

Pursuant to Article 46 paragraph (2) of the Law on Aliens ("Official Gazette of BiH", No. 88/15) and following the opinion of the Ministry of Security BiH number 06-02-1-4154/16-1 of 21 June 2016 and Service for Foreigners' Affairs, the number 18.6.1-3866/16 of 29 June 2016, The Ministry of Civil Affairs of Bosnia and Herzegovina is passing a

RULEBOOK ON STATELESS PERSON'S PASSPORT

Article 1 (Subject)

This Rulebook on stateless person's passport (Hereinafter: Rulebook) provides the form, design and content, automatic sensing data, submitting the request, required documents that are submitted along with the request for issuance, dismissal of the request for issuance of the passport, appeal, issuance of the passport in the period shorter than stipulated, collection of the passport, treatment of the stateless persons with the passport, dispossession of the passport, annulment procedure of the passport , central registers and other technical issues related to the stateless person's passport(hereinafter: passport).

Article 2 (Form and design of the passport)

(1) The passport has the following form and design:

- a) rectangular shape;
- b) the cover shall be of grey color;

(2) Front cover contains the following word order:

- a) "BOSNIA AND HERZEGOVINA";
- b) "PASSPORT";
- c) "(Convention of 28 September 1954)";
- d) Mark for electronic travel document.

(3) Text of the paragraph (2) of indents a), b) and c) is written in Bosnian, Croatian and English language in Latin script and in Serbian in Cyrillic script.

(4) The text on the first page of the passport shall be identical to the front cover.

Article 3 (Content of the passport)

The passport contains:

- a) 32 pages. Pages from 3rd to 32nd contain perforated serial number.

b) Laminated identification page which shall contain the following data in Bosnian, Croatian, Serbian and English language. The data contained therein shall be written in Latin script:

- 1) Type,
- 2) National emblem of the state,
- 3) Surname,
- 4) Name (names),
- 5) Date of birth,
- 6) Place of birth (place and state of birth, state shall be written in the label which is determinate by international standards),
- 7) Personal identification number,
- 8) Gender,
- 9) Passport serial number,
- 10) Date of issue,
- 11) Date of expire,
- 12) Place of issue,
- 13) Photograph of the holder,
- 14) Signature of the holder.

c) Third page of the passport which contains the following text in Bosnian, Croatian and English language in Latin script and in Serbian in Cyrillic script:

- 1) "PASSPORT"
- 2) "BOSNIA AND HERZEGOVINA"
- 3) "The holder has the right to return to Bosnia and Herzegovina during the validity period of the passport".
- 4) "In the case of residence in another country, and for the need of travelling, the holder must submit a request for issuance of the new passport to the competent authority in the country of new residence, (the holder must return old travel document to the competent authority that issued the new passport, which shall return the old passport to the competent authority that issued it)".
- 5) " Convention of 28 September 1954",

d) Fourth page of the passport contains the following text in Bosnian, Croatian and English language in Latin script and in Serbian in Cyrillic script:

- 1) "This passport is issued only in order to obtain the holder the stateless person's passport and it can be used instead of national passport. It does not prejudice and does not affect the citizenship of the holder".
- 2) "This passport contains 32 numbered pages, without endpapers";

e) Fifth page of the passport contains the following text in Bosnian, Croatian and English language in Latin script and in Serbian in Cyrillic script:

- 1) "This passport is valid for every country".

Article 4
(Automatic sensing data)

- (1) On the second page, the form of stateless person's passport contains space for automatic sensing data in which visible alphanumeric data about the document are to be entered.
- (2) Form of the stateless person's passport contains contactless memory element which is used for automatic sensing data in accordance to ICAO 9303 standard in which data from the paragraph (1) of this Article and biometric fingerprints data which additionally protect according to ICAO 9303 standard using ECA (abbreviation from Extended Access Control by which protection technique of biometric data is defined).
- (3) The form of the stateless person's passport contains protective elements which are in Annex to this Rulebook. The supplement of the Rulebook is protected by the degree of secrecy which determines the Minister of Civil Affairs, in accordance with the Law on Protection of Classified Information (Official Gazette of BiH" No. 54/05 and 12/09) and will not be published in the "Official Gazette of BiH".
- (4) Procurement of the forms of stateless person's passport is carried out by the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina in accordance with the Rulebook on responsibilities and method of procurement of travel documents forms (Official Gazette BiH, 101/11).

Article 5
(Submission of the request)

- (1) The request for issuance of stateless person's passport, the person with granted residence in Bosnia and Herzegovina submits in person to the Service for Foreigners' Affairs (hereinafter: Service).
- (2) Seriously ill and immobile persons submit the request for the issuance of passport through mobile working stations.
- (3) For persons younger than 18 and incapable of working, the request for issuance of passport submits one of the parents with the agreement of other parent or guardian or other legal representative.
- (4) Exceptionally of provision from paragraph (3) of this Article, the passport shall be issued without the agreement of other parent in the following cases:
 - a) If one of the parents is listed as missing person,
 - b) If one of the parents has unknown residence or temporary residence,
 - c) If one of the parents is not available to the competent authority for issuance of passport,
 - d) if one of the parents is awarded custody of the child by a court, unless by the same decision of the court, issuance of the passport and traveling abroad of the child is not conditioned by the agreement of both parents,
 - e) if one of the parents has passed away,

- f) if the juvenile has only one parent.
- (5) The Service is obliged ex officio to determine the fulfillment of the conditions referred to in paragraph (4) of this Article.
- (6) Request for issuance of passport shall be submitted on the form prescribed by the Ministry of Security of Bosnia and Herzegovina (hereinafter: the Ministry).
- (7) The Service is obliged to resolve the request for issuance of passport within 30 days of submitting the request.

Article 6

(Required documents)

- (1) Along with the request for issuance of passport, the following documents shall be submitted:
 - a) Certified copy of certificate of identity,
 - b) Proof of the paid price of passport.
- (2) Along with the request for issuance of passport, the submitter of the request is obliged to submit personal and biometric data (photography, fingerprints, and signature).

Article 7

(Dismissal of the request for passport)

- (1) The request for issuance of the passport shall be dismissed in the following cases:
 - a) If the submitter of the request does not submit properly completed request with attached documents prescribed by this Rulebook,
 - b) If that is required by reasons for protection of public order, security of BiH or public health ,
 - c) if against the submitter criminal or a misdemeanor proceeding is being conducted unless there is the consent by authority conducting the procedure,
 - d) If the submitter is sentenced to imprisonment or fine, or measure of forfeiture of property has been imposed, or is obliged to compensate the damage, while the sentence does not hold, or until the fine is not paid, or until he/she returns the profits, or until compensation,
 - e) If the Service has conducted the procedure of the cancellation of the residence or deportation against the submitter of the request,
 - f) If the submitter has submitted the request for issuance of the passport three months before the expiration of validity of residence permit.
 - g) If there is a reasonable suspicion that the submitter of the request shall avoid the enforcement of property and legal obligations from marriage or relations between parents and children, tax liability or other law established property and legal obligation for which there is executive title, at the request of the competent court.

- (2) The request for issuance of passport may be dismissed if it is suspected that the submitter acts contrary to regulations of prohibition or restriction of the import or export, transport, or fragmentation of narcotic substances or contrary to regulations in the field of customs and foreign trade.
- (3) The data referred to in paragraph (1) and (2) of this Article, except the data referred to in paragraph (1) item a) of this Article, the authorities who have them are obliged to deliver them regularly to the competent authorities for issuance of the passport. The competent authorities for issuance of the passport keep records on submitted data, which represent an obstacle for the issuance of the passport in terms of this Article, and electronically record them in a central records of the passport.

Article 8
(Appeal)

- (1) Dismissal of requests for passport and reasons for such dismissal shall be explained in writing form only upon explicit request of the submitter.
- (2) The stateless person to whom the request for issuance of the passport has been dismissed, or to whom the passport is subtracted or annulled from the reasons prescribed by this Rulebook, may declare the appeal to the Appeals Chamber of the Ministers of Bosnia and Herzegovina, within 15 days of receipt of the decision. The appeal shall be submitted by the Service and submission of the same does not suspend execution of the decision.

Article 9
(Issuance of the passport in the period shorter than stipulated)

- (1) During the submission of the request, the submitter of the request has the right to require issuance of the passport in the period shorter than stipulated.
- (2) The Service issues the passport within 48 hours from the moment of submission of the request, in case of medical treatment abroad, illness or death of a member of the nuclear family for which the submitter shall submit the required evidence.
- (3) In the processing of the request for issuance of passport, the Service is obliged to indicate that the passport needs to be developed within the period prescribed in paragraph (2) of this Article.
- (4) The Service may issue a passport, on the request of the party and without establishing valid reasons for issuance of the passport by already described procedure in paragraph (2) of this Article.
- (5) The Agency for Identification Documents Registers and Data Exchange is obliged to immediately access the development of the passport based on

the request of the Service.

- (6) The price of passport issued in accordance to paragraph (2) of this Article is same as the price of the passport issued in the regular procedure.
- (7) The price of passport issued in accordance to paragraph (4) of this Article is 200 BAM.
- (8) Distribution of passport issued in accordance with this Article shall be carried out by the competent authority by whose request the passport is made.

Article 10
(Collection of passport)

- (1) The submitter must collect his/her passport in the Service in person.
- (2) For juvenile persons under 14 years, one of the parents, guardian or legal representative must collect the passport.
- (3) Juvenile persons from the age of 14 to over 18 years, while collecting the passport must accompanied by one parent, guardian or other legal representative.
- (4) Exceptionally, the passport can be collected by the proxy, in the case when the Service received the request for issuance of the passport through the mobile working station.
- (5) The submitter of the request for issuance of the passport may, in front of the authorized official persons who receive the request through mobile working station, authorize the adult person, who shall collect the passport, which shall be confirmed with his/her signature on the request for the issuance of passport.
- (6) The proxy who has not received authorization in accordance with paragraph (5) of this Article is obliged to, when collecting the passport, submit the authorization signed by the holder of that passport and certified by the competent authority for certifying powers.
- (7) When collecting the passport, the holder of the passport, the parent, guardian or other legal representative or the holder's proxy shall verify the collection with the signature.

Article 11
(Treatment of the stateless persons with a passport)

A stateless person is obliged to use the stateless person's passport in accordance with the Article 49 of the Law on Aliens.

Article 12
(Request for confiscation of passport)

- (1) The competent authorities of Bosnia and Herzegovina, the competent authorities in Entities and in District Brcko of Bosnia and Herzegovina submit the request for confiscation of the passport to the Service which issued the request, in the following cases:

- a) If the stateless person obtained the passport providing false and misleading information;
 - b) If the stateless person allows someone else to use his/her passport;
 - c) if there are grounds in Article 7 paragraph (1) points b), c), d), e) and g) and paragraph (2) of the same Article of this Rulebook.
- (2) On the request pursuant to the preceding paragraph a decision shall be made by the Service, and the above fact shall be written to the central database of passport.
 - (3) The request for confiscation of passport should contain the following stateless person's identification data, for which the request is submitted to: surname, name, name of a parent, date and place of birth, temporal residence and address, the legal basis for confiscation and annulment of the passport and the name of authority which issued passport and the number of the passport.

Article 13
(Procedure of confiscation of passport)

- (1) When the Service receives a request for confiscation of passport, it must immediately check in the central registers of issued passport if the stateless person, for who the request is submitted, already possesses valid passport.
- (2) If the Service determines that the stateless person, for whose passport is requested dismissal and annulment, has valid passport and that there are legal conditions for dismissal and annulment of the passport, it makes the decision on dismissal and annulment of the passport.
- (3) The Service invites the holder of the passport to submit the passport to the Service. If the holder of the passport does not submit the passport, it shall be forcibly taken away. The certificate on deprived passport shall be issued.
- (4) If the stateless person's request for extension of stay is dismissed and he/she has valid passport, he/she must return it. If the person does not return the passport, the procedure from paragraph (2) and (3) of this Article shall be conducted.
- (5) In an emergency, the passport may be temporarily confiscated by other authority responsible for issuing passport or authority responsible for control of crossing the border, where a certificate is issued to a stateless person, to whom a passport has been confiscated temporary.
- (6) If the temporary confiscated passport is not returned to the stateless person within 24 hours, it is immediately, and no later than 3 days submitted to the Service which issued the passport.
- (7) The person, whose passport is temporary confiscated, is informed about the delivery of temporary confiscated passport from the paragraph (8).
- (8) The confiscation of the passport represents prohibition of issuance of new passport to the same person until the reasons for confiscation ceased to be effective.
- (9) The procedure from the paragraph (5) and (6) is considered urgent.

- (10) Temporary confiscated passport shall be deposited and kept by the Service.
- (11) After the termination of the reasons for the temporary confiscation of travel document, the Service shall return the passport to the holder of the passport.

Article 14
(Precedure of annulment of passport)

- (1) The Service shall annul the passport which was found to contain false information, which has expired, the passport that was replaced and damaged passport.
- (2) Annulment of passport is done by physical destruction of passport and letterpress stamp "annulled" across the data entered in the passport and passport's blank pages.
- (3) Annulled passport can be returned to the holder on his/her request, except the passport which contains false data.

Article 15
(Central registry)

Central registry of stateless person's passport is kept by the Ministry and the Agency for Identification Documents, Registers and Data Exchange of BiH.

Article 16
(Repeals)

On the day of entry into force of this Rulebook, the Rulebook on stateless person's passport (Official Gazette of BiH, 80/09) shall cease to have effect.

Article 17
(Entry into force)

This Rulebook shall enter into force on the eight day of its publication in the Official Gazette of BiH.

Nr. 06-2-30-4-74/16
15 August 2016

Minister
Dr.Sc. **Adil Osmanović**, m.p