

**UNOFFICIAL TRANSLATION**  
**Official Gazette RS no. 35/99 of 6 December 1999**

Pursuant to Article 70, Paragraph 1, Item 2 of the Constitution of Republika Srpska, and Article 116 of the Rules of Procedure of the National Assembly (Official Gazette of RS, 10/96) the National Assembly of Republika Srpska, at its eight session held on 18 November, 1999, adopted

**LAW**  
**ON CITIZENSHIP OF REPUBLIKA SRPSKA**

I - General Provisions

Article 1.

This Law determines ways, conditions and procedure for the acquisition and loss of citizenship of Republika Srpska.

Article 2.

All citizens of Republika Srpska are thereby citizens of Bosnia and Herzegovina.

Article 3.

No Citizen of Republika Srpska may avail him-/herself of the possession of the citizenship of another State before the authorities of Republika Srpska.

Article 4.

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

II - Acquisition of citizenship of Republika Srpska

Article 5.

Citizenship of Republika Srpska is acquired:

1. by descent

2. by birth on the territory of Republika Srpska
3. by adoption
4. by naturalization
5. by international agreements.

## 1. Acquisition of citizenship by descent

### Article 6.

Citizenship of Republika Srpska by descent is acquired by a child:

1. both of whose parents were citizens of Republika Srpska at the time of the child's birth, regardless of the place of birth;
2. one of whose parents 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;
3. one of whose parents 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.

A child born abroad and one of whose parents was a citizen of Republika Srpska at the time of the child's birth, while the other was not a citizen of Bosnia and Herzegovina, acquires citizenship of Republika Srpska, provided that by the time he or she attains the age of 23,

1. he or she has been registered for the purpose of being entered in the register of citizens of Republika Srpska with the competent authority of Republika Srpska, or with the diplomatic-consular mission of Bosnia and Herzegovina abroad,
2. or he or she has taken up permanent residence in the territory of Republika Srpska by the time he or she attains the age of 23.

A child born abroad and one of whose parents was a citizen of Republika Srpska at the time of the child's birth, provided he or she does not meet one of the requirements from the previous paragraph and if the child would otherwise be stateless, acquires citizenship of Republika Srpska by descent.

A child acquiring citizenship of Republika Srpska in accordance with the provisions of the previous paragraphs is considered the citizen of Republika Srpska since birth.

### Article 8.

If one of the parents of the child referred to in Article 6 of this Law is a citizen of Republika Srpska and the other a citizen of the Federation of Bosnia and Herzegovina:

- a) the child acquires the citizenship of Republika Srpska if he or she was born on the territory of Republika Srpska;
- b) if born abroad the child acquires:
  1. the citizenship of Republika Srpska if agreed between the parents, or
  2. if agreement is not reached, the child acquires, the citizenship of Republika Srpska if the parent who registered the child in the birth registry in a diplomatic or consular representation of BH is a citizen of Republika Srpska.

## 2. Acquisition of citizenship by birth in the territory of Republika Srpska

### Article 9.

Citizenship of Republika Srpska is acquired by a child born or found in the territory of Republika Srpska both of whose parents are unknown or of unknown citizenship or stateless, or if the child is stateless.

A child coming within the provisions of previous paragraph loses citizenship of Republika Srpska if, by the age of 14 years, that child has acquired by descent the citizenship of another State or of the Federation of Bosnia and Herzegovina.

## 3. Acquisition of citizenship by adoption

### Article 10.

A child of minor age and of foreign citizenship or stateless, being fully adopted by a citizen of Republika Srpska, acquires citizenship of Republika Srpska.

If one of the adopting parents is a citizen of Republika Srpska and the other a citizen of the Federation of Bosnia and Herzegovina, the child acquires the citizenship of Republika Srpska when both adopting parents so agree, and when they cannot agree if the child was born or has residence in the territory of Republika Srpska or, if there is no such place of residence, if the parent who registered the child is a citizen of Republika Srpska.

## 4. Acquisition of citizenship by naturalisation

## Article 11.

A foreigner who has submitted a request for acquisition of the citizenship of Republika Srpska may acquire it by naturalisation, if fulfilling the conditions as follow:

1. he or she has reached 18 years of age, or that he or she by reaching the age of 16 has obtained business capacity by emancipation;

2. his or her real and permanent place of residence was registered on the territory of Bosnia and Herzegovina for at least 8 years of which at least 5 years in the territory of Republika Srpska before submitting a request;

3. he or she has knowledge of the official language of Republika Srpska;

4. he or she was not the object of the security measure of expulsion of a foreigner or of the protective measure of removing a foreigner from the country undertaken by an authority established in accordance with the Constitution of Bosnia and Herzegovina or the Constitution of Republika Srpska;

5. he or she was not sentenced in Republika Srpska to a term of imprisonment for a premeditated criminal act for a period longer than three years during 8 years preceding the submission of the request;

6. he or she loses his or her former citizenship upon the acquisition of the citizenship of Republika Srpska, unless a bilateral agreement as referred to in Article 20 of this Law provides otherwise. The loss of the former citizenship is not required if this is not permitted or cannot be reasonably required.

## 5. Acquisition of citizenship by facilitated naturalisation

### Article 12.

Citizenship of Republika Srpska may be acquired by the foreign spouse of a citizen of Republika Srpska under the following conditions:

1. that the marriage has lasted for at least five years before submitting the request and that it still lasts when the request is submitted,

2. that he or she loses his or her former citizenship upon acquisition of the citizenship of Republika Srpska unless a bilateral agreement as referred to in Article 20 provides otherwise; the loss of the former citizenship is not required if this is not permitted or cannot be reasonably required;

3. that he or she has been permanently resident for a minimum of last three years in the territory of Bosnia and Herzegovina, including the last year in the territory of Republika Srpska.

### Article 13.

The following persons are entitled to acquire RS citizenship by application without meeting the requirements of Article 11, paragraphs 2 and 6:

1. emigrants who have returned to Republika Srpska,
2. first and second generation descendants of persons referred to in paragraph 1 above, who have returned to Republika Srpska.

Spouses of persons referred to in paragraph 1 of this Article are entitled to acquire Republika Srpska citizenship by application without meeting the requirements of Article 11, paragraph 2, provided that they fulfil the conditions of Article 12, paragraphs 1 and 2.

#### Article 14.

In accordance with Article 13 of this Law an emigrant is a person that emigrated from Republika Srpska or from the territory of former Bosnia and Herzegovina with the intention to reside abroad permanently.

#### Article 15.

A minor child acquires citizenship of Republika Srpska:

1. if both parents have acquired citizenship by naturalisation or
2. if this child is permanently resident in the territory of Republika Srpska, and one of whose parents has acquired citizenship by naturalisation or
3. if only one parent acquires citizenship by naturalisation while the other is stateless or of the unknown citizenship and the child is permanently resident abroad.

If the child has attained 14 years of age, for the acquisition of citizenship, his or her consent is required.

#### Article 16.

If in individual cases the naturalisation of a person is considered to be of particular benefit to Republika Srpska, he or she may acquire citizenship without meeting the requirements of Article 11, paragraphs 1, 2 and 6 in accordance with Articles 13 and 30, paragraph 3 of the Law on Citizenship of Bosnia and Herzegovina.

### III - Loss of citizenship of Republika Srpska

#### Article 17.

Citizenship may not be lost if the person concerned would thereby become stateless, save in the case specified in Article 28, paragraph 1

#### Article 18.

Citizenship of Republika Srpska is lost:

1. by operation of law
2. by release
3. by renunciation
4. by withdrawal
5. by international agreements.

Article 19.

Persons that have lost citizenship of Republika Srpska have simultaneously lost the citizenship of Bosnia and Herzegovina, unless that person has acquired the citizenship of the Federation of Bosnia and Herzegovina.

Citizens of Republika Srpska who have lost citizenship of Bosnia and Herzegovina have simultaneously lost the citizenship of Republika Srpska.

1. Loss by operation of law

Article 20.

Citizenship of Republika Srpska is lost by the voluntary acquisition of another citizenship, unless a bilateral agreement between BiH and that State, approved by the Parliamentary Assembly of BiH in accordance with Article IV (4)(d) of the Constitution of BiH, provides otherwise.

Article 21.

Citizenship of Republika Srpska is lost by a child if, following full adoption, he or she acquires the citizenship of another State or of the Federation of Bosnia and Herzegovina.

2. Release

Article 22.

A Citizen of Republika Srpska living in the territory of Republika Srpska may be granted release of citizenship upon request for release submitted together with corresponding documents proving the following:

1. he or she has reached 18 years of age or that he or she by reaching the age 16 has obtained business capacity by emancipation;
2. he or she has fulfilled his or her military obligations;
3. he or she has settled all required obligations, tax and other legal obligations to legal and physical persons for which there is an executive document;

4. he or she has settled obligations for social security and work relations;
5. he or she has settled property and legal obligations as provided for marital relationship and relations of parents with persons that are resident on the territory of Republika Srpska;
6. criminal proceedings have not been instituted in Republika Srpska against him or her for criminal acts prosecuted ex officio, or if he or she has been sentenced to imprisonment in Republika Srpska, the sentence has been served;
7. he or she has acquired or been guaranteed the citizenship of another state.

#### Article 23.

The decision on release is invalidated if the person concerned has not acquired a foreign citizenship within a period of one year from the date of his or her loss of RS citizenship by release.

#### Article 24.

A child under 18 years of age who has acquired or has been guaranteed the citizenship of another State and who still lives in the territory of Republika Srpska ceases to have the citizenship of Republika Srpska by release upon the request:

1. of both parents whose citizenship of Republika Srpska was lost by release;
  2. of one parent whose citizenship of Republika Srpska was lost by release, if the other parent is deceased or if he or she was deprived of his or her parental responsibilities or is a foreigner or stateless;
  3. of one parent, who exercises parental responsibilities and whose citizenship of Republika Srpska was lost by release and the other parent, who is a citizen of Republika Srpska, agrees;
  4. of an adopting parent if his or her citizenship of Republika Srpska was lost by release and the relationship between the adopting parent and the adopted child is one of full adoption.
5. A minor child fully adopted by a foreigner will lose by release the citizenship of Republika Srpska until his or her majority, upon the request of the adopting parent.

If the child is over 14 years of age, his or her consent is required in all cases provided for by paragraphs 1-5 of this article.

### 3. Renunciation

#### Article 25.

A citizen who has reached the age of 18, who habitually resides abroad and has acquired or has been guaranteed the citizenship of another state, has the right to renounce his or her citizenship of Republika Srpska.

The person in the previous paragraph ceases to have the right to the citizenship of Republika Srpska once the authorised body has verified the existence of the required conditions under that paragraph and delivered the appropriate notification to that person.

#### Article 26.

A child under 18 years of age who lives abroad and has acquired or has been guaranteed the citizenship of another State ceases to have the citizenship of Republika Srpska by renunciation upon the request:

1. of both parents whose citizenship of Republika Srpska was lost by renunciation;
2. of one parent whose citizenship of Republika Srpska was lost by renunciation, if the other parent is deceased or if he or she was deprived of his or her parental responsibilities or is a foreigner or stateless;
3. of one parent, who exercises parental responsibilities and whose citizenship of Republika Srpska was lost by renunciation and the other parent, who is a citizen of Republika Srpska, agrees;
4. of an adopting parent if his or her citizenship of Republika Srpska was lost by renunciation and the relationship between the adopting parent and the adopted child is one of full adoption.

If the child is over 14 years of age, his or her consent is required in all cases provided for by paragraphs 1-4.

#### Article 27.

The decision on renunciation is invalidated if the person concerned has not acquired a foreign citizenship within a period of one year of the date of his or her loss of the citizenship of Republika Srpska by renunciation.

#### 4. Withdrawal

#### Article 28.

Citizenship of Republika Srpska may be withdrawn in the following cases:

1. when the citizenship was acquired by means of fraudulent conduct, false information or concealment of any relevant fact attributable to the applicant,
2. when a citizen of Republika Srpska performs voluntary service in a foreign military force in spite of an injunction to the contrary,



3. when the citizenship of Republika Srpska was acquired after the entry into force of this Law, without the fulfilment of the conditions in Articles 11, 12, and 13 of this law.

Date of loss

#### Article 29.

Citizenship of Republika Srpska is lost by release or withdrawal on the day of the notification of the final administrative decision to the person concerned. If the place of residence of such person is not known or cannot be confirmed, the citizenship of Republika Srpska is lost on the day of its publication in the Official Gazette of the Republika Srpska.

The citizenship of Republika Srpska is lost under Articles 19 and 20 of this law on the day the person concerned acquires the citizenship of another state.

#### IV. Re-acquisition of Republika Srpska citizenship

##### Article 30.

A person who as a minor lost citizenship of Republika Srpska under provisions of Article 26 of this Law regains it if he or she before reaching 23 years of age permanently settles in Republika Srpska and upon request is registered in the register of citizens.

Citizenship of Republika Srpska is acquired on the day of registration.

#### V. Change of Entity citizenship

##### Article 31.

A citizen of the Federation of Bosnia and Herzegovina with permanent residence in the territory of Republika Srpska acquires the citizenship of Republika Srpska, if he or she so wishes, provided the change of the residence has occurred after the Law on Citizenship of Bosnia and Herzegovina entered into force.

Whenever a citizen of Republika Srpska acquires the citizenship of the Federation of Bosnia and Herzegovina, he or she will lose the citizenship of Republika Srpska, provided that the acquisition of the citizenship of the Federation of Bosnia and Herzegovina has taken place after the Law on Citizenship of Bosnia and Herzegovina entered into force.

The competent authorities of Republika Srpska will inform the competent authorities of the Federation of Bosnia and Herzegovina about the acquisition and loss of citizenship in accordance with the previous paragraphs of this article.

## VI. Procedure in the matters of Republika Srpska citizenship

### Article 32.

Decisions on acquisition and loss of citizenship of Republika Srpska are taken by the competent Ministry of Republika Srpska, except for the acquisition of citizenship by descent and by birth on the territory of Republika Srpska which are taken without a special decision.

Applications for acquisition of Republika Srpska citizenship, as well as applications for release from the citizenship of Republika Srpska are submitted to the competent Minister through the municipal bodies of that Ministry, in the territory of which the applicant has his/her residence, and if the applicant is habitually resident abroad, or is abroad for a period longer than 60 days, he or she submits the application through diplomatic-consular representation of Bosnia and Herzegovina abroad. A foreigner who permanently resides or has a permission for temporary residence in Republika Srpska, submits the application for acquisition of Republika Srpska citizenship through the competent municipal authority in the territory of which the applicant has his/her permanent or temporary residence.

A citizen of Republika Srpska submits the application for renunciation of Republika Srpska citizenship to the competent Ministry of Republika Srpska or through diplomatic-consular representation of Bosnia and Herzegovina.

### Article 33.

The competent Ministry of Republika Srpska must decide upon applications within 60 days of receipt of proper application. Decisions refusing an application for acquisition, renunciation, or release or decisions to withdraw citizenship must contain reasons in writing.

The person concerned may institute an administrative dispute against a decision in previous paragraph.

### Article 34.

All decisions on acquisition or loss of citizenship of Republika Srpska, except for the decisions under Articles 6, 7, 8, 9, and 10 of this Law, must be submitted to the Ministry of Civil Affairs and Communications of Bosnia and Herzegovina within three weeks of the date of decision. These decisions become effective two months following

their submission to the Ministry of Civil Affairs and Communications of Bosnia and Herzegovina.

If the Ministry of Civil Affairs and Communications concludes that the decisions from paragraph 1 of this Article are not in compliance with the Law on citizenship of Bosnia and Herzegovina, the matter will be referred back to the competent authority of Republika Srpska.

If, following the reconsideration, a dispute remains between the competent authority of the Entity and Bosnia and Herzegovina, the matter 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 35.

Evidence on foreigners' acquisition of Republika Srpska citizenship, of release from or renunciation of or withdrawal of citizenship of Republika Srpska, is kept by the responsible Ministry of Republika Srpska.

#### Article 36.

Evidence on citizens of Republika Srpska is kept by responsible Registry Office in the Register of Births.

The body that has taken decisions on acquisition or loss of citizenship of Republika Srpska will inform the responsible Registry Office in order to register such decisions in the Register of Births.

### VII. Evidence of Citizenship

#### Article 37.

Citizenship of Republika Srpska is proved by certificate of citizenship or by passport.

#### Article 38.

The certificate of citizenship is issued by the authority in charge of keeping birth registers.

The citizenship is registered in birth registry books without special decision when it is confirmed that the person fulfils the conditions of acquisition under Articles 6, 7, 8, 9 and 10 of this Law.

In case the authority under paragraph 1 of this Article refuses on no grounds to issue a certificate of citizenship, the competent Ministry of Republika Srpska or the Ministry of Civil Affairs and Communications of Bosnia and Herzegovina issues a certificate of citizenship to the person concerned, on the basis of documentary information which the competent authorities of Republika Srpska and the Ministry of Civil Affairs and Communication of Bosnia and Herzegovina possess within the framework of their competencies. In case of dispute between the respective competent authorities of Republika Srpska and Bosnia and Herzegovina, the matter must be submitted to the Constitutional Court of Bosnia and Herzegovina in accordance with Article VI(3) of the Constitution of Bosnia and Herzegovina.

Where documentary information relating to citizenship is not accessible or cannot be obtained within a reasonable time by citizens of Republika Srpska, the competent bodies referred to in the previous paragraph shall allow such persons to provide this information by other means including statements made by or for such persons.

The competent bodies in Republika Srpska will, in individual cases, provide the Ministry of Civil Affairs and Communications of Bosnia and Herzegovina with requested information from the registers mentioned in paragraph 1.

## VIII. Transitional and Final Provisions

### Article 39.

Citizens of Republika Srpska, in accordance with this Law are:

1. All persons who in accordance with Article 1.(7).(c) of the Constitution of Bosnia and Herzegovina are citizens of Bosnia and Herzegovina and who:
  - on April 6, 1992 were permanently resident in the territory that now belongs to Republika Srpska, unless they on 1 January 1998 were permanently resident in the Federation of Bosnia and Herzegovina.
  - on April 6, 1992 were permanently resident in the territory that now belongs to the Federation of Bosnia and Herzegovina, but afterwards left that territory and their permanent residence on 1 January, 1998 was in Republika Srpska.
2. All persons who in accordance with Article 1.(7).(c) of the Constitution of Bosnia and Herzegovina are citizens of Bosnia and Herzegovina and who on 1 January 1998 were resident abroad, if they before 6 April 1992 were permanently resident in the territory which now belongs to Republika Srpska, unless they have taken up permanent residence in or have opted for the Citizenship of the Federation of Bosnia and Herzegovina. The conditions and procedures for changing Entity citizenship by option are regulated by agreement between the Entities. The provisions of this agreement

constitute an integral part of this Law. The right of option may only be exercised within 9 months after the conclusion of the aforementioned inter-Entity agreement. Such agreement shall be subject to verification by the National Assembly of Republika Srpska.

#### Article 40.

All persons who were citizens of the former SFRY and who from the time when conflicts broke out in the former SFRY and 1 January 1998 took up permanent residence in the territory of Republika Srpska and who have maintained this residence on that territory for a continuous period of two years after that date shall upon application receive the citizenship of Republika Srpska.

#### Article 41.

All persons who were the citizens of the former SFRY and who in the course of 1998 have taken up permanent residence in the territory of Republika Srpska and who have maintained this residence for a continuous period of three years, shall upon application receive citizenship of Republika Srpska. The right of option may be exercised within one year of the expiration of the said three years period.

#### Article 42.

The requirement of Article 11, paragraph 7, of this Law does not apply to emigrants who fulfil the conditions of Article 14 of this Law and who before its entry into force were unjustly deprived of the citizenship of the former SFRY or the former Kingdom of Yugoslavia, nor does it apply to their first and second generation of descendants.

#### Article 43.

Articles 6, 7, 8, 9 and 10 of this Law shall apply from the day of entry into force of the Constitution of Bosnia and Herzegovina.

#### Article 44.

The competent Ministry will pass the regulations for the implementation of this law within 30 days of the entry into force of this Law.

The Ministry of Civil Affairs and Communications of Bosnia and Herzegovina issues the form of certificate of citizenship.

#### Article 45.

This Law enters into force on the eighth day of its publication in the Official Gazette of Republika Srpska.

**No: 01-1202/99**  
**18 November, 1999**  
**Banja Luka**

**Speaker**  
**of the National Assembly**  
**Petar Djokic**

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