Procedure Code (*Official Gazette of FBiH*, 53/03), the Law on Funding the Rails Infrastructure and Co-Funding Passenger and Combined Transportation, the Law on Amendments to the Law on Establishing and Implementing the Citizens' Claims in the

Privatization Procedure (all published in the *Official Gazette of FBiH*, 57/03), the Law on Statistics in the Federation of BiH, the Law on Amendments to the Law on Judicial and Prosecutorial Functions (published in the *Official Gazette of FBiH*, 63/03), the Law on Amendments to the Payroll Tax Law, the Law on Amendments to the Law on Enforcement of decisions made by the Commission for Protection of National Monuments, established pursuant to Annex 8 of the General Peace Agreement for BiH, the Law on Transfer and Settlement of Property Claims related to the Apartments with occupancy right or related to the owned real-estates, submitted to the Commission for Property Claims of Displaced Persons and Refugees (all published in the *Official Gazette of FBiH*, 6/04), the Law on Temporary Deferral of Enforcement of Claims Arising from Enforceable Decisions Payable by the Budget of the Federation of BiH (*Official Gazette of FBiH*, 9/04), the Law on Amendments to the Law on Sales Tax Applicable to Products and Services, the Law on Amendments to the Law on Designation of Populated Settlements and on Modifications in Names of the Populated Settlements in some Municipalities (published in the *Official Gazette of FBiH*, 14/04), the Law on Enforcement of the 2004 Budget of the Federation of BiH (*Official Gazette of FBiH*, 17/04), the Law on Direct Election of Municipal Mayors in the Federation of BiH (*Official Gazette of FBiH*, 20/04), the Law on Standard Classification of Professions (Occupations) (*Official Gazette of FBiH*, 22/04), the Law on Cash Support in Primary Monetary Production, the Law on Amendments to the Law on Enterprise Privatization, the Law on Amendments to the Law on Pardon, the Law on Amendments to the Law on Tax Administration of the Federation of BiH (published in the *Official Gazette of FBiH*, 28/04), the Law on Amendments to the Law on Temporary

Deferral of Enforcement of Claims pursuant to the Enforceable Decisions Payable by the Budget of the Federation of BiH (published in the *Official Gazette of FBiH*, 30/04), the Law on Amendments to the Law on Bankruptcy Procedure (published in the *Official Gazette of FBiH*, 32/04), the Law on Amendments to the Law on Register of Securities, the Law on Amendments to the Law on Commission for Securities (published in the *Official Gazette of FBiH*, 33/04), the Law on Rights of the Veterans and Their Families, the Law on Defence of the Federation of BiH, the Law on Service in the Army of the Federation of BiH (published in the *Official Gazette of FBiH*, 34/04), the Law on Amendments to the Law on Free Zones, the Law on Amendments to the Law on Judicial Police, the Law on Amendments to the Law on Forests (published in the *Official Gazette of FBiH*, 37/04), the Law on Council of Employees (*Official Gazette of FBiH*, 38/04), the Law on Amendments to the Law on Sales Tax Applicable to Products and Service, the Law on Amendments to the Law on Special Tax Applicable to Non-Alcoholic Beverages, the Law on Amendments to the Law on Non-Contentious Proceedings, the Law on Amendments to the Law on Civil Service in the Federation of BiH (all published in the *Official Gazette of FBiH*, 39/04), the Law on Master Data File on Insurers and Beneficiaries of the Pension and Disability Insurance Rights, the Law on Amendments to the Law on Tobacco, the Law on Displaced Persons – Refugees and Returnees in the Federation of BiH, the Law on Types and Percentages (Extents) of Physical Disability (all published in the *Official Gazette of FBiH*, 42/04), the Law on Amendments to the Law on Enterprises Privatization, the Law on Amendments to the Law on Establishing and Exercising Citizens' Claims in the Privatization Process (all published in the *Official Gazette of*



*FBiH*, 44/04), the Law on Amendments to the Law on Sale of the Apartments with Occupancy Right, the Law on Amendments to the Law on Welfare, Protection of the Victims of the Civil War and of the Families with Children, the Law on Amendments to the Law on Land Registries of the Federation of BiH, the Law on Amendments to the Law on Civil Service in the Federation of BiH, the Law on Amendments to the Law on Protection of Waters (all published in the *Official Gazette of FBiH*, 54/04), the Law on Amendments to the Law on Registered Pledges on Movables and Membership Stakes, the Law on Amount of the Default Interest Applicable to Unsettled Debts (published in the *Official Gazette of FBiH*, 56/04), the Law on Trade, the Law on Freshwater Fishing (published in the *Official Gazette of FBiH*, 64/04), the Law on Manner for Defining and Payment of the Internal Liabilities of the Federation of Bosnia and Herzegovina (*Official Gazette of FBiH*, 66/04), the Law on Cessation of Validity of the Law on Money-Laundry Prevention in the Federation of BiH, the Law on Amendments to the Law on Companies for Managing the Funds and Investment Funds (published in the *Official Gazette of FBiH*, 70/04), the Law on Control of Articles made of Precious Metals, the Law on Postal Service of the Federation of BiH (published in the *Official Gazette of FBiH*, 76/04), the Law on Public Funds Investing (*Official Gazette of FBiH*, 77/04), the Law on Enforcement of the 2005 Budget of the Federation of BiH (*Official Gazette of FBiH*, 78/04) have been passed in accordance with Article II(1) in conjunction with Article II(2) and Article II(4) of the Constitution of BiH.

U-14/05  
of  
2 December  
2005

**Provisions of the Law on  
Establishment and Mode  
of Settlement of the  
Internal Obligations of the  
Federation of BiH (*Official  
Gazette of FBiH, 66/04*)  
that concern the old  
foreign currency savings**

- It is established that the provisions of the Law on Establishment and Mode of Settlement of the Internal Obligations of the Federation of BiH (*Official Gazette of FBiH, 66/04*) that concern the old foreign currency savings **are incompatible** with Article III of the Constitution of BiH.

- The following is repealed in accordance with Article 63(2) of the Rules of the Constitutional Court of BiH:

- In the Law on Establishment and Mode of Settlement of the Internal Obligations of the Federation of BiH (*Official Gazette of FBiH, 66/04*), Article 2 para 2 in the part reading as follows: “this estimate excludes the amount of obligations for the old foreign currency savings since they shall be established in the course of the verification procedure”, Article 2 para 4 in the part reading, as follows: “including the old foreign currency saving”, Article 3 para 1, in the part reading as follows: “excluding the amount of obligations for the old foreign currency savings to be established during the verification procedure”, Article 3 para 1(3), Article 3 para 2 in the part reading as follows: “except for the old foreign currency savings”, Articles 9 through 16; Article 21 para 1 in the part reading as follows: “the obligations issued for the settlement of obligations for the old foreign currency savings”, Article 21 para 2 in the part reading as follows: “the settlement of obligations for the old foreign currency savings” and Article 21 para 4 in the part reading as follows: “of the old foreign currency savings”.

- According to Article 63(3) of the Rules of the Constitutional Court of BiH, the repealed provisions shall cease to be in effect

**Incompatibility with the  
Constitution of BiH  
established!**

		on the following day after the date of publication of this Decision in the <i>Official Gazette of BiH</i> .	
<b><u>U-14/04</u> of 29 October 2004</b>	<b>Articles 1 and 2 of the Law on Amendments to the Law on Turnover Tax on Goods and Services (<i>Official Gazette of FBiH, 39/04</i>) and Articles 1 and 2 of the Law on Amendments to the Law on Special Tax on Non-Alcoholic Drinks (<i>Official Gazette of FBiH, 39/04</i>)</b>	- It is established that Articles 1 and 2 of the Law on Amendments to the Law on Turnover Tax on Goods and Services ( <i>Official Gazette of FBiH, 39/04</i> ) and Articles 1 and 2 of the Law on Amendments to the Law on Special Tax on Non-Alcoholic Drinks ( <i>Official Gazette of FBiH, 39/04</i> ) <b>are not compatible</b> with Articles I(4), III(3)(b) and III(5)(a) of the Constitution of BiH. The Parliament of the Federation of BiH is ordered, pursuant to Article 63(2) of the Rules of the Constitutional Court of BiH, to harmonise Articles 1 and 2 of the Law on Amendments to the Law on Turnover Tax on Goods and Services and Articles 1 and 2 of the Law on Amendments to the Law on Special Tax on Non-Alcoholic Drinks, with the Constitution of BiH, within a time-limit of three months after the date of publication of the present Decision in the <i>Official Gazette of BiH</i> .	<b>Incompatibility with the Constitution of BiH established!</b>
<b><u>U-24/03</u> of 22 September 2004</b>	<b>Article 6(3), Article 7(2) and Article 8 of the Law on Immunity of the Federation of BiH (<i>Official Gazette of FBiH, 19/03</i>)</b>	- It is established that Article 6(3), Article 7(2) and Article 8 of the Law on Immunity of the Federation of BiH ( <i>Official Gazette of FBiH, 19/03</i> ) <b>are compatible</b> with the Constitution of BiH	<b>Incompatibility with the Constitution of BiH not established!</b>
<b><u>U-83/03</u> of 22 September 2004</b>	<b>Article 3a of the Law on the Cessation of Application of the Law on Abandoned Apartments (<i>Official Gazette of FBiH, 11/98, 38/98, 12/99, 27/99, 43/99, 31/01, 56/01, 15/02 and 29/03</i>)</b>	- It is established that Article 3a of the Law on the Cessation of Application of the Law on Abandoned Apartments ( <i>Official Gazette of FBiH, 11/98, 38/98, 12/99, 27/99, 43/99, 31/01, 56/01, 15/02 and 29/03</i> ) <b>is compatible</b> with the Constitution of BiH.	<b>Incompatibility with the Constitution of BiH not established!</b>

<p><b><u>U-50/01</u></b> of 30 January 2004</p>	<p><b>Issue referred by the Cantonal Court in Široki Brijeg</b></p> <p><b>Article 37 of the Law on Amendments to the Law on Insurance of Property and Persons of the Federation of BiH (<i>Official Gazette of FBiH</i>, 6/98)</b></p>	<p>- Article 37 of the Law on Amendments to the Law on Insurance of Property and Persons of the Federation of BiH (<i>Official Gazette of FBiH</i>, 6/98) <b>is not compatible</b> with Article II (3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>- The Parliament of the Federation of BiH is ordered to harmonise Article 37 of the Law on Amendments to the Law on Insurance of Property and Persons of the Federation of BiH with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No.1 to the European Convention, within a time-limit of three months after the date of publication of the present Decision in the <i>Official Gazette of BiH</i>.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>
<p><b><u>U-16/00</u></b> of 2 February 2001</p>	<p><b>Article 8a, paragraph 1 of the Law on the Sale of Apartments with Occupancy Rights (<i>Official Gazette of FBiH</i>, 27/97, 11/98, 22/99, 27/99 and 7/00)</b></p>	<p>- The Constitutional Court declares that Article 8a, paragraph 1 of the Law on the Sale of Apartments with Occupancy Rights (<i>Official Gazette of FBiH</i>, 27/97, 11/98, 22/99, 27/99 and 7/00) <b>is compatible</b> with the Constitution of BiH.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-5/98</u></b> of 18 August 2000 IV partial decision</p>	<p><b>Article I.6.(1) of the Constitution of the Federation of BiH</b></p> <p><b>Article III.1.a) of the Constitution of the Federation of BiH as modified by Amendment VIII and Article IV.B.7.a) (I) through (III) and Article IV.B.8.</b></p>	<p>- Article I.6.(1) of the Constitution of the Federation of BiH <b>is not compatible</b> with the Constitution of BiH</p> <p>- Article III.1.a) of the Constitution of the Federation of BiH as modified by Amendment VIII and Article IV.B.7.a) (I) through (III) and Article IV.B.8. <b>are compatible</b> with the Constitution of BiH</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p> <p><b>Incompatibility with the Constitution of BiH not established!</b></p>

<p><a href="#">U-5/98</a> of 1 July 2000 III partial decision</p>	<p><b>Article I.1(1) of the Constitution of the Federation of BiH as modified by Amendment III</b></p>	<p>- The Constitutional Court declares the following parts of the provisions of Article I.1(1) of the Constitution of the Federation of BiH as modified by Amendment III <b>unconstitutional</b>: the wording “Bosniacs and Croats as constituent peoples, along with Others” as well as “in the exercise of their sovereign rights”.</p> <p>- The parts of the provisions of Article I.1(1) of the Constitution of the Federation of BiH as modified by Amendment III, the wording “Bosniacs and Croats as constituent peoples, along with Others” as well as “in the exercise of their sovereign rights””, cease to be in effect as of the date of publication of this decision in the Official Gazette of BiH.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>
<p><a href="#">U-5/98</a> of 29 January 2000 I partial decision</p>	<p><b>Article IV.B.7.a. (I) and Article IV.B.8. of the Constitution of the Federation of BiH</b></p> <p><b>Provision of Article II.A.5.c) of the Constitution of the Federation of BiH, as amended by Amendment VII</b></p>	<p>- The Constitutional Court declares the following parts of the provisions of the Constitution of the Federation of BiH <b>unconstitutional</b>: a) the words “heads of diplomatic missions” in <b>Article IV.B.7.a) (I)</b> and b) the words “heads of diplomatic missions” in <b>Article IV.B.8.</b></p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p> <p><b>Incompatibility with the Constitution of BiH not established!</b></p>

		Provision of Article II.A.5.c) of the Constitution of the Federation of BiH, as amended by Amendment VII is in <b>compliance</b> with the Constitution of BiH	
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SUMMARY OF DECISIONS OF THE CONSTITUTIONAL COURT ON THE REQUESTS FOR REVIEW OF CONSTITUTIONALITY OF GENERAL ACTS OF THE CANTONS IN THE FEDERATION OF BiH			
HERZEGOVINA-NERETVA CANTON			
DECISION NUMBER	SUBJECT OF THE REVIEW OF CONSTITUTIONALITY	DECISION OF THE CONSTITUTIONAL COURT	CONCLUSION OF THE CONSTITUTIONAL COURT
<p><u>U-16/14</u> of 24 September 2014</p>	<p>Issue referred by the Cantonal Court in Mostar</p> <p>Article 4 of on the Court Fees and Tariff (<i>Official Gazette of the Herzegovina-Neretva Canton, 4/09 and 2/13</i>)</p>	<p>- It is hereby established that the provision of Article 4 of the Law on the Court Fees and Tariff (<i>Official Gazette of the Herzegovina-Neretva Canton, 4/09 and 2/13</i>) is <b>not compatible</b> with Article II(3)(e) of the Constitution of Bosnia and Herzegovina and Article 6(1) of the European Convention on Human Rights and Fundamental Freedoms.</p> <p>- The Herzegovina-Neretva Canton Assembly is hereby ordered, in accordance with Article 61(4) of the Rules of the Constitutional Court of Bosnia and Herzegovina, to bring in line the provision of Article 4 of the Law on the Court Fees and Tariff (<i>Official Gazette of the Herzegovina-Neretva Canton, 4/09 and 2/13</i>) with Article II(3)(e) of the Constitution of Bosnia and Herzegovina and Article 6(1) of the European Convention on Human Rights and Fundamental Freedoms, within six months from the date of the publication of this decision in the <i>Official Gazette of Bosnia and Herzegovina</i> at the latest.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

SARAJEVO CANTON			
<p><b><u>U-6/15</u></b> <b>of 21 January</b> <b>2016</b></p>	<p><b>Issue referred by the Municipal Court in Sarajevo</b></p> <p><b>Article 37 (4) of the Law on Transport by Taxi in the Sarajevo Canton</b> <i>(Official Gazette of the Sarajevo Canton, 11/14)</i></p>	<p>- It is hereby established that Article 37(4) of the Law on Transport by Taxi in the Sarajevo Canton (<i>Official Gazette of the Sarajevo Canton, 11/14</i>) <b>is compatible</b> with Article 1 of Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-8/12</u></b> <b>of</b> <b>23 November</b> <b>2012</b></p>	<p><b>Issue referred by the Municipal Court in Sarajevo</b></p> <p><b>Provision of Article 4 of the Law on the Court Fees of the Sarajevo Canton</b> <i>(Official Gazette of the Sarajevo Canton, 21/09, 29/09 and 14/11)</i></p>	<p>- It is hereby established that the provision of Article 4 of the Law on the Court Fees of the Sarajevo Canton (<i>Official Gazette of the Sarajevo Canton, 21/09, 29/09 and 14/11</i>) <b>is not compatible</b> with Article II(3)(e) of the Constitution of Bosnia and Herzegovina and Article 6(1) of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p> <p>- The Sarajevo Canton Assembly is ordered, in accordance with Article 63(4) of the Rules of the Constitutional Court of Bosnia and Herzegovina, to bring in line the provision of Article 4 of the Law on the Court Fees of the Sarajevo Canton (<i>Official Gazette of the Sarajevo Canton, 21/09, 29/09 and 14/11</i>) with Article II(3)(e) of the Constitution of Bosnia and Herzegovina and Article 6(1) of the European Convention for the Protection of Human Rights and Fundamental Freedoms, within six months from the date of the publication of this decision in the Official Gazette of Bosnia and Herzegovina at the latest.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

<b>POSAVINA CANTON</b>			
<p><u>U-14/23</u> of 18 January 2024</p>	<p><b>Issue referred by the Cantonal Court in Tuzla</b></p> <p><b>Article 32(5), Article 34(3), Article 35(1)(a) and Article 36(1)(a) and (c) of the Law on the Communal Utility Management of the Posavina Canton (<i>Official Gazette of the Posavina Canton, 3/17</i>)</b></p>	<p>- It is hereby established that Article 32(5), Article 34(3), Article 35(1)(a) and Article 36(1)(a) and (c) of the Law on the Communal Utility Management of the Posavina Canton (<i>Official Gazette of the Posavina Canton, 3/17</i>) <b>are compatible</b> with Article II(3)(k) of the Constitution of Bosnia and Herzegovina and Article 1 of Protocol No. 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article II(4) of the Constitution of Bosnia and Herzegovina and Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedom.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<b>TUZLA CANTON</b>			
<p><u>U-22/18</u> of 5 July 2019</p>	<p><b>Issue referred by the Municipal Court in Tuzla</b></p> <p><b>Article 52 of the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton, 7/16</i>) and Article 6 of the Law Amending the Law on Higher Education</b></p>	<p>- It is hereby established that Article 52 of the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton, 7/16</i>) <b>is not compatible</b> with Article 18 of the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of BiH, 59/07 and 59/09</i>) and that Article 6 of the Law Amending the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton, 10/16</i>) is not consistent with Articles 1 and 2 of the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of BiH, 59/07 and 59/09</i>).</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>



	<p><b>of the Tuzla Canton</b> <i>(Official Gazette of the Tuzla Canton, 10/16)</i></p>	<p>- The Assembly of the Tuzla Canton, pursuant to Article 61 (4) of the Rules of the Constitutional Court of Bosnia and Herzegovina, is hereby ordered to harmonise, not later than six months from the date of publication of this Decision in the Official Gazette of Bosnia and Herzegovina, Article 52 of the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton, 7/16</i>) with Article 18 of the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of BiH, 59/07 and 59/09</i>) and Article 6 of the Law Amending the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton, 10/16</i>) with Articles 1 and 2 of the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of BiH, 59/07 and 59/09</i>).</p>	
<b>ZENICA-DOBOJ CANTON</b>			
<p><u>U-9/22</u> of 26 May 2022</p>	<p><b>Issue referred by the Municipal Court in Zenica</b></p> <p><b>Article 44 of the Law on Higher Education (<i>Official Gazette of Zenica-Doboj Canton, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19, 19/20 and 15/21</i>)</b></p>	<p>- It is hereby established that Article 44 of the Law on Higher Education (<i>Official Gazette of Zenica-Doboj Canton, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19, 19/20 and 15/21</i>) <b>is not compatible</b> with Article I(2) of the Constitution of Bosnia and Herzegovina and Article 12 of the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of BiH, 59/07 and 59/09</i>).</p> <p>- Pursuant to Article 61 (4) of the Rules of the Constitutional Court of Bosnia and Herzegovina, the National Assembly of the Zenica-Doboj Canton is hereby ordered to harmonise, within six months from the date on which the present Decision is delivered, Article 44 of the Law on Higher Education (<i>Official Gazette of Zenica-Doboj Canton, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19, and 19/20</i>) with Article I(2) of the Constitution of Bosnia and Herzegovina and Article 12 of</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

		<p>the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 59/07 and 59/09).</p> <p>- It is established that Article 59 of the Law on Higher Education of Zenica-Doboj Canton (<i>Official Gazette of Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19, 19/20 and 15/21) <b>is compatible</b> with Article I (2) of the Constitution of Bosnia and Herzegovina.</p>	<p><b>Incompatibility with the Constitution of BiH not established!</b></p>
<p><b><u>U-10/21</u></b> <b>of</b> <b>2 December</b> <b>2021</b></p>	<p><b>Issue referred by the Cantonal Court in Zenica</b></p> <p><b>Article 55 of the Law on Higher Education of the Zenica-Doboj Canton kantona (<i>Official Gazette of Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19 i 19/20)</b></p>	<p>- It is hereby established that Article 55 of the Law on Higher Education of the Zenica-Doboj Canton (<i>Official Gazette of the Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19 and 19/20) <b>is not compatible</b> with the Constitution of Bosnia and Herzegovina and Article 18 of the Framework Law on Higher Education in BiH (<i>Official Gazette of Bosnia and Herzegovina</i>, 59/07 and 59/09).</p> <p>- Pursuant to Article 61 (4) of the Rules of the Constitutional Court of Bosnia and Herzegovina, the Assembly of the Zenica-Doboj Canton is ordered to harmonize, within a time limit of six months from the day of publication of this Decision in the Official Gazette of Bosnia and Herzegovina, Article 55 of Law on Higher Education of the Zenica-Doboj Canton (<i>Official Gazette of the Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19 and 19/20) with Article 18 of the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of Bosnia and Herzegovina</i>, 59/07 and 59/09)</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p>

**CITY OF MOSTAR**

<b>DECISION NUMBER</b>	<b>SUBJECT OF THE REVIEW OF CONSTITUTIONALITY</b>	<b>DECISION OF THE CONSTITUTIONAL COURT</b>	<b>CONCLUSION OF THE CONSTITUTIONAL COURT</b>
<p><b><u>U-9/09</u> of 26 November 2010</b></p>	<p><b>Articles 7, 15, 16, 17, 38, 44 and 45 of the Statute of the City of Mostar</b></p>	<p>- It is established that Article 17(1) of the Statute of the City of Mostar (Official Gazette of the City of Mostar, 4/04), in part reading as follows: “Each City area shall elect three (3) City Councillors”, <b>is not compatible</b> with Article 25 of the ICCPR which makes an integral part of the Constitution of BiH.</p> <p>- It is established that Article 17(1) of the Statute of the City of Mostar (Official Gazette of the City of Mostar, 4/04), in part reading as follows: “Each City area shall 3 elect three (3) City Councillors”, <b>is not compatible</b> with Article II(4) of the Constitution of BiH in conjunction with Article 25 of the ICCPR.</p> <p>- It is established that Article 7(1) and (3), Article 15(2), Article 17(1) and Article 38(1) of the Statute of the City of Mostar are <b>not compatible</b> with Article II(4) of the Constitution of BiH in conjunction with Article 25.b) of the ICCPR.</p> <p>- The Council of the City of Mostar is ordered to inform the Constitutional Court of the steps it will have taken to bring the Statute of the City of Mostar into line with the Constitution of BiH within three months following the publication in the Official Gazette of BiH of amendments made by the Parliamentary Assembly of BiH to bring the Law on Elections of BiH into line with the Constitution of BiH in accordance with this Decision.</p> <p>- Until that time, further proceedings on the request filed by the Croat Caucus to the House of Peoples of the Parliamentary Assembly of BiH for review of the constitutionality of the</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p> <p><b>Incompatibility with the Constitution of BiH established!</b></p> <p><b>Incompatibility with the Constitution of BiH established!</b></p>

		<p>provisions of Article 7(1) and (3), Article 15(2), Article 17(1) and Article 38(1) of the Statute of the City of Mostar are adjourned.</p>	
<b>CITY OF SARAJEVO</b>			
<p style="text-align: center;"><u>U-4/05</u> of 22 April 2005</p>	<p><b>Article 21 of the Statute of the City of Sarajevo (Official Gazette of Sarajevo Canton Nos. 12/98 and 14/98), the Decision on the Selection of the Councilors Delegated to the City Council of Sarajevo City from amongst the Councilors of the Municipal Council of the Municipality of Stari Grad Sarajevo no. 02-49-137/05 of 3 March 2005, the Decision on the Selection of the Councilors to the City Council of the City of Sarajevo of the Municipal Council of the Municipality of Centar Sarajevo no. 01-49-429/05 of 24 February 2005, the Decision on the Selection of the Councilors delegated to the City Council of the City of Sarajevo from amongst the Councilors of the Municipality of Novo</b></p>	<p>- It is hereby established that the provision of Article 21 para 3 of the Statute of the City of Sarajevo (Official Gazette of the Sarajevo Canton 12/98 and 14/98) <b>is not consistent</b> with, respectively, Article I(2) and Article II(4) of the Constitution of Bosnia and Herzegovina in conjunction with Article 5 para 1(c) of the Convention on the Elimination of All Forms of Racial Discrimination.</p> <p>- It is hereby established that constituting of the City Council of the City of Sarajevo on the basis of the following decisions: the Decision on the Selection of the Councilors delegated to the City Council of the City of Sarajevo from amongst the Councilors of the Municipal Council of the Municipality of Stari Grad Sarajevo no. 02-49-137/05 of 3 March 2005, the Decision on the Selection of the Councilors to the City Council of the City of Sarajevo of the Municipal Council of the Municipality of Centar Sarajevo no. 01-49-429/05 of 24 February 2005, the Decision on the Selection of the Councilors Delegated to City Council of the City of Sarajevo from amongst the Councilors of the Municipality of Novo Sarajevo no. 01-02-183/05 of 2 March 2005 and the Decision on the Selection of the Councilors to the City Council of the City of Sarajevo from amongst the Councilors of the Municipal Council of the Municipality of Novi Grad Sarajevo no. 01-02-1755/1 of 28 February 2005 <b>is not consistent</b> with, respectively, Article I(2) and Article II(4) of the Constitution of Bosnia and Herzegovina in conjunction with Article 5 para 1(c) of the Convention on the Elimination of All Forms of Racial Discrimination.</p>	<p><b>Incompatibility with the Constitution of BiH established!</b></p> <p><b>Incompatibility with the Constitution of BiH established!</b></p>

**Sarajevo no. 01-02-183/05  
of 2 March 2005 and the  
Decision on the Selection  
of the Councilors to the  
City Council of the City of  
Sarajevo from amongst  
the Councilors of the  
Municipal Council of the  
Municipality of Novi Grad  
Sarajevo no. 01-02-1755/1  
of 28 February 2005**

- The Municipal Councils of the following Municipalities: Stari Grad Sarajevo, Centar Sarajevo, Novo Sarajevo and Novi Grad Sarajevo are ordered to select councilors to be delegated to the City Council of the City of Sarajevo in accordance with the Constitution of Bosnia and Herzegovina, within a time-limit of 30 days after the date of service of the present Decision.

- The City Council of the City of Sarajevo is ordered, pursuant to Article 63 para 2 of the Rules of Procedure of the Constitutional Court of Bosnia and Herzegovina, to harmonize the provision of Article 21 para 3 of the Statute of the City of Sarajevo with the Constitution of Bosnia and Herzegovina, within a time-limit of three months after the date of publication of the present Decision in the Official Gazette of Bosnia and Herzegovina.