

## ***Elections in Bosnia and Herzegovina held in competitive environment, but interethnic divide and mistrust remain key factors, international observers say***

SARAJEVO, 13 October 2014 – While the 12 October general elections in Bosnia and Herzegovina were held in a competitive environment, the interethnic divide was a key factor. The lack of a shared vision in the country's future and of co-operation among the three constituent peoples continues to hinder the reforms necessary to fully ensure democratic elections, and a growing mistrust in the functioning of democratic institutions endangers stability, international observers said in a statement today. At the same time, candidates were able to campaign freely and fundamental freedoms of expression, association and assembly were respected.

“Yesterday's elections demonstrate that Bosnia and Herzegovina has a legal framework sufficient for conducting democratic elections,” said Roberto Battelli, the Special Co-ordinator and leader of the short-term OSCE observer mission. “However, the lack of political will to move beyond the Dayton agreement prevents the country from moving away from the current inter-ethnic divides and towards real progress for the country.”

While the Central Election Commission (CEC) generally administered elections efficiently and enjoyed the confidence of most electoral stakeholders, there were numerous cases of political parties and individual candidates engaging in the trading of positions in polling station commissions to gain greater representation in particular areas. This led to some political imbalance in commissions and reduced trust in the integrity of the process, the statement said.

The legal framework is, for the most part, sufficient for the conduct of democratic elections, the observers said. However the lack of political will to move beyond the Dayton Agreement means that important, long-standing shortcomings remain, including ethnicity-based restrictions on candidacy and voting rights that run counter to OSCE and Council of Europe standards, in particular with regard to the failure to implement the 2009 *Sejdic and Finci* judgement of the ECtHR. They also noted that the number of votes needed to win varies significantly from constituency to constituency, violating the principle of equality of the vote.

“There is an ever-growing mistrust in the functioning of democratic institutions, which endangers stability and compromises the future of the country,” said Tiny Kox, Head of the delegation from the Parliamentary Assembly of the Council of Europe. “This should be a major warning sign to all politicians and political parties.”

In a generally inclusive process, the CEC certified 51 political parties, 14 coalitions and 15 independent candidates to compete in the state and entity elections. All electoral contestants were able to campaign without obstruction, and freedoms of association and assembly were respected. Their campaigns were largely negative, blaming opponents for the lack of progress.

“Election day was generally well administered and polling commission members for the most part performed efficiently,” said Marietta Tidei, Head of the OSCE Parliamentary Assembly delegation. “The new 40 per cent gender requirement was respected both in the election administration bodies and in candidate lists. This, unfortunately, does not necessarily translate into a proportionate gender balance in the legislative bodies.”

There are a large number of media outlets operating in the country, but the media environment is segmented along ethnic lines, the statement said. While public broadcasters complied with the legal obligation to provide free airtime to contestants on an equal basis and provided voters with the opportunity to learn about contestants through debates and election programmes, OSCE/ODIHR election observation mission media monitoring results substantiated widespread allegations of bias in broadcast media.

“In observing the entire election process so far, we have seen that fundamental freedoms have generally been guaranteed,” said Corien Jonker, Head of the OSCE/ODIHR long-term election observation mission. “More has to be done, however, to fully ensure democratic elections. There are still people unable to run as candidates or vote, based on ethnicity, there is trading of positions on polling station commissions, and the media landscape suffers from biased coverage and segmentation along ethnic lines.”

The system for regulating campaign finance is not adequate to ensure transparency and accountability, and the majority of previous recommendations by ODIHR and the Council of Europe’s Group of States against Corruption (GRECO) remain unaddressed. The lengthy auditing process for finance reports and the lack of proportionate sanctions negates the effectiveness of campaign finance regulations, leaving violations unaddressed.

Election day generally proceeded in an orderly manner, but some technical irregularities were noted through the day, with a significant deterioration of the process during the counting. The voting process was assessed as good or very good in 94 per cent of polling stations observed. The overall assessment of counting was more negative, with 25 per cent of observed polling station assessed as bad or very bad.

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