

LAW ON THE CITIZENSHIP OF REPUBLIKA SRPSKA

I. GENERAL PROVISIONS

Article 1

This Law determines the manner, conditions and procedure for the acquisition and cessation of the citizenship of Republika Srpska.

Article 2

- (1) All citizens of Republika Srpska are thereby citizens of Bosnia and Herzegovina.
- (2) Individuals who have lost the citizenship of Republika Srpska shall simultaneously lose the citizenship of Bosnia and Herzegovina, unless they acquire the citizenship of the Federation of Bosnia and Herzegovina.
- (3) Citizens of Republika Srpska who have lost the citizenship of Bosnia and Herzegovina shall simultaneously lose the citizenship of Republika Srpska.

Article 3

A citizen of Republika Srpska who is also a foreign citizen shall be treated solely as a citizen of Republika Srpska in the course of proceedings before the authorities of Republika Srpska.

Article 4

All citizens of Republika Srpska shall enjoy the same human rights and fundamental freedoms as provided for by the *Constitution of Bosnia and Herzegovina* and by the *Constitution of Republika Srpska* as well as the protection of those rights in the territory of Republika Srpska.

II. ACQUISITION OF CITIZENSHIP

Article 5

The citizenship of Republika Srpska is acquired:

- a) By descent;
- b) By birth on the territory of Republika Srpska;
- c) By admitting a citizen of the Federation of Bosnia and Herzegovina to the citizenship of Republika Srpska;
- d) By adoption;
- e) By naturalization;
- f) By an international agreement.

1. Acquisition by descent

Article 6

The citizenship of Republika Srpska is acquired by descent by a child:

- a) Whose both parents were citizens of Republika Srpska at the time of the child's birth, regardless of the place of the child's birth;
- b) Whose one parent was a citizen of Republika Srpska at the time of the child's birth, and the child was born on the territory of Republika Srpska; and
- c) Whose one parent was a citizen of Republika Srpska at the time of the child's birth, and the child was born abroad, if the child would otherwise be stateless.

Article 7

(1) A child who was born in the Federation of Bosnia and Herzegovina, whose one parent was a citizen of Republika Srpska at the time of his/her birth, and whose other parent was

not a citizen of Republika Srpska and/or Federation of Bosnia and Herzegovina, shall acquire the citizenship of Republika Srpska, provided that by the time the child attains the age of 23 he/she submits the application for registration of the citizenship of Republika Srpska to a responsible authority of Republika Srpska or to a diplomatic and consular representation of Bosnia and Herzegovina abroad.

(2) A child who has acquired the citizenship of Republika Srpska in accordance with Articles 6 and 7 of the present Law shall be considered a citizen of Republika Srpska as of the date of his/her birth.

Article 8

(1) If one parent of the child mentioned in Article 6 above is a citizen of Republika Srpska, and the other parent is a citizen of the Federation of Bosnia and Herzegovina, the child shall acquire the citizenship of Republika Srpska:

- a) if he/she was found on the territory of Republika Srpska; or
- b) if he/she was born abroad:
 - 1) subject to consent by his/her parents; or
 - 2) in case that his/her parents refuse to give a consent, if a parent who has submitted the application for registration of the child into a registry book, to a responsible authority of Republika Srpska and/or to a diplomatic and consular representation of Bosnia and Herzegovina abroad, is a citizen of the Republika Srpska.

(2) A child who was born abroad, whose parents were citizens of the Federation of Bosnia and Herzegovina and permanent residents in Republika Srpska at the moment of his/her birth, shall acquire the citizenship of Republika Srpska subject to consent by the child's parents.

(3) A child who was born abroad, whose one parent was a citizen of the Federation of Bosnia and Herzegovina and a permanent resident in Republika Srpska at the moment of his/her birth, and whose other parent was not a citizen of Republika Srpska and/or Federation of Bosnia and Herzegovina, but enjoyed temporary residence in Republika Srpska, shall acquire the citizenship of Republika Srpska subject to consent by the child's parents.

2. Acquisition by birth

Article 9

(1) A child born in Republika Srpska, whose parents were citizens of the Federation of Bosnia and Herzegovina at the moment of his/her birth, shall acquire the citizenship of Republika Srpska subject to consent by his/her parents.

(2) A child born in Republika Srpska, whose one parent was a citizen of the Federation of Bosnia and Herzegovina and a permanent resident in Republika Srpska at the moment of his/her birth, and the other parent was not a citizen of Republika Srpska and/or Federation of Bosnia and Herzegovina, but enjoyed temporary residence in Republika Srpska, shall acquire the citizenship of Republika Srpska subject to consent by his/her parents.

(3) A child who was born or found in Republika Srpska, and whose both parents are unknown or of unknown citizenship or stateless, or if the child is stateless, shall acquire the citizenship of Republika Srpska.

3. Acquisition by adoption

Article 10

(1) A minor child who is a foreign citizen or stateless, and fully adopted by a citizen of Republika Srpska, shall acquire the citizenship of Republika Srpska.

(2) If one of the adopting parents is a citizen of Republika Srpska and the other is a citizen of the Federation of Bosnia and Herzegovina, the child shall acquire the citizenship of Republika Srpska subject to consent by both adopting parents.

(3) If both adopting parents do not agree that the child acquires the citizenship of Republika Srpska, and the child was born or has permanent residence in Republika Srpska or, if the child does not have permanent residence in Republika Srpska, the child shall acquire the citizenship of Republika Srpska if the adopting parent who registered him/her is a citizen of Republika Srpska.

4. Acquisition by naturalization

Article 11

(1) A foreigner who has submitted an application for acquisition of the citizenship of Republika Srpska may acquire it by naturalization if he/she fulfils the following conditions:

- a) That he/she has reached 18 years of age or that he/she gained legal capacity through emancipation when he/she turned 16 years of age;
- b) That he/she was a permanent resident in Republika Srpska for at least three years preceding the application;
- c) That he/she has an adequate knowledge of an alphabet/script and a language of one of the constituent peoples of Republika Srpska;
- d) That he/she has not been subject to a security measure of expulsion of a foreigner from the country or to a protective measure of removal from the country, by an authority established in accordance with the Constitution of Bosnia and Herzegovina or the Constitution of Republika Srpska;
- e) That he/she was not sentenced to a term of imprisonment for a premeditated crime for longer than three years during the period of eight years preceding the application;
- f) That he/she lost his/her former citizenship before he/she acquires the citizenship of Republika Srpska, unless provided otherwise by a bilateral agreement between Bosnia and Herzegovina and the other country, which has been approved by the Parliamentary Assembly of Bosnia and Herzegovina, in accordance with Article IV 4. d) of the *Constitution of Bosnia and Herzegovina*, providing that cessation of a former citizenship shall not be required if it is not allowed or cannot be reasonably required;
- g) That he/she has not been subject to criminal proceedings, except when it is not reasonable to require a proof of fulfilling this condition;
- h) That he/she does not pose a threat to the security of Bosnia and Herzegovina and Republika Srpska;
- i) That he/she has a permanent source of income in an amount that enables his/her livelihood or that he/she is able to provide a reliable proof of funds available for his/her support;

- j) That he/she has settled all taxes or other financial obligations;
- k) That he/she has signed a statement on accepting the legal system and constitutional order of Bosnia and Herzegovina and Republika Srpska; and
- l) That he/she has effective assurances of acquisition of the citizenship of Bosnia and Herzegovina and Republika Srpska.

(2) The acquisition of citizenship by naturalization shall not be granted, even when the applicant fulfils the naturalization requirements of paragraph (1) above, if there are reasonable grounds to believe that security of Bosnia and Herzegovina and Republika Srpska and public order and peace will be jeopardized by such act, or if naturalization is not consistent with the interests of Bosnia and Herzegovina and Republika Srpska for any other reason as determined in the course of the proceedings.

(3) A bylaw which shall further regulate obtaining of evidence referred to in this Article shall be issued by a minister responsible for the affairs of administration and local self-administration (hereinafter: the minister).

5. Acquisition by facilitated naturalization

Article 12

(1) A foreign spouse of a citizen of Republika Srpska may acquire the citizenship of Republika Srpska under the following conditions:

- a) That their marriage lasted for at least five years before submitting the application and that it is still effective at the time of submitting the application;
- b) That he/she lost his/her former citizenship before he/she acquires the citizenship of Republika Srpska, unless provided otherwise by a bilateral agreement between Bosnia and Herzegovina and the other country, which has been approved by the Parliamentary Assembly of Bosnia and Herzegovina, in accordance with Article IV 4. d) of the *Constitution of Bosnia and Herzegovina*, providing that cessation of a former citizenship shall not be required if it is not allowed or cannot be reasonably required;
- c) That he/she has been granted permanent residence on the territory of Republika Srpska;
- d) That he/she does not pose a threat to the security of Bosnia and Herzegovina and

Republika Srpska.

(2) A bylaw which shall further regulate obtaining of evidence referred to in this Article shall be issued by the minister.

Article 13

(1) Persons who are entitled to acquire the citizenship of Republika Srpska upon application, on the basis of eligibility requirements of Article 11 paragraph (2) subparagraphs b) and f), are as follows:

- a) Emigrants who have returned to Republika Srpska;
- b) First and second generation of descendants of persons mentioned in paragraph (1) above, who have returned to Republika Srpska.

(2) Spouses of persons mentioned in paragraph (1) above are entitled to acquire the citizenship of Republika Srpska upon application, on the basis of eligibility requirements of Article 11 of the present Law.

Article 14

In terms of Article 13 above, an emigrant is a person who has emigrated from Republika Srpska or from the area of former Bosnia and Herzegovina with intention to permanently settle abroad.

Article 15

(1) A child under the age of 18 shall acquire the citizenship of Republika Srpska:

- a) If both of his/her parents have acquired the citizenship of Republika Srpska by naturalization; or
- b) If the child has been granted temporary or permanent residence in Republika Srpska, and one of his/her parents has acquired the citizenship of Republika Srpska by naturalization; or

c) If only one of his/her parents has acquired the citizenship of Republika Srpska by naturalization, while the other parent is stateless or of unknown citizenship and the child has permanent residence abroad.

(2) If the child is over 14 years of age, his/her consent is required for acquisition of the citizenship.

Article 16

(1) A stateless person and a recognized refugee may acquire the citizenship of Republika Srpska, without fulfilling requirements of Article 11 paragraph (1) sub-paragraphs b), c), f), i) and j) of the present Law, only if he/she continually resided in Republika Srpska for a period of five years preceding the application.

(2) A minor child of a person who has acquired the citizenship of Republika Srpska in accordance with paragraph (1) above is entitled to the citizenship of Republika Srpska, without fulfilling the requirements of Article 11 paragraph (1) sub-paragraphs a), b), c), f), i) and j) of the present Law, if he/she has been granted a refugee status or temporary residence in Republika Srpska, regardless of the duration of his/her residence.

(3) If the child is over 14 years of age, his/her consent is required.

(4) A bylaw which shall further regulate obtaining of evidence referred to in this Article shall be issued by the minister.

Article 17

If in an individual case the naturalization is considered highly beneficial for Republika Srpska, the concerned individual may acquire the citizenship without meeting the requirements of Article 11 sub-paragraphs (a), (a) and (f) of the present Law, pursuant to Article 13 and Article 30 sub-paragraph 3. 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).

III. CESSATION AND RESUMPTION OF CITIZENSHIP

Article 18

The citizenship may not be lost if the person concerned would thereby become stateless, save in the case specified in Article 26 sub-paragraph a) of the present Law.

Article 19

The citizenship of Republika Srpsla shall cease:

- a) By release;
- b) By renunciation;
- c) By revocation;
- d) By an international agreement.

1. Release

Article 20

Release of the citizenship of Republika Srpska may be granted at request of a person living in Republika Srpska, if he/she submits documents which prove:

- a) That he/she has reached 18 years of age or that he/she gained legal capacity through emancipation when he/she turned 16 years of age;
- b) That he/she has settled all financial obligations, taxes or other legal obligations towards physical persons and legal entities, as stipulated by an enforceable decision;
- c) That he/she has settled all obligations relating to social insurance and employment;
- d) That he/she has settled all ownership obligations arising from marital and parental relations towards persons who have permanent residence in Republika Srpska;
- e) That he/she has not been subject to criminal proceedings for the crimes under the *Republika Srpska Criminal Code*, or, if he/she was sentenced to imprisonment in Republika Srpska, that he/she already served the sentence;

- f) That he/she has acquired or received the assurances that he/she will acquire the citizenship of another country.

Article 21

A decision on release may be cancelled at request of a person who has not acquired the citizenship of the country which issued assurances of the acquisition of its citizenship to the person concerned.

Article 22

(1) A child under 18 years of age, who has acquired or has received the assurances that he/she will acquire the citizenship of another country, and who still lives in Republika Srpska, shall lose the citizenship of Republika Srpska by release at request of:

- a) Both parents who lost the citizenship of Republika Srpska by release;
- b) One parent who lost the citizenship of Republika Srpska by release, if the other parent is deceased or deprived of his/her parental responsibilities or is a foreign national or a stateless person;
- c) One parent, who exercises his/her parental responsibilities and who lost the citizenship of Republika Srpska by release, subject to the agreement with the other parent, who is a citizen of Republika Srpska;
- d) An adopting parent who lost the citizenship of Republika Srpska by release, and the relationship between the adopting parent and the adopted child is one of a full adoption.

(2) If the child is over 14 years of age, his/her consent is required in cases mentioned in paragraph (1) above.

2. Renunciation

Article 23

(1) A citizen who has reached the age of 18, who has permanent residence abroad and has acquired or received the assurances that he/she will acquire the citizenship of another country, is entitled to renounce his/her citizenship of Republika Srpska.

(2) The citizenship of Republika Srpska shall be lost through renunciation when the responsible authority verifies that the requirements under paragraph (1) above have been met and when it serves the decision on renunciation to the person concerned.

Article 24

(1) A child under 18 years of age who lives abroad and who has acquired or has received the assurances that he/she will acquire the citizenship of another country, shall lose the citizenship of Republika Srpska by renunciation at request of:

- a) Both parents who lost the citizenship of Republika Srpska by renunciation;
- b) One parent who lost the citizenship of Republika Srpska by renunciation, if the other parent is deceased or deprived of his/her parental responsibilities or is a foreign national or a stateless person;
- c) One parent, who exercises his/her parental responsibilities and who lost the citizenship of Republika Srpska by renunciation, subject to the agreement with the other parent, who is a citizen of Republika Srpska;
- d) An adopting parent who lost the citizenship of Republika Srpska by renunciation, and the relationship between the adopting parent and the adopted child is one of a full adoption.

(2) If the child is over 14 years of age, his/her consent is required in cases mentioned in paragraph (1) above.

Article 25

A decision on renunciation may be cancelled at request of a person who has not acquired the citizenship of the country which issued assurances of the acquisition of its citizenship to the person concerned.

3. Revocation

Article 26

The citizenship of Republika Srpska may be revoked in the following cases:

- a) When the citizenship was acquired by fraud, false information or concealment of any relevant facts which could be attributed to the applicant;
- b) When the citizen of Republika Srpska performs voluntary service in foreign military forces despite an injunction to the contrary;
- c) When the citizenship of Republika Srpska is acquired after the entry into force of the present Law, without fulfilling the requirements of Articles 11, 12, 13, 15, 16 and 28 of the present Law.

4. Date of cessation

Article 27

(1) The citizenship shall cease on the date when the decision on cessation of the citizenship of Republika Srpska is served to the person concerned.

(2) If the place of residence of that person is not known or cannot be confirmed, the citizenship of Republika Srpska shall cease on the date when the decision is published in the Official Gazette of Republika Srpska.

Article 28

A person who lost the citizenship of Republika Srpska by renunciation or release, in order to acquire or retain the citizenship of another country, may apply for resumption of the citizenship of Republika Srpska, if he/she fulfills the requirements of Article 11 of the present Law, except for the requirements of paragraph (1) sub-paragraph a) and b), only

if he/she enjoyed temporary residence in Republika Srpska for at least one year preceding the application or if he/she has been granted permanent residence.

(4) A bylaw which shall further regulate obtaining of evidence referred to in paragraph 1 above shall be issued by the minister.

IV. CHANGE OF ENTITY CITIZENSHIP

Article 29

(1) A citizen of the Federation of Bosnia and Herzegovina with permanent residence in Republika Srpska shall acquire the citizenship of Republika Srpska upon application.

(2) A person with permanent residence in Republika Srpska, whose citizenship of Bosnia and Herzegovina has been recorded in a registry book of births or citizens in Brčko District of Bosnia and Herzegovina, and who has not chosen his/her entity citizenship, shall acquire the citizenship of Republika Srpska upon application.

(3) In all cases when a citizen of Republika Srpska acquires the citizenship of the Federation of Bosnia and Herzegovina, he/she shall lose the citizenship of Republika Srpska.

(4) The responsible authority of Republika Srpska shall notify the responsible authority in the Federation of Bosnia and Herzegovina of acquisition or cessation of the citizenship in accordance with paragraphs (1), (2) and (3) above.

Article 30

(1) A citizen of Republika Srpska, with permanent residence in Brčko District of Bosnia and Herzegovina, shall remain the citizen of Republika Srpska if he/she does not change his/her entity citizenship by acquiring the citizenship of the Federation of Bosnia and Herzegovina.

(2) A person with permanent residence in Brčko District of Bosnia and Herzegovina, who is a citizen of Bosnia and Herzegovina and who has not declared his/her entity citizenship, shall acquire the citizenship of Republika Srpska upon application.

(3) A person with permanent residence in Brčko District of Bosnia and Herzegovina, who is a citizen of Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina, shall acquire the citizenship of Republika Srpska upon application.

(4) The right of a citizen of Bosnia and Herzegovina, who has a permanent residence in Brčko District of Bosnia and Herzegovina, to choose the citizenship of Republika Srpska or to change his/her entity citizenship by acquiring the citizenship of Republika Srpska, may be exercised only once on the basis of permanent residence in Brčko District of Bosnia and Herzegovina.

V. PROCEDURE FOR ACQUISITION AND CESSATION OF CITIZENSHIP

Article 31

(1) Decisions on acquisition and cessation of the citizenship of Republika Srpska shall be issued by the Ministry of Administration and Local Self-Administration, while no particular decision shall be issued on acquisition of citizenship by descent or birth in Republika Srpska.

(2) Applications for the citizenship of Republika Srpska and/or for release from the citizenship of Republika Srpska shall be submitted to the responsible ministry through municipal bodies of that ministry on the territory of the applicant's permanent residence. If the applicant lives abroad or has stayed abroad for more than 60 days, the application shall be submitted through a diplomatic and consular representation of Bosnia and Herzegovina abroad.

(3) A foreign national who is a permanent resident or who has been granted temporary residence in Republika Srpska shall submit the application for the citizenship of Republika Srpska through the responsible municipal body on the territory of the applicant's permanent or temporary residence.

(4) A person from Brčko District of Bosnia and Herzegovina mentioned in Article 30 paragraphs (2) and (3) of the present Law, who wants to acquire the citizenship of Republika Srpska by exercising his/her right to choose or to change his/her entity citizenship, shall submit his/her application in writing to the responsible ministry of Republika Srpska, through the responsible authority of Brčko District of Bosnia and Herzegovina.

(5) The application mentioned in paragraph (4) above shall contain the statement on choosing the citizenship of Republika Srpska or the statement on changing his/her entity citizenship, supported with the certificate of the citizenship of Bosnia and Herzegovina or with a certified copy of a travel document of Bosnia and Herzegovina, certified copy of his/her ID card and a certificate of permanent residence in Brčko District of Bosnia and Herzegovina.

(6) A citizen of Republika Srpska shall submit the application for renunciation of the citizenship of Republika Srpska to the responsible ministry of Republika Srpska or through a diplomatic and consular representation of Bosnia and Herzegovina.

Article 32

(1) The responsible ministry of Republika Srpska must make a determination upon an application within 60 days of the receipt date of a proper application. Negative decisions upon an application for acquisition, renunciation or release or decisions on revocation of the citizenship, must include the reasoning part in writing.

(2) The person concerned may institute an administrative dispute against the decision mentioned in the preceding paragraph.

(3) The responsible ministry of Republika Srpska shall issue a decision upon the application mentioned in Article 31 paragraph (4) above within 60 days of the receipt date of the application and shall submit the decision to the responsible authority of Brčko District of Bosnia and Herzegovina within 15 days of its issuance.

(4) In case of an application for changing the entity citizenship, the decision shall be submitted to the responsible authority of the Federation of Bosnia and Herzegovina within 15 days of its issuance.

(5) If the responsible ministry of Republika Srpska does not issue a decision mentioned in paragraph (3) above within 60 days, it shall be considered that the person concerned has fulfilled the requirements for acquisition of the citizenship of Republika Srpska and his/her citizenship shall be recorded in registry books without issuing any particular decision.

Article 33

(1) All decisions on acquisition and/or cessation of the citizenship of Republika Srpska, with the exception of decisions taken under Article 6, 7, 8, 9, 10, 29, 30, 37, 38 and 39 of the present Law, must be submitted to the Ministry of Civil Affairs of Bosnia and Herzegovina, within 21 days of the date of issuance and they shall enter into force 60 days after being submitted to the Ministry of Civil Affairs of Bosnia and Herzegovina.

(2) If the Ministry of Civil Affairs determines that decisions mentioned in paragraph (1) above are not in accordance with the *Law on Citizenship of Bosnia and Herzegovina*, the case shall be remanded to the responsible authority of Republika Srpska.

(3) If, following a reconsideration process, a dispute arises between the responsible authorities of the Entity and Bosnia and Herzegovina, the case must be submitted for a final decision to the Constitutional Court of Bosnia and Herzegovina, in accordance with Article VI (3) of the *Constitution of Bosnia and Herzegovina*.

Article 34

(1) Records of citizens of Republika Srpska shall be kept by responsible registry offices.

(2) The Ministry of Administration and Local Self-Administration shall keep records on acquisition and cessation of the citizenship of Republika Srpska, under their jurisdiction.

(3) Decisions on acquisition and cessation of the citizenship of Republika Srpska shall be submitted to the responsible registry office for registration into a registry book.

(4) The minister shall issue a bylaw which shall regulate the content and the manner of keeping records mentioned in paragraph (2) above.

VI. EVIDENCE OF CITIZENSHIP

Article 35

The citizenship of Republika Srpska is proved with a certificate of the citizenship of Republika Srpska.

Article 36

(1) The certificate of the citizenship of Republika Srpska is issued by the responsible registry office.

(2) The citizenship is recorded in a birth registry without a particular decision when it is confirmed that the person concerned fulfils the acquisition requirements under Articles 6, 7, 8, 9 and 10 of the Law as well as under Article 35 paragraph (5) of the Law.

(3) In case that the authority mentioned in paragraph (1) above has unfoundedly refused to issue a citizenship certificate, the responsible ministry of Republika Srpska and/or the Ministry of Civil Affairs of Bosnia and Herzegovina shall issue a citizenship certificate on the basis of a documented information available to the responsible authority of Republika Srpska and the Ministry of Civil Affairs of Bosnia and Herzegovina, under their jurisdiction.

(4) In case of dispute between the responsible authorities of Republika Srpska and Bosnia and Herzegovina, the case shall be referred to the Constitutional Court of Bosnia and Herzegovina, in accordance with Article VI (3) of the *Constitution of Bosnia and Herzegovina*.

(5) Where the documented information about the citizenship is not available or when citizens of Republika Srpska cannot obtain such information within a reasonable time, the responsible authority mentioned in paragraph (3) above shall allow such persons to obtain this information by other means, including by certified statements made by the applicants themselves or by third persons.

(6) The responsible authorities of Republika Srpska shall in individual cases submit the requested information contained in the records mentioned in paragraph (1) above to the Ministry of Civil Affairs of Bosnia and Herzegovina.

VII. TRANSITIONAL AND FINAL PROVISIONS

Article 37

- (1) In terms of the present Law, citizens of Republika Srpska are:
- a) All persons who are citizens of Bosnia and Herzegovina in accordance with Article 1 paragraph (7) sub-paragraph c) of the *Constitution of Bosnia and Herzegovina* and who
 - 1) had permanent residence on the territory of the current Republika Srpska on 6 April 1992, unless they had permanent residence on the territory of the current Federation of Bosnia and Herzegovina on 1 January 1998;
 - 2) had permanent residence on the territory of the current Federation of Bosnia and Herzegovina on 6 April 1992, but who left that territory after that date and had permanent residence in Republika Srpska on 1 January 1998;
 - b) All persons who are citizens of Bosnia and Herzegovina in accordance with Article 1 paragraph (7) sub-paragraph c) of the *Constitution of Bosnia and Herzegovina* and who resided abroad on 1 January 1998, provided that they had permanent or temporary residence on the territory of the current Republika Srpska before 6 April 1992, unless they have taken up residence in the Federation of Bosnia and Herzegovina and/or chosen the citizenship of the Federation of Bosnia and Herzegovina.
- (2) Permanent residence of children, in terms of Article 29 and Article 37 paragraph (1) of the present Law, who were minors and did not have their permanent residence registered, shall be determined by permanent residence of their parents and on the basis of other proofs.
- (3) The issuance of decisions under paragraph (1) above is under jurisdiction of local self-administration units.

Article 38

All persons, who were citizens of the former SFRY, and who took up their permanent residence in Republika Srpska during the period between 6 April 1992 and 1 January 1998, and maintained their permanent or temporary residence on that territory for a

continuous period of two years after that date, are entitled to the citizenship of Republika Srpska.

Article 39

All persons, who were citizens of the former SFRY, and who took up their permanent residence in Republika Srpska during the period between 1 January 1998 and 31 December 2000, and maintained their permanent or temporary residence on that territory for a continuous period of three years, are entitled to the citizenship of Republika Srpska.

Article 40

The requirement of Article 11 paragraph (1) sub-paragraph f) of the present Law is not applicable to emigrants who fulfill conditions of Article 14 of the present Law, and who were unfairly deprived of the citizenship of the former SFRY or Kingdom of Yugoslavia, before entering into force of the present Law, nor to the first and the second generation of their descendants.

Article 41

Articles 6, 7, 8, 9 and 10 of the present Law are applicable as of the date of entry into force of the *Constitution of Bosnia and Herzegovina*.

Article 42

The Ministry of Civil Affairs of Bosnia and Herzegovina shall draw up the content and the layout of a citizenship certificate form.

Article 43

All proceedings initiated before the entry into force of the present Law shall continue and be finalized in accordance with provisions of the law which is more favourable for the party concerned.

Article 44

Within two months of the date of entry into force of the present Law, a minister for administration and local self-administration shall issue bylaws as determined in Articles 11, 12, 16, 28 and 34 paragraph (2) of the present Law.

Article 45

Upon the entry into force of the present Law, the *Law on the Citizenship of Republika Srpska* (Official Gazette of Republika Srpska, nos. 35/99, 17/00, 64/05, 58/09 and 18/10) shall become invalid.

Article 46

The present Law shall enter into force on the eighth day after being published in the Official Gazette of Republika Srpska.

Number: 01-551/14

Date: 10 April 2014

Banjaluka

Mr. Igor Radojičić

National Assembly President