

23 September 2019



Стална мисија Босне и Херцеговине при ОЕБС, УН и другим међународним орг. у Бечу
Stalna misija Bosne i Hercegovine pri OSCE, UN i drugim međunarodnim org. u Beču

Permanent Mission of Bosnia and Herzegovina to the OSCE, United Nations Office and other International Organizations in Vienna

OSCE/ODIHR Human Dimension Implementation Meeting 2019

13. September 2019

Statement by H.E. Siniša Bencun at the Working Session 3: Democratic institutions, democracy at national, regional and local levels; Democratic elections.

Bosnia and Herzegovina aligns with the statement delivered by Poland on behalf of EU, but let me say a few remarks in my national capacity.

Bosnia and Herzegovina, same like other participating states, committed to upholding key principles of democratic elections. We highly value all support provided from ODIHR election and other departments. We take with high consideration all election observation assessment reports and recommendations for improvement of electoral process, not only because it is our commitment from 1999 Istanbul Summit, but also because some paragraphs of our current electoral legislation has been assessed by relevant international courts as discriminatory. In between two last electoral cycles, BiH authorities fully implemented 7, mostly implemented 3 and partially implemented 8 ODIHR recommendations. For example, ODIHR recommendation that constituencies and the number of mandates for the state and sub-state parliaments should be periodically reviewed to ensure equality of vote was considered in previous electoral cycle by the Republic of Srpska National Assembly, which adopted significant changes in this regard. However, there is more to do. Precondition for further reforms is implementation of election results from last elections, currently blocked already 11 months, due to unreasonable preconditions claimed by some political actors.

Core issue of electoral reform in Bosnia and Herzegovina is not about implementation of ODIHR recommendations; it is also about concept of current electoral system based on

civic principles, while the constitution of the country is ethno-centric. This clash between ethno-national and civic principle caused number of issues, including international and domestic court interventions in number of cases. Proper balance between these two has to be taken into consideration in any future reforms. In short, the civic principles have to be adjusted with parity principle that is implemented in order to ensure equality between three constituent peoples of Bosnia and Herzegovina. We welcome recent statement of CiO Miroslav Lajčak, supporting the principle that none of three constituent nations of Bosnia and Herzegovina must not be override by any of other two. This principle has to be fully implemented in electoral legislation.

We highly value ODIHRs EU funded Western Balkan project aimed to boost implementation of recommendations from election observation mission reports. In terms of project activities in Bosnia and Herzegovina, we recommend more dialoge between political actors, academia, CSOs and experts on future election legislation reform. Such dialogue would help to tackle number of systematic issues in electoral legislation, including extremely low treshold to enter the parliaments, and current formula for seat distribution, that is in some previous ODIHR reports this assessed as awkward.

In conclusion, I would like to express graditude to all participating states that contribute to ODIHR election observation Diversification Fund, that enhances diversity and geographical balance in ODIHR EOMs. Experience they gain often is applicable in their own countries.

Thank you.