

The Congress of Local and Regional Authorities



Chamber of Local Authorities

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Local elections in Bosnia and Herzegovina (7 October 2012)

Bureau of the Congress
Rapporteur: Amy KOOPMANSCHAP, Netherlands (L,SOC¹)

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Summary

The Congress appointed a delegation to observe the local elections in Bosnia and Herzegovina on 7 October 2012, deploying 9 teams around the country on that day. The Committee of the Regions of the European Union accepted the Congress' invitation to join the delegation with four members.

In general the delegation observed that election day proceeded smoothly and the Central Election Commission (CEC) was well prepared. Improvements had been made after the last local elections in 2008, nevertheless the Congress makes further recommendations, in particular to professionalise the Election Committees and to reduce the political influence overall, including on domestic observers. Furthermore, clarification is required as to those who are able to vote after the Central Voters Register has closed, and this also has an impact on the date that the election results can be confirmed by the CEC.

¹ L: Chamber of Local Authorities / R: Chamber of Regions
EPP/CCE: European People's Party Group in the Congress
SOC: Socialist Group
ILDG: Independent Liberal and Democratic Group
ECR: European Conservatives and Reformists Group
NR: Not registered

DRAFT RESOLUTION²

1. The Congress of Local and Regional Authorities recalls that Bosnia and Herzegovina became a member country of the Council of Europe on 24 April 2002 and ratified the European Charter of Local Self-Government (ECLSG) on 12 July 2002.

2. The Congress refers to its Report CG(22)12³ as well as its Recommendation 324 (2012)⁴ on local and regional democracy in Bosnia and Herzegovina which was adopted at the 22nd Session in March 2012 and which confirms the general compatibility of the country's legislation on territorial self-government with the principles of the Charter. It concludes that the legislative framework in Bosnia and Herzegovina and the entities has improved and that judicial protection of local self-government in both entities has increased.

3. It observes with satisfaction that the recommendations made by the Congress on the observation of local elections in Bosnia and Herzegovina on 5 October 2008 have been largely implemented and led to improvements.

4. The Congress reiterates its conviction that free and fair elections, at national but also at territorial level, constitute an integral part of democratic processes in Council of Europe member states and refers to the explanatory memorandum and the draft recommendation regarding the findings of the Congress delegation which observed the local elections in Bosnia and Herzegovina on 7 October 2012.

5. Given the above, and in conformity with its Resolution 306(2010) on the strategy and rules for the observation of local and regional elections as well as the Code of Good Practice in Electoral Matters (2002) of the Council of Europe Venice Commission, and the Declaration of Principles for International Election Observation (2004), the Congress:

a. asks its Monitoring Committee to take note of the above-mentioned draft recommendation and to take it into account in the framework of its mission to assess the progress made by the country in honouring its commitments to the European Charter of Local Self-Government;

b. invites its Governance Committee to add the investigation of the issue of concurrent organisation of elections at different levels of government (national, regional and local) to its work programme in 2013/14. In this context the committee should also take into consideration current discussions on this matter in the Committee of the Regions of the European Union;⁵

c. expresses its will to participate in activities aimed at strengthening electoral processes and improving the situation of local and regional democracy in Bosnia and Herzegovina in the framework of the existing post-monitoring dialogue of the Congress.

² Preliminary draft resolution approved by the Bureau of the Congress on 11 February 2013.

Members of the Bureau:

H. van Staa (President of the Congress), J.-C. Frécon (President of the Chamber of Local Authorities), N. Romanova (President of the Chamber of Regions), M. Cools, G. Doganoglu, G.-M. Helgesen, A. Knape, A. Koopmanschap, C. Lammerskitten, M. O'Brien, S. Orlova, H. Pihlajasaari, L. Sfirloaga, D. Suica, E. Verrengia, J. Warmisham, U. Wüthrich-Pelloli.

N.B.: The names of members who took part in the vote are in italics.

Secretariat of the Bureau: D. Ríos Turón and L. Taesch.

3, Local and regional democracy in Bosnia and Herzegovina, CG(22)12, Rapporteurs1 : Beat HIRS, Switzerland (L, ILDG); Jean-Marie BELLIARD, France (R, EPP/CD)

4 Local and regional democracy in Bosnia and Herzegovina , Recommendation 324 (2012) Rapporteurs1 : Beat HIRS, Switzerland (L, ILDG); Jean-Marie BELLIARD, France (R, EPP/CD)

5 DRAFT OPINION of the Commission for Citizenship, Governance, Institutional and External Affairs : Strengthening EU citizenship: promotion of EU citizens' electoral rights, Rapporteur: György Gémesi (HU/EPP)

DRAFT RECOMMENDATION⁶

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. the Statutory Resolution relating to the Congress of Local and Regional Authorities of the Council of Europe, adopted by the Committee of Ministers of the Council of Europe on 19 January 2011 and, in particular, its Article 2 paragraph 4 on the Congress' role in the observation of local and regional elections;

b. the principles laid down in the European Charter of Local Self-Government (ECLSG) which was ratified by Bosnia and Herzegovina on 12 July 2002.

2. The Congress points to the importance of genuinely democratic elections and to its specific mandate and role in the observation of local and regional elections in Council of Europe member countries.

3. It stresses that the Congress observes elections only upon invitation by the countries. Similar to the monitoring process of the European Charter of Local Self-Government, election observation missions are conceived as activities carried out in dialogue with the respective authorities.

4. In conformity with its Resolution 306(2010) on rules for observing local and regional elections, the Congress underlines the importance of this statutory activity and its complementarity to the political monitoring of the situation of local and regional democracy in Council of Europe member states.

5. The Congress notes with satisfaction that:

a. the local elections held in Bosnia and Herzegovina on 7 October 2012 were generally well-prepared, conducted in an orderly manner and organised in accordance with the standards for democratic elections elaborated by the Council of Europe and other international institutions;

b. following the recommendations made by the Congress in 2008 (Recommendation 256(2008)⁷), significant progress was made in respect of the overall election management, in particular with regard to: signalling and housing of polling stations, measures preventing the use of mobile phones inside polling stations and voting booths as well as the user-friendly design of ballot papers;

c. the Central Election Commission (CEC) of Bosnia and Herzegovina conducted an informative campaign, with relevant materials and reference texts available on its website and television information spots about the elections and how to vote. Also, manuals for the staff at polling stations and election observers were made available by the CEC and an SMS facility was introduced by which voters could easily locate their polling station with their mobile phone.

6. The Congress is also pleased to note that there was a vivid and competitive election campaign and that there was less violence compared to previous years.

7. At the same time, the Congress has identified issues to be addressed which include:

⁶ Preliminary draft recommendation approved by the Bureau of the Congress on 11 February 2013.

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H. van Staa (President of the Congress), J.-C. Frécon (President of the Chamber of Local Authorities), N. Romanova (President of the Chamber of Regions), M. Cools, G. Doganoglu, G.-M. Helgesen, A. Knape, A. Koopmanschap, C. Lammerskitten, M. O'Brien, S. Orlova, H. Pihlajasaari, L. Sfirloaga, D. Suica, E. Verrengia, J. Warmisham, U. Wüthrich-Pelloli.

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Secretariat of the Bureau: D. Ríos Turón and L. Taesch.

⁷ Recommendation 256 (2008) 3 December 2008, Local elections in Bosnia and Herzegovina, Rapporteur ; N. Mermagen (United Kingdom, L. ILDG),

a. the question of voter registration, notably the scope of liberality of different related provisions (such as allowing registered voters to cast their ballot other than in their constituency and allowing first-time voters, as well as “new residents”, to participate in the elections even if they had not registered within the period stipulated for registration) ;

b. the “tender ballot”-system (for “unconfirmed” or unregistered voters) in particular, for first-time voters; out-of-country voters and “new residents”, which created uncertainty as to voter numbers in certain areas and confusion among the staff at polling stations, particularly at the vote count;

c. the political pervasion of Polling Station Committees whereby members are proposed by the political parties and these same parties also send the domestic observers who should oversee the process and ensure pluralism;

d. the provision conceding assistance to certain voters of reduced capacity which allowed for potential abuse of the ballot by the “assister”.

8. Taking into account the previous comments, the Congress invites the authorities of Bosnia and Herzegovina to take all necessary steps:

a. to revise the existing system of voter registration including the so-called tender ballot system for unconfirmed voters in order to establish clarity, avoid confusion and ensure procedures which are transparent and unchallengeable, not only but particularly in politically sensitive areas ;

b. to take measures to professionalise the electoral process by involving more experienced, competent and well-trained election officials in the management of polling stations and push back party control; consequently, the know-how in election management at state level, notably of the Central Election Commission, should not be disregarded and efforts should be made to use qualified election officials according to their field of competence;

c. to review the provisions in place for voters who need assistance due to reduced capacity in order to avoid potential abuse of the ballot by the assister and to make more use of the existing system of mobile voting boxes for voters who are incapable of getting to the polling station.

9. In addition, the Congress points to the unsatisfactory situation in the City of Mostar where residents were unable to take part in these local elections, and it encourages all actors to work together constructively to find a solution so that elections can take place as soon as possible.

10. Furthermore, in order to contribute to the strengthening of grassroots democracy, the Congress encourages the authorities of Bosnia and Herzegovina to reconceive the existing regulation allowing citizens not permanently resident of a municipality to take part in local elections.

11. Being aware of disenchantment with politics in Bosnia and Herzegovina and of the opinion that political apathy could be countered by organising concurrent elections on one day (“Super Sunday”), the Congress points to the experiences of other countries where the concurrent conduct of elections at different levels of government led to local elections being largely overshadowed by the national vote and to organisational challenges for the election administration having to be managed, to a great extent, by the municipalities. Another option chosen by certain Council of Europe member states is to organise different elections in the same year, but not on the same date.

EXPLANATORY MEMORANDUM

I. Introduction

1. Following an invitation of 18 June 2012 by the Central Election Commission (CEC) of Bosnia and Herzegovina (BiH), the Congress President - in consultation with the Presidents of the Local and the Regional Chambers - decided to observe local elections in Bosnia and Herzegovina (BiH) on 7 October 2012. Amy Koopmanschap (NL, L, SOC) was appointed Head of Delegation and Rapporteur.

2. In preparation, a pre-electoral assessment mission was deployed to Sarajevo on 18 and 19 September 2012. The electoral mission itself took place from 4 to 8 October 2012 and comprised 19 members in total. On Election Day, 9 Congress teams were deployed around the country and observed the vote in 174 polling stations. The Congress sent the only official international observation delegation to observe these elections. The details of the Delegation, its programmes and deployment areas appear in the appendices.

The report that follows focuses specifically on issues arising out of exchanges held with Congress interlocutors in the context of the 2012 local election observation mission. Additional studies and analyses can be found through other sources⁸. The Congress wishes to thank all of those who met with the Delegation for their open and constructive discussions - in particular the Central Election Commission of Bosnia and Herzegovina - as well as Municipal Election Commissions and the Polling Station Committees who received Congress observers on Polling Day. The Congress also thanks the staff of the Council of Europe Office in Sarajevo for their valuable assistance.

II. Political context

3. Although general elections were held in 2010, it took almost a year and a half - until February 2012 – for a state government to be formed through a coalition of the six main political parties⁹. The state budget for 2012 was only adopted in May 2012. The coalition has proved fragile with no significant progress being made on issues of constitutional importance. For the Council of Europe this means, in particular, that the execution of the 2009 judgement of the Court of Human Rights in the Sejdic and Finci case¹⁰ is still outstanding, although closely monitored by the Council of Europe's Committee of Ministers and the Parliamentary Assembly, as well as the Office of the High Representative (OHR) and the European Union (EU)¹¹. The judgement requires a change in the law of BiH to extend the right to stand for election in Presidential elections to those other than the three ethnic groups recognised as the constituent peoples of BiH (Bosniaks, Serbs and Croats).

4. Ethnic groups maintain a high profile in public the life of BiH – leaderships may rotate on the basis of ethnicity. The collective Presidency rotates among the three elected leaders (Bosniak, Serb and Croat) who hold office for eight months each over a mandate of four years. The three ethnic groups may hold office at the same time (for example the office of Ombudsman). As a consequence of this multi-layered system stagnation, delay in decision-making, political uncertainty and apathy in the population can be observed¹². Political parties tend to be divided along ethnic lines although one of the coalition members, the Social Democratic Party (SDP), campaigned on a multi-ethnic basis.

8 including: Council of Europe ; Office of the High Representative . OSCE European Union

9 HDZ-1990 (Croatian Democratic Union-1900), HDZ- BiH (Croatian Democratic Union of BiH), SDA (Party of Democratic Action), SDP (Social Democratic Party), SDS (Serb Democratic Party) and SNSD (Alliance of Independent Social Democrats).

10 <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-96491>

11 [04/09/2012 Secretary General Jagland issued a joint statement with EU Commissioner Füle](#)

12 [The High Representative points to the lack of progress on Euro-Atlantic integration as evidence of this:](#)

III. Election administration

Legal framework

5. The Election Law of Bosnia and Herzegovina is found in the “Official Gazette of BiH”. Three laws impacting on electoral procedure were still in the process of amendment prior to Election Day: The Law on Conflict of Interest; The Law on Political Party Financing and Election Law related to the Council of the City of Mostar.

Territorial division

6. BiH still has its post-1995 administration in place - that is the administration set up under the “Dayton Agreement”¹³ as a compromise to bring about an end to the war in Bosnia and Herzegovina. Under the arrangement the country is divided into two entities the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), with the condominium of the Brcko District as a self-administering unit. The FBiH comprises ten Cantons, each with its own government. Five of these have a Bosniak majority, three have a Croat majority and two are “ethnically mixed”¹⁴. The territory is further divided into 79 municipalities.

7. RS has no intermediate level between the entity and local level. It has a centralised government and is divided into 63 municipalities.

8. The Brcko District is a local self-governing unit¹⁵ and a division of its own under the direct jurisdiction of BiH. It was formed of the entire territory of the former Brcko municipality of which 48% (including Brcko City) was in the RS, while 52% was in FBiH¹⁶. The Office of the High Representative (OHR) still oversees BiH, although supervision in Brcko was suspended before the elections, on 31 August 2012¹⁷.

9. On 7 May 2012, the CEC announced local elections to be held throughout BiH on 7 October 2012. This included: 139 Municipal Mayors in BiH; 78 Municipal Councils in The Federation of Bosnia and Herzegovina; 61 Municipal Assemblies in Republika Srpska and the City Mayor of Banja Luka. These were the fifth local elections since the war ended in 1995.

10. Elections in the City of Mostar were postponed as a result of BiH Constitutional Court Decision of November 2010 declaring the Statute of the City of Mostar unconstitutional¹⁸. The Court demanded a revision of the text of the electoral law within six months but, as yet, no compromise has been found¹⁹.

11. The Central Election Commission of Bosnia and Herzegovina (CEC) is the responsible body for elections in BiH. It is composed of 7 members: 2 Croats, 2 Bosniaks, 2 Serbs and 1 representing “Others”. The President is elected from amongst the Commission’s members, and by them, with a mandate of 21 months. The current President is Mr Branko Petric (Serb member with effect from 30 September 2011)²⁰.

13 The General Framework Agreement for Peace in Bosnia and Herzegovina, signed on 14 December 1995 in Paris

14 This means special legislative procedures for protection of the constituent ethnic groups.

15 Obtained under international arbitration

16 There is discussion as to whether the Brcko District might come to serve as a test for a different future territorial organisation for BiH based on local self-government rather than apportionment between 3 peoples.

17 [Message from Supervisor of Brcko, Roderick Moore:](#)

18 [Explained in an opinion of the Venice Commission](#)

19 Following the elections, the High Representative launched a new initiative on [16/10/2012 to negotiate an agreement](#): . On 30/11/2012 the OHR published a “[General Understanding for the City of Mostar](#)” by the participants:

20 <http://www.izbori.ba/Default.aspx?CategoryID=117&Lang=6&Id=809>

12. Responsible to the CEC, at the next level of administration, are Municipal Election Commissions (MEC), City Election Commissions and the Election Commission of Brcko District. Municipalities with up to 20,000 voters in the Central Voters' Register have 3 members in the MEC or, above that number, they have 5 members. At the lowest level of election administration are Polling Station Committees (PSCs) with 3 members if less than 500 voters, or 5 members above that figure. At all levels, committee members are proposed on the basis of political affiliation, according to the rules although they should be impartial²¹.

13. Mayors are elected by a simple majority, "first-past-the post" system ("plurality system"). Elected representatives of national minorities are also elected in this way. Councils and Assemblies are elected according to a proportional representation system²².

14. To be entitled to vote, a person must either be recorded in the Central Voters' Register, or fulfil certain conditions. The exact number of potential voters is difficult to calculate as no census has been carried out in the country since 1991²³ and, since then, population changes have been brought about by the war. The Central Voters' Register is compiled through a passive system, essentially based on residence records. To be recorded in the Register a person must be 18 years old, be a citizen of BiH and have a permanent place of residence in BiH. A total of 3 144 296 voters were registered altogether for the 2012 elections²⁴. Of these, 37 381 people chose to vote by post and 10 709 to vote in absentia. Registration was completed, and the Register closed on 23 August 2012.

Unconfirmed voters and "tender ballots"

15. BiH rules for these elections included two categories of voters called "unconfirmed voters". The first of these categories included voters registered in the Central Voters' Register. It included those who wished to vote in person in a constituency other than where they were currently resident: 10 682 such voters were registered for these elections.²⁵ This category essentially related to internally displaced persons (IDPs) who wished to maintain an attachment to their constituency of original residence. Congress members learned though that some voters chose to register to vote in this way as they would otherwise lose certain social rights if they did not. All of the unconfirmed voters listed above, marked in the Voters' Register, had ballots labelled "OOO". One polling station in each municipality was designated to deal with these ballots.

16. The second category of unconfirmed voters was not included in the Central Voters' Register. These were labelled "NNN" and they had the right to vote if they produced an identity document and proof of residency status. They included: young adults who reached the age of 18 after the close of registration on 23 August 2012, and Polling Day on 7 October 2012. It also included voters who lived abroad and were registered to vote abroad, but who found themselves in BiH on Polling Day. Furthermore this category also included those who had changed or taken up residence in BiH between the close of voter registration on 23 August 2012 and Polling Day on 7 October 2012. In practice this category also encompassed those who only discovered after the registration date that there was a mistake in their residency details and they had been excluded from the Register. On Election Day, one Congress team heard complaints about this from several voters at the same polling station.

17. The method of voting for unconfirmed ballots not included in the Register differed in that they used a double-envelope system called a "tender ballot". Here the ballot paper was placed inside a small, unmarked envelope then placed in a larger envelope containing the identity details of the voter which they then placed in the ballot box. These 'NNN' votes were not counted at the polling station but were bagged and sent to the central counting station where the voter identity was verified and checked by one person, and, the CEC assured the Delegation, a separate person counted the vote, without

21 http://www.izbori.ba/Documents/Izb2012/2012-Prirucnik_posmatraci-eng.pdf

22 [The Saint-Laguë method](#)

23 The country withdrew from the census cycle carried out in Europe in 2011

24 http://www.izbori.ba/Documents/Izb2012/2012-Prirucnik_posmatraci-eng.pdf

25 CEC figures: http://www.izbori.ba/Documents/Izb2012/2012-Prirucnik_posmatraci-eng.pdf

having access to the voter's identity. One polling station per municipality was designated to treat tender ballots.

IV. Election management

Information policy

18. The CEC has an informative website in the Bosnian, Croat and Serb languages, and a large part also available in English²⁶. The site details electoral legislation from "The Official Gazette of BiH" as well as notices of the CECs official meetings, decisions and appeals. The site also features Instructions related to electoral legislation; handbooks and instruction guides, such as the "Law on Conflict of Interest" and the "Manual for Observation of Elections"²⁷ – this last also targeted to international observers and was also available in English. There are also useful links to other websites, such as for the The Regulatory Agency of BiH as well as to media sources in BiH. The CECs public information campaign in the run-up to these elections was also accessible through its website, including television information spots about the election and how to vote – including in sign language²⁸. In addition an SMS facility was also put in place for voters to identify their local polling stations. This proved efficient for identifying the correct polling station as Congress could observe both before Election Day and on the day itself.

Training

19. In the run-up to the elections the CEC published a complete instruction manual on election procedures which was issued to every Polling Station Committee President²⁹. In this period, training was also provided through the CEC for all PSC staff. When questioned by Congress observers on Election Day the great majority of PSC members were satisfied that their training had been adequate to do their job efficiently and all appreciated the instruction manual (observed in use in every polling station the Congress teams visited) and which, they said, gave much clearer instructions than before.. Training for domestic observers was provided by the political parties but CEC interlocutors stated it would be more objective if this training was provided by the CEC.

Preventing election fraud

20. One of the Instructions issued to PSCs by the CEC aimed at preventing fraud by prohibiting the use, by voters, of mobile devices including phones and cameras, to record their ballot paper (as proof of voting in a certain way)³⁰. The instruction was effective and on Polling Day Congress teams noted four instances where the Polling Station Book recorded such attempts. The cost of a vote, the Delegation was told, was estimated between 50 – 100 convertible marks (or 25 -50 euros).

21. Whilst the Congress Delegation could be watchful to observe "telephone fraud" on Polling Day, as well as other irregularities at the count, interlocutors also advised that if fraud is to be committed on a large scale, it is more cost-effective and efficient to "buy" an elected representative. Whilst this is a widely-suspected practice that erodes voter confidence and contributes to election apathy, it is not a phenomenon that can be observed on Election Day, but rather requires continuous monitoring of anti-corruption measures, and intervention to strengthen ethical behaviour.

26 <http://www.izbori.ba/Default.aspx?Lang=6>

27 Manual for observation of elections for Observers, also published with help from the Council of Europe:

28 <http://www.izbori.ba/Default.aspx?CategoryID=342&Jezik=4&Id=12>

29 [The manuals distributed in Polling Stations were printed with the financial support of the Council of Europe](#)

30CEC Instructions for the implementation of Articles 5.10, 5.11, 5.16 and 7.4 of the Election Law of BiH. July 2010

Srebrenica

22. The local elections in Srebrenica were highly politicised, particularly for the post of mayor of Srebrenica; Congress interlocutors warned that it would be a close result and would be strongly contested; voter registration up to the deadline of 23 August 2012 had already proved controversial. The background to the controversy went back to the war of 1995 and the changes in the population that ensued. Congress members were informed that, from a population of approximately 20,000 before the war, by 2012 only about half of that number was living in the area, including approximately 5,500 people resident in Srebrenica town.

23. BiH has liberal rules for voters in elections, including local elections, allowing “unconfirmed” voters who do not reside in the area, to vote there under certain circumstances. This gave rise to fears of mass registration of non-resident voters so that the ethnic composition of local representative bodies would be altered and the election results affected. The Congress Delegation was told that Bosniak voters, who had formerly been resident in Srebrenica, were encouraged to register to cast their vote there, with the aim, to prevent the Serb mayoral candidate winning the seat. At the same time, the Congress Delegation heard allegations that the residency process was deliberately made difficult and intimidating for Bosniaks, so that as few potential voters as possible would register. For their part, so Congress members were told, the Serb population of Srebrenica feared they would have a (Bosniak) mayor elected, who had not been chosen by the majority of the current population.

24. The outcome was that both communities competed to have as many new voters registered as possible before the 23 August deadline. There were also accusations on both sides of manipulating the registration provisions and process which led to high tensions, especially in the period leading up to the deadline for registration, and to a good deal of campaign rhetoric.

25. BiH's liberal rules for voters in elections also extends to BiH citizens who register as new residents after the voter registration deadline of 23 August 2012 and up to Polling Day on 7 October 2012 through the “tender ballot” system. This rule has proved most controversial in Srebrenica, and fuelled the campaign from both communities to try and register as many new residents as possible up to, and even on, Polling Day. The situation was used by political leaders in campaign rhetoric adding to tensions in the area, and creating uncertainty in all communities as to what would be the outcome on Election Day, when it was rumoured that both the Bosniak and the Serb communities would attempt to “bus-in” as many voters as possible. In its meetings with the Congress Delegation, the CEC stated that, in the past, these unconfirmed votes could account for up to 12% of the vote in Srebrenica, although countrywide the average was estimated at 0.1% of the votes cast.

Congress and the voter registration process in Srebrenica

26. When the Congress accepted the CEC's invitation to observe elections in BiH and to “become familiar with the electoral process in Bosnia and Herzegovina”, it was already clear that the situation in Srebrenica could be tense. For this reason, and on the basis of Congress Resolution 306(2010)³¹ on “Rules of Procedure on Observation of Local and Regional Elections” which allows for the whole process of local and regional elections to be examined before Election Day, the Congress, supported by several Council of Europe member states, decided they would contribute, in the pre-electoral phase in Srebrenica, to the deployment of a small team of experts to carry out a passive observation of the voter registration process. The Congress regretted having to withdraw this team before it carried out its mission as accreditation for the experts was not accorded by the respective authorities.

³¹<https://wcd.coe.int/ViewBlob.jsp?id=1640157&SourceFile=1&&BlobId=1621795&DocId=1614768&Index=no>

The census

27. One of the reasons for the uncertainties as to the number of potential voters in Srebrenica was the absence of a recent census for BiH, the last one having been carried out before the war, in 1991. The country withdrew from the census cycle scheduled in Europe in 2011 because of the deadlock in the Bosnia and Herzegovina Parliament over the Law on the Census of Population, Households and Housing Units. The law finally adopted on 7 March 2012 provides for a census to be carried out in April 2013. An International Monitoring Operation (IMO) was set up - with the participation of the Council of Europe - to assess compliance with technical standards for a census. A pilot census was carried out in October 2012, covered by the IMO, with the aim of assessing the level of preparedness for the census. The recommendation of the IMO should be communicated early 2013.

Election campaign, media and socio-economic environment

Campaign

28. Both during the pre-election mission and the main mission, the Congress delegation became aware of a vibrant campaign with election posters and billboards prominent around Sarajevo. Indeed, the delegation learned that some 30,000 candidates were standing for election around the country. They represented a large number of political parties grouped into complex coalitions, which varied according to local circumstances around the country. According to some interlocutors, this led to confusion amongst voters about the parties' central message, as well as how they stood on local issues.

29. However, many Congress interlocutors noted that smaller and newer parties such as Alliance for a Better Future (SBB-BiH – the newest party, established by the owner of the Avaz newspaper) and Nasa Stranka (Our Party - a liberal, civic-oriented party, with 44% of women candidates on their list, as compared to 12% at national level) seemed to be making gains over those main national parties which had taken a year and a half to form their coalition. The ensuing administrative stagnation, the Congress delegation was told, had affected voter-confidence, and created campaign-fatigue through the continuous electioneering, which was expected to result in a lower turnout. Another outcome noted by the Congress delegation was a general trend both amongst politicians and the public to consider holding elections at national and local level, if not on the same day, at least in the same year.

30. Although in general the campaign was considered to be less vitriolic than previous ones, there were, nevertheless, pockets of tension around the country, usually where elections were expected to be close, such as in Srebrenica, Bratunac, Bijelina, Zvornik, Stolac, Priedor, Bihac and Jajce and campaign rhetoric tended to fall back on stereotyping the opposition. Nevertheless no violent incidents were reported.

Media

31. Print media in BiH is still strongly divided along ethnic lines and depends on funding for survival. Against the background of the current economic crisis, the lack of foreign direct investments has limited the ability of the print media market to develop further. Terrestrial television also has limited territorial coverage and only the national public broadcaster – Radio-Television of Bosnia-Herzegovina (BHRT) - out of 44 TV channels and 3 public broadcasters, reaches a large majority of the population.

32. The Communications Regulatory Agency and the Press Council regulate the sector, although leadership appointments, as well as the need to ensure independence of the public broadcasting regulator, have come in for criticism, also by the High Representative (HR)³². The HR's report also confirmed political influence over the public media. This issue had been raised by Congress interlocutors, in addition to incidents of increased pressure and threats to journalists investigating

32 http://www.ohr.int/other-doc/hr-reports/default.asp?content_id=47611

criminal activities of politicians, including local politicians. A “Free Media Helpline” operated by the Bosnia and Herzegovina Journalists Association registers these violations³³.

33. There are rules in place to give candidates equal airtime (60 minutes per public broadcaster, 30 minutes per private broadcaster, per week). Nevertheless, Congress interlocutors recognised that such a system becomes unmanageable with 30,000 candidates and more than 380 political parties to cater for.

34. The lack of analysis and informed comment of the elections in all types of media was criticised, as well as the lack of television debates. In addition, bias in news programmes was noted where two thirds of prime time news reported on the ruling parties’ activities – campaigning being disguised as news items such as the opening of a new school, the Delegation was told.

35. Other issues raised with the Delegation concerned the lack of objective reporting in media outlets owned or controlled by politicians with parties campaigning in the elections.

36. In addition, there is no culture of opinion polls in BiH a situation which, following the 2010 elections, there seemed to be some effort to remedy. Nevertheless, interlocutors felt that further effort was needed as the campaigns in the electronic media asking simple questions such as “ For whom will you vote?” lacked useful analysis.

Socio-economic environment

37. Campaigning for the local elections took place against a backdrop of economic cuts and poor job prospects. Unemployment is registered at about 44% of the workforce, with the rate of women out of work about twice the male average. The average net salary is 827 convertible marks (KM) equivalent to about 410 euros per month³⁴. The Congress members heard that involvement in party politics was seen as a means to obtain work, particularly for young people.

38. There was also mention of politics being the biggest employer in BiH. In a country of only 4 million people, with an institutional density of 14 governments and some 180 ministries and where the legislature has managed to pass only four laws since January, the frustration of the public has been echoed by the High Representative³⁵.

39. In this climate of austerity, money spent on political campaigning created further disenchantment with voters. The Congress members were told that one large billboard (for a political advertisement) costs the equivalent of 14,000 Euros for just a few weeks exposure, and many were used in the campaign.

V. Election Day

40. On Election Day polling stations opened from 7am to 7pm. With one or two exceptions, the Congress observers were satisfied that they opened on time with the full complement of committee members, were ready for voters and had duly sealed their ballot boxes.

33 <http://www.unhcr.org/refworld/country,,,BIH,,507bcae728,0.html>

35 42nd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations

The voting process

41. In general the voting process was well understood by voters and the Polling Station Committees alike. However, there were two parts of the process, as well as the situation in Srebrenica, that gave rise to some comment by the Congress teams:

42. Firstly, the “polling booth”. In BiH this is a three-sided cardboard panel set around a desk. Mostly the desks were separated at a distance from each other, and the vote was secret, but where they were side-by-side the voting preference could be seen from the next desk.

43. Secondly, the voter identification stage – in every polling station the voter’s name was called out – essentially for the observers - who ticked the name off their list and if they hadn’t heard, asked for the name to be called out again. Some voters said they were uncomfortable with this lack of privacy.

44. Srebrenica proved the exception to the general situation. Congress members observed that voting was suspended twice during the day when police were called to help return order in the polling station. The confusion concerned essentially the “tender ballot” process and in particular the situation of new residents to the area. Many of these tried to register on Polling Day so as to be able to vote but often their documentation (mostly the identity card) was not complete and they were turned away. In addition, polling stations in Srebrenica were coping with a high turnout of voters, at nearly 68%.

Observers

45. Apart from international observers³⁶ (who deployed mainly to Srebrenica, meaning that almost every polling station was observed), the Congress teams met domestic observers in every polling station - however nearly all were from political parties and it was rare to meet NGOs. Curiously, often the observers sat according to national political hierarchy with the majority parties closest to the Polling Station Committee – in FBiH this meant the Social Democratic Party (SDP), and in RS, the Alliance of Independent Social Democrats (SNSD).

46. It was striking to members of the Congress delegation observing the vote in all parts of the country, that not only the polling stations were often run by young people, many in this role for the first time but that the President of the PSC was generally not the most experienced person on the committee (this was often the President’s deputy). It was explained to Congress members that this situation arose because political parties propose membership to the PSC and young people, expectant of job opportunities through political parties, volunteer themselves. This also explains why there is little continuity in the PSC membership at each election. Few professionals take part in the PSC. Throughout polling day this did not cause too many organisational problems but the lack of experience showed in particular when decisions had to be taken concerning assisted voters and, after closing, during the count.

47. In anticipation of advice being required on Polling Day the CEC, through its MECs, had put local Help Lines in place for the PSC Presidents, as well as a roving adviser responsible for visiting a number of polling stations, answering questions on procedure that had arisen. This proved helpful.

Voter assistance

48. All Congress teams observed incidents involving voter assistance. This happened in several forms, some permitted under the rules of the CEC. Most often assistance concerned an elderly person, visually impaired or with reduced mobility, or more rarely a young adult with limited intellectual capabilities. In these cases, under CEC rules, a “family member”, also on the Register of Voters, had the right to assist, their identity card having been duly checked and marked against the voter’s name. The Congress teams discovered variations in the interpretation of this rule so that in some cases the

³⁶ International observers were accredited from the Office of the OHR ; the OSCE ; the EU and the wider diplomatic community.

assister could only help one family member, in other cases the assister did not necessarily have to be a member of the family, just somebody “close”.

49. Other permitted cases of assistance were observed when the voter (usually elderly) was unable to gain access to the polling station owing to steep stairs. In this situation, two members of the PSC left the polling station taking the Register, a ballot paper and a large empty envelope to the person downstairs (observers could accompany if they wished), checked the voter's identity with the Register, oversaw the filling in of the ballot paper (often there was no privacy possible) and then came back upstairs, placing the ballot in the ballot box.

50. During this time Congress observers noted that the polling station was vulnerable to compromise as it lacked its complement of PSC members (which may only number three altogether); voting in the polling station was held up while the Register was absent, and the secrecy of the ballot outside the polling station was not assured. In addition, the person assisted in this way was often visually impaired and asked the polling station staff to fill in their ballot paper for them, which usually they did.

51. Other cases were observed by Congress that clearly abused the “permitted” assistance rule, where the same person assisted several other “family members”, in one case the assister changed his jacket to be less easily identified. Yet other cases of “family voting” were observed.

Access to the polling station

52. Accessibility to the polling station was also an issue. Congress teams observed that more than half of all polling stations visited were not accessible to the disabled – many being located up steep stairs. Nevertheless, each municipality has a polling station where mobile units are based. There is a standard procedure for requesting the mobile unit in advance if the voter is incapable of getting to the polling station - the Congress delegation asked assisted voters why they had not called for the mobile unit to visit their homes – it seems many were unaware of the procedures to request it.

The count

53. Polling stations closed at 7pm, with those in the queue at that time being able to vote before the counting process began. Here, if the PSC President was inexperienced, it showed in a slower, less organised count. This meant that, in some cases, domestic observers were not kept at a distance from the ballots, in others it was not clear who was part of the PSC and who was a domestic observer and in a rare case the domestic observers even took charge.

54. The Congress teams observed that the grounds for invalidating ballot papers were not always clear, and invalid ballots were not necessarily shown to the observers. However, where this occurred, they put it down to inexperience. Mobile phones were not excluded for domestic observers who regularly telephoned updates of results. In some cases, as soon as the result was known, there was no further interest in completing the procedures, which some Presidents were then left to cope with on their own. The result was not necessarily announced, although the result notice was posted on the noticeboard. Where the President was experienced these situations did not arise and the vote proceeded smoothly.

VI. Election results

55. Under the rules, the CEC has 30 days before final results are confirmed. This allows for the collection and verification of postal votes, unconfirmed votes and tender ballots. The first election results were confirmed, and appeared on the CEC website on 6 November 2012. Decisions on irregularities and appeals leading to repeated elections were also regularly published on the website³⁷.

56. Countrywide, the turnout was 56.36%, the lower turnout having been explained as disenchantment with the political situation following the 2010 elections. The turnout in Brcko District was the lowest at 51.57%, in FBiH, it was 54.79% and in RS 59.18%. The Srebrenica voters were the most motivated and turnout there reached 67.87%.

57. The Party of Democratic Action (SDA) won the highest number of mayoral seats (37) nationwide while the national majority parties the SNSD and the SDP lost seats overall (winning 19 and 10 respectively). Seven independent candidates were elected mayor including, in the situation at 5 December 2012, the post of Mayor of Srebrenica.

58. The number of women elected as mayor increased to 5 (out of 140). Although this is still far short of satisfactory, it represents more than a 60% increase over the last elections. Women representing national minorities in municipal councils did better with 5 out of a total of 29 being elected. Women councillors won 498 seats compared to 2,578 won by men.

59. Spoiled ballots were as follows: Federation BiH 6.20%; Republika Srpska 5.91% and the Brcko District 3.67%.

60. Further results can be found in Appendix 4.

VII. Conclusions

61. In general, the local elections held in Bosnia and Herzegovina on 7 October 2012 were well-prepared, conducted in an orderly manner and organised in accordance with the standards for democratic elections elaborated by the Council of Europe and the international community. With the exception of some tensions in specific areas, Election Day was calm and peaceful and preceded by a campaign which can be described as vivid, competitive and less violent compared to previous years.

62. Following the recommendations made by the Congress in 2008 (resulting from the observation of local elections of 5 October 2008³⁸), the country has made significant progress, in particular in: signalling the polling stations, both outside and within buildings; housing polling stations in permanent rather than temporary structures, as well as taking effective measures to discourage the use of mobile phones and other mobile devices inside the polling station, more specifically, in the voting booth. In addition, ballot papers designed for the 2012 elections were user-friendly and easier to understand.

63. However, among the issues to be addressed remain:

- the question of voter registration, notably the scope of liberality of different related provisions (such as allowing registered voters to cast their ballot other than in their constituency and allowing first-time voters as well as “new residents” to participate in the elections even after the registration date has passed);
- the introduction of the “tender (or unconfirmed) ballot”-system, in particular, for first-time voters and new residents which created uncertainty as to voter numbers (and thus increased inter-ethnic tensions in certain areas), added confusion among the staff at polling stations, particularly at the vote count, and provoked questions as to the legitimacy of election results;

37 <http://www.izbori.ba/Default.aspx?CategoryID=183&Lang=6&Id=1105>

38 Congress Recommendation 256 (2008)

- the political pervasion of Polling Station Committees whereby members are proposed by the political parties and these same parties also send the domestic observers who should oversee the process so as to ensure pluralism;
- the provision which concedes assistance to voters with restricted mobility, vision or mental capacity, allowing for potential voting abuse by the assister.

64. With regard to voting rights, the Congress Delegation points out that in many Council of Europe member countries, nowadays, only the main place of residence is crucial for exercising this right at local level. Therefore, it is unusual for citizens permanently resident abroad to be able to participate in local elections in their host municipality.

65. In order to cope with apathy and disenchantment with politics – an often observed phenomenon in many European countries (and also in BiH, due to the governmental crisis) – political actors in Bosnia and Herzegovina are considering holding future elections at different levels (national, regional, local) on one and the same day. However, experiences in other countries have shown that the conduct of concurrent elections on a “Super Sunday” is complicated for local authorities who are in charge of election administration. In addition, local and regional issues are often overshadowed by the election campaign in respect of the vote at national level.

APPENDIX 1

Local Elections in Bosnia and Herzegovina – 7 October 2012 Programme Pre-electoral Mission – 17 to 20 September 2012

Congress Members:

AMY KOOPMANSCHAP Netherlands, SOC / Local, Head of Delegation / Rapporteur
Mayor of Diemen

TERESA ARCINIEGA ARROYO Spain, EPP/CD/Regional, Member of the Cortes de Aragon

UNO SILBERG, Estonia, EA, Member of Kose Rural Municipality Council
Committee of the Regions of the European Union

Secretariat:

RENATE ZIKMUND Head of the Division of Communication and Election Observation,
Congress of Local and Regional Authorities of the Council of Europe

JANE DUTTON-EARLY Assistant to the Election Observation Mission

Sunday, 16 September 2012 - Monday, 17 September 2012

Arrival of the Congress Delegation

19.00 Dinner/ Briefing with Mary Ann HENNESSEY, Head of the CoE office in Sarajevo

Tuesday, 18 September 2012

09.00 – 10.00 Meeting with the representatives of the Democratic Initiative for Europe

- Ms Nermina Zaimović-Uzunović
- Mr Lazar Prodanović
- Mr Marinko Čavara

10.00-11.15 Meeting with representatives of the NGO-s

- "Centers for Civic Initiatives" (CCI)
- "Association of the Election Officials" (AEO)
- "Coalition 143" (K-143)
- "Women's Initiative Network"
- "The Association Alumni of the Center for Interdisciplinary Postgraduate Studies" (ACIPS)

11.30-12.45 Meeting with the representatives of the media

- Ms Ljiljana Zurovac, Press council
- Ms Helena Mandić, Communications Regulatory Agency
- Ms Borka Rudić, "B6H Journalists Association"

13.00-14.30 Lunch

- 14.30-15.45 Meeting with the representatives of the
 - Ministry for Administration and Local Self Government in RS
 - Ministry of Justice of FBiH
- 16.00- 17.15 Meeting with representatives of the Association of the Cities and Municipalities
 - Mr Brano Jovičić, Association of the Cities and Municipalities of Republika Srpska
 - Ms Vesna Travljanin, Association of the Cities and Municipalities of Federation BiH
- 17.30-18.15 Briefing on the current situation in Srebrenica
 - OSCE, OHR (Ms Margriet PRINS) and the EU

Wednesday, 19 September 2012

- 8.00 - 9.00 Meeting with Mr Svetozar PUDARIĆ, Vice-president of Federation BiH,
 Head of BiH delegation to the Congress
- 9.00-9.50 Meeting with the representative of the City of Sarajevo
 - Mr Alija BEHMEN, Mayor of Sarajevo
- 10.00-11.00 Meeting with HR in BiH, HE Mr Valentin INZKO
- 11.15-12.15 Meeting with the representative of the BiH Central Election Commission
 Mr Branko PETRIC (President), Irena HADŽIABDIĆ, Mr Stjepan MIKIĆ (members)
- 12.30-13.30 Meeting with representatives of the BiH Ombudsman office
 -Ms Nives JUKIĆ, Ms Jasminka DŽUMHUR, Mr Ljubomir SANDIĆ
- 13.30-14.45 Lunch
- 15.00-16.00 Meeting with representatives of the International Community from
 OHR , EU, USA, Turkey
- 17.15-18.00 Meeting with the representatives of the political parties and candidates for local
 elections in Sarajevo municipalities:
 - Social-democrat party (SDP)
 - Party of democratic action (SDA)
 - Party for BiH (SBIH)
 - Alliance for a better future (SBB-BiH)
 - Peoples party of work for progress (NSRZB)
 - Social-democrat union (SDU)
 - Croatian democratic union of BiH (HDZ-BIH)
 - Croatian democratic union 1990 (HDZ-1990)
 - Croatian rights party (HSP)
 - Our party (Nasa Stranka)
 - Alliance of independent social-democrats (SNSD)

Debriefing

Thursday, 20 September 2012

Departure of the Congress Delegation

APPENDIX 2 :

**Local Elections in Bosnia and Herzegovina – 7 October 2012
Programme Election Observation Mission - 3 to 8 October 2012**

Congress members

Amy KOOPMANSCHAP	Netherlands, SOC / Local) Head of Delegation / Rapporteur Mayor of Diemen
Teresa ARCINIEGA	Spain, EPP/CD/Regional): Member of the Cortes de Aragon
Enzo BROGI	Italy, SOC / Regional) Councillor, Tuscany Region
Stewart DICKSON	UK, ILDG / Regional) Councillor, Northern Ireland Legislative Assembly
Gaye DOGANOGLU	Turkey, EPP/CD/Local) Member of the Municipal Council of Muratpasa, Antalya
Dominique GAMBIER	France, SOC / Regional) : Regional Councillor, Haute-Normandie
Phillip GROVE	United Kingdom, ECR/Local): Councillor Malvern Hills DC
Aldis HAFSTEINSDOTTIR	Iceland, ECR/Local): Mayor, Hveragerdi Town
Vincent McHUGH	Ireland, ILDG/Local) Councillor, Trim Town Council
Viacheslav ROGOV	Russian Federation, ILDG/Local) Member of Petushinsky Municipal District Deputies Council, Vladimirskaya Region
Raymond TABONE	Malta, SOC/Local: Councillor St Paul's Bay Local Council

French Association of the Council of European Municipalities and Regions

Pierre BAUCHET	Mayor - Fleury les Aubrais (Centre - Loiret)
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Committee of the Regions

Uno SILBERG	Estonia, EA: Member of Kose Rural Municipality Council
Jelena DRENJANIN	Sweden, EPP Member of the Municipal Assembly of Huddinge
Stewart MAXWELL	UK, EA Member of the Scottish Parliament
Declan MCDONNELL	Ireland, ALDE Galway City Council and West Regional Authority

Secretariat – Congress of the Council of Europe

Renate ZIKMUND	Head of the Division of Communication and Election Observation, Congress of Local and Regional Authorities of the Council of Europe
Jane DUTTON-EARLY	Assistant to the Election Observation Mission

Secretariat – Committee of the Regions

Klaus BOELE	Administrator
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Wednesday, 3 October 2012

Arrival of the Delegation:

Thursday, 4 October 2012

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- 09:00-09:45 Briefing on the week ahead and results of the pre-mission (Renate Zikmund)
- 10.00-11.15 Meeting with representatives of the NGOs
- "Centers for Civic Initiatives" (CCI)
 - "Association of the Election Officials" (AEO)
 - "Coalition 143" (K-143)
 - "The Association Alumni of the Center for Interdisciplinary Postgraduate Studies" (ACIPS)
- 11.30-13.00 Meeting with members of the BiH delegation to the Congress
- Mr Svetozar Pudarić, Head of delegation and Vice-president of Federation BiH
- 13.00-14.31 Lunch
- 15.00-16.30 Meeting with Ambassadors of the member states
- 19.00 Dinner/ Briefing with Ms Mary Ann Hennessey, Head of the CoE office in Sarajevo
Analysis of the political situation and latest developments .

Friday, 5 October 2012

- 9.30-11.00 Meeting with the representative of the BiH Central Election Commission
- Mr Branko Petric, President
 - Ms Irena Hadžiabdić, member
 - Mr Suad Arnautović, member
- 11.30-12.45 Meeting with the representatives of the media
- Ms Ljiljana Zurovac, Press council
 - Ms Helena Mandić, Communications Regulatory Agency
 - Ms Borka Rudić, "B6H Journalists Association"
- 13.00-14.30 Lunch
- 14.30-16.30 Briefing/training with representatives/observers of the International Community
- introduction and presentation/overview by representative of the CEC BiH
 - introduction and overview by representative of the Congress delegation
 - observation of the elections, guidelines (CEC BiH)
 - observation of the elections, Code of conduct and Congress practice/methodology, forms and schedule (Congress)
 - discussion and questions
- 17.00-18.00 Technical meeting (drivers, interpreters.)

Saturday, 6 October 2012

9.00 Departure of the observers

- Field meetings with members of the municipal electoral committees, representatives of the political parties and candidates, OSCE field offices...
- Accommodation, hotel...

Sunday, 7 October 2012

Election day

7.00 Opening of the polling stations

19.00 Closing of the polling stations

Monday, 8 October 2012

8.30-9.30 Internal meeting

10.30 PRESS conference

12.00 ***debriefing***

Departure of the Congress Delegation:

APPENDIX 3**Local Elections in Bosnia and Herzegovina – 7 October 2012
Election Observation Mission - 4 to 8 October 2012****DEPLOYMENT TEAMS**

Team 1 : Sarajevo (including East Sarajevo plus environs): Declan McDONNELL + Jane DUTTON-
EARLY

Team 2 : Pale, Gorazde, Foca/Srbinje (round trip starting from Sarajevo): Amy KOOPMANSCHAP +
Renate ZIKMUND

Team 3: Zenica, Vitez, Busovaca : Jelena DRENJANIN + Vincent McHUGH

Team 4: Ilidza, Konjic, Rama, Uskoplje : Aldis HAFSTEINDOTTIR + Stewart DICKON

Team 5: Jajce, Donji Vakuf, Bugojno : Teresa ARCINIEGA + Stuart MAXWELL

Team 6: Srebrenica, Bratunac, Vlasenica: Gaye DOGANOGLU + Phillip GROVE

Team 7: Stojac, Capljna : Klaus BOELE + Raymond TABONE

Team 8: Brcko, Bijeljina, Tuzla: Dominique GAMBIER + Pierre BAUCHET

Team 9: Banja Luka, Prijedor, Kozarak, Ivanjska : Uno SILBERG + Viacheslav ROGOV

APPENDIX 4**ELECTION RESULTS included :****1. Turnout**

	<i>registered</i>	<i>voted</i>	<i>%</i>
Bosnia and Herzegovina	3096229	1744955	56,36
FBIH	1848898	1013044	54,79
RS	1164889	689392	59,18
BRČKO DISTRICT	82442	42519	51,57
Srebrenica	11764	7972	67,87

2. Women (before 3, now 5)

	<i>name</i>	<i>municipality</i>	<i>No. of votes</i>
1	Amra Babic new	Visoko	5914
2	Snjezana Raijlic	Novi Grad	10082
3	Divna Anicic	Mrkonjic Grad	5381
4	Komlenovic Mileva	Kalinovik	895
5	Jasminka Begic new	Doboj Jug	1093

3. Number of elected *Mayors*, nominated by the *political parties*

<i>party</i>	<i>No. of Mayors</i>	<i>%</i>
SDA	37	26,43
SDS	26	18,57
SNSD	19	13,57
HDZ	13	9,29
SDP	10	7,14

4. *Mayors*, elected as *independent* candidates

	<i>name</i>	<i>municipality</i>
1	BEHRIĆ EDIN	VELIKA KLADUŠA
2	STAKIĆ SIMO	PELAGIĆEVO
3	HUJIĆ ZLATKO	BOSANSKI PETROVAC
4	OMEROVIĆ ISMET	SAPNA
5	ČAMIL DURAKOVIĆ	SREBRENICA
6	AJKUNIĆ HASAN	BUGOJNO
7	TUZLIĆ HALIL	BREZA

5. Newly elected Members of the *municipal council* – *ethnic structure*

<i>Bosniak</i>	<i>Serb</i>	<i>Croat</i>	<i>Other</i>	<i>Not declared</i>	<i>total</i>
1224	1209	521	58	64	3076
<i>Male: 2578</i>		<i>Female. 498</i>			

6. Newly elected Members of the *municipal council* – *National Minorities*

<i>Male: 24</i>	<i>Female. 5</i>
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7. Newly elected *Mayors* – *ethnic structure*

<i>Bosniak</i>	<i>Serb</i>	<i>Croat</i>	<i>Other</i>	<i>Not declared</i>	<i>total</i>
56	63	20	1		140
<i>Male: 135</i>		<i>Female. 5</i>			

APPENDIX 5

Press Release, 8 October 2012

Congress welcomes further consolidation of grassroots democracy in Bosnia and Herzegovina but calls for more professionalism in local election administration

Sarajevo, 8 October 2012. – An 18 member-delegation of the Congress of Local and Regional Authorities of the Council of Europe concluded today a mission to observe local elections held on 7 October 2012 in Bosnia and Herzegovina. The delegation was headed by Congress Rapporteur Amy KOOPMANSCHAP, Mayor of Diemen (Netherlands, L, SOC), and included members from 14 European countries, also representing the EU-Committee of the Regions and the French Association of the Council of European Municipalities and Regions.

In a first preliminary statement the delegation stated that local elections were prepared and conducted in an overall satisfying manner, although some issues of genuinely democratic elections remain to be addressed. Major weaknesses - which were revealed by the delegation at meetings with different interlocutors prior to the Election Day and more specifically during the vote on Sunday – include:

- the influence of parties on the composition of polling station committees in Bosnia and Herzegovina and the role of domestic observers;
 - the registration process and the scope of liberality of the electoral law in this respect
- as well as
- the issue of assistance for voters who cannot exercise their right to vote alone because of physical deficiencies or illiteracy and family voting.

The use of so-called “tendered” or unconfirmed ballots for those who were not on the voters’ lists but claimed the right to vote in a specific municipality (for example voters with a newly registered residence, first-time voters and absentee voters who happened to be in their municipality on Election Day) caused difficulties, in particular in Srebrenica, with some 100 doubtful ballots. “We urge the relevant authorities of Bosnia and Herzegovina, notably the Central Election Commission, to look very carefully into this matter. In view of future elections, the use of these tendered ballots needs revision. It has to be clear well in advance of Election Day who is entitled to vote”, said the Congress Rapporteur.

The delegation addressed also the need to professionalise the electoral process. “Bosnia and Herzegovina needs more professionalism, more competent and well-trained and experienced election officials in the polling stations and less party control”, Koopmanschap concluded.

Declan McDONNELL, Ireland (ALDE), member of the EU-Committee of the Regions joined the observations made by the Head of delegation and added: “The Committee of the Regions will take the findings of this mission into account for its opinion on the upcoming annual report of the European Commission on the progress in accession countries.”



T +33(0)390214895

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congress.com@coe.int

Ref. CG-PR031(2012)

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Contacts on spot

Division of Communication and Election Observation, Congress of the Council of Europe, Strasbourg

Renate Zikmund, Head of the Division of Communication and Election Observation

mobile: + 33 6 59 78 64 55
E-mail: Renate.ZIKMUND@coe.int

Council of Europe Office in Sarajevo

Mary Ann HENNESSEY, Head of Office
Tel: + 387 33 233 938
E-mail: mary-ann.hennessey@coe.int

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The Congress has two chambers, the Chamber of Local Authorities and the Chamber of Regions. It brings together 318 full and 318 substitute members representing more than 200 000 European territorial communities.

President of the Congress: Keith Whitmore (United Kingdom, ILDG), President of the Chamber of Regions: Herwig van Staa (Austria, EPP/CD), President of the Chamber of Local Authorities: Jean-Claude Frécon (France, SOC)

Political Groups: Socialist Group (SOC), Group of the European People's Party – Christian Democrats (EPP/CD), Independent and Liberal Democrat Group (ILDG).
