

Report on the observation of the local elections in Bosnia and Herzegovina on 8 April 2000

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From 6 to 9 April 2000, a Congress delegation comprising Ms Ayse Bahar CEBI (Turkey), Mr Tomas JIRSA (Czech Republic), Mr Horst LÄSSING (Germany) and Mr Hans-Ulrich STÖCKLING (Switzerland) visited Bosnia and Herzegovina, accompanied by Ms Artemiza CHISCA from the Congress Secretariat. Mr François FRIEDERICH from the Council of Europe Office in Sarajevo joined the delegation during the actual observation of the elections on 8 April 2000. The programme of the election monitoring mission is appended.

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The visit followed an invitation the Council of Europe received from the OSCE Mission in Bosnia and Herzegovina (at the end of March 2000) to observe the local elections on 8 April 2000. The staff of the Council of Europe Offices in Sarajevo and Mostar provided the CLRAE delegation with logistical support for the preparation and conduct of the observation mission.

Unlike the situation during the previous local elections in Bosnia and Herzegovina, the OSCE Mission in Bosnia and Herzegovina confined itself to issuing accreditation documents to the international observers who had come to the country and organising a briefing the day before the elections on the procedure for the actual conduct of the voting.

The meeting with Mr François Friederich, Head of the Secretariat of the Council of Europe Offices in Sarajevo and Mostar, at the Sarajevo Office (6 April 2000) gave the delegation an initial overview of the general situation in the country on the eve of the local elections. Mr Friederich briefly described the political context in which the elections were taking place, the relationships between the main political parties and the main issues at stake.

In order to obtain the accreditation papers needed for observing the elections, the delegation members went to the headquarters of the OSCE Mission in Sarajevo. This proved a relatively difficult exercise, as the OSCE reception staff in the various premises occupied by the Mission in Sarajevo were not really aware of the procedure to be followed for the issuing of accreditation papers. In the course of the toing and froing this process involved, the delegation witnessed an election meeting that was taking place in the city centre.

Along with the individual accreditation papers, Mr Carlos de Vera (Provisional Election Commission) gave the Congress delegation documentation summarising the work done by the OSCE in organising the elections and the role that would fall to the OSCE once the results had been finalised (putting in place of the elected authorities, recognition/official "certification" of these authorities, etc).

The delegation was given a list of the polling stations in Sarajevo, Banja Luka and Mostar, along with a list of the municipalities where there were special concerns about the conduct of the elections. The latter had been drawn up following threats to boycott the elections, challenges to voters' rolls and/or complaints about harassment or intimidation of the population by the political parties contesting the seats there. The group of observers that went to the south of the country subsequently had the opportunity to monitor voting in certain municipalities on this list, but did not observe any particular problems either in or near the polling stations.

A co-ordination meeting was held at the Council of Europe Office in Sarajevo on 7 April to decide on the actual breakdown of work on the day of voting. Three groups were formed (each comprising two delegation members accompanied by an interpreter and a driver) so that the delegation could simultaneously cover Sarajevo (capital of the country and of the Federation of Bosnia and Herzegovina), Banja Luka (capital of Republika Srpska) and the Mostar region, which was of particular interest because of the ethnic mix of the population.

On the day before the elections, the OSCE Mission in Sarajevo organised a detailed briefing for the national and international observers on the actual rules for voting. At the briefing, each observer was given a copy of a local election handbook, which the OSCE had produced and supplied to the members of the local electoral commissions well before the date of the elections. The CLRAE delegation was told that the members of the local electoral commissions had received training through specific programmes for civil society in Bosnia and Herzegovina.

From the point of view of the quantity of information provided and the quality of presentation, the briefing for the observers satisfied the expectations of all of the participants. This was all the more necessary since the rules on which the elections were based were very complex, reflecting the complexity of the political landscape in Bosnia and Herzegovina. It is important to note here that these rules were drawn up by the OSCE's Provisional Election Commission, no specific legislation having been passed by the Parliament of Bosnia and Herzegovina.

The key information provided at the briefing covered the following points:

the electoral system (detailed description);

polling station staff and equipment;

voting in "normal" polling stations (observers' responsibilities and duties; the OSCE supervisors present in the polling stations and their tasks for displaced persons (use of ballot papers reserved for displaced persons);

close of the procedure; counting of votes; ; diagram of a polling station; the tasks to be performed before polling stations opened);

possible exceptions to the normal procedure; the close of voting;

the procedure to be followed in the polling stations reserved

possible irregularities.

The day before the elections, certain delegation members met the ambassadors of their respective countries (Switzerland and Turkey) in Sarajevo. This added to the picture they had of the general political climate in which the elections on 8 April took place.

The day after the elections, the delegation members met to assess the voting they had observed and draw up conclusions. They all expressed generally positive views on the conduct of the elections in the total of approximately fifty polling stations visited.

In the three regions covered, the delegation members were able to observe the efforts made by the members of the local electoral commissions to ensure that the elections were conducted in accordance with the relevant procedure. They even observed a form of participation (on the part both of the electoral commissions and of the electors, who respected the electoral procedure and the need for order inside the polling stations) which showed that the population of Bosnia and Herzegovina was interested in and had placed hopes in the elections. Local observers (both from political parties and from civil society), international observers and OSCE supervisors were present everywhere. One important point to note here is the fact that the members of the local electoral commissions were chosen, trained and paid by the OSCE.

While voicing approval of the way voting was organised in the polling stations, the Congress observers did note that there were differences in this respect between the Federation of Bosnia and Herzegovina and the Republika Srpska. They felt that the reasons for this could lie in the very precarious economic situation in Republika Srpska and the local political crisis that had much delayed a return to normality.

The delegation members were greatly struck by the divide that still exists between the country's two entities (two political, human and even physical geographies that have great difficulty in achieving reconciliation) and by the tense reaction of the interpreters and/or drivers when they entered areas inhabited by ethnic groups other than their own. Indeed, they admitted that they had not visited these areas since the war. It was also noted that there was a larger police presence in the vicinity of polling stations in Republika Srpska than in the Federation of Bosnia and Herzegovina.

The general impression of the delegation members was that the voters regarded the polling stations and all the premises where they were located as safe. Even in the places which had been said to be critical (or the scenes of possible boycotts), the concerns did not materialise.

The two main negative findings, which were shared by all three groups of observers, were as follows:

1. In many cases voters went to polling stations to vote and could not find their names on the voters' rolls (some gave up looking, and hence attempting to vote, after visiting several polling stations without finding their names). This shortcoming may have been purely technical, but it was interpreted politically in some quarters and could give cause for suspicion. In fact, the OSCE extended the voting by one hour and announced that these problems were the result of the local electoral commissions not informing the voters properly about the voters' rolls and the way they were divided between polling stations. These measures and explanations did not, however, answer the question whether this was (or was not) the result of deliberate action by some of these local commissions.

2. The secrecy of the vote was undermined by the procedure whereby displaced person were required to place their ballot papers in envelopes bearing their names after voting. The guarantee provided by the fact that these votes were going to be counted in Sarajevo by the Provisional Election Commission and not in the respective polling stations clearly did not reassure certain voters who, although they wanted to vote, changed their minds when they saw the procedure. In a country where trust has still not been restored, this procedure was perhaps inappropriate.

That said, the Congress observers concluded that the above shortcomings mainly concerned the organisation of the elections prior to the actual voting and were also the result of the undeniable complexity of the task. They approved of the way in which the OSCE is attempting gradually to hand over to local players capable of doing the relevant work, as this is an essential part of the return to normal social and political life.

The other irregularities observed were of a kind that may occur in any country, although perhaps more frequently in countries in the process of learning the rules of democracy, and would not have affected the final outcome of the elections.

The members of the Congress delegation therefore decided to express their positive overall assessment of the conduct of the elections in a press release issued through the Council of Europe's press department (see Appendix 2).

Without prejudging the outcome of the elections, they expressed satisfaction at having been able to observe closely, and make their own contribution to, a key part of a process that, although not unflawed, is leading towards the democratic reconstruction of Bosnia and Herzegovina.

Appendix 1

Bosnia and Herzegovina: Observation of the local elections

6-9 April 2000

Programme

6 April 2000

12.30 – 2.30 pm Arrival of participants

4.30 pm Meeting with Mr François Friederich, Representative of the Council of Europe (at the Council of Europe Office in Sarajevo)

5.45 pm Meeting with Mr Carlos de Vera (Provisional Election Commission, OSCE Mission in Bosnia and Herzegovina)

7 April 2000

10 am Co-ordination meeting (formation of the 3 groups and establishment of the programme for election day and of the places to be visited; meeting with the accompanying interpreters and drivers)

11 am – 1 pm Briefing organised by the OSCE Mission for the national and international observers

Afternoon Political meetings (with the ambassadors of delegation members' countries of origin in Sarajevo)

Tour of Sarajevo

8 April 2000 Observation of the local elections

6 am – midnight Delegation members divide into 3 groups (Banja Luka and several villages in Republika Srpska; Mostar and other towns and villages in the south of the Federation of Bosnia and Herzegovina; Sarajevo, including Sarajevo Srpsko and surrounding areas)

9 April 2000

11.30 am – 1 pm Meeting to assess the voting observed by the Congress delegation and draw up conclusions

1.30 pm Lunch

Afternoon Departure of participants

Bosnia and Herzegovina: CLRAE considers local elections were free and democratic

STRASBOURG, 12.04.2000. – The local elections which took place in Bosnia and Herzegovina on 8 April 2000 were free and democratic, according to the delegation of observers sent by the COUNCIL OF EUROPE Congress of Local and Regional Authorities (CLRAE) following an invitation from the OSCE Mission.

The high turnout (about 70% of voters) was proof of the interest shown by the population in elections that were aimed at bringing radical change to the country's political climate, the observers said. They should make it possible to set up active and energetic local authorities that are prepared to work hard to speed up the process of rebuilding democracy in the country.

The CLRAE found that voting conditions complied with electoral rules in all the polling stations that were visited. It also noted the efforts made by the local electoral commissions to ensure that the voting procedure was properly observed.

The Congress delegation nevertheless regretted that a number of organisational problems that had arisen during the preparations for the elections (concerning, in particular, the preparation and distribution of electoral rolls to polling stations and the special voting procedure for displaced persons) had prevented or discouraged some electors from exercising their right to vote.

The Congress observers hope that the elections will contribute to improving local and regional democracy in Bosnia and Herzegovina, an essential condition for the country's accession to the Council of Europe.

Members of the CLRAE delegation:

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Tomas JIRSA (Czech Republic)

Horst LÄSSING (Germany)

Hans Ulrich STÖCKLING (Switzerland)

Artemiza CHISCA (CLRAE secretariat)

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