

The Congress of Local and Regional Authorities



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Presidential elections in the Republic of Srpska (Bosnia and Herzegovina) observed on 9 December 2007

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Explanatory Memorandum
Bureau of the Congress

Summary: Following an official invitation from the Bosnia and Herzegovina authorities to observe an early election for the President of the Republika of Srpska (Bosnia and Herzegovina), on Sunday 9th December 2007, the Congress appointed an observer delegation comprising Mr Owen Masters, former Congress member (United Kingdom), Head of Delegation, Mr Giorgio Masalkini, Committee of Constitutional, Legal Affairs and Procedure, (Georgia ILDG, R), who were accompanied by Mr Lukas Van Damme, and Ms Gordana Tetchner (Congress Secretariat).

The role of the Congress delegation was to examine the electoral process, to ensure it complied with international standards, and that the conditions for democratic and transparent elections were met.

The early election for the President of the Republic of Srpska was as a result of the death of former President Milan Jelic.

The interest in this election had been noticeable, with rallies by the three main candidates and with good media coverage. It is unfortunate that, despite vigorous campaigning by the three main candidates, the voter turn-out was less than 38%.

It was encouraging to see the younger generation, male and female, taking on electoral responsibilities not only as members of Polling Station Commissions, but in many cases as Chairmen too.

The elections observed were generally in accordance with Council of Europe and international standards for democratic elections.

R : Chamber of Regions / L : Chamber of Local Authorities
ILDG : Independent and Liberal Democrat Group of the Congress
EPP/CD : Group European People's Party – Christian Democrats of the Congress
SOC : Socialist Group of the Congress
NR : Member not belonging to a Political Group of the Congress



The Congress of Local and Regional Authorities of the Council of Europe / Le Congrès des pouvoirs locaux et régionaux du Conseil de l'Europe

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I. Introduction

1. The delegation would wish to thank the authorities of Bosnia and Herzegovina (BiH), for their assistance and cooperation. In addition, the delegation would also thank Mr Esad Mavric and the staff at the Council of Europe office in Sarajevo for their logistical support and assistance, undertaken in a very short time. The Congress delegation appreciate the cooperation and information received from OSCE Head of Office, Ms Ans Zwerver, and her staff.
2. The Council of Europe delegation, which was divided into two teams, participated in a number of preparatory meetings organised by the Council of Europe office in Sarajevo. These included a meeting in Sarajevo, with the Central Election Commission (CEC) President, Mr Stjepan Mikic, and other members of the CEC. Other meetings took place in Banja Luka, Prijedor, Mostar, Lukavica, Nevesinje, Pale and Sarajevo.

II. The Electoral Administration and Process

3. The various state and entity laws provide the basis for a democratic election process. In particular the Election Law of Bosnia and Herzegovina provides a generally good framework for the conduct of elections. In addition to this Election Law, separate laws were adopted, rather than imposed, through regular parliamentary procedures in each entity in BiH, including the Republic of Srpska.
4. This early election elected the seventh President of the Republic of Srpska, the predecessors having been Radovan Karadzic, Biljana Plavsic, Nikola Poplasen, Mirko Sarovic, Dragan Cavic, and Milan Jelic.
5. Polling took place in 1,955 Polling Stations, and there will be 10 candidates on the ballot. Currently there are 1,122,214 electors on the Voter List, which is updated every month. Provisions were made in the Election Law, for citizens living outside their municipality of permanent residence, to vote by absentee ballot, this particularly applies to those displaced persons within BiH. There are approximately 30,000 displaced voters. Registered voters living outside BiH, which total 19,157, were able to vote by mail.
6. As provided for in the Election Law, the hierarchical structure for the administration of this election comprised the Central Election Commission at State level, Municipal Election Commissions (MECs) and the Polling Station Commissions (PSCs). Membership of PSCs was made up of seven members which is reflected in two from each ethnicity, plus one. All these members are appointed by the MECs.
7. The Election for the President of the Republic of Srpska also took place in Brcko District, which has a special status within BiH.

III. Meetings Prior to the Election

A. 7 December 2007

8. Meeting with the Head of the OSCE Mission to Bosnia and Herzegovina, Ms Ans Zwerver, and her staff was both informative and helpful. The delegation from the Congress was informed that 4 teams from the OSCE would be visiting Polling Stations in the Brcko District. This District has a special status within BiH, but electors can choose to vote there, although many thousands in the district have not declared their wish to vote.
9. The President of the BiH Central Election Commission, Mr Stjepan Mikic, welcomed the Congress delegation to Sarajevo, and CEC members updated the delegation on the preparations for this election, which were going to plan. The Counting Centre was established and while the counting of regular ballots was at the Polling Stations by the PSC, unconfirmed ballots, and those of displaced person, were placed into envelopes, and together with postal votes, counted at the Counting Centre.

10. No major problems were expected, and the 24-hour period of silence was respected. However, it was felt that given, the circumstances for which this election was called, and as it is an early election, there may not be a large turnout of voters.
11. The two teams from the Congress were provided with information on the number of Candidates, Voters, Polling Stations, and registered voters. All Polling Stations were expected to bring all sensitive materials to the MECs as soon as possible, and certainly within 12 hours of the close of polling. MECs had 12 hours to deliver sensitive material to the CEC, together with unconfirmed and absentee ballots.
12. The CEC also provided details and times of the various press conferences planned for Election Day, and on the following day, when preliminary results would be announced. An open invitation was extended to the Congress delegation to attend all, or some of the press conferences.
13. Team 1 departed from Sarajevo to Banja Luka, where meetings took place that day with Ms Nada Tesanovic, Deputy Speaker of the Republic of Srpska National Assembly. Another meeting was held with Mr Zoran Lipovac, Minister of Local Self Government of the Republic of Srpska.
14. Team 2 held a meeting with the NGO 'Centre for Civic Initiatives', established in 1996, and working mainly in rural areas. Part of its work concerns the observation of the work of municipalities, and currently has a memorandum of understanding with the local community leaders. In addition it publishes bulletins on its work in the community. This NGO, which has 5 accredited observers, was to visit a number of Polling Stations and observe the election process.
15. The Deputy President of the MEC at Lukavica in Eastern Sarajevo met with Team 2, and outlined the training provided by the MEC to the PSCs. The team were informed that the three major candidates from the PDP, SMSD, and DS, had all held rallies, which were well attended, in the Municipal Sports Centre, and it was expected that the voter turn-out for this election would be 50%.

B. 8 December 2007

16. A number of meetings were held with organisations in Prijedor, and Banja Luka, including a meeting with Mr Alexander Radeta, President of the Banja Luka City Election Commission.
17. Meetings also took place in Mostar, where an informative meeting took place with Ms Jlenia Destito, the LDA Delegate in the city. This meeting was followed by a meeting with the President of the City Election Commission in Mostar, Mr Maksumic Halil. Mr Halil explained the special status of Mostar, and that the Polling Station was for people who had previously lived in the Republic of Srpska, and were now resident in Mostar. There were 268 electors on the voters list, and no requests had been received for disabled voting. Publicity for the facility of disabled voting, had been made through Medicare. All materials had been received, and everything was ready for the opening of the polling.
18. A meeting at Nevesinje, with the President of the Municipal Election Commission, Ms Novka Dabarcic provided information on the preparations by Nevesinje MEC. Ms Dabarcic pointed out that no problems were expected, except perhaps the weather (snow had fallen the previous day). The MEC was responsible for 30 Polling Stations, 29 for regular voters, and 1 for absentee voters, with a total of 10,993 registered voters for the MEC. The number of voters in down-town polling stations was about 1,000, while in rural areas it could be between 50 and 500. All materials had been received, and there were no requests for mobile teams to visit disabled voters. A search engine was available for voters to check that they were included in the Voters List. The voter turn-out at previous elections had been 63 %.

IV. Election Day - 9 December 2007

19. Team 1 was present at the opening of a Polling Station in the Banja Luka District, and during the day visited a number of Polling Stations in the area. The team was also present at the closing of a Polling Station in this district

20. The opening of a Polling Station in Eastern Sarajevo was witnessed by Team 2, where the preparations for opening and the conduct of election was undertaken in accordance with instructions. The team then travelled to Pale where four Polling Stations were visited. There was some confusion at Pale for voters who were visiting the wrong Polling Station, at first the staff seemed unsure of the correct procedure for locating an elector's Polling Station. Two busy Polling Stations were also located at the top of two flights of stairs, and were certainly not suitable for disabled voters.
21. Later that morning a meeting was held with Ms Bozana Kovacevic, President of the Pale MEC. The Congress team explained the confusion they observed, by voters visiting the wrong Polling Station. Ms Kovacevic said there were clear instruction provided for PSCs, to assist voters in locating their correct Polling Station. The MEC took measures to ensure the correct procedure were followed by PSCs, and no further problems were observed by the team regarding voters being unable to locate their correct Polling Station.
22. Observation of the election also took place in the towns of Sokolac, and Rogatica, and in rural areas between these towns. In most of the Polling Stations visited, the election was being conducted in an efficient manner. In some Polling Stations the Minute Book was not always fully completed in accordance with instructions.
23. The close of Polling was observed in Eastern Sarajevo and all procedures were followed in accordance with the Electoral law.
24. It was noted by OSCE members visiting Polling Stations in the Brcko District that some citizens were denied voting. These difficulties were mainly due to the particular situation in the Brcko District, where voters have the option to cast their vote for one of the two entities.
25. One voter approached the Congress observation team with a complaint concerning a conflict of interest with one PSC member. This he had raised with the CEC, and had not received a satisfactory reply. In discussions the following day with the CEC, the observation team was informed that this matter was under investigation and the complainant would receive a reply when investigations were completed.

V. Conclusions

26. Overall the observer teams were impressed with the quality of administration by many of the Polling Station Commissions, a large number coming from a younger generation. It was encouraging to witness younger people taking on electoral responsibilities. The conduct of the election reflected the training undertaken by MEC's prior to the election.
27. The election was conducted in a calm atmosphere, and preliminary results were announced within 24 hours of polling. Although many of the candidates had conducted a vigorous campaign, the turnout of voters was unfortunately lower than predicted at 37.08%.

APPENDIX I

COMPOSITION OF THE CONGRESS DELEGATION ON 9 DECEMBER 2007 FOR THE OBSERVATION OF THE PRESIDENTIAL ELECTIONS IN THE REPUBLIC OF SRPSKA

- **Mr Owen Masters**, Member, Devon County Council, Former member of the Congress (United Kingdom, EPP/CD, R) – **Head of the delegation**
- **Mr Giorgi Masalkini**, Committee of Constitutional, Legal Affairs and Procedure (Georgia, ILDG, R)

Accompanied by:

- **Mr Lukas Vandamme**, Congress Secretariat
- **Mrs Gordana Tetchner**, Congress Secretariat

APPENDIX II

PRESS STATEMENT ISSUED BY THE CONGRESS DELEGATION ON 10 DECEMBER 2007

Congress-Council of Europe Observation Mission for the Elections of the President of the Republic of Srpska (Bosnia and Herzegovina)

Sarajevo, 10.12.2007 - A delegation of the Congress of Local and Regional Authorities of the Council of Europe, on the official invitation by the BiH authorities, observed voting in the elections for the President of the Republic of Srpska (Bosnia and Herzegovina) on Sunday 9 December.

The delegation was deployed in many localities within the Republic of Srpska, and participated in preparatory meetings in Banja Luka, Prijedor, Sarajevo, Mostar and Nevesinje. On Election Day, Giorgi Masalkini - Congress Rapporteur - led a team which observed elections in polling stations in Banja Luka and the surrounding area. A second team observed polling in the region east of Sarajevo (Pale, Sokolac, Rogatica).

The turn-out for these elections was notably low, despite the campaigning of some candidates. Owen Masters, Head of the Mission, said that "the elections observed were generally in accordance with Council of Europe and international standards". He added that "it was encouraging to see the younger generation taking on electoral responsibilities". Early on Election Day, some voters had difficulties locating their specific voting station, but it should be noted that measures were soon put in place to address this problem.

This press release is preliminary to a future report by the Congress on the observation of the elections, as part of the Congress' wider objective to monitor local and regional democracy throughout Europe. This will include a comprehensive Congress mission to observe the forthcoming municipal elections in Bosnia and Herzegovina in 2008.

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APPENDIX III

PROGRAMME OF MEETINGS AND BRIEFINGS ATTENDED BY THE CONGRESS DELEGATION FROM 6 TO 11 DECEMBER 2007

Thursday 6 December

21.30 Briefing for Congress delegation

Friday 7 December TEAMS 1 and 2

09.00 Meeting with Head of OSCE Mission in Bosnia and Herzegovina and staff

10.15 Meeting with the Central Election Commission President Mr Stjepan Mikic and other member of the Central Election Commission

TEAM 1

11.15 Departure to Banja Luka

13.30 Lunch

15.00 Meeting with representative of the RS National Assembly Ms Nada Tesanovic, Deputy Speaker

15.30 Meeting with representative of the RS Government - Mr Zoran Lipovac, Minister of Local Self Government

TEAM 2

12.30 Meeting with representatives of Milicanin NGO, Mr Mladen Milicevic

13.30 Lunch

15.00 Visit to Municipal Election Commission in Lukavica

Saturday 8 December

TEAM 1

10.00 Meeting with City Election Commission of Banja Luka, Mr Alexandar Radeta

12.00 Meeting with representatives of the Election Commission

12.30 Departure to Prijedor

13.30 Meeting with City Election Commissioner Prijedor, Mr Zeljko Skondric

14.30 Lunch

16.30 Departure for Banja Luka

TEAM 2

- 09.00 Departure for Mostar
- 11.30 Meeting with LDA Delegate Mostar, Ms Jlenia Destito
- 13.00 Lunch
- 14.00 Meeting with Mostar City Election Commission President, Mr Maksumic Halil
- 15.00 Meeting with Municipal Election Commission President, Ms Novka Dabarcic
- 17.00 Departure to Sarajevo

Sunday 9 December - Election Day**TEAM 1**

- 06.30 Visit Opening of Polling Station and then observation throughout the day during visits to Polling Stations in the Banja Luka District

TEAM 2

- 06.30 Visit to opening of Polling station in Eastern Sarajevo, and then observation of other stations in Eastern Sarajevo
- 08.00 Departure for observation of Polling Stations in Pale District
- 10.00 Meeting with President of Pale Municipal Election Commission, Ms Bozana Kovacevic
- 11.30 Departure for observation in Sokolac Polling Stations
- 13.30 Departure for observation in Rogatha Polling Stations
- 16.00 Departure for Sarajevo
- 17.00 Observation of Polling in Eastern Sarajevo
- 18.00 Visit to Polling Station in Eastern Sarajevo for close of Polling
- 21.00 Visit to Central Election Commission Counting Centre

Monday 10 December**TEAM 1**

- 09.00 Departure for Sarajevo

TEAM 2

- 09.00 Visit to Counting Centre

TEAM 1 and 2

12.00 Meeting with OSCE

16.00 Meeting with Central Election Commission

16.15 Central Election Commission Press Conference

APPENDIX IV

DEPLOYMENT AREAS on 9 December 2007

Team	Deployment Areas	Team Composition
1	Banja Luka Prijevor	Mr Giorgi Masalkini Mrs Gordana Tetchner
2	Sarajevo Mostar	Mr Owen Masters Mr Lukas Van Damme