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Observation of the general elections in Bosnia and Herzegovina (3 October 2010)

Report

Ad hoc committee of the Bureau of the Assembly

Rapporteur: Mr Tiny KOX, The Netherlands, Group of the Unified European Left

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1. Introduction

1. Following an invitation on 12 May 2010 from the Central Electoral Commission (CEC) of Bosnia and Herzegovina, at its meeting on 25 May 2010 the Bureau of the Parliamentary Assembly decided to form an ad hoc committee of 30 members to observe the general elections in Bosnia and Herzegovina on 3 October 2010, and to organise a pre-electoral visit by five members – one from each political group, who were also members of the ad hoc committee. This visit took place on 13 and 14 September 2010. Mr Tiny Kox was appointed Chair and Rapporteur of the ad hoc committee.

2. On 4 October 2004, the Parliamentary Assembly and the European Commission for Democracy through Law ("Venice Commission") signed a co-operation agreement. Article 15 of the agreement states that "when the Bureau of the Assembly decides to observe an election in a country in which electoral legislation has previously been examined by the Venice Commission, one of the rapporteurs of the Venice Commission on this issue may be invited to join the Assembly's election observation mission as legal adviser". The Bureau of the Assembly thus invited an expert from the Venice Commission to join the ad hoc committee as legal adviser.

3. On the advice of the Assembly's political groups, the ad hoc committee had the following membership:

Tiny KOX, Head of the delegation (Netherlands, UEL)

Group of the European People's Party (EPP/CD):

Renato FARINA	Italy
Jean-Charles GARDETTO	Monaco
Françoise HOSTALIER	France
Anna LILLIEHÖÖK	Sweden

Mirosława NYKIEL	Poland
Kent OLSSON	Sweden
Janusz RACHOŃ	Poland

Socialist Group (SOC):

Mirjana FERİĆ-VAC	Croatia
Angelika GRAF	Germany
Sinikka HURSKAINEN	Finland
Igor IVANOVSKI	"The former Yugoslav Republic of Macedonia"
Reijo KALLIO	Finland
Geert LAMBERT	Belgium
Pietro MARCENARO	Italy
Gisela WURM	Austria

Alliance of Liberals and Democrats for Europe (ALDE):

Nursuna MEMECAN	Turkey
Jørgen POULSEN	Denmark
Andrea RIGONI	Italy

European Democratic Group (EDG):

Yüksel ÖZDEN	Turkey
Karin S. WOLDSETH	Norway

Group of the Unified European Left (UEL):

Tiny KOX	Netherlands
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Secretariat:

Vladimir Dronov, Head of the Secretariat, Interparliamentary Co-operation and Election Observation Unit
Chemavon Chahbazian, Deputy Head of the Secretariat, Interparliamentary Co-operation and Election Observation Unit
Franck Daeschler, Principal Administrative Assistant
Danièle Gastl, Assistant
Serguei Kouznetsov, Elections and Referendums Division, Venice Commission

4. The ad hoc committee formed part of the international election observation mission, which also included election observers from the Parliamentary Assembly of the OSCE, the NATO Parliamentary Assembly and the election observation mission of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR).

5. The ad hoc committee met in Sarajevo from 1 to 4 October 2010. It met representatives of the main political parties standing for election, the Chairperson of the Central Electoral Commission, the Council of Europe Secretary General's special representative in Bosnia and Herzegovina, the Head of the OSCE mission, the Head of the OSCE/ODIHR election observation mission and his team and representatives of civil society and the media. The programme of the ad hoc committee's meetings is reproduced in Appendix 1.

6. On election day, the ad hoc committee divided into 11 teams to observe the elections in Sarajevo, Banja Luka, Pale, Srebrenica, Brčko and their surrounding areas.

7. The international election observation mission concluded that the general elections in Bosnia and Herzegovina on 3 October 2010 "represented further progress and, except for legal restrictions of voting rights, were conducted generally in line with OSCE and Council of Europe commitments". However, Mr Tiny Kox added that "the elections were once again conducted with ethnicity and residence-based limitations to active and passive suffrage rights imposed by the Dayton Accords. As such, the extant legal framework continues to violate Protocol No. 12 of the European Convention on Human Rights". The joint international election observation mission press release published after the elections is reproduced in Appendix 2.

8. The ad hoc committee wishes to thank the Secretary General's special representative in Bosnia and Herzegovina and the staff of the Council of Europe office for their co-operation with and logistical support to the ad hoc committee and its pre-electoral visit. It also wishes to thank the OSCE/ODIHR election observation mission in Sarajevo for its efficient co-operation.

2. Political and legal context

9. The voting arrangements for the general elections in Bosnia and Herzegovina on 3 October 2010 remained complex. Voters had to elect the Presidency of the state and the members of the House of Representatives. In addition, voters in the Republika Srpska elected the President of the Republika Srpska and the members of the National Assembly of Republika Srpska. Voters in the Federation of Bosnia and Herzegovina elected members of the House of Representatives of the Federation. There were also cantonal elections in the Federation of Bosnia and Herzegovina, but these were only observed by the ad hoc committee in so far as they had an effect on the state and entity elections.

10. General elections in Bosnia and Herzegovina are governed by the Constitution and the 2001 electoral legislation. The latter has been amended on a number of occasions: in 2002, 2004, 2005 and 2006. Many of these amendments were designed to improve technical aspects of the law. For example, the 2006 amendment, the most recent, introduced a passive system of registering electors and abolished the complaints and electoral appeals board.

11. The Constitution of Bosnia and Herzegovina, appended to the 1995 General Peace Agreement – the Dayton Agreement – imposes restrictions on eligibility based on ethnicity. Only citizens who identify themselves as Bosniac, Serb or Croat can stand for the tripartite state presidency. Within the entities only Serbs can stand for the presidency of the Republika Srpska, which prevents anyone belonging to the so-called "other" category from standing. Moreover, Republika Srpska voters can only vote for Serb candidates and those of the Federation of Bosnia and Herzegovina for Bosniac or Croat presidential candidates.

12. In its Resolution 1701 (2010), the Assembly expressed serious concern about the constitutional reform in Bosnia and Herzegovina in the context of the 3 October general elections, stating that "it takes note of the judgment of the European Court of Human Rights in the case of *Sejdić and Finci v. Bosnia and Herzegovina*, in which the Court ruled that the applicants' continued ineligibility to stand for election to the House of Peoples and to the Presidency of Bosnia and Herzegovina, on the grounds that they do not identify themselves with one of the three 'constituent peoples', constitutes a violation of Article 14, taken in conjunction with Article 3 of Protocol No. 1, as well as Article 1 of Protocol No. 12 to the Convention. To comply with the decision of the Court, the authorities of Bosnia and Herzegovina must implement a constitutional reform. If this reform is not implemented in the coming months, it will be impossible to hold the parliamentary elections of October 2010 on the basis of new rules, as it will not be possible to change the electoral legislation in time. Thus, there is a serious risk that, following the parliamentary elections of October 2010, the country's institutions will once again be formed in violation of the Convention."

13. With the exception of the aforementioned constitutional restrictions, the electoral legislation, as amended in March 2006, is an appropriate basis for democratic elections. The Venice Commission's most recent opinion on the electoral law was adopted in June 2008.

14. The members of the ad hoc committee met leaders and representatives of the main political parties taking part in the elections: the Alliance of Independent Social Democrats (SNSD), the Party of Democratic Progress (PDP), the Serbian Democratic Party (SDS), the Party of Democratic Action (SDA), the Party for Bosnia and Herzegovina (SBH), the Party for a Better Future of Bosnia and Herzegovina (SBBBiH), the Croatian Democratic Union of BiH (HDZ-BH) and the Croatian Democratic Union (HDZ-1990).

15. The ad hoc committee noted that all the political parties voiced support for the abolition of discriminatory provisions preventing "other" candidates from standing for election. Nevertheless, despite the commitment to implementing the judgment of the European Court of Human Rights in the case of *Sejdić and Finci v. Bosnia and Herzegovina* of 22 December 2009, major differences clearly remain on how to settle the problem. Certain political parties advocate a simple change to the Constitution to permit the implementation of the Court's judgment, whereas others call for a radical reform of the Constitution. In several Assembly resolutions proposals on how to possibly improve the rules have been made, but until now they have not been implemented.

3. Electoral administration

16. The general elections of 3 October 2010 were the second to be entirely administered by the authorities of Bosnia and Herzegovina with no involvement of the international community.

17. The elections were managed by a three-tier arrangement made up of a Central Electoral Commission, 142 municipal electoral commissions and 5 276 polling station commissions.

18. The Central Electoral Commission comprises seven members appointed by the parliament of Bosnia and Herzegovina. Two members each represent the Bosniac, Croat and Serb communities while the so-called "other" category is represented by one member. The chair of the CEC is elected from the members by rotation every 21 months. The municipal electoral commissions contain three to seven members depending on the number of voters in the municipality. The members are appointed by the relevant municipal council/assembly, subject to CEC approval.

19. All the parties and independent candidates are entitled to nominate members of the polling station commissions. They are appointed by their local municipal electoral commission based on a system for drawing lots organised by the CEC.

20. The ad hoc committee noted the professional and transparent way in which the CEC conducted its business. Irrespective of political stance, the representatives and leaders of the political parties expressed confidence in the CEC. The CEC co-operated effectively with the Council of Europe, particularly with the implementation of the action plan for pre-electoral assistance, which started in February 2010. The ad hoc committee encouraged the CEC to continue and develop its co-operation with the Council of Europe.

4. Registration of candidates and electors

21. The deadline for registering candidates was 21 May 2010, which was respected by the CEC. Candidates were registered in a transparent and inclusive manner, apart from the above-mentioned constitutional restrictions on the right to eligibility based on ethnic origin. In all, 32 political parties, ten coalitions and seven independent candidates were registered, which was representative of all the political tendencies in Bosnia and Herzegovina and provided voters with an extensive choice on election day.

22. In all, 8 242 candidates were included on 562 separate lists standing for the general elections, including 4 259 Bosniacs, 1 926 Serbs, 1 713 Croats and 299 "others". Forty-four candidates did not declare their national identity. Some 63% of candidates were men and 39% women. According to CEC statistics, 324 candidates were not registered for various reasons (mostly because of incomplete registration forms), but none of the rejected candidates complained to the CEC.

23. For the general elections on 3 October 2010, a total of 3 126 599 electors were registered on the electoral lists. One of the main results of the amendments made to the Electoral Law in March 2006 was to replace the active system of elector registration by a passive one. The central electoral register, which is used for drawing up lists of electors, is based on the registry office list; this is known as the "Citizen Identification Protection System". All citizens over the age of 18 are required by law to register on this system and are therefore automatically included on the list of electors.

24. The central electoral register was closed on 19 August 2010. For the first time, 1 065 electors were registered in embassies and consular services abroad in order to vote in the elections. Moreover, 36 649 voters were registered for televoting by mail, which was subject to having completed the requisite form by 19 July 2010. In connection with voting by mail, the CEC identified a number of irregularities, including hundreds of envelopes containing ballot papers which arrived at the CEC from the same addresses abroad. Following investigations, the CEC decided to exclude these ballot papers from the counting process.

25. As in previous elections, displaced persons were able to vote either in their current municipality of residence or in their pre-1991 constituencies. Of the 113 642 displaced persons in the country, 22 473 opted for voting in their pre-1991 constituencies.

5. Pre-electoral period and the media

26. The election campaign began on 3 September 2010. The climate surrounding the election campaign was peaceful. The ad hoc committee noted the positive point that during the election campaign the political parties did not campaign against each other on the basis of ethnic belonging as had often been the case in the past. Nevertheless, the election campaign took place in a context of ethnic division and constitutional

reform. With very few exceptions, the parties fought for votes mainly within their own ethnic communities. Opinion poll results showed widespread public dissatisfaction with the fact that politicians had been breaking their electoral promises for years and with the continuing gulf between the promises and what the elected authorities actually did.

27. All the party representatives stressed the need to reform the State Constitution and implement the judgment of the European Court of Human Rights of 22 December 2009 in the case of *Sejdić and Finci*, in order to bring the Constitution into line with the European Convention on Human Rights. Despite these reassuring declarations, the deadlock on this matter persists. In this context, the ad hoc committee asked the national politicians to endeavour, after the elections, to resolve this problem as a matter of the utmost urgency.

28. The ad hoc committee noted that, according to many civil society operators and media representatives, ineffective action against corruption and organised crime, the problems of economic development and unemployment were the main subjects of concern to the citizens of Bosnia and Herzegovina, regardless of ethnic background. The ad hoc committee therefore voiced its surprise that these problems had been hardly mentioned during the election campaign.

29. Another subject of major concern was the funding of the election campaign, which comes from the state budget. The political parties standing for election are required to submit statements of their campaign expenditure within a month of the elections. According to CEC representatives, in the event of non-compliance with the rules on funding, the party in question must pay a fine of up to KM 5 000 (approximately €2 500). This amount seems insignificant compared with the actual expenditure of the main political parties. The ad hoc committee was concerned to note that the rules on the funding of the election campaign were very unclear, which hardly boosts public trust in the democratic electoral process.

30. During the election campaign, many people, including members of the CEC, mentioned the danger of possible irregularities on election day, especially during the vote counting after the polling stations closed, because of the complexity of the electoral system. In Banja Luka, for instance, the members of the Parliamentary Assembly pre-electoral mission were informed by members of the Democratic Progress Party (PDP) that during the local elections in 2008, 12% of all ballot papers in some polling stations were declared invalid, the overwhelming majority of them having been for the PDP, which is an opposition party. This is why a number of people interviewed by the pre-election mission had asked if they could send more teams to the places where this type of irregularity had been noted.

31. The ad hoc committee noted that in Bosnia and Herzegovina, the network of local non-party NGOs involved in observing the elections was much less developed than in other countries in the region, even though the country's electoral legislation authorises NGO observation activity. The presence of local non-party observers would build up mutual trust among the political forces, distrust still being a major problem in the country's political life. Such a presence would also reinforce citizens' confidence in the democratic electoral process. As part of its electoral assistance programmes, including with the CEC, the need for which is acknowledged by the Bosnia and Herzegovina authorities, the Council of Europe has launched action to develop a network of such NGOs. The ad hoc committee considers that this type of electoral assistance programme should be further developed, without waiting for the next election.

32. In connection with media coverage of the election campaign, Bosnia and Herzegovina has a broad, pluralist range of media, which meant that the electors had the requisite information to make an enlightened choice on election day. The legal provisions on airtime for all candidates were broadly respected. On the whole, the national public broadcasters covered the election campaign in a nuanced, impartial manner. As expected, broadcasters operating in the different entities covered the campaign from an ethnic angle, as did the private broadcasters.

33. Bosnia and Herzegovina has some 200 broadcasters and 100 press organs. A large number of broadcasters put out special daily "election updates". According to the media monitoring report by ODIHR/OSCE, the news programmes in the Republika Srpska were more in favour of the representatives of the authorities, whereas the Federation of Bosnia and Herzegovina television channel, FTV, was rather critical of the authorities, backing the opposition. The public channel BHT1 provided neutral coverage of the authorities' activities.

34. The ad hoc committee stressed the importance of equitable access by all political parties, including small ones, to the electronic media. There is considerable room for improvement in the public service, particularly in the areas of news programmes and campaign reporting.

6. Election day

35. The members of the ad hoc committee stressed that voting and vote counting in all the polling stations visited on election day proceeded in a calm, well-organised manner. The ad hoc committee took particular note of the good general atmosphere in the polling stations and the easy relations among members of the electoral commissions working there.

36. The members of the ad hoc committee made the following critical observations: long queues were sometimes observed in the polling stations, caused by the large number and complexity of the ballot papers which each voter had to slip into the ballot boxes; the number of ballot boxes varied from one polling station to another, ranging from one to three; some polling stations were too small; virtually all the polling stations were inaccessible to persons with reduced mobility; there were cases of non-compliance with voting procedure, for example voters' identity cards were not inspected by the polling station official when presenting the ballot papers; there were isolated cases of family voting in rural areas, albeit more in order to assist than direct the voting; there was one case of an electoral commission failing to co-operate with the observer team in a polling station near Sarajevo airport.

37. One of the ad hoc committee teams observing the election in the Republika Srpska was present when Mr Dodik, the current Prime Minister of the Republika Srpska, voted in his home town of Laktasi. Mr Dodik voted in public, without entering the polling booth, which is a breach of voting secrecy and may also be considered as propaganda, since his public voting was broadcast by the television channels on election day. However, the ODIHR/OSCE informed members of the ad hoc committee of a case where a political party leader tried to vote but the polling station officials refused to hand over the ballot papers to him because he had forgotten his identity card. He was forced to return to the station later with his card.

38. The members of the ad hoc committee noted that the vote-counting procedures were not properly respected in a number of polling stations. Once again, this situation is apparently due not to any malicious intent but rather to the complexity of the voting system, the unwieldy and complicated vote-counting procedures, the fact that votes in four different elections had to be counted, the fatigue experienced by polling station officials and, in some cases, the fact that members of the electoral commission were poorly trained.

39. According to the preliminary results of the general elections of 3 October 2010, the turnout was 56.28%, which is an increase of some 3% over 2006. The deadline for publishing the official results is 2 November 2010.

40. According to the preliminary results issued by the CEC, Mr Izetbegović, the candidate of the Bosniac SDA party, Mr Komšić, the Croat candidate of the SDP party, and Mr Radmanović, the Serbian candidate of the SNSD party, were elected to the Presidency of the state. The SNSD candidate, Mr Dodik, was elected President of the Republika Srpska, and his party won the majority of seats in the Republika Srpska Parliament. On 20 October, the CEC declared the results of the political parties in terms of the number of seats won in the Parliamentary Assembly of Bosnia and Herzegovina:

Alliance of Independent Social Democrats (SNSD) – 8
Social Democratic Party of Bosnia and Herzegovina (SDP) – 8
Party for Democratic Action (SDA) – 7
Serbian Democratic Party (SDS) – 4
Party for a Better Future of Bosnia and Herzegovina (SBBiH) – 4
Croatian Democratic Union of Bosnia and Herzegovina (HDZ BiH) – 3
Croatian Democratic Union 1990 (HDZ 1990) – 2
Party for Bosnia and Herzegovina (SBBiH) – 2

41. On 11 October, the CEC declared that the official records of the results in 697 polling stations had aroused suspicion, and decided to recount the ballot papers from 11 polling stations in the following municipalities: Banja Luka, Zvornik, Visegrad, Teslić, Teochak, Gorni Vakuf and Travnik.

7. Conclusions and recommendations

42. The ad hoc committee concluded that the elections were once again conducted with ethnicity and residence-based limitations to active and passive suffrage rights imposed by the Dayton Accords. As such, the extant legal framework continues to violate Article 14 of the European Convention on Human Rights, and also of Article 3 of Protocol No. 1 and Article 1 of Protocol No. 12.

43. The ad hoc committee notes with great concern that, unlike the previous elections, the general elections on 3 October took place in a context where the Bosnia and Herzegovina authorities had failed to enforce the judgment of the European Court of Human Rights of 22 December 2009 in the case of *Sejdić and Finci*, despite the fact that the Parliamentary Assembly, in its Resolution 1725 (2010), had urged the country's authorities to comply with the Court judgment by amending the electoral legislation in order to prevent the risk of once again setting up national institutions under conditions incompatible with the European Convention on Human Rights.

44. The ad hoc committee considers that the Parliamentary Assembly should not allow the next general elections in Bosnia and Herzegovina to take place under conditions incompatible with the European Convention on Human Rights. With regard to Assembly Resolution 1725 (2010), the ad hoc committee notes that the breakdown of the process of preparing amendments to the Constitution required by the *Sejdić and Finci* judgment and the holding of the general elections on 3 October 2010 in accordance with rules incompatible with this judgment violate the commitments entered into by Bosnia and Herzegovina on its accession to the Council of Europe. This is an unacceptable situation. Consequently, the ad hoc committee invites the authorities and the newly elected parliament to launch "a serious institutionalised process for the preparation of a comprehensive package of constitutional amendments, in accordance with the country's post-accession commitments, while making full use of the expertise and recommendations of the European Commission for Democracy through Law (Venice Commission)", as recommended in Assembly Resolution 1725 (2010).

45. That said, the general elections held in Bosnia and Herzegovina on 3 October 2010 did constitute some degree of progress. The climate of the election campaign was peaceful and the polling and vote counting on election day took place in a calm, organised manner.

46. Regardless of their ethnic origin, many of the people the ad hoc committee spoke to expressed concern about the unclear rules on election campaign funding, the ineffective action against corruption and organised crime and the problems with economic development and unemployment, which are the primary concerns of the Bosnia and Herzegovina population. The ad hoc committee invites the Assembly's Monitoring Committee and other relevant bodies of the Council of Europe to reinforce their co-operation with Bosnia and Herzegovina on these issues.

47. The Central Electoral Commission has the trust of the representatives and leaders of the political parties regardless of political position and ethnic background. The ad hoc commission would like to stress the CEC's professionalism and transparent operations, as well as the motivation, devotion and hard work of the 43 000 or so officials in the polling stations on election day, on duty for almost 24 hours. The ad hoc committee would encourage the CEC to continue and step up its co-operation with the Council of Europe.

48. On election day the members of the ad hoc committee noted the absence of local non-party observers from the polling stations visited. In Bosnia and Herzegovina in general the network of local non-party NGOs involved in observing the elections is much less developed than in other countries in the region, even though the country's electoral legislation authorises NGO observation activity.

49. The ad hoc committee considers that the presence of local non-party observers would boost public confidence in the democratic electoral process, as suspicion in this sphere is still a major problem in the country's political life. As part of its electoral assistance programmes, including with the CEC, the Council of Europe has launched action to develop the network of NGOs. This type of medium- and long-term electoral assistance programme should be further developed, without waiting for the next election.

50. The ad hoc committee invites the CEC to analyse the technical vote-counting procedures, in close co-operation with the Venice Commission, with a view to preparing recommendations to improve the overly complicated procedures and speed up the procedure for vote counting and publication of preliminary election results.

Appendix 1

Programme

Friday, 1 October 2010

- 08.30-09.30 Ad hoc committee meeting:
- Opening of the meeting and information on the pre-electoral mission by Mr T. Kox, Head of the Delegation
 - Briefing by the other members of the pre-electoral mission
 - Political situation and background, Mrs C. Ravaud, Special Representative of the Secretary General of the Council of Europe in Bosnia and Herzegovina
 - Recent developments in the field of election legislation, Mr S. Kouznetsov, Secretariat of the Venice Commission
 - Practical and logistical arrangements, Secretariat
- Joint Parliamentary Briefing
- 09.30-10.00 Opening by the Heads of Parliamentary Delegations:
- Mr R. Batelli, Special Co-ordinator and Head of the short-term OSCE observer mission
 - Mr T. Kox, Head of the delegation of the Parliamentary Assembly of the Council of Europe
 - Mr W. Sidorowicz, Head of the NATO Parliamentary Assembly delegation
- 10.00-10.30 Round table:
- Ambassador G.D. Robbins, Head of the OSCE Mission to Bosnia and Herzegovina
 - Mrs C. Ravaud, Special Representative of the Secretary General of the Council of Europe in Bosnia and Herzegovina
- 10.30-11.45 Briefing by the OSCE/ODIHR Election Observation Mission:
- Welcoming address by Ambassador D. Everts, Head of the OSCE/ODIHR Election Observation Mission
 - Political background and election campaign
 - Media monitoring
 - Legal framework
 - Election administration
 - Election day procedures
 - Observation forms
- Questions and answers
- 11.45-13.05 Meetings with political parties:
- 11.45-12.05: Party for Democratic Action (SDA)
 - 12.05-12.25: Party for Bosnia and Herzegovina (SBiH)
 - 12.25-12.45: Alliance of Independent Social Democrats (SNSD)
 - 12.45-13.05: Social Democratic Party of Bosnia and Herzegovina (SDP)
- 13.05-14.20 Lunch break
- 14.20-15.40 Meetings with political parties:
- 14.20-14.40: Croatian Democratic Union of BiH (HDZ BiH);
 - 14.40-15.00: Serbian Democratic Party (SDS)
 - 15.00-15.20: Croatian Democratic Union 1990 (HDZ-1990)
 - 15.20-15.40: Party for a Better Future of Bosnia and Herzegovina (SBB)
- 15.40-16.00 Coffee break
- 16.00-16.45 Meeting with representatives of the Central Election Commission of Bosnia and Herzegovina:
- Ms I. Hadziabdic, CEC chairperson

- 16.45-17.15 Panel with representatives of NGOs:
– Transparency International
– NGO Women to Women, Ms M. Zvizdovic, President
– Open Society Fund, Mr H. Batinic, Programme Director, Roma, Civil Society
- 17.15-18.00 Panel with representatives of the media:
– Press Council, Ms L. Zurovac, Executive Director
– “Avaz” Newspaper, Mr S. Numanovic, Editor-in-Chief
– Radio and Television of Bosnia and Herzegovina, Mr D. Simic, Editor-in-Chief of news programmes
– TV Pink BiH, Mr S. Musaefendic, Editor of Informative Program

Saturday, 2 October 2010

- 09.15-10.00 Area-specific briefing by long-term observer teams based in Sarajevo
- 10.00 Meeting with interpreters and drivers
- 12.00 Deployment

Sunday, 3 October 2010

Observation of opening, voting and vote count

Monday, 3 October 2010

- 08.00 Debriefing of the ad hoc committee
- 13.00 Press conference

Appendix 2

Press release

Elections in Bosnia and Herzegovina generally in line with international standards, but key aspects need action

Strasbourg, 04.10.2010 – Yesterday's general elections in Bosnia and Herzegovina represented further progress and, except for legal restrictions of voting rights, were conducted generally in line with OSCE and Council of Europe commitments, international observers concluded in a preliminary statement issued today. They stressed that certain key areas require action.

"We have seen yet another demonstration that the electoral process in Bosnia and Herzegovina has stabilized, which is a further promising step towards full integration into the European structures. I congratulate the people of the country and also the election administration for the conduct of these elections. I hope we will soon see the new parliament address the remaining issues," said Special Co-ordinator Roberto Battelli who leads the short-term OSCE observer mission and heads the OSCE PA delegation.

"Our delegation is impressed with the peaceful and relaxed atmosphere surrounding these elections, and it pays tribute to the thousands of electoral administrators whose professionalism and commitment made the voting process a success. However, the elections were once again conducted with ethnicity and residence-based limitations to active and passive suffrage rights imposed by the Dayton Accords. As such, the extant legal framework continues to violate Protocol No. 12 of the European Convention on Human Rights," said Tiny Kox (Netherlands, UEL), Head of the delegation of the Council of Europe Parliamentary Assembly (PACE).

"These elections consolidated the progress achieved by Bosnia and Herzegovina since 2006. We were impressed with the overwhelmingly orderly process conducted in polling stations across the country on election day. Shortcomings remain, particularly with regard to procedural problems. Still, the people of this country won these elections. They have demonstrated their strong commitment to democracy," said Wladyslaw Sidorowicz, Head of the delegation of the NATO Parliamentary Assembly.

"Given the complexity of the electoral system, election officials have done a commendable job in organising the process in a professional and efficient manner. Removing existing limitations to voting rights would not only bring the legal framework fully in line with international standards, but also make the process more manageable for election officials and more understandable to voters," said Daan Everts, Head of the election observation mission of the OSCE Office for Democratic Institutions and Human Rights (ODIHR).

Voters could choose from a broad range of candidates representing a wide political spectrum at state and entity level.

Election day was orderly and calm. Voting was assessed positively, but observers noted instances of family voting in one out of four polling stations visited. The counting process was assessed less positively, with numerous procedural irregularities observed. The unusually high percentage of invalid ballots is a matter of concern.

The election commissions at the central and municipal level enjoyed general confidence among electoral stakeholders. The appointment process of polling station committees, however, was tainted by the practice of contestants nominating committee members affiliated with another party or candidate, or contestants trading seats.

The election campaign was generally calm, although occasionally marked by nationalist rhetoric and inflammatory statements. The variety of views presented in the media provided voters with the opportunity to make informed choices, although populist rhetoric often detracted from issues of substance. While contestants addressed economic, social and European integration topics, constitutional issues and underlying ethnic divisions remained omnipresent.