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BOSNIA AND HERZEGOVINA MINISTRY OF CIVIL AFFAIRS

Pursuant to Article 43 b), and in conjunction with Articles 4 and 14 of the *Law on Citizenship of Bosnia and Herzegovina* (BiH Official Gazette, nos. 4/97, 13/99, 41/02, 6/03, 14/03, 82/05, 43/09, 76/09 and 87/13), the Ministry of Civil Affairs of Bosnia and Herzegovina issues the

BYLAW ON PROVISION OF ASSURANCES OF THE CITIZENSHIP OF BOSNIA AND HERZEGOVINA

Official Gazette of BiH No 07/14

Article 1 (Subject-matter)

The Bylaw on Provision of Assurances of the Citizenship of Bosnia and Herzegovina (hereinafter: the Bylaw) prescribes the competencies, the requirements and the procedure for provision of assurances, expiry, purpose and the possibility for revocation of the assurances, deadline for provision and entry into force of the assurances, the exemption procedure from obtaining the assurances, as well as the competency for determining the elements to be included in the letter of assurances, and the consent procedure by the Ministry of Civil Affairs.

Article 2 (Competency, deadline for provision and entry into force)

(1)The assurances are provided by the competent Entity authority (the Federation Ministry of Internal Affairs and the Ministry of Administration and Self-Administration of the Republika Srpska), in consent with the BiH Ministry of Civil Affairs (hereinafter: the Ministry), within 60 days of submission of the application supported with the required evidence.

(2)The wording of the letter of assurances must include the statement that it shall become effective on the date of consent by the Ministry.

(3)If an alien mentioned in paragraph (2) above does not submit the evidence of cessation of his/her foreign citizenship before the assurances expire, the procedure shall be suspended, except in case mentioned in Article 5 paragraph (2) of the present Bylaw.

Article 3
(Requirements for provision of assurances)

(1)Subject to fulfilment of lawful requirements, an alien holding a foreign citizenship, who has applied for BiH citizenship, in terms of Articles 9, 10, 11, 12(2) and 12a of the Law, may be issued with a letter of assurances of BiH citizenship, at his/her request, if he/she renounces his/her foreign citizenship or if his/her foreign citizenship is lost in any other way whatsoever.

(2)The submission referred to in the preceding paragraph must include two applications: the application for citizenship and the application for assurances or for exemption from assurances.

(3)The issue of assurances mentioned in paragraph (1) above shall be processed as a preliminary issue in the procedure for acquisition of BiH citizenship.

Article 4
(Expiry, purpose and possibility for revocation)

(1)The assurances are provided for the period of two years and shall serve for obtaining release from and/or for renouncing a former citizenship.

(2)The assurances may be revoked if, prior to acquiring BiH citizenship, an alien does not continue to fulfil any of the requirements prescribed for acquisition of BiH citizenship.

(3)If the assurances are revoked in terms of paragraph (2) above, the citizenship application shall be rejected.

Article 5
(Exemption from obtaining the assurances)

(1)An alien coming from a country which has concluded the Agreement on Dual Citizenship with BiH, and an alien who has applied for BiH citizenship in terms of Articles 11a, 12(1) and 13 of the Law, is exempted from obtaining the assurances, which is for persons mentioned in Articles 11a and 12(1) noted in the reasoning part of the decision on acquisition of BiH citizenship.

(2) Exceptionally, if renunciation is not allowed or cannot be reasonably required from an alien, in terms of Article 9 sub-paragraph 6) and Article 10 sub-paragraph 2) of the Law (the state of war and other exceptional circumstances), the competent authority may allow him/her to retain his/her former citizenship and exempt him/her from obtaining the assurances, which shall be noted in the reasoning part of the decision on acquisition of BiH citizenship.

(3) A decision on exemption from the obligation to obtain the assurances mentioned in paragraph (2) above is issued by the Ministry.

Article 6

(Elements of the letter of assurances and the consent by the Ministry)

(1) Elements of the letter of assurances are prescribed by the Ministry. A letter form is attached herewith and it makes an integral part of the present Bylaw. The size of the letter is 210x290 mm and it includes the elements as follows.

a) Name of the country i.e. Bosnia and Herzegovina, name of the Entity and the issuing authority;

b) Number and date of issuance;

c) Number and date of consent by the Ministry;

d) Legal grounds;

e) Data about a person to whom the letter is issued, namely, his/her first and last name, date and place of birth, country of birth, current citizenship, data about his/her parents;

f) Expiry date of the letter of assurances, including the following statement: "The assurances are issued for the period of two years, counting from the date of consent by the Ministry, providing that the person concerned continues to fulfill all lawful requirements for acquisition of the citizenship until the expiry of the assurances";

g) Signature of an authorized person and the seal of the competent authority.

(2) The consent by the Ministry includes the letter-head of the Ministry, the number and date of the decision, reference to legal grounds, the signature of an authorized person and the seal of the Ministry. The consent is given on the first page, below the wording on provision of assurances; or after the signature and the seal mentioned in subparagraph g) if there is no enough space on the first page; or on the back of the last page if there is no enough space for the consent by the Ministry on the page.

(3) In addition to the copies of files contained in the case-file, the Ministry shall also receive three copies of the signed original letter of assurances, for their approval. Upon provision of the consent by the Ministry, one copy is kept by the Ministry, and two copies are sent back to the competent authority, of which one shall be served to the party concerned, and the other shall be kept in the case-file.

Article 7
(Entry into force and publishing of the Bylaw)

The present Bylaw shall enter into force one day after being published in the BiH Official Gazette.

Number: 06-1-30-2-197/14
22 January 2014
Sarajevo Sredoje Nović
Minister

BOSNIA AND HERZEGOVINA

/ name of the Entity /

/ name of the authority /

Number:
Date: xx/xx/2014

Pursuant to Article _____ of the citizenship act (full title of the Entity citizenship act), and in accordance with provisions of the Bylaw on Provision of Assurances and Eligibility for Naturalization (BiH Official Gazette, no. _____), the _____ (name of the authority) has deliberated upon the application lodged by _____ (first and last name of the person concerned), a national of _____ (name of the country), in the matter of acquiring the citizenship of Bosnia and Herzegovina and the _____ (name of the Entity) and issued the

ASSURANCES FOR ACQUISITION OF THE CITIZENSHIP OF BOSNIA AND HERZEGOVINA AND _____ (name of the Entity)

(1) _____ (first and last name, date and place of birth, country of birth, current citizenship, data about parents), with permanent residence in _____ (place and address of residence in BiH) shall acquire the citizenship of Bosnia and Herzegovina and _____ (name of the Entity), subject to provision of evidence of cessation of his/her foreign citizenship before the expiry of the assurances.

(2) The assurances are issued for the period of two years, counting from the date of consent by the Ministry of Civil Affairs of Bosnia and Herzegovina, providing that the person concerned continues to fulfill all lawful requirements for acquisition of the citizenship until the expiry of the assurances.

(3) The assurances shall become effective on the date of consent by the Ministry of Civil Affairs of Bosnia and Herzegovina. If the person concerned does not submit the evidence of cessation of his/her former citizenship before expiry of the assurances, the procedure shall be suspended.

REASONING

In accordance with Article _____ of the citizenship act (full title of the Entity citizenship act) and the Bylaw on Provision of Assurances and the Eligibility for Naturalization (BiH Official Gazette, no. _____), the assurances are hereby provided for acquisition of the citizenship of Bosnia and Herzegovina and the _____ (name of the Entity), to the person specified herein, providing that he/she submits the evidence of cessation of his/her former citizenship before the expiry of the assurances, since all the proofs of eligibility for naturalization, as required by the mentioned lawful provisions, have been submitted.

The reasoning shall continue in accordance with the situation of each particular case. The following clause shall be placed in the end:

"The assurances may be revoked if, prior to acquiring BiH citizenship, an alien does not continue to fulfill any of the requirements prescribed for acquisition of BiH citizenship."

Legal remedy:

The present decision may not be appealed, but may be subject to an administrative dispute initiated with a lawsuit brought before the court _____ (name of the court) within two months of the service date.

/signature of an authorized person /

L.S.