

Pursuant to Article 89 Paragraph 3 of the Law on Movement and Stay of Aliens and Asylum (BiH Official Gazette 29/03, 4/04 and 53/07) and Article 16 of the Law on Administration (BIH Official Gazette 32/02), the Foreign Minister of Bosnia and Herzegovina shall enact

## **RULEBOOK**

### **ON CONDITIONS AND MANNER OF ISSUANCE OF SPECIAL IDENTIFICATION DOCUMENTS (IDENTITY CARDS) BASED ON SERVICE IN DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVE OFFICES OF INTERNATIONAL ORGANISATIONS IN BOSNIA AND HERZEGOVINA**

#### **PART I – PREAMBLE**

##### **Article 1 (Subject matter)**

(1) The Rulebook hereto shall set forth conditions, issuance procedure, design, manufacturing, forms and way of keeping records of special identification documents – identity cards to be issued to members of diplomatic and consular missions (henceforth: the member of diplomatic- consular mission); their private servants; members of the United Nations organisations and other specialised UN agencies, as well as international organisations accredited in Bosnia and Herzegovina (henceforth: the diplomatic and consular mission and representative office of international organisation), as well as their families or members of their household.

##### **Article 2 (Definitions)**

The following definitions are applicable for the terms used in this Rulebook:

- a) “Diplomatic mission” means any and all missions which foreign countries, in line with provisions of the 1961 Vienna Convention on Diplomatic Relations, open in Bosnia and Herzegovina;
- b) “Consular mission” means any and all general consulates, consulates, vice-consulates or consular agencies which foreign countries, in line with provisions of the 1963 Vienna Convention on Consular Relations, open in Bosnia and Herzegovina;
- c) “Representative office of international organisation” means any and all representative offices of the United Nations organisations, specialised UN agencies and other international organisations which are, in line with international treaties obligating Bosnia and Herzegovina, located in Bosnia and Herzegovina;
- d) “A member of diplomatic mission” means members of diplomatic missions in line with provisions of the 1961 Vienna Convention on Diplomatic Relations;

- e) “A member of consular missions” means any and all members of consular missions in line with provisions of the 1963 Vienna Convention on Consular Relations;
- f) “A member of international organisation’s representative office” means any and all members of representative offices accredited and acknowledged in that capacity whose immunities and privileges are established in line with provisions of the 1946 Convention on Privileges and Immunities of the United Nations, 1947 United Nations Convention on Privileges and Immunities of Specialised Agencies and other international treaties obligating Bosnia and Herzegovina;
- g) “ A family member” means a spouse and children of a member of diplomatic and consular mission and international organisation’s representative office on whose arrival diplomatic and consular mission and representative office of international organisation has informed and whose immunity has been established in accordance with provisions of the 1961 and 1963 Vienna Conventions on Diplomatic and Consular Relations, 1946 Convention on Privileges and Immunities of the United Nations, 1947 United Nations Convention on Privileges and Immunities of Specialised Agencies and other international treaties obligating Bosnia and Herzegovina
- h) “The Ministry” means the Foreign Ministry of Bosnia and Herzegovina

## **PART II – ISSUANCE OF IDENTITY CARDS**

### **CHAPTER I**

#### **Section A. Information and competence**

##### Article 3

#### **(Notice on a new member of diplomatic and consular mission and representative office of international organisation in Bosnia and Herzegovina)**

Diplomatic and consular mission and representative office of international organisation in Bosnia and Herzegovina shall be obliged to notify the Foreign Ministry of Bosnia and Herzegovina (henceforth: the Ministry) about its new members and members of their families upon their arrival to Bosnia and Herzegovina.

##### Article 4

#### **(Competence and purpose of issuance of identity cards)**

Based on the notice referred to in Article 3 of the Rulebook hereto the Ministry shall issue an appropriate identity card which confirms identity and status of its holder in line with the 1961 and 1963 Vienna Conventions on Diplomatic and Consular Relations, 1946 Convention on Privileges and Immunities of the United Nations, 1947 United Nations Convention on Privileges and Immunities of Specialised Agencies and other international treaties obligating Bosnia and Herzegovina.

## **CHAPTER II**

### **Section B. Types**

#### **Article 5** **(Identity card types)**

The identity card' types issued by the Ministry shall be as follows:

- a) type "D"
- b) type "MO"
- c) type "K"
- d) type "S"
- e) type "PO"
- f) type "PK"
- g) type "PP"

#### **Article 6** **(Identity card type "D")**

The identity card type "D" is issued to a foreign citizen, a member of diplomatic mission, a holder of diplomatic passport of the sending country who, pursuant to the 1961 Vienna Convention on Diplomatic Relations, enjoys the status of a diplomatic agent and to the members of his/her family who are holders of diplomatic passports.

#### **Article 7** **(Identity card type "MO")**

The identity card type "MO" is issued to a foreign citizen, a head, deputy head and staff in the United Nations organisations and United Nations specialised agencies as well as other international organisations in Bosnia and Herzegovina that, by international treaties obligating Bosnia and Herzegovina, were given immunity of a diplomatic agent and to the members of his/her family irrespective of which passport they have.

#### **Article 8** **(Identity card type "K")**

The identity card type "K" is issued to a foreign citizen, a consular official holder of a diplomatic passport who, in line with the 1963 Vienna Convention on Consular Relations, enjoys the status of a consular official as well as to the members of his/her family who are holders of diplomatic passports.

Article 9  
**(Identity card type “S”)**

The identity card type “S” is issued to a foreign citizen, a member of administrative and technical staff of a diplomatic mission, an officer in a consular mission, a member of representative office of the United Nations organisations and the United Nations specialised agencies, a member of representative office of an international organisation accredited in Bosnia and Herzegovina and members of his/her family, in line with the 1961 and 1963 Vienna Conventions on Diplomatic and Consular Relations, 1946 Convention on Privileges and Immunities of the United Nations, 1947 United Nations Convention on Privileges and Immunities of Specialised Agencies and other international treaties obligating Bosnia and Herzegovina.

- a) As for a member of administrative and technical staff of a diplomatic mission and an officer in a consular mission and members of his/her family referred to in Paragraph (1) of this Article, the identity card shall be issued only to the holder of official passport,
- b) As for a member of a representative office of the United Nations organisations and the UN specialised agencies, a member of a representative office of an international organisation and members of his/her family referred to in Paragraph (1) of this Article, the identity card shall be issued irrespective of the passport type.

Article 10  
**(Identity card type “PO”)**

The identity card type “PO” is issued to a foreign citizen, a servant in a diplomatic and consular mission, irrespective of the passport s/he has, in line with the 1961 and 1963 Vienna Conventions on Diplomatic and Consular Relations.

Article 11  
**(Identity card type “PK”)**

The identity card type “PK” is issued to an honorary consular officer whom Bosnia and Herzegovina has approved to carry out these duties, in line with the 1963 Vienna Convention on Consular Relations.

Article 12  
**(Identity card type “PP”)**

The identity card type “PP” is issued to a foreign citizen, a private servant of a member of a diplomatic and consular mission in Bosnia and Herzegovina irrespective of the passport type based on the notice given by the diplomatic i.e. consular mission in Bosnia and Herzegovina and exclusively on the basis of the reciprocity principle.

**Section C: Children and extramarital partner**

Article 13  
**(Issuing identity cards to children of persons subject of the notice)**

- (1) The identity card shall be issued to children of the person, who is subject of the notice, up to 18 years of age.
- (2) Exceptionally, children of the person, who is subject of the notice, who attend regular education process in Bosnia and Herzegovina, provided that they attach certificate of a competent institution, may be holders of the identity card until they turn age of 26.
- (3) As for children of the person, who is subject of the notice, in case that parental care was extended by a decision of a competent authority the identity card shall be issued irrespective of their age.

#### Article 14

### **(Issuance of an identification card to common-law marriage members of notified persons)**

An identification card may be issued to an alien, who is a common-law marriage partner to the primary right holder referred to in Articles 6, 7, 8 and 9 of this Rule Book, if he or she lives with the aforementioned alien in a common-law marriage and if the common-law marriage is recognized by the sender state.

## **CHAPTER III**

### **Section D: Submission of Application and Period of Validity**

#### Article 15

### **(Submission of an application for issuance of an identification card)**

- (1) A diplomatic and consular mission and an international organization's mission in Bosnia and Herzegovina shall enclose during the notification process:
  - a) Verbal note;
  - b) Photocopy of the passport (and original passport for inspection) of the person notified;
  - c) One color photograph, size 3 x 3.5 cm;
  - d) Filled out application form approved by the head of the diplomatic and consular mission or international organizations's mission and signed by the notified person for whom the issuance of the identification card is requested.
- (2) The Ministry shall imprint an admission stamp into the passport of the notified person with the following content: «Submitted for consideration by the Ministry of Foreign Affairs of Bosnia and Herzegovina», followed by the date of the imprint, signature of the authorized person and a small stamp of the Ministry of Foreign Affairs of Bosnia and Herzegovina.

## Article 16

### **(Period of validity of an identification card)**

- (1) An identification card shall serve as a temporary residence permit for aliens in Bosnia and Herzegovina and shall be issued with a validity period of 4 (four) years, or until the date of passport validity if the passport expires sooner.
- (2) A new identification card shall be issued depending on the validity period of the previous one and the passport expiry date, and may not exceed a validity period of 4 (four) years.
- (3) The validity period of the identification card of the family member who is a holder of an appropriate function may not be longer than the validity period of the identification card of the primary right holder.
- (4) An identification card holder shall not have an obligation to acquire entry visas and stay permits in Bosnia and Herzegovina.
- (5) The persons referred to in Articles 6, 7, 8, 9, 10, 11 and 12 of this Rule Book may have only one valid identification card.

## Article 17

### **(Termination of validity of an identification card before expiration of the period to which it was issued)**

- (1) An identification card shall be returned before the expiration of the period to which it was issued in the following cases:
  - a) after termination of service of the identification card holder;
  - b) after change of status of the identification card holder;
  - c) if the identification card holder is declared an undesired person;
  - d) if there is substantiated suspicion that the identification card is not used in accordance with the purpose for which it was issued.
- (2) A diplomatic and consular mission or international organization's mission, in the cases referred to in points a), b) and c) of this Article, shall deliver the identification card by diplomatic means to the Ministry within eight days, starting from the day when the reason referred to in paragraph (1) of this Article begins to apply.
- (3) Identification cards referred to in paragraph (1) of this Article shall be cancelled by the Ministry.
- (4) Identification cards shall be cancelled by punching.
- (5) If it is determined later that an identification card was issued in contravention of the conditions specified by this Rule Book or reasons referred to in point d) of

paragraph (1) of this Article apply, it shall, upon such a request, be returned to the Ministry and cancelled in the way specified by paragraph (4) of this Article.

(6) The Ministry shall notify the appropriate diplomatic and consular mission or international organization's mission of the cancellation of the identity card.

## Article 18

### **(Issuance of a new identification card)**

(1) A new identification card shall be issued before the expiration of its validity in the following cases:

a) when data on the identification card holder, which are an integral part of its contents, are changed;

b) when the photograph no longer represents the real image of the identification card holder;

c) when an identification card is damaged or its use is no longer possible for some other reason;

d) when an identification card is stolen, lost or missing.

(2) In the cases referred to in points a), b) and c) of paragraph (1) of this Article, the diplomatic and consular mission or international organization's mission shall return the original identification card and submit an application for issuance of a new identification card.

(3) In the case referred to in point d) of paragraph (1) of this Article, the diplomatic and consular mission or international organization's mission shall notify the Ministry of disappearance, theft or loss of the identification card.

a) The Ministry shall notify the responsible Ministry of Internal Affairs of disappearance, theft or loss of an identification card.

b) The Ministry shall issue a decision declaring a missing, lost or stolen identification card invalid.

(4) In the case referred to in point d) of paragraph (1) of this Article, the diplomatic and consular mission or international organization's mission shall, along with the application for issuance of a new identification card, submit proof issued by a responsible institution that the lost, stolen or missing identification card was declared invalid.

a) The responsible institution to declare invalid a missing, lost or stolen identification card referred to in point d) of paragraph (1) of this Article shall be the Official Gazette of Bosnia and Herzegovina.

## Article 19

### **(Immunity and privileges of identification card holders)**

Immunity and privileges of identification card holders referred to in Articles 6, 7, 8, 9, 10 and 11 of this Rule Book shall be recognized in accordance with the 1961 and 1963 Vienna Convention on Diplomatic and Consular Relations, or 1946 Convention on Immunities and Privileges of the United Nations, 1947 Convention on Privileges and Immunities for Specialized Institutions and international agreements binding for Bosnia and Herzegovina.

a) Immunity and privileges of persons referred to in Articles 6, 7, 8, 9 and 10 of this Rule Book with dual citizenships shall be recognized on a basis of reciprocity only.

#### Article 20

### **(Notification of termination of service in Bosnia and Herzegovina)**

(1) Diplomatic and consular missions and international organization's missions in Bosnia and Herzegovina shall notify to the Ministry departure of its members – termination of service in Bosnia and Herzegovina.

(2) Diplomatic and consular missions and international organization's missions in Bosnia and Herzegovina shall return the identification card of the member whose departure is being notified and members of his or her family in the way specified by Article 17, paragraph (2) of this Rule Book.

(3) An identification card shall not be issued to a new member of a diplomatic and consular mission or international organization's mission and his or her family members in case of miscompliance with the provisions in paragraph (2) of this Article.

#### Article 21

### **(Data protection)**

In the process of consideration of the application for issuance of an identification card the Ministry shall ensure protection of personal data in accordance with appropriate provisions of the Law on Protection of Personal Data.

## **CHAPTER IV**

### **Section E. Identification card and forms**

#### Article 22

### **(Identification card design)**

(1) An identification card shall be issued on a 5.5 x 8.5 cm plastic card with integrated security and protective mechanisms.

(2) The color of the identification card shall be white with light blue stripes set more densely around the rim.

(3) The front side of the identification card contains:

- a) Title – Bosnia and Herzegovina;
- b) Coat-of-arms of Bosnia and Herzegovina;
- c) Photograph of identification card holder;
- d) Signature of the identification card holder;
- e) Name of the identification card with a type designation: «D», «MO», «K», «S», «PO», «PK» or «PP», depending on the type of the identification card;
- f) Surname of the identification card holder;
- g) Name of the identification card holder;
- h) Title of function which the identification card holds;
- i) Name of diplomatic and consular mission or international organization's mission which notified the identification card holder;
- j) Date of issuance of the identification card;
- k) Date of validity of the identification card;
- l) Serial number of the identification card;

(4) The back side of the identification card contains:

- a) Text indicating the scope of immunity enjoyed by the identification card holder, indication that the identification card holder does not require a visa or residence permit in Bosnia and Herzegovina and that the responsible authorities should honor the immunity and privileges enjoyed by the identification card holder;
- b) Name of identification card issuing authority.

(5) Protective elements of identification cards shall be in line with the standards for the issuance of identification cards.

(6) The text on an identification card shall be printed in three official languages in use in Bosnia and Herzegovina, in Latin and Cyrillic alphabets, and in English, except for the text on the back side that is intended for the competent authorities in Bosnia and Herzegovina, which is printed in three official languages in use in Bosnia and Herzegovina, in Latin and Cyrillic alphabets.

(7) Identification card content/layout on the plastic card has been defined in Annex 1 to this Rulebook.

**(Text on the back side of an identification card intended for competent authorities in Bosnia and Herzegovina)**

The text on the back side of an identification card, intended for competent authorities in Bosnia and Herzegovina, shall vary depending on the type of identification card i.e. immunity extent for:

a) identification card of type “D” it shall read as follows: “The bearer of this identification card shall enjoy immunity of a diplomatic agent and must not be arrested or detained. The bearer of the identification card shall not need a visa or a stay permit in BiH. Competent authorities are hereby kindly asked to respect the immunity and privileges that the bearer of this identification card enjoys.”

b) identification card of type “MO” it shall read as follows: “The bearer of this identification card shall enjoy immunity of a diplomatic agent. The bearer of the identification card shall not need a visa or a stay permit in BiH. Competent authorities are hereby kindly asked to respect the immunity and privileges that the bearer of this identification card enjoys.”

c) identification card of type “K” it shall read as follows: “The bearer of this identification card shall enjoy immunity from judicial proceedings and must not be arrested or detained, except in the event of a grave criminal offence and only on the basis of a decision of the competent court. The bearer of the identification card shall not need a visa or a stay permit in BiH. Competent authorities are hereby kindly asked to respect the immunity and privileges that the bearer of this identification card enjoys.”

d) identification card of type “S” it shall read as follows: “The bearer of this identification card shall enjoy immunity from judicial proceedings for acts done in the line of duty s/he carries out. The bearer of the identification card shall not need a visa or a stay permit in BiH. Competent authorities are hereby kindly asked to respect the immunity and privileges that the bearer of this identification card enjoys.”

e) identification card of type “PO” it shall read as follows: “The bearer of this identification card shall enjoy immunity for acts done in reference to the performance of his/her duty. The bearer of the identification card shall not need a visa or a stay permit in BiH. Competent authorities are hereby kindly asked to respect the immunity and privileges that the bearer of this identification card enjoys.”

f) identification card of type “PK” it shall read as follows: “The bearer of this identification card shall have the status of a honorary consul in BiH. A foreigner / bearer of this identification card shall not need a visa or a stay permit in BiH. Competent authorities are hereby kindly asked to respect the immunity and privileges that the bearer of this identification card enjoys.”

g) identification card of type “PP” it shall read as follows: “The bearer of this identification card shall not enjoy immunity and privileges. The bearer of this identification card shall not need a visa or a stay permit in BiH.”

(1) Request form for the issuance of an identification card shall be printed on the A4 format and depending on the type of identification card whose issuance has been requested shall contain the following:

a) Form no. 1 requesting the issuance of identification cards of type “D”, “MO”, “K”, “S”, “PO” and “PK” shall contain: data on the type of an identification card the issuance of which has been requested; data on a diplomatic and consular mission and a representative office of international organization for whose member the issuance of an identification cards has been requested; personal data and data on the private address of a member of a diplomatic and consular mission and a representative office of international organization for whom the issuance of an identification card has been requested; data on a travel document; data on the reasons for the issuance of an identification card; data on documents that need to be attached to the request; signature of the manager of a representative office; signature of a member of a representative office for whom the issuance of an identification card has been requested; data on the issued identification card; signature of an official person of the Ministry who has approved the issuance of the identification card and signature of an official person of the Ministry who handed over the identification card.

1) Form number 1 is contained in Annex II to this Rulebook;

b) Form number 2 requesting the issuance of identification cards for family members of the bearer of identification cards of type “D”, “MO”, “K” or “S” shall contain: data on the type of an identification card the issuance of which has been requested; data on a diplomatic and consular mission and a representative office of international organization of the original bearer for whose family members the issuance of identification cards has been requested; personal data and data on the private address of a family member of the original bearer of the identification card; data on the reasons for the issuance of an identification card; data on a member of a diplomatic and consular mission and a representative office of international organization of the original bearer of the identification card; data on documents that need to be attached to the request; signature of the manager of a representative office; signature of a family member for whom the issuance of an identification card has been requested; data on the issued identification card; signature of an official person of the Ministry who has approved the issuance of the identification card and signature of an official person of the Ministry who handed over the identification card.

2) Form number 2 is contained in Annex III to this Rulebook;

c) Form number 3 requesting the issuance of identification cards of type “PP” shall contain: data on a diplomatic and consular mission which registers a person as a private hired help for the needs of its member; personal data on the person being registered as a private hired help; data on a member of a diplomatic and consular mission who has engaged a private hired help; data on the reasons for the issuance of an identification card; data on documents that need to be attached to the request; signature of the manager of a diplomatic and consular mission, signature of a member of the private hired help for which the issuance of an identification card has been requested; signature of an official person of the Ministry who has approved the issuance of the identification card and signature of an official person of the Ministry who handed over the identification card.

3 ) Form number 3 is contained in Annex IV to this Rulebook.

(2) The manager of a diplomatic and consular mission or the international organization's representative office shall confirm by his/her signature on the form the authenticity of data given in the form requesting the issuance of an identification card for the registered member of a diplomatic and consular mission or a representative office of international organization.

(3) The form requesting the issuance of an identification card shall be also signed by the registered member of a diplomatic and consular mission or a representative office of international organization, for which the issuance of the identification card has been requested.

(4) An official person of the Ministry by his/her signature on the form shall confirm hand-over of the identification card to the registered member of a diplomatic and consular mission or a representative office of international organization.

(5) Forms referred to in paragraph (1) of this article shall be printed in three official languages in use in Bosnia and Herzegovina, in Latin and Cyrillic alphabets and in English.

#### Article 25

##### **(Form for returning identification documents)**

(1) Form no. 4 for returning identification documents shall be printed on A4 format and contain data on diplomatic and consular missions and missions of international organisations returning identification documents; data on identification documents returned; data on members of diplomatic and consular missions and missions of the international organisation whose identification documents are being return; data on members of identification documents holders' families whose IDs are being returned; data on members of private personnel whose IDs are being returned; signature of the relevant head of mission; signature of the Ministry's official confirming the return of an ID.

a) Form no. 4 is contained in Annex V to this Rulebook.

(2) The form referred to paragraph (1) of this Article shall be printed in three official languages used in Bosnia-Herzegovina, in Latin and Cyrilic script and in English language.

#### Article 26

##### **(Forms and production of IDs)**

ID's referred to in Article 5 and forms referred to in Article 22 and 23 of this Rulebook shall be provied and/or produced by the Ministry.

#### Article 27

##### **(Damaged ID)**

(1) An ID that was damaged during production shall be annulled in the way stipulated in Article 17 paragraph (4) of this Rulebook.

(2) Separate records shall be kept on annulled IDs referred to in paragraph (1) of this Article.

### **PART THREE – RECORDS**

#### Article 28

##### **(Records)**

(1) The Ministry shall keep records on issued IDs.

(2) The records referred to in paragraph (1) of this Article shall consist of the following:

- a) register of requests for IDs and IDs issued;
- b) register of missing, lost, stolen and annulled IDs;
- c) card index of requests with attachments for issuing IDs.

#### Article 29

##### **(Register of requests for IDs and IDs issued)**

The register of requests for IDs and IDs issued shall contain the following data:

- a) Serial number of issued ID;
- b) Date the request was submitted;
- c) First and last name of the foreigner;
- d) Date, place and country of birth;
- e) Nationality;
- f) Kind, number and validity date of the travel document;
- g) Type of issued ID;
- h) Date of issuance and validity date of the ID;
- i) Previously issued IDs;
- j) Photograph and signature;
- k) Comment.

#### Article 30

##### **(Register of missing, lost, stolen and annulled IDs)**

Register of missing, lost, stolen and annulled IDs shall contain the following data:

- a) Serial number of issued ID;
- b) Date of receipt of notification on the disappearance, loss or theft of ID;
- c) First and last name of the foreigner;
- d) Date, place and country of birth;
- e) Nationality;
- f) Kind, number and validity date of the travel document;
- g) Type of issued ID;
- h) Date of issuance and validity date of the ID;
- i) Comment.

#### Article 31

##### **(Card index of requests and attachments for issuing IDs)**

The card index referred to in Article 28 of this Rulebook shall also contain requests and attachments for issuing IDs, filed alphabetically according to sending states or international organisations and missions of international organisations, and within that according to serial numbers.

#### **PART FOUR – FINAL PART**

#### Article 32

##### **(Transitional provisions)**

(1) IDs issued before the day of entry into force of this Rulebook shall be valid until the expiration of the validity date on the ID.

(2) Holders of IDs referred to in paragraph (1) of this Article may replace their IDs before the expiration of the validity date of their old IDs.

#### Article 33

##### **(Provisions on putting regulations out of force)**

With the entry into force of this Rulebook, the “Decision on conditions and procedure of issuing IDs to family members of foreign diplomatic and consular staff accredited in Bosnia-Herzegovina who are under legal age” no. 08/1-21-INT-2690/07 of 18 July 2007 shall be put out of force.

#### Article 34

##### **(Entry into force)**

This Rulebook shall enter into force on the eighth day since its publication in the “Official Gazette of BiH”, and it shall apply from 30 April 2008.

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Sarajevo

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Minister of Foreign Affairs  
of Bosnia-Herzegovina  
**Sven Alkalaj**