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# Länderbericht

Country office Bosnia and Herzegovina (Sarajevo)



## Government formations in Bosnia and Herzegovina through new coalitions

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### New parties taking responsibility in the government

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208 days after the elections on October 2, 2022, the governments in Bosnia and Herzegovina (BiH) are in office at the state level and in the entities Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS). While the process of forming a government in the state as a whole and in the RS ran smoothly, the High Representative for Bosnia and Herzegovina Christian Schmidt had to make use of the so-called "Bonn Powers" again, after using them for the electoral law change on election night, to break the blockade in the appointment of the Prime Minister of the FBiH and end his government.

On October 02, 2022, the voters elected the three-member state presidency, a chamber of the state parliament (House of Representatives), the president and the national assembly of the entity Republika Srpska and the second chamber of the entity parliament as well as the assemblies of the ten cantons in the entity FBiH and in the self-governing district of Brčko. From now on Denis Bećirović (SDP), Željko Komšić (DF) and Željka Cvijanović (SNSD) form the state presidency. Bećirović and Cvijanović were elected to the state presidency for the first time. The formation and election of the members of the second chamber (House of Nations) of the parliament of the FBiH took place only after the elections by the parliaments of the 10 cantons. This is what the electoral law change implemented by the High Representative referred to. The Central Election Commission (CIK) provides a detailed overview of all election results on the Internet.

### State structure following the Dayton Agreement

On October 2, 2022, the citizens of BiH were able to directly elect their state presidency for the eighth time and their parliaments for the ninth time. There are a total of 14 governments and parliaments in BiH, so that a total of 7,258 women and men ran for political office on this election day. The state structure of the Western Balkans can be traced back to the 1995 Dayton Peace Agreement. The Bosnian war from 1992 to 1995 was officially ended with the peace treaty. Part of it is a federally governed post-war society, whose ethnic dividing lines determine everyday political life almost 30 years after the end of the war and make it difficult to carry out reforms.

At the top of the state is the tripartite state presidency, which is made up of one representative for each of the three constituent peoples, Bosniaks, Croats and Serbs. The state government is formed by the Council of Ministers, consisting of nine ministers and a chairman. However, the actual power of the state institutions is limited to a few competences. Further responsibilities lie with the entities Republika Srpska (RS), which is 80% inhabited by Serbs, and the Federation of Bosnia and Herzegovina (FBiH), which is divided into ten cantons, inhabited mostly by Bosniaks and Croats.

### What was elected where?

On October 2, 2022, the state presidency and a chamber of parliament, the president and the people's assembly of the RS as well as a chamber of parliament of the FBiH and the parliaments of the cantons in the FBiH were directly elected. In the self-governing district of Brčko, citizens could choose which entity they wanted to vote for.

### Who voted?

The number of voters with voting rights (around 3.37 million) has increased marginally by around 13,000 people compared to the 2018 election.<sup>1</sup> This figure is higher than the actual population of BiH. Citizens who are registered abroad often have the right to vote. Due to high emigration rates, around two million people from Bosnia and Herzegovina live and work abroad.<sup>2</sup> In Germany alone, more than 210,000 people from BiH lived in 2022. According to the Central Electoral Commission, voter turnout is 51.5%<sup>3</sup> and thus follows a downward trend (2018: 54.03%<sup>4</sup>; 2014: 54.47%<sup>5</sup>).

### Election results and government formation

All election results of the direct elections on October 2nd, 2022 are clearly listed and can be accessed on the website of the Central Electoral Commission of Bosnia and Herzegovina.<sup>6</sup> From now on, the newly elected State Presidency will consist of Denis Bećirović, Željko Komšić and Željka Cvijanović. Bećirović (SDP) won the Bosniak seat against his competitor Bakir Izetbegović, President of the SDA party and son of former President Alija Izetbegović, by more than 100,000 votes. After 12 years, this office is no longer held by an SDA politician. HDZ BiH candidate Borjana Krišto achieved a strong result, but incumbent Željko Komšić, president of the Demokratska fronta party, defended the Croats' seat in the presidency. For the first time, a female member was elected to the state presidency: Željka Cvijanović, who, like her predecessor Milorad Dodik, belongs to the SNSD party (until 2012 a member of the Socialist International). The state presidency includes representatives of the three constituent peoples.

The government was formed at the state level in January, a good two and a half months after the elections. The government is carried by a new coalition. For the first time in about 20 years, the SDA is no longer a governing party, but is represented with eight seats in the House of Representatives.<sup>7</sup> The government includes the Croatian HDZ BiH, the Serbian SNSD and six parties from the "Osmorka" ("Eight"), a coalition of Bosniak and interethnic parties. This political alliance is not without conflict. The first upheavals arose in connection with the adoption of a law on state property by the RS People's Assembly in Banja Luka.<sup>8</sup>

<sup>1</sup> [https://www.izbori.ba/Rezultati\\_izbora?resId=32&langId=4#/1/0/0/0/0](https://www.izbori.ba/Rezultati_izbora?resId=32&langId=4#/1/0/0/0/0) & [https://www.izbori.ba/Rezultati\\_izbora?resId=25&langId=4#/1/0/0/0/0](https://www.izbori.ba/Rezultati_izbora?resId=25&langId=4#/1/0/0/0/0)

<sup>2</sup> <https://sarajevotimes.com/two-million-bosnians-in-the-diaspora/>

<sup>3</sup> [https://www.izbori.ba/Rezultati\\_izbora?resId=32&langId=4#/1/0/0/0/0](https://www.izbori.ba/Rezultati_izbora?resId=32&langId=4#/1/0/0/0/0)

<sup>4</sup> [https://www.izbori.ba/Documents/2019/11/Election\\_indicator\\_2018.pdf](https://www.izbori.ba/Documents/2019/11/Election_indicator_2018.pdf)

<sup>5</sup> [https://www.izbori.ba/Documents/Statistika\\_i\\_rezultati\\_izbora/Statistika\\_izbora/IZBORNI\\_POKAZATELJI\\_2002-2014-eng.pdf](https://www.izbori.ba/Documents/Statistika_i_rezultati_izbora/Statistika_izbora/IZBORNI_POKAZATELJI_2002-2014-eng.pdf)

<sup>6</sup> [https://www.izbori.ba/Rezultati\\_izbora?resId=32&langId=1#/1/0/0/0/0](https://www.izbori.ba/Rezultati_izbora?resId=32&langId=1#/1/0/0/0/0)

<sup>7</sup> [https://www.izbori.ba/Rezultati\\_izbora?resId=32&langId=4#/2/0/0/0/0/0](https://www.izbori.ba/Rezultati_izbora?resId=32&langId=4#/2/0/0/0/0/0)

<sup>8</sup> <https://balkaninsight.com/2023/01/06/bosnias-governing-coalition-cracks-only-20-days-after-formation/>

### Federation of Bosnia and Herzegovina

Due to the federal distribution of power and the larger population share compared to the RS, the FBiH forms a crucial nexus of power in Bosnia and Herzegovina. On April 27, 2023, High Representative Christian Schmidt lifted the blockade on forming a government.<sup>9</sup> FBiH Vice-President Refik Lendo was unwilling to accept the proposed government as the SDA was not represented in the government. The intensive search for a solution to the conflict did not resolve the blockade. Even the clear calls from the international community to Bosnian politicians to comply with democratic processes and obligations did not bring about a solution.

The distribution of offices is as follows: Lidija Bradara from HDZ BiH is President of FBiH, Igor Stojanović (SDP) and, as already mentioned, Refik Lendo (SDA) are Vice-Presidents. The prime minister elected by the parliament is Nermin Nikšić, party leader of the SDP.

It should be mentioned that the last federal government was elected in 2014. Due to a political blockade, a new government was not formed in 2018, so Prime Minister Fadil Novalić (SDA) remained in office with the help of a "technical mandate".

### Republika Srpska

In the Serbian-dominated entity, Milorad Dodik has been appointed President of the RS. He held this office from 2010 to 2018. In the past four years, Dodik has occupied the Serbian seat in the state presidency and has made headlines with a large number of secessionist announcements and the outwardly friendly relationship with Russian President Putin. Dodik's official election victory as President of the RS was only announced by the Central Election Commission on October 27, 2022, because the opposition had made reasonable allegations of election fraud in favor of Dodik. The opposition candidate was Jelena Trivić, then vice-president of the PDP party. She was defeated by Dodik with 43% to a good 47%.

The previous president of the RS was Željka Cvijanović, the current representative of the Serbs in the state presidency. With the election in October 2022, Cvijanović and Dodik have swapped roles. The Office of the President of the RS has limited powers. The RS government is led by Prime Minister Radovan Višković (SNSD), who was appointed by Dodik. The ministerial posts are allocated according to ethnicity, so the 16 offices are divided between eight Serbs, five Bosniaks and three Croats.

Nenad Stevandić is the chairman of the People's Assembly of the Republika Srpska in Banja Luka. At the end of February this year he traveled to Russia with three other representatives, but he emphasized that the trip was separate from the war of aggression against Ukraine. BiH Foreign Minister Elmedin Konaković responded with suspicion to the statement.<sup>10</sup>

### Election observation

As in the previous elections, the Organization for Security and Cooperation in Europe (OSCE) deployed election observers. In addition to delegations from various international partner institutions, these were also supported by representatives of the European Parliament. Not only on election day itself, but also during the election campaign, the observers oversaw the registration of voters and candidates and the counting of the votes, among other things. The final report published by the OSCE on February 2, 2023 speaks of elections generally being held according to democratic principles. However, the list of candidates according to ethnicity and place of residence has been criticized. Presidential candidates at the state and entity levels must count themselves among one of the three constituent ethnic groups and reside in the appropriate entity in order to run for office. It was also noted that, despite a quota required to have 40% women at state and entity levels, women remain underrepresented in electoral campaigns and in the offices to be held.<sup>11</sup>

<sup>9</sup> <http://www.ohr.int/decision-unblocking-the-appointment-of-the-government-of-the-federation-of-bosnia-and-herzegovina/>

<sup>10</sup> <https://sarajevotimes.com/delegation-from-republika-srpska-to-begin-official-visit-to-russia-today/>

<sup>11</sup> <https://www.osce.org/files/f/documents/0/2/536993.pdf>

## Role of the High Representative

The Office of the High Representative (OHR) was established by the United Nations (UN) in 1995 to oversee the implementation of the Dayton Peace Accords. The powers of the OHR do not relate to the amendment of the agreement.

During the past elections and the subsequent formation of the government, the High Representative Christian Schmidt, Minister in the third Federal Cabinet of Chancellor Angela Merkel, played a special role. On July 6, 2022, he issued a decree that ensured the elections on October 2, 2022. Schmidt secured the financing of the elections on October 2nd, 2022 by using the "Bonn Powers". This was a manageable amount of 6.5 million euros. The allocation of financial resources had previously been blocked several times in BiH's Council of Ministers for political reasons. There was therefore a real risk that the elections would not take place on the legally stipulated election day.<sup>12</sup>

The changes made by Christian Schmidt to the electoral law and the constitution of the Federation of Bosnia and Herzegovina after the end of the election must be viewed objectively. The High Representative was criticized for his actions as these decisions appear "undemocratic". However, Schmidt's decision has de facto no retrospective consequences for the elections of October 2, 2022, since the electoral law reform only relates to the chamber (House of Nations) of the federal parliament later elected by the cantonal parliaments. In this chamber, in the House of Peoples, the three constituent ethnic groups of BiH are represented. The central goal of the reform was to prevent blockades in the FBiH, which was already characterized by political deadlock. In addition, the number of delegates in the House of Peoples from the respective cantons should be determined in proportion to the ethnic population shares there.

The changes in electoral law have also prompted debates about the office of the High Representative. In an article for the FAZ, Michael Martens refers to the actual legitimacy of the office, which was introduced a quarter of a century ago, and finds clear words. Martens accuses Europe of using a "modern form of colonialism" in Bosnia and Herzegovina.<sup>13</sup>

## Outlook

The successful formation of the FBiH government is the basis for the political ability of Bosnia and Herzegovina to act as a whole. Politicians need the ability to act in order to implement the 14 reform points that the EU Commission gave the accession candidate years ago.

The development of the population also requires political action. Demographics expert Aleksandar Čavić explained that by 2070 an optimistic estimate of 1.56 million people would live in BiH, of whom more than 40% would already be over 65 years old.<sup>14</sup> These figures mean that the population will halve while at the same time aging over the next few years. The challenges of society, the economy and especially for the functioning of the state can already be noticed today. The number of students has fallen sharply in many areas. The economy also complains about a shortage of skilled workers.

In 2022 elections were held in BiH and the Council of the European Union officially declared BiH as a candidate for EU membership on 15 December. Numerous announcements of the RS's potential secession from the state as a whole determined in particular the image of Bosnia and Herzegovina abroad. Dr Armina Galijaš from the Center for Southeast European Studies at the University of Graz sees this rhetoric "as part of a political game" that has been going on for years.<sup>15</sup> Nationalist slogans can also win votes. The potential for violence in the country has been low since the end of the war in 1995. "I see a risk, but I don't see any current danger," said High Representative Christian Schmidt in an interview with the Wiener Zeitung

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<sup>12</sup> <https://balkaninsight.com/2022/06/07/bosnias-international-overseer-orders-state-to-fund-elections/>

<sup>13</sup> Der König von Bosnien-Herzegovina: Michael Martens, FAZ, 26.02.2023

<sup>14</sup> Bosnia Daily, 06.03.2023

<sup>15</sup> Armina Galijaš, „Putin empfing mich nach Mitternacht“: Russische Soft Power in der Republika Srpska, erschienen in Südosteuropa Mitteilungen (SOG), Heft 05-06/2022, 62. Jahrgang.

in early March 2023 when asked whether another war in the country posed a real danger.<sup>16</sup> The increasing tensions in BiH, which are often described from the outside, can therefore be viewed with a certain degree of prudence.

Russia's war of aggression against Ukraine also has political and economic consequences in Bosnia and Herzegovina. Milorad Dodik deserves a special mention here. For example, in September 2022, Dodik supported the so-called referendum on annexation to Russia in the Russian-controlled areas of Ukraine. He promised to send so-called observers from the Republika Srpska. In 2022, Dodik visited Putin in Russia twice. The second meeting took place in September 2022, just before the elections on October 2nd. In January 2023, Dodik awarded Putin with the highest order of the Republic of Srpska (RS). The award was justified in the second year of the war with a "patriotic concern and love for the Republika Srpska".

BiH's aspired membership in NATO and participation in EU sanctions against Russia and participation in the EU's Common Foreign and Security Policy (CFSP) are further points of conflict.

Up to 50 German soldiers can be deployed in Bosnia and Herzegovina for the EUFOR European Union Force Althea security operation, which the Bundestag decided on July 8, 2022. The deployment contingent began service in August 2022. German soldiers will be deployed on the staff of the headquarters in Sarajevo. In addition, two liaison and observation teams are active in the operational area and are in contact with the population.

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<sup>16</sup> <https://www.wienerzeitung.at/nachrichten/politik/europa/2180779-Politik-als-Fortsetzung-des-Krieges-mit-anderen-Mitteln.html>

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