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# REGISTRATION GUIDE

FOR NGO'S IN THE FEDERATION OF BH AND REPUBLIKA SRPSKA

HOW TO REGISTER A HUMANITARIAN ORGANISATION IN THE  
FEDERATION OF BH

HOW TO REGISTER A HUMANITARIAN ORGANISATION IN REPUBLIKA  
SRPSKA

HOW TO REGISTER A CITIZEN'S ASSOCIATION IN THE FEDERATION OF BH

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## How to register a humanitarian organisation in the Federation of BiH

A Humanitarian Organisation can be established by:

- citizens, individuals, their families who decide on establishment,
- several citizens and their families - citizens associations, and the decision on constitution is given by establishment assembly of the humanitarian organisation which is represented and signed by 30 citizens, at least,
- association of citizens, and the decision on establishment is given by the authorised body of that association,
- religious communities and their organisations, and the decision is given by the authorised body of the religious community or religious organisation,
- companies and their associations and other legal persons, and the decision on establishment is given by authorised body of the organisation or its associations.

The decision establishing humanitarian organisation is made in written and must include: names of founders, name of the humanitarian organisation, headquarters, programs of the humanitarian organisation, the height of the establishment deposit and the way humanitarian activity shall be financed.

Humanitarian organisation must have its statute. The law defines what the statute is consisted of.

Humanitarian organisation acquires its legal person status with the date of its enrolment in the court register of the High court where the organisation is based, and can start with its activities after acquiring *the decision on enrolment into the court register*.

Enrolment into the court register is given by the request of the founder who is obliged to submit the following with the request:

1. the decision on establishment,
2. names - the list of founders,
3. the statute,
4. names of authorised persons to represent humanitarian organisation,
5. consent on enrolment into the court register of relevant authorities in the field of social protection and humanitarian work.

Within 6 days of acceptance of the decision on enrolment into the court register, a complaint on the decision can be submitted by the humanitarian organisation applicant or municipality authorities in charge of social protection affairs and humanitarian activities as well as the Ministry for refugees and social politics and bodies in charge of supervising activities of humanitarian organisations.

The complaint is directed to the Supreme court of B&H.

### International humanitarian organisations

International humanitarian organisations implementing humanitarian activities on the territory of RB&H, submit the request to perform humanitarian activities, in written, before its arrival and latest 10 days after its arrival on the territory of the Republic to the Ministry for Refugees and Social Affairs. This request is submitted either directly or through the Ministry of Foreign Affairs.

Together with the request to perform humanitarian activities, the following must be enclosed:

1. The document on establishing and registering humanitarian organisation.
2. The statute or any appropriate document.
3. The decision of the relevant authorities on commencing humanitarian activity in RB&H and opening the office on the territory of B&H.
4. Program of activities.
5. Information about the headquarters ( name, location, address).
6. Names of the persons authorised to represent humanitarian organisation.

The request to perform humanitarian activities in RB&H , documentation in 5 copies, and the consent on enrolment into the court register issued by the Ministry for refugees and social politics, is submitted to the Higher Court in Sarajevo in order to enrol into the court register.

The decision on enrolment into the court register is submitted to the Ministry for refugees and social politics and Higher Public Prosecutor.

Having received The decision on enrolment into court register, international humanitarian organisation submits *the request for issuance of the permission to perform humanitarian activities*. The request is submitted on the specific form of the Ministry for refugees and social politics with enclosed description of project within the program of activities. Only after the international humanitarian organisation have received the permission to obtain humanitarian activities on the territory of B&H, the international humanitarian organisation can start with its activities.

To the authorised representative and employed staff of the international humanitarian organisation which had got the permission to work, the Ministry for refugees and social politics issues ID card (accreditation), which is showed upon the request of the authorities and other bodies in RB&H. ID card is issued upon the request of international humanitarian organisation. The international humanitarian organisation is requested to submit the application on the special form. With the request - application form which has personal information of each applicant ( name, number of passport or ID card ), two photographs 2,5 x 3,5 cm and the certification of non criminal prosecution is required. ID card - accreditation is issued within 15 days.

For national staff, international humanitarian organisation is obliged to submit the contract and application for the pension insurance.

Humanitarian organisation ends with its activities: when the Higher court in charge gets the decision on suppression of activities of the humanitarian organisation and when the founder gets the decision on termination of humanitarian activities in B&H, if it is international humanitarian organisation.

*This text is an extract from upcoming booklet from Oxfam.*

## How to Register a Humanitarian Organization in Republika Srpska

All Organizations engaged in humanitarian activities in the Republika Srpska will have to register at the Office of the Commissioner for Refugees and Humanitarian Assistance.

1. The request for registration should be submitted by the authorized representative of the humanitarian organization applying for registration and should contain the following information:
  - Name of the organization;
  - Country of origin;
  - Address,
  - Date of foundation;
  - Names of persons authorized to represent the organization; and
  - Signature and Stamp.
  
2. a/ National organizations and citizens associations should, in addition to the above, submit:
  - Certificate of Court Registration;
  - Statutes of the organization;
  - Programme of activities.b/ International Organizations should additionally submit:
  - Name, Seat and Address of the organization's branch in the Republika Srpska;
  - Act of Establishment and Registration in the country of origin;
  - Statutes of the organization;
  - Programme of activities; and
  - Agreement on programme implementation, issued by the authorized institutions;
  - Guarantee letter regarding the humanitarian engagement on the territory of the Republika Srpska, issued by the United Nations High Commissioner for Refugees (UNHCR) or International Council of Voluntary Agencies (ICVA).
  
- \* For all NGOs which are direct UNHCR implementing partners, UNHCR B&H will issue a standard letter attesting to their relationship with the NGO;
- \* For all NGOs which are not direct implementing partners of UNHCR, inclusion in the ICVA Directory of Humanitarian Agencies will constitute such accreditation. For agencies not listed in the Directory for any reason, ICVA will issue a standard letter attesting to the fact that they have since then been entered into the database and will appear in the next issue of the Directory.
  
3. Registration requests and all additional information required should be submitted to:  
Komesarijat for Refugees in Republika Srpska  
Mr. Dragan Kekic, Head of Office  
Tvornica "Kurjak", Bijeljina  
Tel: +381 76 473021

The Register is a public book. The Commissioner is obliged to allow free access to the Register and provide excerpts of it to all interested parties. Registration certificates will be issued after registration and approval of the Commissioner. Persons authorized to represent the organization will also be issued an Identity Card by the Commissioner's Office.



## How to Register a Citizen's Association in the Federation of BiH

According to the Act of Association of Citizens (US-01-470/95), citizens in the Federation can join and start citizen's associations. This right applies also to foreign citizens who have resided in the Federation more than a year or are permanent residents. Every association has the right to associate and enter into international societies. Foreign international associations - if their activities conform with the Federation constitution, law and international agreements - can obtain the right to reside in the federation after getting a permission from the Ministry of Justice.

The law prescribes a number of regulations which associations are obliged to follow. For instance, a citizen's association can finance its operation with membership fees, contributions and gifts, and from profit from firms owned by the association. If an association is found guilty of malpractice, the ministry can ban an association from operating. Such a decision is not possible to appeal.

### To Form a Citizen's Association

To form a citizen's association you will need a minimum of thirty (30) adults, who will form the association in a constituent assembly. The constituent assembly will:

1. Define the statute of the association. Every association needs to have a statute, and it is regulated in the law what this should include.
2. Produce a *Decision of the formation of the association*. This is a document and it should include:
  - full names of all the founders;
  - the name of the association. The name must be in Bosnian or Croat but it can be accompanied with a translation into a foreign language. An acronym can also be added;
  - the address of the association's headquarters;
  - the basic aims of the association; and
  - the full name of the person authorised to represent the association in the registration process.

### To Register

To become a valid legal body, the association needs to be registered. If the association is active in two or more cantons it will be registered with the Federation Ministry of Justice. If it is active in only one canton, it will register with the authorised Ministry of that canton. All registers of citizen's associations are open to the public.

To apply for registration you need:

- the Decision on the foundation;
- the minutes from the constituent assembly;
- the statute;
- a list of the founders and the members of the executive board;
- the names of the persons nominated to represent the association.

The application for registration must be submitted at the latest 15 days after the constituent assembly. The authorised ministry is obliged to decide on the application within 30 days from receiving the application. Any changes in the statute or data on the association should be reported to the ministry within 15 days of the change.



