

On the basis of Article IV a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, at the session of the House of Representatives held on 12 October 2004 and at the session of the House of Peoples held on 21 October 2004, adopted

LAW ON THE RED CROSS SOCIETY OF BOSNIA AND HERZEGOVINA

I OBJECTIVE AND STRUCTURE

Article 1

This Law establishes the Red Cross Society of Bosnia and Herzegovina (hereinafter referred to as "The Society") as a national organisation of the Red Cross of Bosnia and Herzegovina, regulates its legal status, regulates its structure, competence and right to perform public authority, financing, supervision over the legality of the work and other issues which are important for the functioning of the Society.

Article 2

The Society is a voluntary, humanitarian organisation of citizens of Bosnia and Herzegovina, recognised and authorised, on the basis of the Geneva Conventions (I - IV) of 12 August 1949 and their Additional Protocols I and II of 10 June 1977 (hereinafter the Geneva Conventions), in peace time and during natural and other disasters, emergency situations, in accordance with the principles of humanity, impartiality, neutrality, independence, voluntary service, unity and universality, to pursue certain humanitarian goals, tasks and public authority in regard to health, social welfare, education, Tracing Agency and providing assistance to the medical services of the armed forces during armed conflicts.

Article 3

The Society has a status of a legal person.

Article 4

The Society is the only organisation of the Red Cross of Bosnia and Herzegovina which acts throughout the territory of Bosnia and Herzegovina. It consists of the Red Cross of the Federation of BiH and Red Cross of the Republika Srpska and all their organisations and institutions. The Society was recognised by the International Committee of the Red Cross on 8 May 2001.

Functioning and the manner of work of the entity Red Cross organisations is regulated by the entity laws and the Statutes of the entity organisations.

Article 5

The Emblem of the Society is the red cross consisting of five equal squares on a white background, in accordance with the Geneva Conventions and it is the only legal emblem in Bosnia and Herzegovina.

The Society shall be authorised to use the emblem for all purposes foreseen by the International Convention of the Red Cross and Red Crescent in conformity with the Geneva Conventions, the present law, and The Regulations on the Use of the Emblem of the Red Cross or the Red Crescent by the National Societies.

II ACTIVITIES and PERFORMANCE of PUBLIC AUTHORITIES

Article 6

The activities of the Society are:

- representing and acting on behalf of Bosnia and Herzegovina (hereinafter BiH) with the international associations of the Red Cross and with other national organisations;
- fulfilling international obligations which BiH took over in the field of activities of the Red Cross;
- co-ordination of the functioning of the structures of the Red Cross in BiH;
- organisation of the Tracing Agency;
- management of the property and means of the Society;
- protection of the emblem and title of the Society;
- participation in organisation and provision of social welfare and health care to citizens in case of natural disasters, epidemics and other major disasters;
- work on health and social protection and health education for the citizens and participation in organisation of different forms of mutual assistance that citizens provide to one another in the spirit of humanism and solidarity;
- participation in organisation of assistance to the victims of natural disasters and armed conflicts, and distributes assistance received from national and international societies;
- organisation of collection of assistance in Bosnia and Herzegovina and shipping abroad assistance donated by state bodies, organisations and other donors in order to alleviate the consequences of natural disasters, epidemics and armed conflicts;
- co-operation with health services, medical services of the Army forces in BiH and civil defence in order to provide care for the wounded and sick in case of armed conflicts, natural and other disasters;
- participation in offering emergency care and accommodating evacuated population, refugees and displaced persons and implementing measures which

- can contribute to providing care to wounded and vulnerable population in case of natural and other disasters;
- participation in providing first aid training to population;
 - performance of first aid training for candidates and first aid tests for motor vehicle drivers as a part of driving tests;
 - participation in organising blood donation activities and mobilisation of citizens to get involved in this activity;
 - performance of tasks stipulated in the provisions of the Geneva Conventions and other international obligations ratified by Bosnia and Herzegovina in that field;
 - performance of tasks with respect to dissemination of International Humanitarian Law and fundamental principles of the International Red Cross and Red Crescent Movement, and other tasks stipulated in official documents of the International Red Cross and Red Crescent Movement;
 - performance of other tasks determined by the law as well as tasks related to traditional activities of the Red Cross

Article 7

The Society performs public authorities within activities from Article 6 through the entity organisations' structures by issuing certificates and other public documents.

Article 8

In the course of executing its public authority determined by this Law, the Society co-operates with the International Committee of the Red Cross, International Federation of the Red Cross and Red Crescent Societies, National Red Cross and Red Crescent Societies and other similar national and international humanitarian, social and health organisations.

Article 9

In performing its public authority determined by this Law, the Red Cross Society co-operates with state bodies, organisations and funds in the field of health care, pension and disability insurance, social welfare and education, Armed Forces in BiH and Civil Defence, diplomatic and consular missions, as well as with other organisations, communities, funds and citizens' associations when it is of a common interest.

Bodies, organisations, funds and communities referred to in Paragraph 1 of this Article are obliged, within their terms of reference, to provide assistance to the Society in order to perform its tasks.

III ORGANISATION

Article 10

The bodies of the Society are:

- Assembly
- Presidency and
- Supervisory Board

The way of the appointment, terms of reference and responsibilities of the Society shall be further defined in the Statute of the Society.

Article 11

By its Statute, which is passed by the Assembly, the Society regulates and determines its organisational tasks, manner of work, financial resources, bodies and expert service and their authorisation and competencies as well as other issues which are of importance for the activities and authorisation of the Society.

Article 12

The Tracing Agency shall be formed within the Society in order to perform the activities on providing information on war victims, as foreseen by the Geneva Conventions and the Tracing Agency Rule Book, which regulate the way of collecting data on the victims of armed conflict, as well as performing other tasks stipulated in the Geneva Conventions, as well as organising the Tracing Agency in the Society and its entity organisations.

The Council of Ministers of Bosnia and Herzegovina, upon the proposal of the Presidency of the Society, gives its consent to the regulations on organisation of Tracing Agency within the structure of the Red Cross of Bosnia and Herzegovina.

IV FINANCING

Article 13

The financial means for financing activities under the jurisdiction of Bosnia and Herzegovina coming from the international treaties, in which performance the Society is having a role, are provided from the budget of BiH for the state level of the Society, and on the lower level from the budget of entity, canton and municipality.

Article 14

In performing its public authority the Society shall generate funds from incentives provided for its services, which are performed in conformity with this Law, from contributions, gifts and donations from legal persons and citizens, and from other sources determined by the regulations and the Statute of the Society.

In order to perform its tasks the Society shall use special funds allocated by the communities at all levels for this purpose.

Article 15

In case of a natural disaster, epidemics, or other major disaster, the Society has a special right in performing its tasks and activities related to providing energy producing materials, accelerated customs procedure, transportation of people and materials by public transportation means, as well as a priority in providing information to the public by means of public media.

Article 16

In order to perform its tasks, the Society will secure funds from:

- membership fees of regular and supporting members
- contributions of citizens and legal entities, gifts and endowments
- income gained through the activities related to the "BiH Red Cross Week" and the "Week of Anti-TB Campaign"
- income from health, child and social protection funds, and other funds for implementation of contracted programs
- its own service and activities determined by the Statute
- income from games of chance
- income related to property and rights of the Red Cross
- from the budgets of municipalities, cities, cantons, Brcko District, entities and Bosnia and Herzegovina
- other sources determined by the Statute in conformity with this Law and other regulations.

Article 17

In order to promote activities and objectives of the Society, as well as to secure funds for execution of its tasks, the Society organises the "BiH Red Cross Society Week" and the "Week of Anti-TB Campaign".

The "BiH Red Cross Society Week" is marked every year in the second week of May, and the "Week of Anti-TB Campaign" in the third week of September.

Article 18

During the "BiH Red Cross Society Week" and the "Week of Anti-TB Campaign" natural and legal persons are obliged to sell stamps, which are produced and distributed for that occasion by the competent body of the Society, for the benefit of the Society. The amount and the manner of fund raising referred to in Paragraph 1 of this Article is regulated by the entity law.

Article 19

Red Cross organisations may, during the "BiH Red Cross Week" and the "Week of Anti-TB Campaign", and other organised solidarity activities, organise collection of voluntary contributions.

Article 20

Property of the Society, including the property of entity, cantonal, District Brcko, city and municipality Red Cross organisations, their financial resources and immovable property, the funds obtained from activities, as well as donations, will be exempted from all tax and customs fees.

Donations to the Society from natural and legal persons will be exempted from tax for the amount equalling the value of a donation.

The way and the manner of execution of the measures referred to in Paragraphs 1 and 2 of this Article will be regulated by the entity law.

V SUPERVISION

Article 21

Supervision of the legality of work of the Society is performed by the Ministry for Human Rights and Refugees of Bosnia and Herzegovina.

VI TRANSITIONAL AND FINAL PROVISIONS

Article 22

The Society shall take over all rights and responsibilities towards the staff, property and archive of the Red Cross of Bosnia and Herzegovina on the day when this Law enters into force.

Article 23

By the special Decision, the Council of Ministers of BiH shall create a commission for the purpose of taking over right and obligations from the Article 22 of this Law. The Decision will determine composition and the way of work of the commission.

Article 24

The Federation of Bosnia and Herzegovina and Republika Srpska shall within 6 months from the day of entering into force of this Law harmonise their Red Cross Laws with the provisions of this Law.

Article 25

On the day when this Law enters into force, the Law on the Status and Authorities of the Red Cross of the Republic of Bosnia and Herzegovina ("Official Gazette of RBiH", No. 21/92 i 13/94) shall be put out of force.

Article 26

This Law enters into force on the eight day from the day of publishing in the Official Gazette of Bosnia and Herzegovina, and it shall be published in the Official Gazette of the entities and Brcko District of Bosnia and Herzegovina.

PS BiH number 110/04
21 October 2004 in Sarajevo

Chair of the House of Representatives
of the Parliamentary Assembly of BiH

Martin Raguz

Chair of the House of Peoples
of the Parliamentary Assembly of
BiH

Goran Milojevic