

Article 5 (Definitions)

For the purpose of this Law, certain terms shall have the following meaning:

- a) *an alien* refers to any person who is not a national of BiH but is a national of another state pursuant to legislation of that state or is stateless,
- b) *a stateless person* refers to any person who is neither a citizen of BiH, nor a citizen of any other state pursuant to legislation of that state,
- c) *place of habitual residence* of an alien refers to his/her country of origin or the country of his/her permanent residence,
- d) *travel document* refers to a valid passport or another travel identification document, issued by competent foreign authorities which is recognized by BiH, as well as a valid ID Card or another personal identification document with a photograph affixed that may be used by its bearer to cross the state border, which has been recognized by an international treaty to which BiH is a contracting party, as well as a travel document issued to an alien in BiH in accordance with the present Law,
- e) *work permit* is a permit issued by an authority in charge of employment affairs with aliens, permitting paid employment of aliens in BiH,
- f) *residence permit* is a permit issued by a competent alien affairs body, allowing an alien to legally reside in the territory of BiH within a period designated in the permit,
- g) *an applicant for international protection* is an alien who can be considered as someone who is requesting refugee status or the status of subsidiary protection in BiH, until a decision regarding his/her request is made in accordance with this Law,
- h) *international protection* stands for the refugee status or status of subsidiary protection in accordance with this Law,
- i) *a refugee* according to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol to the Convention is an alien who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.
- j) *refugee status* is a status which BiH designates for a refugee in accordance to this Law,
- k) *a person under subsidiary protection* is an alien who resides in the territory of BiH, and though does not fulfill the conditions for refugee status, but does enjoy protection in accordance to international standards and this Law,
- l) *a person under temporary protection* is an alien who resides in the territory of BiH based on a mass influx in accordance to this Law,
- m) *a competent body* is a body which is in charge of procedure, in accordance to this Law or another law,
- n) *an unaccompanied minor* is an alien younger than 18 years of age (a minor), who arrived in BiH unaccompanied by an adult person older than 18 years (an adult person) legally responsible for him/her *ex lege* or by power-of-attorney, or a minor left unaccompanied since entering the BiH territory,
- o) *marriage of convenience or common law marriage of convenience* is a marriage or common law marriage concluded exclusively to provide an alien with entry and/or stay in BiH,

- p) *adoption of convenience* is an adoption to exclusively provide an alien with entry and/or stay in BiH,
- r) *marriage* is a legally regulated matrimonial partnership between a male and a female,
- s) *a common law marriage* is a domestic partnership between a female and a male who are not married to and are not in a partnership with any third person. To qualify under such a partnership, the relationship must have subsisted for at least three years or for a shorter period if a child was born through such a partnership,
- t) *family reunification* means an entry or stay in BiH of aliens who are members of close family of a person residing legally in BiH, in order to preserve the family union,
- u) *a carrier* is any physical or legal body providing services of international traffic transportation of persons by using any means of transportation,
- v) *threat to public health* represents any disease with epidemiological potential characteristics, as is defined under the international health care regulations of the World Health Organization (WHO), as well as other contaminative or other parasitic diseases, if these are the subject of safety regulations which apply to BiH citizens.