

Pursuant to Article 13, paragraph 2, and Article 32, paragraph 1 of the Law on Travel Documents of Bosnia and Herzegovina ("Official Gazette BiH ", no. 4/97, 1/99, 9/99, 27/00, 32/00, 19/01, 47/04, 53/07, 15/08, 33/08 and 39/08), Article 4 and 8 of the Law on Ministries and Other Public Authorities of Bosnia and Herzegovina ("Official Gazette of BiH ", no. 42/03, 26/04, 42/04, 45/06, 88/07, 35/09, 59/09, 103/09 and 87/12) and Article 16 and 61, paragraph 1 of the Law on Administration ("Official Gazette of BiH", no. 32/02 and 102/09), the Minister of Foreign Affairs has passed a

RULEBOOK ON ISSUANCE OF DIPLOMATIC PASSPORTS

Article 1 (Subject)

This Rulebook regulates the procedure for issuance of diplomatic passports, method of keeping records of issued diplomatic passports, procedure for annulment of diplomatic passports and other issues related to the issuance, use and annulment of such passports.

Article 2 (Responsibility for issuance and basis for setting out issuing procedures)

Diplomatic passports are issued by the Ministry of Foreign Affairs of Bosnia and Herzegovina (hereinafter: the Ministry) in accordance with the provisions of the Law on Travel Documents of Bosnia and Herzegovina ("Official Gazette of BiH", no. 4/97, 1/99, 9/99, 27/00, 32/00, 19/01, 47/04, 53/07, 15/08, 33/08 and 39/08) - (hereinafter: the Law) and this Rulebook.

Article 3 (The holder of a diplomatic passport)

(1) Diplomatic passports shall be issued to:

- a) officials of the agencies, organizations, or institutions in Bosnia and Herzegovina specified in Appendix A, as well as former officials specified in Appendix A who exercised powers and performed duties of the officials as of the date of entry into force of the Constitution of Bosnia and Herzegovina;
- b) an official of an authority, organization or institutions in Bosnia and Herzegovina specified in the Appendix B;
- c) employees enjoying diplomatic status at the headquarters of the Ministry;
- d) a member of the state delegation of Bosnia and Herzegovina;
- e) a diplomatic courier;
- f) the diplomatic staff of Bosnia and Herzegovina, consular officer of Bosnia and Herzegovina and military and diplomatic personnel of Bosnia and Herzegovina, as well as their spouses and children, namely:
 - 1) if a child is not older than 27 years of age,
 - 2) if he/she lives in the same household with a parent, the holder of a diplomatic passport,
 - 3) if he/she has not entered into matrimony or employment agreement,
 - 4) if he/she is incompetent or a person under custody and lives in the same household with a parent who is the holder of a diplomatic passport and if he/she has not entered into a matrimony, regardless of age;

g) the spouse and children referred to in items a) and c) of this paragraph when traveling together with that person, only:

- 1) if the child is not older than 27 years of age,
- 2) if he/she lives in the same household with a parent, the holder of a diplomatic passport,
- 3) if he/she has not entered into matrimony or employment agreement,
- 4) if he/she is incompetent or a person under custody and lives in the same household with a parent who is the holder of a diplomatic passport and if he/she has not entered into a matrimony, regardless of age;

h) other person, a citizen of BiH, whom the Minister considers to be of special interest for the country.

(2) A diplomatic passport is issued to a person who is appointed to work in international organizations having diplomatic rank by the decision of the Presidency of Bosnia and Herzegovina, Parliament of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina and the competent Ministry of Bosnia and Herzegovina.

(3) Appendices "A" and "B" referred to in paragraphs a) and b) of this Article may be found attached to this Rulebook as its integral parts.

Article 4

(Reasons for refusal of issuance of a diplomatic passport)

(1) A diplomatic passport shall not be issued to a person in respect of whom there are reasons provided for in Article 21 of the Law on Travel Documents, or an employee of the Ministry against whom the disciplinary proceedings is in progress and who is, due to the above reasons, suspended from work.

(2) Diplomatic passport shall not be issued to a former official referred to in items 29, 30 and 31 in Appendix A, if he/she has been pronounced a punishment for a crime or have any pending criminal procedure against him/her, or if he/she has been dismissed.

Article 5

(Applicants and deadlines for submitting applications)

(1) An application for issuance of diplomatic passports shall be filed by the competent authority, organization or institution of Bosnia and Herzegovina, i.e. entities referred to in Appendices A and B.

(2) An application for issuance of diplomatic passports for diplomats employed at the headquarters of the Ministry shall be filed by the head of the basic organizational unit at the Ministry headquarters.

(3) The application for issuance of diplomatic passports for diplomats, consular officers and military personnel who work at the diplomatic and consular representations of Bosnia and Herzegovina shall be filed by the Head of a diplomatic and consular representation.

(4) An application for issuance of diplomatic passports to members of the state delegations of Bosnia and Herzegovina shall be filed by the Presidency of Bosnia and Herzegovina, Parliamentary Assembly of Bosnia and Herzegovina or the Council of Ministers of Bosnia and Herzegovina attached by a decision on education, structure and appointment of the delegations abroad.

(5) An application for the issuance of a diplomatic passport shall be filed by the applicant no later than ten days before the planned trip.

Article 6

(Documents to be submitted with the application)

For the purpose of issuance of diplomatic passports, it is required to enclose the documentation as follows:

- a) a photocopy of the identity card;
- b) proof of payment of the actual costs of the diplomatic passport booklet to the account of the Ministry, except for employees of the Ministry;
- c) the decision on a business trip or on appointment to work in Diplomatic and Consular Representation of BiH (travel order, decision on transfer, schedule or appointment to work abroad, etc.), except for the persons referred to in Article 3, paragraph (1) items a), b) and c) of the Rulebook;
- d) a valid diplomatic passports of Bosnia and Herzegovina whose replacement is requested, if a person possesses such a passport.

Article 7

(Deposition of diplomatic passports)

Upon completion of travel, a holder of a diplomatic passport shall deposit the passport with the applicant.

Article 8

(Procedure for lost, stolen or damaged diplomatic passport)

- (1) In case of loss, steal or damage of diplomatic passports in Bosnia and Herzegovina, the holder shall immediately report it to the Ministry.
- (2) In case of loss, steal or damage of diplomatic passports abroad, the holder shall immediately report it to the nearest Diplomatic and Consular Representation of BiH and to the Ministry upon his return to the country.
- (3) At the request of a person who has reported the loss, steal or damage of diplomatic passport, a Diplomatic and Consular Representation shall issue a travel certificate.
- (4) A new diplomatic passport may be issued to the holder of a diplomatic passport, who has reported the loss, steal or damage of diplomatic passport, when the circumstances of loss, steal or damage have been identified, and a missing passport has been declared invalid in the "Official Gazette of BiH".
- (5) The Ministry is obliged to notice all Diplomatic and Consular Representations accredited in Bosnia and Herzegovina that the passport has been declared invalid, immediately upon declaration of passport as invalid.
- (6) The applicant reports the loss of a diplomatic passport to the Ministry on the forms specified by the Guidelines on how to provide data on withdrawn, lost, destroyed or stolen BiH travel documents to central registers ("Official Gazette BiH ", 45/09).

Article 9

(Obligation and the deadline for return of diplomatic passports)

- (1) A holder of a diplomatic passport, to whom the qualifications by which he/she is entitled to possess the passport have ceased, shall, within 15 days as of the date of termination of the qualifications, return the passport to the applicant referred to in Article 5 of this Rulebook.
- (2) Notwithstanding the provisions of paragraph (1) of this Article, the holders of diplomatic passports employed in the Ministry shall, within 15 days as of the date of termination of the office duties, return a diplomatic passport to the headquarters of the Ministry.
- (3) If the holder of a diplomatic passport does not return the passport within the deadline referred to in paragraph (1) of this Article, the applicant for diplomatic passport, shall submit a request to

the Ministry for electronic annulment of the passport immediately after the deadline, and ensure returning of the passport to the Ministry, for the purpose of physical annulment within further 15 days.

(4) For holders of diplomatic passports referred to in paragraph (2) of this Article, electronic annulment of diplomatic passports will be made by the Ministry, ex officio.

(5) If the applicant fails to comply with provisions of paragraph (3) of this Article, the Ministry shall, upon expiration of deadline referred to in paragraph (3) of this Article, initiate a proceedings for confiscation of diplomatic passport with a competent authority, and file a complaint against the holder of a diplomatic passport for the unauthorized use of public document, as well as against a responsible person in the institution, who filed the request for issuance of diplomatic passports.

Article 10

(Records on diplomatic passports)

(1) The Ministry shall keep records of issued diplomatic passports ex officio.

(2) The Ministry shall issue special guidelines for the method of keeping records of issued diplomatic passports.

Article 11

(Transitional and final provisions)

(1) Issues not resolved until the entry into force of this Rulebook, shall be settled in compliance with the provisions of this Rulebook.

(2) As of the date of entry into force of this Rulebook, it shall supersede the Rulebook on issuance of diplomatic passports and visas ("Official Gazette of BiH", no. 10/02, 1/03, 37/04, 22/05, 90/08 and 41/13).

(3) This Rulebook shall enter into force on the eighth day after its publication in the "Official Gazette of BiH".

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1 December 2014

Sarajevo

Minister

Zlatko Lagumdžija, PhD

APPENDIX "A"

1. The Chairman of the Presidency of Bosnia and Herzegovina
2. The members of the Presidency of Bosnia and Herzegovina
3. The Chairman of the House of Representatives of the Parliamentary Assembly of BiH
4. The Chairman of the House of Peoples of the Parliamentary Assembly of BiH
5. Deputies of both Houses of the Parliamentary Assembly of BiH
6. The Chairman of the Council of Ministers of BiH
7. Ministers in the Council of Ministers of BiH
8. Deputy Ministers in the Council of Ministers of BiH
9. The President of the Constitutional Court of BiH
10. The President of the Court of Bosnia and Herzegovina
11. The Public Prosecutor of Bosnia and Herzegovina
12. The Director of the Directorate for European Integration
13. The Director of the Agency for Identification Documents, Registers and Data Exchange
14. The Director of the Border Police of Bosnia and Herzegovina
15. The Director of the Service for Foreigners' Affairs of Bosnia and Herzegovina
16. The Director of the Intelligence and Security Agency of BiH
17. The Chief of Joint Staff of the Armed Forces of BiH

18. The judges of the Constitutional Court of BiH
19. The President of the Federation of BiH
20. The Vice-Presidents of the Federation of BiH
21. The President of the Republic of Srpska
22. The Vice-Presidents of the Republic of Srpska
23. The Prime Minister of the Federation of BiH
24. The Prime Minister of the Republic of Srpska
25. Former Ambassadors and Consuls General of Bosnia and Herzegovina, who spent at least 10 years working for the MFA of BiH, of which at least 5 years in business premises of the ambassador or Consul General, provided they are not employed in private sector
26. Liaison Officers of the Presidency of Bosnia and Herzegovina with the International War Crimes Tribunal
27. The liaison officer of Bosnia and Herzegovina in the SECI / SELEC
28. The Governor of the Central Bank of Bosnia and Herzegovina
29. Former members of the Presidency of Bosnia and Herzegovina *
30. Former Chairman of the Council of Ministers *
31. Ex-Ministers of Foreign Affairs *

People referred to in items 25, 29, 30 and 31 are entitled to diplomatic passport on the basis of previously carried functions only when this right is not used on another basis prescribed by this Rulebook.

*** Items 29, 30 and 31 refer to the officials who performed functions from the date of entry into force of the Constitution of Bosnia and Herzegovina.**

Former members of the Presidency of Bosnia and Herzegovina, the former Chairman of the Council of Ministers of Bosnia and Herzegovina, Former Ministers of Foreign Affairs of Bosnia and Herzegovina, shall not be able to exercise their right to a diplomatic passport if they have been criminally punished or if there is a pending criminal procedure against them, or if he/she is an official who has been dismissed or whose mandate has not been completed.

APENDIX "B"

1. Heads of the cabinets and Counsellors of the members of the Presidency of BiH
2. The Secretary-General of the Presidency of Bosnia and Herzegovina
3. The Head of Protocol of the Presidency of Bosnia and Herzegovina
4. The Head of Public Relations of the Presidency of Bosnia and Herzegovina
5. Ombudsmen for the Protection of Human Rights in BiH
6. Ministers in the Government of the Federation of BiH
7. Ministers in the Government of the Republic of Srpska
8. Two high officials of each religious confession in Bosnia and Herzegovina, who are members of the Interreligious Council of Bosnia and Herzegovina
9. The Chairman of the House of Representatives of the Parliament of Federation of Bosnia and Herzegovina
10. The Vice Chairman of the House of Representatives of the Parliament of Federation of Bosnia and Herzegovina
11. The Chairman of the House of Peoples of the Federation of Bosnia and Herzegovina
12. The Vice Chairman of the House of Peoples of the Federation Bosnia and Herzegovina
13. The Chairman of the Council of Peoples of the Republic of Srpska
14. The Vice Chairman of the Council of Peoples of the Republic of Srpska
15. The President of the National Assembly of the Republic of Srpska
16. The Vice-Presidents of the National Assembly of the Republic of Srpska