



## **Final Report**

### **BOSNIA-HERCEGOVINA: POLITICAL PARTY AND PARLIAMETARY DEVELOPMENT USAID Associate Cooperative Agreement No. 168-A-00-01-00107-00**

**June 1, 2001 to March 31, 2004<sup>1</sup>**

#### **I. EXECUTIVE SUMMARY**

From 2001 to 2004, the National Democratic Institute for International Affairs (NDI or the Institute) conducted a program to facilitate the long-term development of democratic institutions in Bosnia-Herzegovina (BiH). This program built upon the Institute's previous programs, which, from 1996 through 2000, focused on developing the basic skills and organizational capacities of nascent moderate political parties and civic groups and, from 2000 to early 2001, on assisting the Federation parliament in developing legislative processes and moderate parties with continued capacity-building, such as branch formation and membership development.

During the period of this agreement, NDI designed and conducted a program to facilitate the long-term development and election-readiness of political parties and to assist in the development of professional and transparent legislative bodies. The program reflected the changing nature of the political environment in BiH, from politics controlled solely by nationalist political parties and interests, to more moderate, pro-Dayton, coalition-based governments. Throughout, NDI's role changed from acting as a primary skills-building source to working in partnership with BiH institutions and political parties to assist them in strengthening the country's development of democracy.

NDI's program had the following objectives:

- Parties enhance organizational and operational capacity and democratize internal structures as part of election campaigning.
- Political parties engage in comprehensive election preparation in order to develop policy platforms and campaign messages and strategy that address voter interests.

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<sup>1</sup> NDI conducted its program in BiH under this cooperative agreement from June 1, 2001 to April 30, 2003, after which time a follow-on cooperative agreement was awarded (No. 168-A-00-03-00104-00). Activities in the Brecko District, however, continued under this cooperative agreement through March 31, 2004.

- Parties conduct public outreach and engage citizens in a pre-election period.
- Parties increase the political participation of women and youth.
- Party caucuses strengthen their ability to function effectively.
- MPs strengthen their ability to represent constituents.
- Committees improve their ability to increase the efficiency of the legislative process and increase public participation in the legislative process.
- Parliamentary resources are increased through the establishment of an internship program.
- Staff resources increase the research and operational capacities of Parliament.
- The capacity of BiH institutions to function as representatives of the Bosnian people across entity and ethnic lines are strengthened.
- The sustainability of democratic institutions in Bosnia-Herzegovina is enhanced.

From June 2001 to October 2002, with moderate parties in power, NDI worked intensively with these parties to prepare for the October 2002 general elections, focusing on advanced campaign preparedness, constituent outreach, election platform and literature development, and enhancing the use of public opinion research in strategy and campaigns. Following the defeat of the moderate Alliance for Change coalition, which returned nationalist parties to power at the state-level and in both entities, NDI shifted its assistance in late 2002 and early 2003 to address long-term development and organizational issues that built upon the advances made by the parties in conducting election related activities.

From mid-2001 to early 2003, the Institute assisted the BiH, Federation, and Republika Srpska (RS) parliaments in developing more effective and transparent legislative processes. The parliamentary program was developed in response to the needs of parties and elected officials. Having gained more support and influence through elections, moderate parties and elected officials needed to develop the skills to govern. Committee and caucus structures became more critical to MPs and parties exercising authority and introducing important economic, social, and political issues to the legislative agendas. NDI aimed to better prepare elected officials to perform their roles in parliament and develop more transparent and effective parliamentary structures to encourage debate and legislative analysis, and begin the process of professionalizing parliamentary staff and adding personnel resources through an internship program.

Starting in May 2003, the Institute established a program of political party and parliamentary development for the Brcko District in advance of a planned transition from an appointed interim Assembly to an elected Assembly. In anticipation of the Office the High Representative's Supervisor for the Brcko District announcing the holding of first-ever elections in the District sometime in 2004, NDI designed and conducted a program to build the capacities of the District's political party branches to engage in their first-ever elections and assist the appointed members of the interim District Assembly in improving legislative processes, particularly constituent outreach. NDI's Brcko District program had the following objectives:

- The Brcko Assembly develops more effective and transparent legislative processes and improves oversight of the executive.

- The links between the residents of the Brcko District, the Assembly and its Councilors are strengthened.
- Brcko party branches improve organizational planning and development, including membership recruitment and fundraising.
- Brcko party branches develop and implement strategies for promoting issue-based political action at the local level between elections.

While the long-term objectives of NDI's program in Brcko spoke to both political party and legislative development, the focus during the period of May 2003 to March 2004 was on political parties and included basic party-building activities such as election planning and campaign implementation, message and platform development, door-to-door and phone canvassing, voter identification, media relations, and candidate selection processes.

The October 2002 general elections stood squarely as the most important target driving NDI's work with political parties in BiH. It started well before the election campaign period officially commenced, with NDI shifting its engagement from long-term institutional development in mid-2001 to election preparedness. Although NDI encountered resistance to some campaign techniques, breakthroughs happened with several parties wherein they attempted new techniques and noted positive results. For the 2002 general election campaign as a whole, including the work of all parties, this was the most sophisticated campaign yet seen in BiH: new campaign techniques were used; party propaganda and advertising focused less on particular personalities and more on policy interests; parties used voter identification databases to conduct sophisticated election day GOTV activities. Although parties were understandably preoccupied with election preparedness activities, limiting their efforts to undertake any major efforts to democratize internal structures, key party partners were able to make progress in enhancing internal communication processes, planning, and coordination that improved each party's organization capacities.

Although the parliaments elected in 2000 had managed to pass some key reforms, by and large legislative institutions at the state and entity levels were inefficiently run, with time squandered on debating agendas, disputing procedures or political ranting. There was a lack of effective committee and caucus practice, of interest in developing capacities and skills, of adopting new techniques and of increasing communication with NGOs, expert groups and citizens. However, during the period of this cooperative agreement, the Institute did successfully impart an understanding of the importance and major roles of the party caucus through seminars and consultations. Many major caucuses made concrete improvements to their structures and activities. NDI's work with committees in the Federation, Republika Srpska (RS) and BiH parliaments was limited during this period, due to a program focus on caucuses at the Federation parliament, an interruption in programming at the RS National Assembly (RSNA), and the limited time at the end of the period to work with the BiH Parliamentary Assembly (BiHPA). The Institute's internship program in all three parliaments was successfully established and has become the flagship activity in NDI's parliamentary development program.

## II. BACKGROUND

The period from 1996 through 2001 marked a time of democratic consolidation and institution building in BiH, as well as transition for political actors in the country. As of early 2001, BiH was only little more than five years removed from bitter ethnic conflict and still needed assistance and support to start moving away from issues of national interest and ethnic identity in an attempt to form a more representative and integrated state with multi-ethnic parties and effective legislatures.

Many challenges affected society and the attitudes of citizens as a whole. Political attitudes had yet to extend beyond the legacy of the communist system and the boundaries of a one-party state and political system. With the complicated tri-partite presidency, dual-entity structure, and international community influence, it was difficult for citizens to identify authority figures in the country and to understand the structure of the political system. The entity structure created by the Dayton Accords, and the complicated political and legislative system that resulted, contributed to the often-pervasive political influence of the international community, particularly through the Office of the High Representative (OHR).

Following the municipal and general elections in 2000, BiH had non-nationalist governments for the first time since the first post-war elections were held in 1996. At both the state level and in the Federation entity, a nine-party coalition, the Alliance for Change, governed, led by the moderate, multi-ethnic Social Democratic Party (SDP). The Republika Srpska had not progressed as far; nevertheless, a less nationalist party, the Party for Democratic Progress (PDP), was part of the coalition government led by the Serb Democratic Party (SDS), raising hopes of stronger, more cooperative ties between the entities and at the state level.

The two years of Alliance for Change governance and PDP-SDS coalition were critical in the transition period for BiH. During this time the international community looked to the governments to draft and enact legislation that would assist in establishing responsible and modern leadership for the country. It was also during this time that many international community organizations established exit strategies, in the expectation of continued progress and democratic development of the governing institutions (legislative, judicial and executive), leaving the country in a propitious position by which to govern itself without outside assistance.

When compared with the governments during the 1998 to 2000 period, the Alliance and RS governments did advance a more sophisticated legislative agenda and enact more reform. Judicial and banking reform continued at a pace outlined by international organizations, such as the World Bank; customs regimes were combined and reformed; military and police force reform was advanced with assistance from the United Nations (UN); and the BiH Elections Commission (EC) drafted a permanent election law, passed by the BiHPA, and prepared to take over election operations and responsibilities from the Organization for Security and Cooperation in Europe (OSCE). In recognition of these reforms and other advances, BiH gained membership into the Council of Europe in early 2002, an important first step toward eventual European integration.

The paramount importance of the 2002 election campaign and its aftermath, coupled with a continuing need to strengthen and open up the legislative process at all levels and begin

preparing for the first direct election in the Brecko District, shaped NDI's program approach, which followed a distinct evolution during the course of this grant. The main programmatic activities during the first period (mid 2001 to late 2002) centered on assisting parties to create policy platforms that were reflective of the social and economic concerns of the voters, to effectively communicate those platforms to the voters, and to reach out to constituents during the campaign to identify supporters and get them to the polls on election day.

In the post-election period, from late 2002 to mid 2003, NDI's party program focused on the analysis of the results and an assessment of future challenges, while the parliamentary program worked at both the entity and state levels to strengthen legislative capacity and reinforce the BiH Parliamentary Assembly (BiHPA), in particular, as a representative body. Starting in spring 2003 and continuing through the spring of 2004, NDI initiated and carried out a program targeting the Brecko District to provide political party assistance in advance of the October 2004 elections.

### **Political Party Development**

As a result of NDI's programming through 2001, moderate parties were equipped with basic election, organizational, and outreach capacities. The state of the parties' capabilities positioned them to advance organizational and governance reforms, expand internal communication and member participation, and improve membership recruitment and development. However, party leaders were disinclined to decentralize vertical party structures, especially given the rapid succession of elections since 1996. Many among them were not fully cognizant of the benefits of expanded membership and branch participation in party processes and the public role and obligation of parties to represent citizens' interests.

The principal challenges that BiH political parties faced included the following:

- Limited membership participation due to party structures and decision-making mechanisms;
- Disconnection between parties and citizens;
- Party platforms that did not reflect or respond to voters' interests;
- Failure to use elections as a party-building tool; and
- Inability to motivate voters to cast ballots across ethnic lines.

As a result, NDI's political party development program had the following objectives:

- Parties enhance organizational and operational capacity and democratize internal structures as part of election campaigning;
- Political parties engage in comprehensive election preparation in order to develop policy platforms and campaign messages and strategy that address voter interests;
- Parties conduct public outreach and engage citizens in a pre-election period; and
- Parties increase the political participation of women and youth.

## **Parliamentary Development**

The Institute commenced working with the Federation parliament (FBiH) in 1999, the RSNA in 2002, and the BiHPA in March 2002. The legislatures endeavored to respond to immediate demands of the electorate, but they lacked insufficient resources and experience – political and institutional – necessary for effective legislative action. The main challenges the three parliaments faced included the following:

- Disconnection between MPs and constituents;
- Disorganized caucuses lacking internal structures and rules;
- Lack of committee capacity to organize and conduct public hearings;
- Ineffective plenary sessions due to poorly formulated Rules of Procedure; and
- Lack of trained professional staff to support parliamentary bodies.

As a result, NDI's parliamentary development program had the following objectives:

- Party caucuses strengthen their ability to function effectively;
- MPs strengthen their ability to represent constituents;
- Committees improve their ability to increase the efficiency of the legislative process and increase public participation in the legislative process;
- Parliamentary resources are increased through the establishment of an internship program;
- Staff resources increase the research and operational capacities of Parliament.
- The capacity of BiH institutions to function as representatives of the Bosnian people across entity and ethnic lines are strengthened; and
- The sustainability of democratic institutions in Bosnia-Herzegovina is enhanced.

## **Brcko District**

The 1995 Dayton Peace Agreement left unresolved the status of the Brcko District, claimed by all three principal ethnic communities. It provided for binding international arbitration that led, in 1997, to a decision to place the District under international supervision provided by the OHR. In 2000, the Brcko Statute established the District as a single jurisdiction beyond the control of the entities and under the sovereignty of BiH. Three municipal administrations were merged and the different laws of the two entities were to be harmonized or replaced. The Brcko District Interim Assembly (the Assembly) consisted of 29 councilors, including a Speaker and a Deputy Speaker, appointed by the OHR Supervisor. Most political parties in the Federation and RS had branches in the District, but the branches received little support or guidance from the central level.

The District Assembly and party branches faced many challenges, which included the following:

- An “artificiality” regarding much of the Assembly's work;
- Lack of constituency outreach on the part of Assembly members;
- Little committee initiation or review of legislation;

- Lack of public hearings involving citizens' and civic organizations;
- Poorly developed party branch structures;
- Lack of membership lists and outreach activities to members and constituents;
- Non-existent or poorly formulated policy and platforms;
- Little to no experience organizing and managing election campaigns; and
- No message development.

As a result, NDI's Brcko District program had the following objectives:

- The Brcko Assembly develops more effective and transparent legislative processes and improves oversight of the executive;
- The links between the residents of the Brcko District, the Assembly and its Councilors are strengthened;
- Brcko party branches improve organizational planning and development, including membership recruitment and fundraising; and
- Brcko party branches develop and implement strategies for promoting issue-based political action at the local level between elections.

### **III. PROGRAM ACTIVITIES**

#### **Political Party Development**

##### June 2001-November 2001: Public Outreach and Internal Reform

From June to November 2001, NDI provided consultations and training seminars to select parties<sup>2</sup> to assist them in strengthening their internal organization and in improving public outreach capabilities. These activities concluded a brief non-election period in BiH that enabled NDI to concentrate efforts on long-term party development issues, such as internal party democratization, financial resource generation and allocation, membership development, policy development and constituent outreach.

During the summer of 2001, NDI worked with political party partners in the RS to reach out to constituents in key municipalities and to identify voter interests and concerns. NDI worked with municipal boards of the PDP and SNSD to develop and conduct door-to-door surveys in Doboj, Bijeljina and Pelagicevo. The surveys focused on matters of local and countrywide importance and were designed to gauge local political interests and policy priorities.

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<sup>2</sup> Since 1996, NDI evaluated its political party relationships on the basis of a given party's commitment to the constitutional framework of BiH and the peaceful pursuit of political objectives, viability as a representative body of the electorate, and willingness and ability to effectively absorb and apply assistance. Based on these criteria, the primary beneficiaries of NDI's political party program during the period covered by this final report included the following: the Liberal Democratic Party (LDS); the New Croatian Initiative (NHI); the Party of Social Democrats (SNSD); and Social Democratic Party of Bosnia-Herzegovina (SDP). The following parties received NDI assistance in multiparty training settings and in response to specific requests for assistance: the Bosnian Patriotic Party (BPS); the Citizens' Democratic Party (GDS); the Croatian Peasant's Party (HSS); the Democratic Party of the RS (DSRS); the Democratic Patriotic Party (DPS); the Democratic People's Union (DNS); the Democratic Socialist Party (DSP); the Party for BiH (SBIH); the Party for Democratic Progress (PDP); the Republican Party (RP); the Serb People's Party (SNS); and the Socialist Party of Republika Srpska (SPRS).

Question topics included the local economy, the BiH health care system, political corruption, and local infrastructure needs. More than 1,300 contacts were made with voters in both rural and urban areas of the municipalities.

The Institute conducted four training sessions for SNSD party branches in Laktasi, Brcko, Lukavica, and Trebinje. These sessions emphasized using party communications as a means to improve internal party functioning and outreach to constituents and conducting research for future campaigns. Following presentations by local party officials on internal party communications structure, political marketing and methods of delivering political messages, NDI delivered a skills-based component on how to create and target a political message to identified groups of constituents. The session included a close examination of poll-by-poll results from the November 2000 elections, including strategies for identifying voters, recruiting volunteers and developing an overall plan for message development and delivery. A total of 99 participants attended the sessions, including 11 women and 19 youth participants.

#### November 2001 – October 2002: Election Assistance

Starting in November 2001, NDI's political party program shifted its focus toward election assistance to prepare for the October 2002 general elections. During this phase, NDI worked with select parties on institutional development in the context of election preparation and party campaign strategy, including central and grassroots coordination, resource generation and allocation, and constituent/membership outreach. Augmenting these activities, NDI worked to enhance the political participation and leadership of women and youth through conferences that introduced concepts and issues and through workshops and training cycles to enhance skills.

#### *Central Campaign Training*

Beginning in November 2001, NDI conducted a comprehensive training series on campaign management and party development for key party partners. The series focused on establishing a campaign team, strategizing for the campaign, and delineating policy concerns. *Pro bono* and NDI regional trainers were brought in to conduct sessions on the following topics: campaign management structures; message development; policy platform development; Get Out the Vote (GOTV); communication and campaign strategy. The aim of the sessions was two-fold: (1) to provide the parties (including the SDP, SBiH, PDP, SPRS, DNS, SNSD, NHI, NS, and others) with the essential tools to plan a campaign and recruit people to run that campaign, and (2) to push the parties to think about the election almost one full year prior to election day, encouraging them to do long-term voter outreach and research on campaign issues.

In preparation for the launch of this extensive training cycle for central and local campaign teams, NDI developed a generic campaign manual and distributed it to the parties. The manual was designed to encourage campaign teams and party leaders to develop a similar party-specific manual using this template. The manual was compiled by NDI from its own training literature and from party manuals from the U.S., U.K. and Canada. The Institute also produced a "Key Dates in the Election" calendar drawn from the BiH election law, detailing voter registration dates, registration of candidate lists, and various time-sensitive prohibitions. This information was provided to central party campaign teams and distributed to local party representatives during the training cycle. Finally, a training menu, listing the areas of assistance



and types of training that NDI could provide both in election campaigns and in non-election periods was distributed to political party headquarters and branch offices.

This training cycle was augmented during the spring of 2002 when the Institute met with political party partners and helped them develop initial campaign plans, providing them with templates of plans and campaign timelines. Informal party consultations were held throughout early 2002, providing NDI with insight into party preparations for the elections and allowing NDI staff to prioritize the election campaign skills most needed for development.

### *Election Research and Polling*

NDI coordinated an intensive pre-election polling effort with Sarajevo-based Prism Research. This project differed from previous NDI polling in BiH in that it was conducted over a long period of time and involved three separate components:

- A February 2002 baseline poll that researched the social, political, and economic interests of BiH citizens and their opinions and initial vote intentions for the political parties;
- A May 2002 follow-up poll that updated citizens' interests and opinions; and
- A series of daily tracking polls conducted from late August through September 30 that showed overall trends in pre-election activity and voter intention.

As with previous polling activities, they were designed as tools for the parties to use for campaign strategy and revision. They were not designed to predict the outcome of the elections and were not presented to the parties as a finite analysis of likely election results. Most importantly, however, the election research and polling was a key centerpiece to the assistance the Institute provided to each party in the activities described below.

NDI held press conferences to release the overview of each poll and to discuss the findings with media services. This was done in order to assure that polling information was presented in as accurate and timely a manner as possible and was not presented by individual parties in a non-objective fashion. NDI prepared individual polling reports for its major program partners: SDP, SNSD, PDP and SBiH. These reports were kept in strict confidence with these parties and were presented during comprehensive consultations with party leaders. During these consultations, NDI outlined important trends identified by the research, potential problem areas for the party, and voter interests and intentions on which the party could focus.

The baseline poll was fielded February 12 through 17, with face-to-face interviews of 3,700 BiH citizens of voting age, divided among Serb, Croat, and Bosniak populations, and it included a representative sample from the Brcko District. It queried citizens' opinions on the relative importance of issues in deciding how to vote, on the performance of party leaders, and on the performance of the government. This information was compiled into a summary report and individual party-specific reports, which were shared with select party representatives to assist them in assessing the effectiveness of campaign messages, public reaction to party policies, and priority issues for voters.

On February 28, the first press conferences on the release of the poll were held in Sarajevo and Banja Luka. Campaign managers, party spokespersons, or other party

representatives attended the briefings in Sarajevo and Banja Luka. Separate briefings were held for representatives from the OHR, U.S. Embassy, U.K. Embassy, OSCE, SFOR, and the BiH Election Commission. RTRS, the RS broadcaster, and Alternative Television covered the results on the day of their release; the Banja Luka daily newspaper, *Nezavisne Novine*, ran a story the next day; another Banja Luka daily, *Glas Srpski*, ran a full-page story in its weekend edition; and the weekly magazine, *Reporter*, had a three-page spread the following Monday. In Sarajevo, the NDI poll made the front page of *Oslobodenje* with a full-page article inside. Individual party briefings for senior party leaders were conducted throughout the first week of March, and briefings and polling materials were provided to representatives of the international community.

The second political opinion poll was fielded May 15 through 28, 2002. Three thousand BiH citizens participated in face-to-face interviews and 700 in telephone interviews with an equal representation of Serb, Croat, and Bosniak populations. After revising the February questionnaire to accommodate for alterations in the political situation and to respond to data gathered during the first poll, NDI developed a new questionnaire to reassess voter intention, social issue interests, and general opinions on politics and parties. This information was compiled into a summary report, and individual party-specific reports were shared with select party representatives to assist them in assessing the effectiveness of campaign messages, public reaction to party policies and priority issues for voters. The Institute conducted individual party briefings on the findings of the second poll. Additional briefings were held in June in Sarajevo and Banja Luka for campaign managers, party spokespersons, and other representatives from political parties. The parties represented at these sessions included the LDS, GDS, SBiH, NSRzB, NHI, and RP in the Federation and the SPRS, DNS, SNS, and DSP in the RS.

The overview reports for the second poll were released concurrently to the international community offices in Sarajevo and Banja Luka. The poll and NDI gained considerable attention in the media, being featured on four television network newscasts nationwide and in all of the major daily papers, including *Nezavisne Novine* and *Oslobodenje*.

Daily tracking polls were conducted from late August through September 30 on each Monday. This information was compiled into a summary report and individual party-specific reports were shared with select party representatives to assist campaign managers and parties assess the effectiveness of campaign messages, public reaction to party policies, and priority issues for voters. NDI held individual party briefings each week for representatives of SNSD, PDP, SDP, and SBiH. The Institute also held briefings in Sarajevo and Banja Luka for campaign managers, party spokespersons, and other representatives of eight smaller political parties.

### *Planning for the Local Campaign*

During March and April 2002, NDI conducted 17 training sessions for 359 political party activists in the RS (Banja Luka, Prijedor, Doboj, Bijelina, Jahorina and Trebinje) and 15 training sessions for 484 party activists in the Federation (Zenica, Sarajevo, Velika Kladuša, Bihac, Tuzla, Travnik, Orašje, Mostar, Široki Brijeg, Ljubuški, Livno and Goražde). These training sessions focused on presenting basic information and techniques to party activists in order to stimulate their interest in the issues a party must address in preparing and conducting an election campaign. The topics covered included the following:

- Campaign timing – developing advance plans, determining what jobs need to be done immediately and which could be deferred, and selecting the right people for the right jobs;
- Local campaign strategy - using past election results to develop a poll-by-poll targeting plan;
- Volunteer and membership recruitment;
- Local campaign materials – newsletters and questionnaires and how they help identify voter support; and
- Door-to-door outreach – basic training on what volunteers must know and do.

### *Campaign Manager Training*

In June and July 2002, NDI conducted “campaign schools” tailored to meet the specific needs of parties in the areas of campaign management and GOTV. These training sessions were a logical first step in NDI’s election year program but required careful follow-up through the subsequent months (see Experts Program below). Approximately 10 single- and multi-party training sessions were held for campaign managers in Mostar, Tuzla, Bijeljina, Sarajevo and Banja Luka. These multi-day schools were similar to those held prior to the April 2000 municipal elections and the November 2000 general elections. Utilizing the expertise of *pro bono* trainers from U.S. state legislatures and Canadian provincial party operations, the sessions focused on effective methods for contacting voters, identifying party supporters, and using a broader party network to augment local level campaigns. The Institute did extensive pre-training consultation with the parties to ensure that those attending the sessions were able to utilize the information and skills shared and that the party was aware of the skills that these candidates would then be able to utilize.

Party members responsible for these specific activities participated in training sessions covering the following areas:

- Campaign Management: This component covered the role of a campaign manager; roles and responsibilities within the campaign team; maintaining a unified and coherent message; development of local information pieces; voter identification; and the need for on-the-ground voter contact. It also included more sophisticated techniques, such as the mechanics of using voters’ lists and poll-by-poll results in the creation and implementation of a campaign strategy.
- Campaign Planning: This component covered the effective use of time and resources. It also highlighted the necessity for designing a campaign calendar that balanced media-seeking events with ongoing voter contact campaign activities.
- Get-Out-The-Vote Operations: This component familiarized participants with the concepts and techniques of GOTV and how to structure a campaign prior to election day in order for these efforts to be effective.

These training cycles were the foundation for NDI’s ongoing work, which consisted of regular consultations, individual training sessions at the local and municipal elections, and campaign strategy assistance. Throughout early 2002, the Institute worked with parties to

identify priority municipalities and campaign areas in order to direct resources appropriately. NDI national staff was assigned to work with specific parties based on their knowledge of certain regional areas (or the parties themselves primarily undertook the subsequent work). These staff members were available to the parties as in-country experts who could provide training and skills resources on short-term notice throughout the country.

Additional, separate training sessions were conducted for grassroots and local party branch officials. Similar to the training of central party officials, these sessions focused on communication with party leadership and central campaign teams, coordination of local initiatives with central campaign strategy, and local campaign and voter outreach initiatives. The objective was to enhance the capability and campaign skills of local party activists and to raise their profiles within larger party operations. The training was conducted in several municipalities in BiH, depending on the greatest need and the party branches' ability to utilize the training.

### *Candidate Training*

Having trained the parties' campaign managers on the behind-the-scenes organization of a campaign, the Institute then conducted a cycle of sessions for the candidates themselves – the individuals who would represent the public face of the parties. The objective was to provide candidates from party partners with the skills and means to organize and carry out an effective campaign. Sessions included the role of a candidate, roles and responsibilities within the campaign team and the coordination of an election effort, resource and time management, maintaining a unified and coherent message, development and distribution of local propaganda, voter identification, and techniques for on-the-ground voter contact. The training sessions took place from July 15 to 28 throughout BiH, including Bihac, Sarajevo, Mostar, Zenica, Tuzla, Banja Luka, Bijelina and Trebinje. Overall, NDI trained 287 candidates in 19 half-day sessions, with the SDP, PDP, and SNSD receiving single-party training and all other parties joining together in a multiparty format.

NDI again drew on the expertise of *pro bono* trainers from U.S. state legislatures and Canadian national party operations. In the Federation, Michigan State Senator Dianne Byrum, Michigan State Representative Gilda Jacobs, and David MacKenzie of the Progressive Conservative Party of Canada joined NDI Resident Representative Kate Fearon to train 163 candidates, 49 of whom were women. In the RS, MacKenzie and fellow Canadian Progressive Conservative Party candidate Marie Adsett joined NDI Resident Representative John Fraser in training 124 candidates, 43 of whom were women and 8 sitting MPs.

### *Experts Program*

Working in consultation with the U.S. Department of State, NDI proposed and developed a program in 2002 to augment existing in-country resources with outside political experts. NDI received additional funds to provide strategic, campaign-oriented technical assistance to moderate political parties. Overseen by Country Director Michael Balagus, the program consisted of three phases and was designed to provide essential support to political party partners

based on identified needs. The program was conceived in such a way as to be flexible in response to party needs and resource allocations for priority campaign regions.

### Phase One – June 2002 (Message Development and Delivery)

The first phase built on previous NDI training cycles that had encouraged parties to designate campaign teams, design a campaign plan, prepare candidates, and prepare to formulate party policies and messages. The timing of this component was critical, occurring early enough in the campaign process for parties to get essential campaign messages in place and to begin designing literature and advertising based on these needs.

NDI had assisted parties in identifying and developing appropriate messages prior to this phase of the program. Initial meetings between experts and each party allowed for review and refinement of these messages. The experts met with party campaign teams and their contracted advertising agencies to consult on effective delivery of campaign messages through a variety of materials and methods, with a primary focus on direct voter contact. They conveyed the importance of material development, such as leaflets and posters, encouraging more focused voter contact at all levels. Discussions with parties and advertisers examined the use of other forms of advertising, such as television spots and billboards, with an emphasis on earned media, considering the limited availability of election funds.

Upon completion of these consultations, the parties were encouraged to finalize a comprehensive plan for message delivery, finish the conception and design of a variety of print and media campaign materials, and identify their priorities for message delivery mechanisms.

The trainers for this phase were two U.S.-based political consultants: Robin Carnahan and Jon Christopher Bua.<sup>3</sup> Carnahan conducted consultations with the SDP and PDP from June 12 through 21. The consultations were held in three-day cycles, allowing for initial discussion and review of campaign priorities, review of possible messages and advertising materials, and final discussion of message delivery methods. Bua conducted consultations with NHI and SNSD from June 23 through 30. He met with the campaign, communications, and advertising teams for each of these parties, following a similar structure of consultations as those conducted by Carnahan. Bua also worked with smaller parties, such as the Peoples' Party (NSRzB), on general message delivery methods and communication coordination.

### Phase Two – August 2002 (Media Presentation)

The second phase consisted of intensive media presentation training for the PDP, NSRzB, and NHI in early August. These parties had identified and requested specific assistance in this area, which NDI subsequently added to its original program plans. Daniel Tisch, a professional media and public relations specialist from Toronto, Canada, worked with the parties on

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<sup>3</sup> Carnahan is the manager of the St. Louis-based Global Ventures, L.L.C., an international trade-consulting firm, and was the special assistant to the chairman of the Export-Import Bank of the United States under the Clinton administration. She worked on various U.S. campaigns, including congressional senate races, and has extensive background in message development and election-related political communications. Bua is a communications expert and manager of the Jon-Christopher Bua Strategic Communications Firm based in Washington, D.C.

elemental skills for media presentation, interview techniques, debating techniques, effective messaging, and appearance. These comprehensive sessions included an introduction to basic techniques, practice sessions that were videotaped, feedback and problem identification based on the video, and mock interview sessions.

### Phase Three – August through October 5, 2002 (GOTV and Voter Outreach)

The third phase provided expert resources for an intensive election campaign, including GOTV and voter outreach efforts, and training on election-day activities to effectively utilize volunteer resources. Four campaign advisors/consultants were contracted to serve as supplemental campaign advisors to the parties, lending expertise in a variety of areas as needed, including GOTV, message delivery, door-to-door canvassing, campaign rallies, public appearances, media interviews, and local campaign activities.

Experts were assigned to the SDP, PDP and SNSD. An expert had originally been placed with the SBiH, working out of the Sarajevo area, but was reassigned based on a lack of SBiH interest and resources for this effort. The experts and their assignments were as follows: Jim Kirk, SDP; Emily Watkins, SBiH/SNSD; Barry Salmon, SNSD; Shara Kaplin, PDP/SNSD. Their work is outlined in the party-specific activities section below.<sup>4</sup>

An important element of this effort was the consistency provided by ongoing NDI program work and staff. In the periods between expert assignments, NDI's staff conducted follow-up to the expert consultations and provided assistance to the parties in a coordinated fashion, based on input from the experts and the consultations that took place during each phase.

#### *Individual Party Election Preparedness Assistance*

##### Social Democratic Party (SDP)

The SDP team included Jim Kirk, contracted expert; Zoran Blagojevic, program coordinator; Alisa Bijedic, program coordinator; and Elvis Zutic, director of the FBiH parliamentary program. Paul Labun, director of the BiHPA parliamentary program, was added to the team in September following the conclusion of work with the SBiH.

Activities focused on candidate training, media campaigning and GOTV, including using pollwatchers to track voters. The SDP team began by visiting municipalities throughout BiH to identify problem areas and priority campaigns. The team resources were allocated based on these findings, with Jim Kirk organizing the team overall and working in the Sarajevo area, Elvis

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<sup>4</sup> Kirk is a general campaign consultant, field operations coordinator, campaign manager, and communications consultant to campaigns and political party activities throughout North America, including local and national races in the United States and provincial and federal races in Canada. Watkins is a legislative analyst in the federal legislature of Canada and has worked as a field operations coordinator and campaign consultant with the federal New Democratic Party of Canada. Salmon is a Canadian political consultant with extensive experience in election campaign management, field organization, communications, and policy development. Kaplin worked on numerous political and issue campaigns in the United States, including senatorial races, congressional races, and national advocacy campaigns.

Zutic working in the Mostar and Zenica areas, Zoran Blagojevic focusing on the Tuzla area, and Alisa Bijedic working in northwest BiH, including Bihac.

The team conducted initial training for party members on door-to-door canvassing, voter identification, and database organization. Follow-up consultations rated the success of these sessions in order for the team to provide additional assistance where needed. Team members assisted the party in developing regionally specific literature and designing election-day GOTV efforts appropriate to the polling area.

Training was also conducted for party candidates, emphasizing the need to do targeted voter outreach and literature distribution. NDI assisted municipal campaigns in designing literature that outlined party policies and the economic platform. Regular consultations also allowed NDI to address specific party needs, such as additional party pollwatcher training sessions and additional training on the use of the database system.

Party for Bosnia and Hercegovina (SBiH)

The SBiH team included Emily Watkins, contracted expert, and Paul Labun, director of the BiHPA parliamentary program. They were reassigned to other teams during the campaign following the conclusion of work with the SBiH.

Work with SBiH was downgraded to a lower priority early in the campaign due to a lack of preparedness and interest on the part of the party. Though invited to training sessions and offered consultations, including individualized polling reports, the party consistently failed to make good on commitments to NDI. Furthermore, the party accused the Institute of bias and partisanship on behalf of the SDP, particularly with the polling research, despite NDI’s previous work with SBiH and its relationship with the party. The party was invited to the campaign managers and candidate training sessions held earlier in the year and was offered an expert consultant for use in the campaign; it declined this support and NDI ceased direct training and consultation activities with the party.

Small Croat Parties – NHI, HSS, and NSRzB

The team for this region included Kate Fearon, director of the Federation political party program, Mladen Popovic, program coordinator (working with NSRzB), and Darko Loncar, program assistant (working with NHI). Initial assessments of these campaigns identified 13 priority municipalities in the Hercegovina region. In all municipalities, door-to-door canvassing and GOTV training were conducted. Additional training sessions were conducted to teach parties how to use the voter database software and review voter registers to better coordinate GOTV activities.

“The areas where the party engaged in direct voter contact were the areas we did best in.”  
~ Mijo Anic, NHI  
presidential candidate  
2002 general elections

Popovic worked solely with the NSRzB and acted as a campaign consultant for all levels of the campaign. He provided consultation and training on advertising techniques, message delivery, leadership tours, party rally organization, and voter identification. Door-to-door canvassing was a major component of

the NSRzB campaign, and all NDI team members provided regular consultation to local party offices to review canvassing plans and to provide feedback on how to use the gathered information for election day activities.

Loncar worked solely with the NHI and provided training services and consultations countrywide. He assisted NHI in designing its advertising campaign, refining its campaign message, and recruiting and training volunteers for canvassing and election day activities. Primary among his training responsibilities was to teach party members how to track voters on election day and organize local offices to ensure voter turnout.

#### Party for Democratic Progress (PDP)

The PDP team included John Fraser, director of the RS political party program, Shara Kaplin, contracted expert (part-time with SNSD), and Danijela Dabic, program coordinator. While the relationship with the party leadership was very good, NDI's work with the PDP central campaign was limited due to its involvement with the Profile Agency, a Belgrade based research company. The Institute's assistance focused on the priority municipalities of Doboj, Banja Luka and Bijeljina. Due to a lack of coordinated planning at the PDP central level, NDI resources were devoted to smaller campaigns, providing door-to-door skills training, consultations with local party offices on literature distribution, and organizing local offices for election-day GOTV.

#### Alliance of Independent Social Democrats (SNSD)

The SNSD team included Niamh O'Connor, director of the RSNA parliamentary program, Barry Salmon, contracted expert, Shara Kaplin, contracted expert (part-time with PDP), and Vanja Malidzan, program coordinator. NDI activity focused on consultations in priority municipalities, including Districts 1, 2, 3 and 4. NDI and its expert staff helped the party design and coordinate election day GOTV efforts, conduct pre-election voter identification, design and distribute literature, and conduct door-to-door canvassing. Training sessions were conducted for party members to teach them voter tracking methods and GOTV strategies.

NDI worked in close coordination with the central party campaign team, including party leader Milorad Dodik. Consultations emphasized increased volunteer recruitment and more coordinated contact with local campaign offices in rural areas and parts of the Federation entity. The Institute and SNSD mutually designed and conducted volunteer training sessions.

#### Smaller RS Parties

Tanja Kremenovic, NDI program coordinator, worked in the RS with the Democratic Party (DS), the Democratic People's Party (DNS), the Serb People's Party (SNS) and the Socialist Party of the RS (SPRS). Prior to full campaign activity, she met with each party's main board and priority municipality offices and assessed party priorities for the elections. Based on these recommendations, Kremenovic determined where to work, focusing her activity on the Zvornik, Bijeljina and Doboj areas.



Of these parties, SPRS was the most successful and adaptive to new techniques, particularly in the Zvornik area. It produced and distributed party newsletters, conducted voter identification work, distributed literature and conducted door-to-door canvassing, had a phone bank and voter follow-up system in place for election-day, and coordinated volunteer pollwatchers to track party supporter turnout at the polls.

*Party Pollwatching Training and Election Integrity*

NDI worked with party volunteer coordinators to develop plans and strategies for political party pollwatching for the October 2002 elections. While pollwatching training was conducted for previous elections, the role of international poll supervision and observation was drastically curtailed, making the presence of party representatives an important and necessary part of the electoral process.

NDI collaborated with the Center for Civic Initiatives (CCI) in producing a party pollwatcher’s manual, modifying information for party specific tasks. The manual outlined the sections of the election law pertaining to party pollwatchers and indicated the processes for various voting issues and complaint procedures. The second focus of the manual was on the specific functions of a party pollwatcher, including tracking which party members voted based on GOTV activities by the party.

Following the 1998 general elections in BiH, NDI helped four regional election monitoring and citizen participation groups merge into the Centers for Civic Initiatives. Today CCI plays a leading role in civil society organizing during both election and non-election periods. It has contributed to the development of a permanent electoral law, conducted voter education and advocacy campaigns, coordinated public debates and forums, and mobilized the first nationwide, nonpartisan election monitoring effort.

In the weeks leading up to the election, NDI conducted pollwatcher training on a party-by-party basis among central and local campaign offices. The Institute trained more than 900 volunteers and distributed approximately 9,000 pollwatcher manuals. The training outlined key points of the election law for pollwatchers and demonstrated methods by which the pollwatchers could use party lists and polling regulations to track voter turnout.

Parties were encouraged to recruit volunteers, draft party voter lists, and develop a system for tracking supporter’ votes on election day. The training was designed to encourage effective volunteer utilization. Rather than using party pollwatchers to simply observe the process for fraud, parties were encouraged to use the pollwatchers to track voters, to note party supporters who had voted, and to provide information to party “runners” at various points throughout the day so that supporters who had not yet voted could be targeted for follow-up efforts. The latter activity was a very sophisticated GOTV effort, and while most parties were able to get trained pollwatchers to most polling stations, the higher level of activity occurred in a few local districts, particularly urban municipalities canvassed by the SDP and by the NSRzB in some rural districts.

October 2002 – April 2003: Post-Election Analysis and Party Assessments/Assistance

Immediately following the October general elections, the Institute prepared a post-election analysis that examined in-depth the causes for low voter turnout and the fall in support

for moderate parties. This analysis was augmented by individual party assessments conducted by the Institute of the SNSD, PDP, NHI, NSRzB, and SDP (see below).

The aim of the analysis was to look at election results for each party based on its activity in various regions throughout the country, to analyze the success of municipal campaigns, and to determine causes, where applicable, for particular successes or failures. In response to a specific request from the PDP, the Institute drafted an assessment of its campaign, including how the party could have improved its levels of support. With other parties, the analysis was discussed in meetings with central campaign leaders and local party officials. In addition, NDI prepared an analysis of the election results that disaggregated the results as if they were cast for municipal elections, demonstrating clearly to the parties how many seats they would gain or lose if the same voter turnout and voting were to occur in 2004, with a view to assisting the parties in targeting their resources for the 2004 municipal election campaign.

### *Post-Election Party Assessments and Assistance*

Following the October elections, NDI conducted in-depth post-election assessments with the municipal and central campaign teams of its political party partners. The purpose was to better understand the institutional conditions of the parties at the central and branch levels in order to identify areas for future assistance. The findings provided NDI with valuable insights into the key party structures and processes that were in need of intensive development and were used to design a comprehensive development plan for each party partner, outlining needed skills training, organizational capacity building, and modernization of party structures. With an impending window of two years that would be free from elections, the time had arrived for parties to make real progress on institutional reform necessary to become self-sustainable organizations able to effectively represent citizens' interests.

The assessments and development plan designs were carried out from November 2002 through January 2003. By mid-February 2003, NDI held consultations with parties based on the assessments and the developments plans to establish Memorandum of Understanding (MoU) with each partner, committing the Institute and the party to specific areas of resource and skills development and serving as the framework for the next phase of NDI assistance on internal political party democratization.

The assessments rated the status of each party's organizational and political capacity not only in general but also—and perhaps more importantly—of its individual branches. One of the key findings of the assessments was that some party leaders find policy formation by consultation with and agreement of ordinary party members as well as direct election of candidates by party members to be controversial, as party leaders believed it would take exclusive control over these two key decision-making areas away from them.

In January and February 2003, NDI met with officials from the SDP, SNSD, SBiH, PROENS, HDU, NSRzB, Republikanci, HSS, and NHI to conclude information gathering, complete analyses, and report initial findings. The Institute produced an individual report for each party branch where election work had been significant based on each interview. Following these meetings with parties to discuss the assessment findings and developments, NDI drafted

tailored MoUs with each party to ensure that each party's future development needs would be addressed. By the end of April 2003, the Institute signed MoUs with the SDP, NHI, and NSRzB and by December 2003 with the SNSD.

Throughout February and March 2003, NDI followed-up with parties to advise them on next steps and to determine how, if at all, they had used the Institute's assessment to make strategic plans. The SDP took the lead, as several party branches had developed strategic plans, including the branches in Bihac, Stolac, Stari Grad, Novi Grad, Sarajevo, Zenica, Visoko and Jablanica. Other parties were less receptive. The assessments confirmed that some parties were far more viable in the long term than others and indicated that a number of smaller parties would disappear over time as the consolidation of parties took place.

In late February 2003, the first training cycle based on the assessments and MoUs began in Prijedor. A similar cycle of training was held in Banja Luka, Doboje, Bijelina, Sokolac and Trebinje. This training series focused on membership, including membership recruitment, membership surveys, membership list management, membership recruitment surveys and membership newsletters. The Institute trained 285 activists from the SNSD, PDP, DNS and NSRzB. By the end of April, the Institute had provided focused assistance on membership recruitment and tracking to more than 50 municipal branches from across the RS. At this time, NDI ceased its assistance activities with the PDP based on instructions from USAID.<sup>5</sup>

NDI stressed in this training series that proper list management was the key to a party's ability to engage its members and motivate supporters. It demonstrated a database developed by NDI staff based on the Microsoft Access program. The simple template could be used to record all necessary information for a party membership list and could be combined with other information for use in a GOTV campaign. The template could be changed depending on the requirements of the parties. Except for providing capabilities for such things as mail/merge, this simple program could cover any party's list management needs for some time. In addition, the Institute imported the BiH electors' list into the Access program, creating a single tool for parties to use to manage both membership and outreach. Based on the demonstrations, the SNSD and DNS requested NDI's assistance in adopting the database program and importing each party's membership list into the new program. In addition, the SDP and NSRzB adopted the NDI program, modifying it further for each party's needs to cover both membership and GOTV capabilities. The Institute has shared the database program with other NDI programs in the region, in particular Croatia, Kosovo and Serbia, which have adapted the program for use with parties in those countries.

In February 2003, the SDP general secretary professed to be very impressed with the methodology on drafting party resolutions and selection of candidates he had observed during the NDI-organized study trip to the New Democratic Party convention in January 2003 funded by USAID. He wanted to introduce a new layer of more contemporaneous political resolutions, which the membership would be able to contribute to at the municipal level. In addition, he now

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<sup>5</sup> A communication from USAID stated that the "U.S. Embassy Sarajevo and USAID/Bosnia still feel that it would be inappropriate to provide further party-strengthening assistance to PDP with USG funding....work with PDP members in their official capacity as MPs remains appropriate" (email from USAID/BiH to NDI/BiH, May 19, 2003).

stated he was favorably disposed to involving members of the local community in this process. In March 2003, the SDP established a working group on party statutes and a working group on party platform. The Institute prepared a detailed technical submission to the statute working group, outlining amendments to the statutes that would create greater membership involvement in and streamlining of decision-making processes at the central party level. NDI held consultations with the working group chairpersons and found them keen to find models for greater membership involvement.<sup>6</sup>

Throughout April 2003, NDI held single-party training for the SDP and multiparty training sessions for other parties in all 10 Federation cantons on non-election party development, focusing on strategic planning and targeting. The sessions primarily involved municipal branch presidents and vice-presidents and utilized polling station-level election results for developing party strategic plans. No party municipal branch had formally conducted polling-station-level analysis and, in fact, many participants had not seen the results nor did they know how to do an analysis. NDI distributed CDs of the election results and polling station addresses, as well as hard copies of the election results for each branch's respective cantons.

Starting in 2003, the SNSD began a process of checking and confirming its membership lists to verify that persons on the lists were in fact actually party supporters. This was ordered by the central leadership and was the first time the party conducted a confirmation of its membership. After the October 2002 election, the SNSD also recognized the need to replace ineffective persons in key positions with persons capable of doing the job, and it began examining party statutes and by-laws to improve membership participation in party affairs as well (these efforts are bearing fruit now). The SNSD main board also established some functional committees to drive its efforts as a direct result of NDI advice and training.

## **Parliamentary Development**

From November 2001 through October 2002, NDI worked with the FBiH and the RSNA on strengthening the relationships among political parties, parliamentarians, NGOs and constituents, and on improving the efficiency and capacity of legislative processes through amending or developing Rules of Procedure and developing staff resources available to MPs. The Institute initiated internship programs in the FBiH in late 2001 and the RSNA in 2003.

During the summer of 2002, NDI's parliamentary program took a secondary role due to the legislatures' summer recess and the priority of working with political parties in advance of the general elections in BiH. Resources shifted to accommodate the increased needs of the intensified political party program in the lead-up to the October elections. NDI's assistance to the RSNA in particular was sharply curtailed between November 2001 and August 2002 due to

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<sup>6</sup> In July 2003, the SDP commenced a party-wide assessment of party financial practices, current employment, and total labor costs. This effort, led by SDP General Secretary Svetozar Pudaric, examined each party office and the number of employees and what kind of work they do in order to understand the SDP's labor force and expenditures. The SDP working group on party statutes also made progress in drafting amendments that will improve and increase membership participation. The working group received input from municipal branch leaders and members on improving the participation of local members in policy formulation and decisionmaking, which was based on NDI recommendations to the SDP.

the departure of Shauna Martin, NDI's RSNA parliamentary director from Banja Luka, who was later replaced by Niamh O'Connor.

Following the October 2002 elections, the new BiHPA was constituted in December with the convening of the House of Representatives. At this time, the Institute embarked on a limited assistance program to the BiHPA in order to enhance the long-term development of state-level institutions. NDI worked with the BiHPA to establish a website to enhance transparency and parliamentary accessibility. The Institute also extended its internship program to the BiHPA.

In April 2003, the Institute started conducting assessments of the caucuses and committees in the FBiH, RSNA, and BiHPA. The purpose was to enable NDI to establish a baseline of each committee's capacities in administration, conduct of meetings, legislative research, relations with the executive, and outreach to citizens, while the caucus assessments would enable NDI to establish baseline information on internal organization, administration and research, meetings, caucus discipline, legislative strategy, relations with the party, outreach to citizens, and constituency casework. NDI produced reports that were shared with each caucus and committee and would serve as the basis for the committee and caucus effectiveness indices the Institute would use to evaluate each committees' and caucuses' progress during its follow-on activities after April 2003.

### ***Federation Parliament (FBiH)***

#### ***Party Caucus Development***

NDI's assistance to FBiH party caucuses focused on the roles and responsibilities of the caucus, legislative strategy, how a pre-election period affects the work of the party caucus, and party coordination. The development of party caucuses promoted party cohesion and integrity in the legislature and the objective of NDI's training seminars was to develop MPs' skills necessary to reach that level.

During December 2001 and January 2002, NDI consulted with caucus chairs to ascertain legislative priorities, policy strategies, and the success of the previous work of each caucus. Based on that information, NDI conducted workshops for party caucuses in March and April 2002 to address the structure, role and responsibilities of a party caucus. The Institute presented different models of caucus organization and MP caucus functions. NDI held follow-on consultations with caucus chairs and deputies to advise the caucus on strategic planning.

In August 2002, in conjunction with the political party development program, NDI worked with individual caucuses through workshops and consultations to identify the roles and responsibilities of party members within the caucus and to outline the caucus's role in its party's election campaign. The aim was to coordinate legislative policy and the election campaign approach to ensure that both party and legislative interests were addressed.

## Constituency Outreach

The practice of constituency outreach was relatively unknown to FBiH MPs. Thus, the Institute introduced a series of activities to educate caucuses and MPs that outreach activities would provide a mechanism for developing a party's legislative responsiveness to its constituents and would contribute to developing platforms that reflect voters' interests, particularly in a pre-election period. The Institute's objective was for MPs to understand the importance of two-way communication both during and between elections.

NDI introduced several outreach strategies to caucuses and MPs, including office hours, casework, newsletters, and other constituent liaison tools. A manual with methods, explanations and examples was developed and distributed to participating MPs following consultations with caucus chairs. The Institute also sought to coordinate constituency outreach activities with civic organizations, such as the Centers for Civic Initiatives, and other NGOs that participate in democracy development in BiH.

In late 2001, NDI held consultations with interested caucuses and MPs to develop strategic plans for constituency outreach activities. The Institute commenced using skills development workshops in February 2002, which were conducted by party-bloc, with multi-party training sessions for smaller party caucuses. In addition, NDI regional experts traveled to BiH to conduct specialized training based on specific party needs or legislative priorities.

Follow-up consultations and training were conducted during 2001 and early 2002 to assess strategies and implementation, to build on previous work, and to develop new strategies as needed. NDI reviewed lessons learned from its constituent relations programs in the region as part of this assessment. During the pre-election period in the fall of 2002, constituency outreach was coordinated with the political party program in order to solidify links among MPs, parties and constituents, and to develop party platforms that spoke directly to voter concerns.

Follow-up activities with MPs and caucuses were dependent on need, legislative agenda, and pre-election activities, and developed as the program progressed. In addition, training sessions were coordinated with the RSNA and the BiHPA teams in order to increase cooperation between the legislative bodies.

## MPs Orientation

At the end of March 2003, NDI organized and facilitated a daylong orientation for 33 newly elected FBiH MPs. It served both to orient the MPs toward their roles as elected officials and to introduce them to NDI's parliamentary program. Mike Farnworth, former NDI/Bulgaria program director and former MP in the British Columbia provincial parliament, discussed the roles of MPs. Three MPs from Bulgaria shared their experiences working as legislators, addressing transparency and accountability issues. Elvis Zutic, NDI/Macedonia parliamentary program director and former NDI/BiH parliamentary program director, presented constituency outreach techniques. The members also received MP manuals prepared by NDI.

## *Committee Development*

The executive branch, with the OHR as the primary executive power, initiated almost all draft legislation in BiH. While this in itself is not unusual in a parliamentary system, the degree to which the legislature debated and amended legislation in BiH was limited. Each legislature had working bodies in parliament, including parliamentary commissions and "executive boards." The operational difference between the two types of working bodies both in terms of composition and responsibility was unclear. Although some of the commissions did show signs of life, the majority suffered from poor attendance and/or complete inactivity. Almost all of the commissions were weakened by the lack of qualified staff and the MPs' own lack of training on researching issues and reading, interpreting and amending legislation. Virtually none of the other commissions appeared to take the initiative to thoroughly study issues, organize hearings or exercise control over government action. Indeed, the concept of controlling or overseeing government activities did not seem to be understood by the commissions or parliaments as a whole. Committees lacked direction and vision and were generally dependent on the governmental or OHR agenda.

### Roundtable Series and Manual on Public Hearings

In 2001, the Institute developed a manual on public hearings in parliamentary practice, which was distributed to FBiH MPs during a series of roundtables organized by the Institute and the International Human Rights Law Group (ILG). The manual presented information on different kinds of hearings, such as legislative scrutiny and investigative hearings, as well as described a variety of procedures for organizing and executing hearings. The roundtables took place in Sarajevo with MPs and committee chairs, and focused primarily on the transparency of the legislative process in the BiH parliaments. NDI conducted a session on public hearings as one means to increase the transparency of the parliaments.

### Rules of Procedure

The FBiH House of Representatives began its work in 1996 and adopted a weak set of Rules of Procedure. Minor amendments were made in 1997, 1998 and 2003.<sup>7</sup> In late 2001, the FBiH House of Representatives established an ad-hoc committee to critically analyze the existing Rules of Procedure and amend them where appropriate. By invitation of the committee chair, NDI FBiH Program Director Elvis Zutic joined the committee as an outside expert. In the course of working with the committee, NDI analyzed each article of the rules and offered concrete recommendations for revisions, which were then discussed in a series of meetings with the ad-hoc committee. An implementation strategy and timeline also were developed. The Institute advised the committee on several key sections of the rules, including articles that regulated the immunity of MPs, caucus structure, and the work of committees.

NDI's suggestions on strengthening committees and clarifying their roles were accepted and included in the draft. Another of the Institute's recommendation, which was largely endorsed, was creating a parliamentary newsletter for distribution to constituents and journalists.

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<sup>7</sup> In July 2003, for instance, the House amended the rules to reduce the number of MPs from 140 to 98 in line with constitutional amendments adopted in 2002.

NDI advised that a newsletter would serve as an inexpensive but effective means to increase parliamentary transparency and disseminate information about the legislative process. These amendments were entered into parliamentary procedure but were not adopted by the House before it adjourned for the October 2002 elections.

### *Internship Program*

In 2001, NDI developed a semester-based internship program to address the lack of professional staff available to committees, caucuses and the parliamentary administration and to help the FBiH increase its effectiveness. The objective of the program was to increase the resources available to parliament and to introduce a broader segment of people to the work of the parliament and the legislative process. The program provided university students with the opportunity to develop their analytical and research skills and to learn more about the work of the FBiH by directly participating in the legislative process. The basis for the pilot semester and continuing semesters was to work in conjunction with participating universities and parliament on the selection, placement and training of students. Following the selection of the initial group of students, the participating parliamentary offices conducted interviews and interns were placed with a committee, caucus or administrative office based on these interviews.

The first cycle of the FBiH internship program was conducted from October through December 2001 and was used as a pilot project to assess the design and function of the program and the role of the interns. Eleven students from the University of Sarajevo were recruited and placed with the parliamentary committees for education, agriculture, information, administration, justice, and soldier and invalid's affairs. In addition, interns were placed with the parliamentary administrative office and with the SDP, SBiH and SDA caucuses.

Prior to the interns starting, NDI held a three-day orientation seminar for the students that introduced them to the program, the FBiH, and the resources the interns would draw on during their term. The orientation included meetings with parliamentary staff and MPs, a tour of parliament, discussions on the legislative agenda and upcoming legislative priorities, and skills-based work on essential intern tasks. The skills-based workshops included the roles and responsibilities of interns, how to analyze legislation and basic research techniques.

The interns' primary activities were administration and research, assisting with daily administrative tasks and the researching and drafting of committee reports and briefing materials. Throughout the program, NDI maintained contact with the participating committees, caucuses and administration offices to monitor the interns' performance, to assess the success of the program, and to intervene when problems occurred. The Institute conducted bi-weekly meetings with the interns to discuss their performance and get their feedback on the program, to continue skills-based workshops based on new intern tasks, and to evaluate the program. A computer station with an Internet connection for research purposes was set up in NDI's office for the interns. The FBiH also committed office space and basic resources for use by the interns.

After the first semester, consultations were held with the interns, the Speaker, caucus and committee chairs, university officials, and USAID regarding the continuation of the program. The initial cycle was considered a success and all parties concerned agreed that the program



should continue with an increase the number of participating students per cycle. In addition, the length of the cycle was increased from the initial one semester to a full academic year, thereby improving the quality of the experience for the interns. Along with an increase in the number of participating students, the number of participating committees and caucuses also increased. Based on consultations with committee and caucus heads, the Institute refined the roles and responsibilities of interns so they could provide specialized assistance.

The second cycle of the FBiH internship program started in February 2002, with additional interns placed in both chambers of the parliament. As with the initial cycle, the Institute conducted a two-day orientation session for the interns. NDI developed a manual for interns to outline their main duties and responsibilities and to provide additional information on research techniques and key legislative issues. The manual was used as a tool in the orientation of new interns and served as a reference guide for developing NDI internship programs in Macedonia and Montenegro.

In February 2003, a third cycle of the FBiH internship program kicked off in response to the increasing resource needs of the parliament. The Institute received more than 100 applications from students from the law, political science, economics, journalism, linguistics and computer science faculties of the University of Sarajevo and University of Serb Sarajevo. Thirty interns were selected after interviews and placed with committees, caucuses and the general secretaries of both houses for a period of six months. NDI organized a two-day orientation for interns to expose them to previous interns' work and to introduce them to the two houses, the offices and the rules of the parliament. The NDI internship handbook was also distributed.

The FBiH internship program received a great deal of attention and praise from MPs since its inception. Party leaders and government officials also communicated their appreciation for the program and their interest in duplicating it in other BiH institutions. In April 2003, Senad Sepic, an SDA MP, requested NDI assistance with his project to set up internship programs in government ministries. The Institute shared details about the parliamentary internship model and government internship programs in other countries. The Institute later met with Bakir Sadovic, an advisor to the BiH Council of Ministers, who sought advice on establishing an internship program in state-level institutions.

### ***Republika Srpska National Assembly (RSNA)***

#### *Legislative Processes and Transparency*

##### Rules of Procedure

In mid-2001, the Institute worked with the leadership of the RSNA and the Rules of Procedure working committee on developing the RSNA's new rules. Up to that time, the RSNA had functioned without formal rules, which are crucial to the effective functioning of legislative sessions. NDI held several consultations with Zoran Deric, vice-president of the RSNA, and members of the working committee, during which the Institute provided comments on draft Rules of Procedure and proposed amendments, and explored the rules of developed legislative bodies in other countries.

The RSNA working committee invited the Institute to participate in a number of committee meetings on drafting the new rules. NDI provided the committee with several model Rules of Procedures including those from the European Parliament, the German Bundestag, and the Canadian Parliament, as well as a comparative analysis on different solutions to key issues. The committee had prepared a draft based on proposals from NDI as well as input from a number of MPs. The final review of the draft took place over a two-day committee meeting, with an article-by-article review, resulting in its members accepting all of the Institute's recommendations and agreeing on the proposed rules to send to the plenary. The proposed rules were circulated to the caucuses for review, which were then passed with a clear majority at the September 2001 legislative session. NDI prepared an English translation of the rules for the RSNA, which was made available to international organizations, and a table of contents in the local language to facilitate usage.

In January 2003, NDI was asked to assist the RSNA in its efforts to amend its Rules of Procedure. Even with the adoption of the rules in late 2001, the legislative process was still hampered by a lack of efficiency and transparency, as well as a lack of effective means for managing the plenary process and limiting MP obstruction to the passage of laws. By the end of that month, NDI submitted to the RSNA Speaker changes to the rules that included recommendations for more frequent committee meetings, improved agenda planning and delivery, and the introduction of a Private Member Bill concept to encourage MPs to propose legislation.

In late March 2003, the Institute made a presentation to a joint meeting of legislative committees on amending the Rules of Procedure. NDI discussed different methods for soliciting MP participation, increasing committee work, and improving the quality of plenary debate. This meeting was the first in a series that NDI held to help the committees with the amendments. In addition, NDI provided comparative examples of broadcast regulations from the UK House of Commons and of the Irish Parliament to aid in the committees' consideration of televising plenary sessions. In April 2003, NDI provided the RSNA with a new set of proposed changes. As of this writing, the RSNA is in the process of adopting amendments to its Rules of Procedures that will include the establishment of some new committees.

### Code of Conduct

Following the adoption of the RSNA Rules of Procedure in September 2001, NDI provided comparative materials to RSNA committees on legislative codes of conduct. The materials included examples of other legislative codes of conduct and the benefits of certain code elements for regulating MP behavior in and out of parliament. The Institute also advocated holding public hearings on the code of conduct to introduce the concept to voters and to solicit feedback.

During late 2002 and early 2003, the Institute worked on developing a code of conduct. NDI prepared a draft document that drew on the best practices of a number of established codes. Since beginning its work with the RSNA, NDI has provided parliamentary leaders and MPs with various materials on this issue and facilitated several discussions that have moved the parliament closer to adopting a code.

## *Internship Program*

Following the pilot internship program at the FBiH, NDI began developing an internship program for the RSNA. The introduction of the RSNA program marked the beginning of a countrywide internship program in both entities and the state-level parliaments. The pilot semester, which was launched in January 2003, was similar to the program in the FBiH and the BiHPA, with the first cycle involving 12 students working for specific committees, caucuses and administrative offices.

NDI initiated consultations in the spring of 2002 with the RSNA and Banja Luka University officials to present the internship program concept and to discuss the structure of the program, the needs of different offices within the Assembly, the roles of supervisors and intern responsibilities. The program was introduced to university students through information sessions at the end of the spring academic term in 2002. By the fall of 2002, the process for recruiting, interviewing and selecting applicants was finalized with the university and parliamentary officials. All elements of the program were in place with the selection process for the first cycle scheduled in January 2003.

In January 2003, NDI signed a MoU with the RSNA general secretary and the dean of Banja Luka University outlining the roles of each respective institution. It was agreed that in the pilot cycle one intern would be assigned to each caucus and one of the following committees: the Legislative Committee, the Committee for Economy and Production, and the Committee for Public Affairs. Following an application and interview process, 10 interns were selected from a pool of 35 qualified applicants. On March 6 and 7, an orientation session for the interns was held to introduce students to the work of the RSNA, the Rules of Procedure, and the functions of the Assembly's individual bodies.

## *Consultations with RSNA Leadership, Caucuses and Committees*

At the start of 2003, NDI held a series of consultations with a number of RSNA officials and caucus and committee chairs to explore areas of future cooperation, to assess the needs of the individual bodies of the Assembly and to plan activities accordingly. NDI consulted with the new RSNA Speaker on amending the Rules of Procedure and regulating television and radio broadcasting of Assembly sessions in order to improve the transparency of the legislative process. The Institute provided comparative examples of broadcast regulations from the UK House of Commons and the Irish Parliament to the Speaker.

NDI held additional meetings with a number of committee chairs, members and caucuses to solicit their input on what type of assistance the Institute could provide following the formation of new caucuses and committees after the 2002 general elections. Several caucus chairs identified the development of caucus structure and outreach as priorities for development. Caucus leaders also identified MP accountability, understanding of legislative issues and legislative drafting skills as the biggest obstacles to increasing the RSNA's profile among citizens.

### *The Experts Team and MP Orientation*

In January 2003, the Institute established an expert resource team to provide input and advice on program design and activities, as well as to conduct training and consultations on different legislative issues. The members included Graham Steele (Nova Scotia House of Assembly MP), Brian Crowley (Irish member of the European Parliament), Emil Koshlukov, (Bulgarian MP), and Don Schneider (chief clerk of the Wisconsin State Senate). NDI decided that a resource team dedicated to assisting and advising the Institute in its work with the RSNA would result in an advisory/training group that would develop intimate knowledge of the Assembly and its needs and therefore be able to provide more effective targeted assistance.

The first of the experts' training took place in March 2003 for the Legislative Committee on amending the Rules of Procedure and conducting an orientation session for new RSNA MPs. An orientation seminar was also organized for the Council of Peoples to provide an opportunity for the members to meet as a group for the first time (as the BiH Election Commission only ratified its nominations the week of the seminar) and present information on how effective legislative bodies work. The Council of Peoples leadership then asked NDI to assist it in the drafting of its Rules of Procedure and to provide other technical assistance.

### ***BiH Parliamentary Assembly (BiHPA)***

In 2002, the Institute initiated an assistance program with the BiHPA to strengthen its capacity to function as a legislative institution representing all BiH citizens across entity and ethnic lines and to enhance the sustainability of state-level democratic institutions in the country.

### *MP Orientation*

The Institute held an orientation session for new BiHPA MPs in December 2002 in Sarajevo. Approximately 30 newly elected MPs gathered to learn about the legislative process and the rules and regulations that govern the work of parliament, and to acquire new skills to assist them in performing their official duties. NDI presented an introduction to its parliamentary program, which highlighted the website project, future committee development and constituency outreach assistance, and the new internship program.

### *Parliamentary Internship Program*

In October 2002, NDI signed a MoU with the BiHPA and participating universities establishing the BiHPA internship program. The program had two objectives: 1) to increase support resources available to the parliamentary administration, caucuses and committees in order to enhance organizational capacity; and 2) to strengthen the linkage between the BiHPA and the public, through familiarizing a wider base of people with the work of the legislature and the functions of the institution. The state-level program followed the model used at the F BiH, although NDI included applicants from the University of Serb Sarajevo to provide adequate representation of all ethnicities.

The first six-month cycle began in late February 2003, with 18 interns from universities throughout BiH. The interns were placed with eight committees in the House of Representatives,

House of Peoples, the BiHPA's information and documentation service (Indoc), and the three general secretaries. The first cycle opened with an orientation session based on the FBiH model. Throughout the course of the first cycle, NDI conducted regular assessments with university officials and BiH parliamentary staff. As with the other internship programs, NDI held regular meetings with the interns for feedback and skills-building.

### ***Joint Parliamentary Activities***

#### *Constituency Outreach Manual*

During late 2001 and early 2002, NDI prepared a constituency outreach manual for MPs of both entity parliaments. The manual focused on presenting communication tools, different techniques for conveying information and recommendations on setting up an efficient constituency outreach office, and on explaining the importance of casework study in order to assist MPs in identifying and addressing the needs of voters. The manual was completed and distributed in advance of a series of outreach skills development seminars that NDI conducted beginning in February 2002 as well as to new MPs in orientation sessions organized by the Institute.

#### *NGO-Parliamentary Committee Conference*

In cooperation with the Centers for Civic Initiatives, NDI organized a one-day conference in November 2001, bringing together committee chairs from both entity parliaments and the BiHPA as well as NGO representatives from throughout the country to discuss strategies for increased cooperation in the legislative process. NDI and CCI introduced legislative tools that regulate the role of NGOs in working with the parliaments as well as methods and techniques by which organizations can improve access to legislatures and political leaders. For the legislative participants, methods were introduced by which elected officials could effectively reach out to constituents and interest groups.

The conference took place in Sarajevo with 27 committee chairs and 57 NGO representatives joining together to discuss the roles of the legislatures and the public and to define strategies to facilitate increased future cooperation. A panel discussion moderated by NDI and the International Human Rights Law Group (IHRLG) introduced the importance of legislative outreach, NGO advocacy, and other methods for accessing information and influence.

In a workshop session for NGOs, IHRLG representatives discussed advocacy techniques. At the parliamentarian workshop session, NDI experts shared insights into how MPs can benefit from cooperation with NGOs and how to best develop relationships. The participants acknowledged that no suitable framework existed for communication between the groups, concluding that the existing rules in BiH are inadequate to provide either transparency or effective methods to address the issues under legislative consideration. The participants also formulated recommendations and strategies for improving communication and collaboration between NGOs and parliaments, including compiling and distributing a contact list and organizational information on NGOs.

## *Legislative Transparency*

In April 2002, NDI and IHRLG organized a legislative transparency workshop, entitled “Promotion of Public Participation and Accountability of the Legislators as Guarantors of Democracy.” The workshop was a follow-up to the November 2001 conference to promote cooperation between parliamentary committees and the NGO community in the legislative process. Ten MPs and professional staff from the FBiH and BiHPA and 16 NGO activists gathered to discuss issues and mechanisms to increase transparency and to identify areas of cooperation. Several RSNA MPs had to cancel their participation due to a special session called to discuss amendments to the RS constitution.

NDI used the findings of its nationwide public opinion survey conducted in April 2002 to illustrate the lack of transparency in the BiH legislative process. The data revealed that less than 50 percent of interviewees knew the name of a member of a parliament or an assembly elected to represent his or her constituency; more than 71 percent of interviewed citizens had never been contacted by a member of parliament; and approximately 81 percent of interviewees did not know how to contact the members of parliament elected to represent them. After the polling results presentation, the participants agreed about the necessity to initiate urgent action aimed at opening up the legislative process.

At the end of the workshop, participants identified concrete steps in order to strengthen the cooperation between parliament and the public, such as the following:

- development of a monthly newsletter;
- launch of parliamentary websites to make draft laws publicly accessible;
- opportunities for citizens to pose questions to their representatives in parliament;
- open public hearings and investigations before parliamentary committees in an attempt to promote citizen participation;
- involvement of experts in committee work to act as a link between civil society and parliaments;
- extension of deadlines for parliamentary work and amendment phase;
- agendas for parliamentary sessions made public;
- establishment of slots for NGO representatives to serve as parliamentary committee members without voting rights; and
- relevant committees given decision-making powers to convene public hearings to solicit general public opinion.

Participants received the *Guide for Preparation and Organization of Public Hearings in Parliamentary Committees* produced by NDI as well as material prepared by IHRLG. In addition, representatives of the NGO community received an NDI guide on advocacy work with parliaments with a focus on giving public testimonies before committees.

## *Information Technology*

One of the priorities coming out of the joint recommendations developed by MPs and NGO representatives at NDI’s November 2001 conference was the establishment of an official

FBiH website, with the goal to increase transparency in parliamentary work. The Institute offered its expertise to the FBiH in designing the website and establishing protocols to manage its use. The purpose of the project was to provide public access to legislation, to disseminate information about the structure and functioning of the legislative body and to promote openness and transparency of the work of the parliament.

By June 2002, an interactive, user-friendly website containing information about the structure and function of the parliament, contact information for MPs and staff, and a resource library containing already enacted legislation and draft laws was created through a joint effort of NDI and the FBiH. Upon completion of the work, the design was presented to the chamber clerks who approved the final version.

In October 2002, NDI signed a MoU with the general secretary of the BiHPA that outlined the roles and responsibilities of each in the development and implementation of the BiHPA's website. The website was designed to enhance institutional transparency, to increase accountability of MPs as well as to facilitate communication between citizens and MPs. In addition, NDI facilitated the establishment of information-sharing protocols and procedures inside the parliament and with the government to ensure timely information flow and regular updates of available information. A local company was contracted to develop and design the website in close consultation with both the parliament and NDI.

During the course of the project's development and implementation, NDI sought to involve the BiHPA as much as possible in order to develop a sense of ownership and responsibility over its long-term upkeep, in accordance with the MoU. In spite of these efforts, the BiHPA was slow to keep its agreement to organize and provide information, slowing down the project until December 2003. When the site was finally launched, it was clear that the BiHPA and NDI had created a sophisticated website following the latest information updating protocols.<sup>8</sup>

In July 2003, the Institute conducted an information technology (IT) assessment of the RSNA, the FBiH and the BiHPA. The purposes of the assessment were to evaluate the current IT capacities and skill levels of the three parliaments, to identify training needs and to use the gathered information to develop projects to contribute to parliamentary transparency. In all three parliaments, NDI toured facilities and met with the parliamentary leadership and key professional staff. In advance of the assessment, NDI distributed specially designed questionnaires to the professional staff of the three parliaments to compile information to determine the level of existing skills and to identify training needs.

The findings indicated that the level of technological infrastructure within all three parliaments was low, both in general administrative terms, as well as with respect to the technologies that support legislative outreach and research. Efforts to utilize technology for parliamentary work were *ad hoc* and not strategically planned. Professional staff members did not have access to computers or network service that would make it possible to conduct comprehensive research, to communicate regularly and easily with constituents and parliamentary staff, and to access legislative materials. Comprehensive research to inform

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<sup>8</sup> After many delays, the BiHPA website was officially launched on December 29, 2003.

legislation was almost exclusively performed by NDI interns in the three parliaments, but a lack of IT resources and advanced skills impedes that process.

### *Canada Study Trip*

In January 2003, NDI organized a trip for two SDP officials to attend the party convention of the National Democratic Party of Canada and to meet party officials and caucus members to discuss the relationship, communication, and dynamics between political parties and their caucuses. The trip introduced Karlo Filipovic (MP and SDP caucus chair) and Svetozar Pudaric (SDP general secretary) to the internal structure of a party caucus as well as to external outreach operations.<sup>9</sup>

Following the Canada study trip, NDI met with Filipovic who confirmed he had learned much about the party caucus in Canada and that as a result he was planning to establish a new internal structure for the SDP caucus and to reassign responsibilities to improve efficiency. Filipovic was also working to set up a caucus office near the party headquarters that would be used by SDP MPs from the FBiH and BiHPA for caucus outreach. He was eager to work with NDI on these projects and asked for assistance in training caucus assistants.

In April 2003, the SDP caucus established three policy caucus committees based on what caucus leader Karlo Filipovic observed during the NDI study trip to the NDP convention in Canada. These caucus committees are responsible for developing caucus positions, providing oversight on government operations in areas of financial and budgetary policy, economic policy and social services and identifying new issues in their policy area. Each committee comprises 15 caucus members, one of whom acts as spokesperson, with the others responsible for specific issues and areas.

### **Increasing the Political Participation of Women and Youth**

While women were integrated into all political party and parliamentary programs, the Institute decided that separate training for female candidates, party activists and campaign managers was required to address issues that could not be effectively covered in training activities involving both men and women. As such, in 2001 NDI began working with female political activists and party women's branches throughout BiH to strengthen women's political participation as activists, voters, candidates and elected leaders. The Institute's activities were guided by the assumption that as more women became politically involved, political institutions in BiH would become more responsive to the needs of all citizens, particularly women, children and the elderly. In addition, two conferences were organized to bring together women across political parties, parliaments, governments, and NGOs to address political issues of importance to women in BiH.

As for activities targeting youth political participation, the Institute involved youth, defined as between the ages of 18 and 35, in virtually all of its political party development activities. Many MPs who participated in NDI parliamentary activities also fell within the under 35-age range. The Institute organized two large-scale, youth-specific events under the rubric of

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<sup>9</sup> Additional participants from other parties were unable to attend due to difficulties in obtaining visas to Canada.



the Youth School for the Development of Democratic Leadership in order to strengthen youth participation in parties and political institutions and to raise awareness of youth issues in parties and parliaments.

Following are highlights of NDI's activities that specifically targeted women and youth:

- During 2001, NDI trained women party activists in Banja Luka and Sarajevo on campaign management, membership and volunteer recruitment, and research, message development and voter communication.
- NDI organized a women's conference in 2001 for 85 participants across BiH from political parties, NGOs, and professionals from the education, health and legal fields, to strengthen the networks among and influence of women involved in political activities.
- Throughout BiH, NDI conducted candidate training schools for female candidates on practical skills development for a first-time candidate, the role of an incumbent candidate, direct voter contact through door-to-door canvassing, relationships with the media, and connections with other candidates within the party.
- In advance of the 2002 general elections, NDI conducted training for female election organizers and activists responsible for organizing electoral campaigns at the cantonal, district, and local levels in BiH on local campaign organization, preparing campaign strategy, volunteer recruitment, and methods of voter identification.
- In February 2002, NDI organized the first Youth School for the Development of Democratic Leadership. Seven students from the law, social science, and political science faculties at the University of Sarajevo were chosen to participate together with the new interns in the second FBiH cycle. The weeklong seminar gathered a range of lecturers, parliamentary staff, and international trainers. In addition to presentations about the function and structure of different working bodies of the parliament, the participants were also given a tour of the building.
- NDI conducted its second youth school from May 19 to 26, 2002, in Jahorina. The school provided 52 youth activists from political parties, civic organizations, and universities with access to domestic and international experts in a variety of fields, including law, human rights, politics, and civil society. High-level government and international officials engaged participants in discussions on the future of BiH and the role of the international community. In addition to the 52 participants, 28 previous youth school participants returned for the final three days of the event to share their experiences and insight. Furthermore, 26 interns in the FBiH internship program talked about their experiences and engaged in discussions on BiH's democratic development.
- In 2003, NDI conducted assessments of women's branches and their related activities with presidents and vice presidents of women's branches at both the central and local levels. NDI solicited detailed information about their activities, last campaign involvement, self-perceived strengths and weaknesses, lessons learned, internal structure changes, and future activities for developing future projects targeting women in political parties.
- In April 2003, NDI held a women's conference on the topic of protecting women's rights through BiH laws. Forty women participated representing a variety of political parties, parliaments, courts, and NGOs. The conference was prompted by the BiHPA's adoption of the Gender Equity Law in early 2003 on human rights in BiH.

## **Brcko District**

In February 2003, NDI conducted an assessment of the Brcko Assembly and the political parties in the District to evaluate their states of development in advance of a planned transition from an appointed interim Assembly to an elected local government after the first direct elections in the District in October 2004. NDI reviewed the capacity of political parties in the areas of voter outreach, membership development, fundraising and message development and delivery, independence from Sarajevo and Banja Luka headquarters, internal communication flows, and policy and platform development. NDI's major recommendations were the following:

- Voter Registration and Voter Awareness Campaigns – parties needed assistance in having their constituencies registered and, in the process, updating membership lists and reaching out to voters. This process would need to continue until the deadline for voter registration in June 2004 and then gradually shift to promoting voter awareness of the election and other Get Out the Vote (GOTV) activities.
- Issue Identification and Message Development – political parties needed to identify constituent issues, to develop messages that appealed to existing and potential constituencies, and to incorporate those messages into voter outreach. Using public opinion research would be necessary for parties to form distinct election platforms.
- Election Organization – political parties needed to establish organizational structures to undertake fundraising, membership or volunteer recruitment and campaign management.
- Coalition and/or Alliance Building – political parties, particularly smaller parties, needed to explore election alliances as a means to pass the three percent threshold to enter the Assembly.

As to the interim Assembly, its constitution by appointment rather than by election, which was extended several times more than originally intended, together with the role of the OHR supervisor, resulted, perhaps unsurprisingly, in cynicism among voters. In its 2003 assessment, NDI emphasized working with political parties to identify voters' concerns and to solicit public comment on draft legislation as a means to build connections between citizens and those who would ultimately occupy an elected assembly. NDI identified a similar need for increased constituency outreach by the Assembly as the District's representative body and by councilors on an individual basis. However, given that the interim Assembly would change significantly after the October elections, the Institute opted to focus on working with political party branches on the challenges listed above.

In May 2003, NDI launched its program in the Brcko District funded by the OHR through USAID. The Institute consulted with the political party leaders and assembly councilors to gauge their assistance needs and agreed to a program of party and parliamentary assistance.

NDI conducted a survey of political parties to evaluate their capacity and internal structure. They fell into two broad categories: Category I parties had an estimated membership below 400 and an undeveloped internal organization; and Category II parties had an estimated membership above 400 and more developed internal organization. Category I parties included the DS, NHI, HSS, SNS, LDS, DNS, and the Pensioner's Party; Category II included the SNSD, SPRS, and SDP parties. The Institute provided assistance to these parties in a training cycle in

the second half of 2003 that focused on basic party-building activities including membership management and development, public opinion research, volunteer development and fundraising.

In December 2003, NDI conducted a municipal poll in Brcko, which was also fielded in five municipalities in each entity. Some 450 residents were queried on the District's administration and their preferences for parties and public figures. Findings indicated higher favorability for Brcko institutions than BiH institutions. In addition, whereas only a slight majority of eligible voters were registered to vote at the time of the survey, 75 percent of respondents stated their intention to vote in the October 2004 assembly elections.

During the fall and winter of 2003 and early 2004, the Institute incorporated a cycle of one-on-one consultations with party leaders on internal organization and recruitment issues identified in public opinion surveys. NDI also trained parties on citizen outreach tools, including surveys, newsletters and, for larger parties, voter databases.

The Institute consulted with the Assembly on such outreach techniques as open office hours, community site visits and regular town-hall meetings. NDI worked with Assembly caucuses on integrated planning of legislative activities, setting up constituency offices and developing rules of procedure, which included a multiparty caucus development seminar in September 2003 for MPs from the Federation and Republika Srpska. In the fall and early winter, the Institute, in consultation with the OHR legal team, trained committee chairs and vice chairs on meeting procedures, communicating committee reports and holding public hearings.

#### **IV. EVALUATION AND RESULTS**

##### **Political Party Development**

In working with parties, a major challenge NDI faced was convincing party leadership of the need for party structure and decision-making reform, coupled with engagement with voters on issues important to their daily lives. It was difficult for the leadership to understand the added value of internal reform, particularly in the selection process of party candidates, and that internal democracy and a less hierarchical decision-making structure was in its own self-interest. However, ultimately these reforms would encourage greater dialogue on policy issues and would allow parties to expand their membership base and to gain electoral advantages through greater outreach and diversification. The frequency of elections since 1996, as well as the preoccupation with issues remote from voters' daily lives, limited the opportunities for parties to fully consider the value of internal reform and of robust constituency outreach in relation to election results.

Prior to early 2001, political parties had not devolved sufficient authority to municipal branches, which depended on the party center for directives, and they lacked communication between the central and grassroots levels. Branches had little input in decision-making processes, governance, candidate selection, and policy and platform formulation. This invariably resulted in the parties' most important structures for reaching out to voters being reduced to passive components in the life of the party.

Overall, the political party leaders continued to demonstrate a lack of understanding of the value of advance campaign planning. Due mostly to the fact that parties were still leader-focused in terms of internal decision-making, they were unable to act independently of leaders when the latter were preoccupied with matters of governance. The constant focus on elections also made it difficult to work on developing more open internal party mechanisms. Only after BiH moved to a four-year election cycle would extensive progress in this area be possible.

In terms of overall organizational support, this was the most comprehensive and well-developed NDI program yet conducted. The operational support, from national staff, program directors, and the experts program, was thorough and flexible, allowing for the reallocation of resources and attention as needed. An important factor, as mentioned above, is that the election-related activity was but one part of an overall NDI program that had been ongoing and ably coordinated by local and international staff. The work of the national staff program coordinators provided the parties with an invaluable resource of campaign knowledge and strategy consultation, strengthening NDI's ties with partners. The connections made with new and small parties during the past year, in preparation for the elections, will be built upon during upcoming modernization and long-term party building efforts. This ongoing work also helped to make the experts program more successful, in that the skills and information passed from the experts to the parties was followed up by national staff and built upon by pre-existing NDI program support.

The experts program was a new and innovative approach to party support and development work. The program was ambitious and required a great level of coordination and collaboration between NDI and its program partners. Despite all of the preparation, it proved impossible in some instances to anticipate the needs of the parties and to prepare for the rigors of party decision-making structures, which at times rendered NDI's assistance moot. The third phase of the experts program, which provided four experts for intensive party assistance from late August 2002 through the election in October, was extraordinarily helpful for working with parties at the municipal and local levels and for providing support to specific GOTV and voter outreach efforts at that level. NDI, as a proven partner with these parties, was the best-placed organization to undertake work such as the experts program, but parties were nevertheless unwilling to allow the experts full access.

NDI can improve upon its work in preparing for future experts programs or activities that address sensitive party processes. A program such as this required a high level of party trust and it appears that the parties were, in some ways, unprepared to make best use of the expert resources provided. In the future, experts should be involved in more of the preparatory work for the campaign activity in order to facilitate more effective design and delivery of assistance.

**Objective: Parties enhance organizational and operational capacity and democratize internal structures as part of election campaigning.**

The October 2002 general elections stood squarely as the most important target driving NDI's work with political parties in BiH. It started well before the election campaign period officially commenced, with NDI shifting its engagement from long-term institutional development in mid-2001 to election preparedness. However, every facet of election preparedness assistance also contributed in some way to long-term institutional development, as

the Institute's key party partners had to modify internal practices and processes in order to undertake effective electoral activity.

Although parties were understandably preoccupied with election preparedness activities, limiting their efforts to undertake any major efforts to democratize internal structures, key party partners, such as the SDP and SNSD, were able to make progress in enhancing internal communication processes, planning, and coordination that improved each party's organization capacities. Several parties readily adopted database software developed by NDI to more effectively manage information on members and supporters, substantially enhancing their capabilities to use information for strategic and development purposes.

The SNSD made progress in organizing and coordinating decision-making structures to enhance operation capacities. Local campaigns received significant levels of support, in terms of people and material resources, from the central party leadership. The regional campaign managers were well prepared for the election period, had campaign plans in place, and assisted local campaign offices in an organized manner. The party made effective use of resources provided by NDI, using the experts to augment local campaigns and to jump start stalling campaigns, and using the Institute's national staff as campaign consultants.

Additional select results include the following:

- Based on consultations and advice from NDI, the SNSD decentralized its campaign structure by allowing candidate autonomy during the election campaign period. The party allowed candidates to address local concerns, campaign on local policy priorities linked to central party priorities, and develop localized, semi-autonomous campaign structures. The prevalence of individual candidate campaign literature, the identification of strategic campaign areas, and the establishment of strong local campaign teams in those areas demonstrated this. The SNSD also, for the first time, developed area-specific GOTV campaigns to mobilize supporters on election day.
- Working with software developed and provided by the Institute, the SNSD, NHI, SDP, and NSRzB established comprehensive supporter information databases developed through coordinated public outreach and direct voter contact activities during the election period. These voter databases can now be used to develop party membership rolls and simplify the process of contacting party supporters during non-election periods.
- The SDP increased communication and coordination between cantonal boards and the central campaign leadership, leading to the development of a unified campaign plan that was coherent and consistent across all regions, the establishment of an election team with appropriate roles and responsibilities clearly delineated, and the development of a timeline with deadlines for specific activities.
- At least 20 political parties used the results of NDI's individual post-election branch assessments to inform their development plans for the year. In addition, the SDP used the results in all 12 municipalities of the Mostar City and Livno Cantons. The assessments revealed how NDI's training – especially GOTV training – aided parties during the elections.
- In the Federation, 138 party municipal branch presidents and vice-presidents conducted polling-station-level analyses of their election results. Through this initiative, they

obtained all the information necessary to write and implement targeted party plans. No party in the Federation has ever formally conducted such an analysis at this level. This would not have been done without NDI training, as a number of branch presidents and vice-presidents did not know how to conduct an analysis and some had not even looked at the election results.

**Objective: Political parties engage in comprehensive election preparation in order to develop policy platforms and campaign messages and strategies that address voter interests.**

**Objective: Parties conduct public outreach and engage citizens in the pre-election period in order to develop policy platforms and campaign messages and strategy that address voter interests.**

Although NDI encountered resistance to some campaign techniques, breakthroughs happened with several parties wherein they attempted these new techniques and noted positive results. This is particularly true for the SNSD, NHI, and NSRzB. Each of these parties coordinated extensive voter outreach and GOTV activities in priority municipalities. Where these activities were undertaken, the results went beyond expectations and had a major impact on the level of support for nationalist parties. For the election campaign as a whole, including the work of all parties, this was the most sophisticated campaign yet seen in BiH: new campaign techniques were used; party propaganda and advertising focused less on particular personalities and more on policy interests; parties used voter identification databases to conduct sophisticated election day GOTV activities.

In terms of election-related literature, the quality during the 2002 campaign improved compared to prior campaigns. There was, in general, a greater emphasis on party policies, political concerns, and the political qualifications of specific candidates. Many parties, including the HSS, NHI, and SDP, featured their female candidates in specialized campaign literature. Campaign plans continued to show an undue emphasis on billboards and party rallies; these methods of message delivery reach a limited number of people while costing significant campaign funds. In addition, parties still need to focus on staying on message in all their methods of campaign communications, from speeches to specific literature. For the first time, individual candidates produced their own campaign literature. This marks a significant development, as candidates were more willing to address regionally specific issues of interest to constituents and to delineate themselves from other candidates within the party.

Significant progress was made in how parties campaigned and the methods they used to reach out to voters. This election marked a dramatic increase in party GOTV efforts, direct voter contact, and door-to-door canvassing operations. The parties used the election as an opportunity to contact citizens and, most importantly, to record information about supporters, potential supporters, and citizens with whom the party should have more contact. This is an essential and heretofore neglected element in party building in that it provides more useful voter targeting information for parties and can serve as a basis for future membership recruitment.

For the first time, direct election activities, including door-to-door voter surveys and voter identification, were conducted in regions of Hercegovina, including Siroki Brijeg, Capljina, and Drvar. Parties that had never utilized these campaign techniques, including the NSRzB and

HSS, trained party members and volunteers in these techniques and used the direct voter contact methods to distribute literature about their parties. In Mostar, the voter contact program of the NSRzB was the largest and most sophisticated program ever run in that region.

A new NDI program partner – the NSRzB – had the unenviable task of carving out support in HDZ strongholds in the Hercegovina region, particularly in Mostar and environs. The NSRzB conducted a highly visible and sophisticated campaign, utilizing all the resources that NDI provided. The NSRzB policy platform focused on jobs and economic issues, which the party had an expertise in based on its business background. Where it targeted voters and identified supporters, it reached its goals in terms of electoral support. It was willing to try new and innovative ideas in advertising and message delivery, including teaser campaigns and creative rallies. From a party perspective, the NSRzB was the most organized in conveying a relevant message on jobs, corruption, and youth – three areas of most importance to voters according to NDI’s pre-election polling. Although the NSRzB struggled in the pre-election period in responding to issues that it had not set on its agenda, the party was successful in conveying its message and in responding to substantive policy issues it initiated.

In comparison, coordination with the SDP was consistently challenging. The party proved itself structurally unable to function during the election period. There was too much confusion in the decision-making process, and the pressures of governing and responding to criticism, much of it launched by Alliance for Change coalition partners, muddled its policy message and hindered its ability to set the agenda for political discourse. The party was reluctant to attempt new message and advertising methods, displaying a lack of understanding of the complexities of the competition.

Parties recognized the value of recruiting volunteers for campaign and election-related activities, beyond the traditional party pollwatching. Challenges remain in how parties perceive volunteer work: there is still a culture of paying volunteers to work for the party; door-to-door canvassing and literature distribution are largely relegated to female and youth members of the parties, indicating a devaluation of these techniques by the party; and some voter contact activities did not focus sufficiently on party support recognition and message delivery. Nevertheless, this campaign season saw an unprecedented use of volunteers, party member involvement, and overall voter outreach.

Additional select results include the following:

- The 2002 general election campaign saw a dramatic rise in the number of party campaigns run in smaller municipalities, such as Knezevo, Zenica, Sanski Most, Livno, Siroki Brijeg and Stolac. More party members took part in campaigns and organizing party activities on manageable scales for local voters. This success is directly attributable to the ongoing work by NDI field coordinators, political party staff, and the supplemental election experts program, which provided a boost in resources and assistance to more areas of BiH.
- NSRzB activists conducted canvassing activities for the first time in Konjic, Prozor, Stolac, Siroki Brijeg and Mostar, utilizing skills from NDI’s training on voter contact. Increasing the number of skilled party activists resulted in an enhanced operational capacity for the party. It was the first time *ever* that a party in BiH conducted door-to-

door canvassing. Following on this, the NSRzB utilized approximately 100 volunteers to contact more than 12,000 voters in Hercegovina, an unprecedented direct voter contact campaign by any political party in the region. As encouraged at NDI's training session, the efforts included literature drops, identification of party support, and coordinated party canvassing records.

- After training and consultations with NDI, the SDP organized 3,000 volunteers in the Sarajevo canton in the weeks leading up to the election to canvass 60 families each over the course of the campaign. Volunteers attempted to reach each family twice, as SDP organized a rotation where volunteers would canvass in different communities. NDI estimates that 26,200 households were contacted in 4 municipalities in Canton Sarajevo (Centre, 9,000; Novi Grad, 9,000; Novo Sarajevo, 6,000; and Stari Grad, 2,200).
- SNSD, NHI, SDP, NSRzB, SPRS, and the DSRS conducted door-to-door voter contact and recorded actual voter turnout at polling stations. The parties obtained information to follow up with supporters who did not vote and made efforts to contact them regarding upcoming party activities. This work was based on NDI party pollwatcher and campaign training, which encouraged tracking voter turnout to translate known party support into active party engagement.
- The above-mentioned parties followed through on election-day plans (developed with NDI's assistance) to enhance voter turnout by tracking supporters at polling stations. This activity, which included phoning known supporters who had not yet voted and arranging transportation for supporters who needed to get to polling stations, allowed the parties to assure that support identified through door-to-door voter contact was translated into votes at the polling stations.
- The SPRS conducted voter identification and issue priority research, independent of NDI, and used that information in its campaign. As a result, it narrowed its policy priorities to the main points of agriculture, health and public support centers, and was better able to target groups, such as pensioners, teachers and students. In municipalities where SPRS campaigns used this information, its support was maintained at its 2000 election level or was increased. The SPRS increased its support in Teslic and Zvornik compared to its 2000 election results, and in these two municipalities the SPRS garnered the most support among all of its campaigns.

**Objective: Increase political participation of women and youth.**

As is the case elsewhere in Central and Eastern Europe, women's political participation in BiH was particularly impeded by economic constraints and cultural traditions that reserved political power for men and excluded smart, capable women from decision-making influence. Previously, women lacked the skills, knowledge, and confidence to get elected to higher positions. As a result, few women held leadership positions in parties, elected office, or government -- at all levels and in both entities. At the start of this program, most BiH political parties had women's branches, but they did not offer real opportunities for political leadership or involvement in party decision-making. A party usually formed a women's branch only to adhere to the letter of its statutes and viewed it as a 'small community cultural group' or humanitarian association whose main task was organizing fairs (e.g., flowers, art) and humanitarian work. Thus, women remained marginalized from substantive party activities.



The first post-war elections in 1996 clearly illustrated the challenges women faced in politics. Only two percent of female candidates at the state and entity level and five percent on the local level were elected. In 1997, the Provisional Election Commission (PEC) made it mandatory for political parties to place at least 30 percent of female candidates on their candidate lists.<sup>10</sup> In the 1997 and 1998 election campaigns, women's NGOs and the OSCE ran a campaign to promote women candidates. This resulted in the number of women elected to the Federation Parliament House of Representatives increasing to 26 percent in 1998 from 2 percent, and the number of women elected to local government office increasing from 5 percent to 18 percent in 2000. The PEC kept that rule for the 2002 general elections, and it is now a permanent part of the BiH Election Law.

Notwithstanding the stipulation that 30 percent of the electoral list should be made up of women, political parties by and large were caught off guard in effectively organizing and developing female party activists after 1997. Most parties were unprepared and did not have enough experienced female party professionals to place on electoral lists. As a result, some women elected to office in 1998 and 2000 were not politically experienced, professionally accomplished, visible or active enough, and were viewed as token representatives rather than good role models for other women.

The number of women candidates involved in the candidate training school marked a sharp increase from previous trainings, and women candidates showed a keener interest in healthcare and mental health issues. However, women candidates also seemed disconnected from the central party. Although the gender requirement greatly increased the number of women candidates in the 2002 election, women in general do not hold positions of power in political parties and remain underrepresented on parties' executives and leaderships. Women leaders assert that the open-list voting system works against the election of women. This assertion appeared to be supported by the election results, as in many cases open-list voting resulted in women candidates ending up in positions lower on party lists than would otherwise have been the case under the gender requirement. Furthermore, the media coverage of women candidates was extremely poor: only 3 percent of the airtime on television and 1 percent for print media space was allocated to women candidates.

Following the first youth school, the Institute introduced two modifications to the format considered important to its continued success. While still relying on international experts when necessary, NDI made a greater effort to utilize regional and in-country experts on each topic presented and added working groups to limit the amount of time in large plenary sessions. The first modification gave participants the opportunity to hear from experts in the region who have dealt with similar issues and to gather information from in-country experts on the resources available within BiH. The second modification was instrumental in providing significant time

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<sup>10</sup> Specifically, the Election Law states in Article 4.19 "...Every candidates list shall include candidates of male and female gender. The minority gender candidates shall be distributed on the candidates list in the following manner. At least one (1) minority gender candidate among the first two (2) candidates, two (2) minority gender candidates among the first five (5) candidates, and three (3) minority gender candidates among the first eight (8) candidates et seq. The number of minority gender candidates shall be at least equal to the total number of candidates on the list, divided by three (3) rounded up to the closest integer."

for interaction and discussion on the issues. In allowing participants to engage one another directly, they were able to develop their understanding of the topics from multiple perspectives.

Additional selected results on increasing the political participation of women and youth include the following:

- The SDP Tuzla branch formed a youth and women's forum, and youth members of the DSRS initiated a process to form a party youth organization. The DSRS developed a party youth constitution following participation in NDI's youth schools.
- As a result of NDI's suggestion to profile specific candidates, the HSS and the HDU profiled female candidates in their party literature to reach out to additional sectors of the population.
- A female SNSD candidate won a compensatory mandate in the RSNA by using methods learned during NDI's candidate training, including door-to-door contact, issue-oriented campaign literature, and innovative outreach techniques (such as linking local priorities in agriculture to her campaign by distributing seed packets door-to-door with her campaign information stated on the packet).

## **Public Opinion Research**

The Institute has been criticized both publicly and privately for "getting it wrong" on the polling it conducted between February and September 2002. In part, this criticism reflects disappointment with the performance of the SDP, which lost more than half its vote from 2000 to 2002, and a "failure to predict" this loss through the polls.

The Institute conducted a nine-month public opinion research program in the run-up to the October 5 elections, including daily tracking polls in the final month of the campaign. For the most part, findings were consistent with the final outcome of the elections, with the exception being support for parties with a principally Bosniak voter base. As noted in the polling reports, the research project was not designed to predict the outcome of the BiH elections but rather to identify trends and to assist parties in better understanding the concerns of the electorate.

The findings of NDI research completed on September 30, six days before the election, were accurate within the 3 percent margin of error on virtually every party's final result in the RS and among parties with a mainly ethnic Croat voter base.

This was not the case among Bosniak voters. Forty-five percent of eligible voters in the Federation, where most Bosniaks reside, did not vote on election day. The SDA was the only major party to maintain its number of votes for the FBiH between November 2000 and October 2002.

If the 45 percent of voters who did not vote were removed from the pool of poll respondents who identified parties other than the SDA as the party they would vote for, then turnout was the principal factor in SDA's election day success. When this adjustment is done, SDA's polling number increases to 32 percent of respondents while the SDP and SBiH numbers

drop to within actual levels of support received on election day. With the exception of traditional SDA voters, Bosniaks chose not to vote rather than vote nationalist.

## **Parliamentary Development**

Although the parliaments elected in 2000 had managed to pass some key reforms, by and large legislative institutions at the state and entity levels were inefficiently run, with time squandered on debating agendas, disputing procedures or political ranting. Public confidence eroded due to members of parliament not focusing on substantive issues of public concern. There was a lack of effective committee and caucus practice, of interest in developing capacities and skills, of adopting new techniques and of increasing communication with NGOs, expert groups and citizens. This state of underdevelopment was complicated by the role of the OHR in imposing laws or legislation that gave MPs little to no time to review legislation or hold hearings, thus creating a lack of incentive to engage in responsible, issue-based politics.

The constitutional changes of April 2002, as well as key components of the election law, played an important role in political party strategy and preparation for the 2002 general elections. In particular, the formation of a Council of Peoples in the RS and the mandated levels of ethnic representation for all legislatures meant that parties had to think beyond narrow ethnic interests and appeal to a broader constituency base. This was important for the parties both to make inroads in parts of the country where they had not previously campaigned and to attract candidates from different ethnic groups to run on their lists and expand their chances of winning compensatory seats in order to be part of the mandated ethnic representation.

Citizens were also reluctant to participate in the legislative process. There was an essential lack of interest and inertia, as well as a lack of information and skills to take a more active role. MPs lacked the skills or interest to develop the links between legislative institutions and citizens through establishing constituency outreach by party caucuses and individual MPs or conducting public hearings by committees in which citizens and NGOs could access and influence legislative processes. In addition, none of the parliaments had proper information offices or public relations departments, so citizens interested in obtaining information about legislative processes, especially journalists who need updated, relevant and accurate information, usually had to go through different channels to obtain what they needed, contributing to poor transparency.

Parliamentary institutions also suffered from a marked deficiency of infrastructure and basic material resources. MPs lacked documentation and information on comparative parliamentary systems and laws, as such resources appeared to have been reserved for executive branch "experts" to date. The importance of material resources cannot be underestimated in its effect on professionalism and effectiveness. Each parliament lacked the professional staff to function properly, as the staffs were under-trained and ill equipped to support efficient legislative processes. Many committees and boards shared secretaries and only the largest parties had a technical secretary who was a full-time employee. This invariably resulted in staff in each parliament not being properly allocated and workloads varying from person to person. In addition, the staff were unfamiliar with working on computers, adding time to completing even simple tasks.

The FBiH did not have its own building, as the parliament was a tenant in the Sarajevo city council building. Even though the FBiH used the mezzanine, first and second floors, and had a plenary room, the space available was not enough. Only the two biggest governing caucuses had offices and most of the committees and boards (23 in the House of Representatives and 20 in the House of Peoples) did not have permanent offices in which to meet and work.

This state of affairs was mirrored in the RSNA, which did not have its own premises. In addition, the MPs were part-time legislators, and the professional staff were too few and under-trained. The Institute found that RSNA plenary sessions were run under Rules of Procedure that were poorly defined, leading to endless debates on the agenda and little substantive legislative action. RSNA committees had no permanent offices and usually met two hours prior to a plenary session. In sum, this entity parliament was unable to conduct effective oversight of the executive or participate substantively in drafting or amending legislation.

The BiH Parliamentary Assembly (BiHPA) continued to be a secondary legislative organ when compared with the constitutional authority of the entity parliaments. However, the BiHPA did pass several important pieces of legislation and make progress on other reforms. As opposed to the 1998 to 2000 governments, which passed no legislation, the Alliance passed close to 20 pieces of fundamental legislation, including ones on monetary and educational reform. Significantly, the OHR did not have to impose as many pieces of legislation.

The role and institutional structure of the BiHPA was also in need of further definition and refinement. Given the constitutional structure established by the Dayton Agreement, state-level institutions were weaker than the entities and held limited authority. This created the condition in which the BiHPA parliament appeared to not serve as the key legislative body in the country. There was a lack of motivation among the MPs, weak Rules of Procedure, an ill-defined Speaker's role, and an overall lack of consistency in how sessions were conducted. Poor morale and a general lack of interest were apparent among parliamentary staff and MPs due to an unclear identity and mandate. In addition, the staff was poorly administered and there was a deep need for research, communication and other skills development to improve the overall functioning and efficiency of the legislative body.

**Objective: Party caucuses strengthen their ability to function effectively.**

**Objective: MPs strengthen their ability to represent constituents.**

The party caucus has a crucial role in the functioning of most modern parliamentary democracies. It acts as a complex three-way link, connecting voters, the political party, and the legislature. To play this role well, the caucus needs to have an integrated internal organization and external communication mechanisms as well as considerable human and financial resources.

In BiH, the caucuses in the FBiH, RSNA, and BiHPA faced challenges on each of these levels. The development of the party caucus has been a slow process. The party leadership tended to dominate the caucus, caucuses were (and still are) poorly staffed, and many have no offices or equipment. During the period of this cooperative agreement, the Institute did successfully impart an understanding of the importance and major roles of the party caucus through seminars and consultations. Many major caucuses have made concrete improvements to

their structures and activities. Placing interns with party clubs provided caucuses with a valuable resource to facilitate implementing these improvements.

Based on the first evaluation of caucuses in the BiHPA conducted in the spring of 2003, it was clear that the caucuses' poor performance during plenary sessions was a consequence of poor internal organization and a lack of resources. All BiHPA caucuses were forced to rely on their parties or private member initiatives to accomplish any serious work. It was particularly difficult for the small opposition caucuses, which had on average three caucus members, to respond to the demands of the OHR or the BiH Council of Ministers to use urgent procedures. The same evaluation made clear the fact that there was a lack of organization and division of efforts among MPs. It was also clear that BiHPA MPs were not involved in any structured constituency outreach. Given these circumstances, and the short timeframe in which the Institute worked with the BiHPA, little progress could be made in addressing caucus organizational and functional development between late 2002 and April 2003.<sup>11</sup>

The NDI assessment of RSNA caucuses revealed similar deficiencies: poor internal organization; lack of resources; and lack of trained staff to provide research support. The caucuses' relationship and coordination with their parties was weak; it primarily involved meetings in which the caucus leaders would get guidance from the party on its positions on some issues. Party experts were used only occasionally, and MPs rarely undertook constituency outreach and only on an individual basis. The RSNA experienced the same problem as the BiHPA in responding to the OHR's requests for urgent procedures.

In response to the lack of trained professional staff, NDI placed interns with all RSNA caucuses. The SNSD requested a second intern following the positive results produced by the first in support of the caucus. The two interns placed with the SNSD produced the draft Law on Hooliganism, while interns placed with other caucuses collaborated in drafting the Law on Environmental Police. Both laws were passed by the RSNA.<sup>12</sup>

From 2001 up to the October 2002 elections, the FBiH House of Representatives had 140 MPs. Following the elections and the implementation of constitutional changes, the number of MPs was reduced to 98 MPs. There were 18 caucuses post-election that varied in size and level of development. Of the 18, only four caucuses were sufficiently large enough to function as a real caucus (SDA, 32 MPs; SBiH, 16 MPs; HDZ, 15 MPs; and SDP, 15 MPs). The remaining caucuses had three or less MPs (the current Rules of Procedure stipulate that one MP constitutes a caucus).

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<sup>11</sup> Caucus development has increased since April 2003. In September 2003, based on the assessments and through its follow-on cooperative agreement, NDI organized a training seminar for caucuses on internal organization and constituency work. The two largest BiHPA caucuses – the SDA and HDZ – have attempted to draft their own internal rules with the guidance of the Institute. Seven MPs from the SDP, SDA, HDZ, SBiH, and NHI have opened their first constituency office in Zenica. One office will be used by the seven MPs, who come from the same constituency, thanks to the mayor of Zenica who provided an office. In addition, two NDI interns have been assigned to the SDP and HDZ caucuses and have produced research material that aided caucus members in analyzing laws and drafting amendments.

<sup>12</sup> Following the September 2003 caucus seminars, the SNSD and PDP caucuses began drafting internal caucus rules as well as implementing recommendations on caucus organization.

From its assessments, the Institute learned that each caucus had divergent needs and trajectories of development. The caucuses all needed to develop rules and internal structures, establish caucus discipline, and undertake constituency outreach work. In addition, the caucuses also needed to formalize a working relationship with their respective party leaderships and with government ministries. NDI attempted to accommodate the needs and development goals of each caucus in its assistance, obviously conscious of the physical and human resource constraints plaguing the FBiH.

Many MPs would firstly mention the lack of space, staff and money as obstacles to more effective caucuses. While that may sound more like an excuse than a reason for not doing sufficient work, it has been and still is a key factor in the legislative process. Caucuses receive financial support from the FBiH based on the number of MPs they have. Caucuses try to get whatever resources possible (in terms of space and staff/secretaries) when they are in government. However, once a party is in opposition, its caucus finds itself without access to those resources. In addition, most MPs do not have a long-term perspective, believing that the institutional problems they face should be immediately solved to the satisfaction of all parties represented in the FBiH, regardless if they are governing or opposition parties.

By April 2003, progress was made on several aspects of caucus development in the FBiH. Internal organization has increased significantly. The Institute has had a role in facilitating the implementation of internal structures and Rules of Procedure for the larger party clubs (the SDP, SDA and SBiH). In the larger caucuses, individual members have now been assigned specific responsibilities to increase efficiency. Following the NDI study trip to Canada, SDP caucus president Karlo Filipovic established caucus committees to deal with the major policy areas of the economy, social services and constitutional issues. Each committee conducts research on issues under its purview, reviews legislation and prepares drafts and amendments, and takes the lead in representing the caucus's position at plenary sessions.<sup>13</sup> The SDP requested and was provided with two additional interns to staff these committees. In addition, the SDA and SBiH both hired former interns to assist with their administration, research and session preparations.

Caucus outreach activities have increased significantly. The SDA caucus opened its parliamentary office to citizens in 2003. Individual MPs within the SDP and SDA caucuses have developed and implemented innovative outreach activities with citizens. All the major caucuses are planning to use municipal buildings as constituency offices in 2004. Smaller party caucuses have also conducted outreach. One NHI MP now holds regular office hours in Sarajevo.

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<sup>13</sup> Since May 2003, the SDP caucus has worked diligently in improving its constituency outreach activities. It has developed a strategic plan to overcome the gap between citizens and politicians in BiH, and it is now in the final stages of opening a constituency outreach office in the municipality of Novi Grad Sarajevo. The SDP plan includes opening similar offices in smaller towns, such as Tesanj, Kakanj and Gracanica. Smaller caucuses have also undertaken constituency outreach work. Slavica Gebert, an NHI MP from Sarajevo opened an outreach office within the NHI party office in her electoral district. With NDI advice and assistance, she produced calendars and posters with relevant pieces of information regarding her work. The Institute assigned one intern to assist her not only in the FBiH but also in constituency outreach activities. MPs realize that is not only important to work in the parliament but also to conduct outreach activities in their electoral districts.

The government caucuses have made efforts to increase their communication with the party leadership and government ministers. The SBiH caucus assigned its intern to act as a liaison between the caucus and SBiH ministers. The SDA caucus now holds regular meetings where party officials attend. The SBiH and SDP caucuses have begun the practice of inviting outside experts to address members on important policy issues.

In the future, party caucuses need to be encouraged to build on the development of knowledge, skills, and organization gained through NDI training and assistance and, at the same time, advocate for more resources to do the job right. In the short term, demands for resources need to be made to MPs' own parties. However, to permanently support caucus development, more extensive and permanent resources are needed. For the long term, a joint group of all the party caucuses within each parliament need to start a process to agree on and demand greater caucus resources from the parliaments and governments.

Select results regarding caucus development and MP outreach to constituents include the following:

- In early 2003, Nermin Niksic, SDP MP in the FBiH House of Representatives, used NDI's constituency outreach seminar and handbook to produce 500 questionnaires together with a follow-up letter to constituents. Niksic received 250 responses, including 20 requests for membership in the SDP.
- In April 2003, the SDP caucus established three policy caucus committees based on what caucus leader Karlo Filipovic observed during the NDI study trip to the NDP convention in Canada. These caucus committees are responsible for developing caucus positions, providing oversight on government operations in areas of financial and budgetary policy, economic policy and social services, and identifying new issues in their policy area. Each committee comprises 15 caucus members, one of whom acts as spokesperson, with the others responsible for specific issues and areas.
- In April 2003, the NSRzB organized an all-day seminar in Posusje for 24 citizens from Canton 7 on how to advocate to parliament. The event was conducted along with local NDI staff and included a review of a local youth poll, an overview of lobbying techniques and planning, a campaign planning workshop, and a question and answer session with two NSRzB MPs, one from the FBiH and one from the BiHPA. There was enthusiastic participation and interaction in the sessions, and at the conclusion the MPs noted that such meetings were essential and should be held regularly.

**Objective: Committees improve their ability to increase the efficiency of the legislative process and increase public participation.**

The Institute's work with committees in the FBiH, BiHPA, and RSNA was limited during the period covered in this report. With the FBiH, this was due to a program focus on caucuses, while with the RSNA it was due to a several month interruption in programming and the short framework the Institute had to work with the BiHPA. The Institute geared up its committee development work with the comprehensive assessment of each committee and board in all three parliaments. The assessments conducted in April 2003 set the stage for more focused, intensive assistance to committees.

The Institute assessed 13 committees and 10 boards in the FBiH House of Representatives and 10 committees and 10 boards in the FBiH House of Peoples. None of the committees had ever held a public hearing and for the most part were unorganized. This was largely due to the Rules of Procedure as well as a lack of professional staff and other resources. Virtually all committees and boards did not have permanent offices. This seriously impacted all FBiH committees. In addition, none of the committees had established a regular liaison with NGOs and experts who would be able to share their expertise and field knowledge with the committee. Committees and boards were mainly invisible in the work of the FBiH and played a very limited role in the drafting, reviewing and amending of legislation. The Institute's principal engagement with committees was through assigning interns. However, due to the committees' state of disorganization and lack of leadership to implement changes, the interns were not as effectively utilized initially as they are now.

Due to the delay in constituting the new parliament, the Institute was not able in the short timeframe after the October elections to undertake any assistance work with BiHPA committees. The Institute's first substantial engagement with committees occurred during the course of its April assessment of BiHPA committees. The assessment revealed disparate levels of activity and development among the existing committees. The Constitutional and Legal Committee was the most developed and active committee, while the Foreign Trade Committee had met only a few times since it was established. Consistently among all committees was a lack of trained, professional staff and the resources necessary to fulfill committee functions. In this short period, the Institute's work with the committees focused on addressing the lack of staff through NDI interns and working with committees to develop the skills required for organizing and conducting public hearings.

It was evident from the beginning that one secretary was not enough to administer the work of two or three committees, so NDI assigned most of the interns to committees. In most cases, the interns have conducted legislative research and comparative studies as well as participated in committee meetings. The committees still need to do more work on organizing and holding public hearings; the number of hearings has been few and most were not well organized. However, since April 2003, NDI has worked directly or through interns to assist committees in organizing public hearings and preparing invitation lists for NGOs and citizens groups for a hearing on controversial pieces of legislation.

The RSNA committee assessments showed once more that its standing committees were in widely different conditions. The Legal and Legislative Committee and the Committee for Refugees and Displaced Persons were quite active, had developed an annual workplan, and held regular meetings. At the other end of the spectrum, the Environmental Committee had not met once since it was established. As with the FBiH and BiHPA, lack of resources and trained, professional staff were the two main problems thwarting committee development. In most cases, one staff member supported two or three committees. In addition, many committee heads and members seemed not to take an interest in their responsibilities. The OHR also loomed large, pushing through legislation via the urgent procedure mechanism, which did not give committees any time or incentive to review legislation or hold public hearings. NDI did place interns with committees in the first internship cycle in January 2003. However, the interns' work with committees has really started paying off with the cycles after April 2003.



At the FBiH, NDI has successfully supported and improved the committees through the use of interns. One of the Institute's key objectives has been to encourage and support the practice of public hearings by committees. Educating committee chairs and secretaries about public hearings and assisting with their organization is a practical approach to committee development. Reviewing laws with public input is the heart of the role of committees in any parliament. Once the idea is accepted, committee members and staff can better learn their roles, while producing useful information. The Institute has had some success to date pursuing this approach and facilitated an acceptance of the idea of public hearings by many MPs through consultations with parliamentary leaders, work with NGOs, and distributing materials, such as the public hearing manual. NDI has also facilitated the organization of several actual issue-based hearings through work with select committees and NGOs.

While NDI has convinced the parliamentary leadership and committee chairs of the value of public hearings *in theory*, the Institute faced some major challenges in having them adopted as a standard practice. Perhaps the major obstacle is finding a suitable topic or law. Many laws that might be suitable for closer review and public hearings, such as the law to reform the benefits for war veterans, MPs find too controversial. It seems they are not confident enough in their ability to conduct a public hearing with angry citizens and the media to risk doing so with a hot topic or proposed legislation.

The other side of this challenge has been finding capable experts and NGOs to provide testimony. NDI has worked with and trained NGOs on advocating parliament, but there is still an absence of organized groups and a general lack of understanding of basic advocacy techniques in BiH. More work with MPs and NGOs needs to be done. A study trip to witness actual modern hearings would provide greater knowledge, ideas, and confidence for MPs and NGOs that are willing to attempt committee hearings.

An indirect obstacle is the *all-too-often* use of urgent or shortened procedures for proposed legislation. While the Council of Ministers and sometimes the OHR are usually responsible for pushing this procedure on specific laws, it has become virtually an accepted practice. Party caucus leaders sometimes argue that, in this period of reform, laws must be passed quickly. The Slovenian example is often cited where the parliament sat day and night passing new laws.

NDI has made the case that while expediency is a necessity in BiH, there is equally a case for the development and strengthening of political institutions. Committees need time to hold hearings and properly analyze laws. This led the Institute to initiate a dialogue with the OHR in order to highlight the dilemma. The OHR agreed with NDI in principle and identified the Bulldozer 2 process as a chance for closer consideration of laws in regular proceedings. The Institute has had good cooperation with the OHR; however, moving the actual laws along has been slow. NDI continues to work at finding a suitable situation and set of laws to organize hearings with a parliament and a capable committee. The Institute continues to work on the challenge of establishing the practice of committee hearings.

Select results to date include the following:

- Dzevad Gusic (SDA), chair of the RSNA Committee for the Protection of Refugee and Displaced Persons Rights, created a plan to increase coordination with other committees, the RS government, and other organizations dealing with refugees and displaced persons, and approached NDI for constructive criticism. It was through NDI that Gusic learned about committee communication; without NDI training he would not have been able to develop the plan.
- Committee chairs from the BiHPA, FBiH and RSNA formed connections with NGOs working in similar issue areas. Information on programs and outreach opportunities was exchanged as well as contact information to facilitate future cooperation.
- Two BiH NGOs participated in a public discussion organized by the FBiH Committee on the Protection of Human Rights on the draft law on slander. The committee and the NGOs also formulated a plan for cooperation based on workshops at the NDI-CCI conference in November 2001.

**Objective: Parliamentary staff resources are increased through the establishment of an internship program.**

The internship program was initially conceived in 2001 as a pilot project to last just one month in one parliament; after three years of industrious work by the interns, the program has expanded to all three parliaments. From the beginning, MPs and parliamentary staff were not sure of the benefits of this program and were reluctant to accept it. Some committee clerks felt intimidated by the presence of young, enthusiastic, educated, and hard working students. In some cases they even thought that they would lose their jobs once the heads of committees realized what an asset these young persons represented. Of course, they eventually came to appreciate the help they received from the interns. It can be said that MPs and staff now view the interns as an invaluable resource that has contributed to enhancing the work of parliament.

From the beginning, the Institute developed an excellent working relationship and cooperation with the vice dean of the University of Sarajevo, Salih Foco. Before each cycle, NDI signed a MoU with the University of Sarajevo and representatives from the FBiH, so that each party concerned clearly understood its rights and obligations. Foco also worked with NDI in persuading the university to award credit to students for their internships at the parliament.

As a result of the 58 NDI interns being deployed in various bodies and offices of the three parliaments, there has been more and higher quality produced materials, increased research and analysis of legislation, and more efficient work of the legislature. NDI has put considerable effort into developing, improving, expanding and evaluating the internship programs to ensure that the institutions, universities, and students fully benefit from the experience.

Over the course of this cooperative agreement, the organization, selection process, orientation, and bi-weekly consultations have advanced in efficiency and quality. Each successive cycle saw an increased number of applicants as well as an increase in the quality of the candidates selected as interns. All three parliaments and international partners have praised the program, and it now serves as a model in BiH for internship programs. This success is due to

the following: NDI's partnership approach with parliaments and universities; NDI's long-term experience in internship programs; excellent staff management; an objective and rigorous selection process based on merit to ensure well-mannered, energetic, capable and bright individuals; and intensive orientations followed by regular meetings, consultations, and training to provide additional guidance and to assess progress.

NDI fulfilled its primary programmatic objective, as the internship program in all three parliaments has become the flagship activity in the Institute's parliamentary development program. All three parliaments responded enthusiastically to interns and played ever increasing roles as the programs expanded and developed. The challenge that lies ahead is to develop a plan to facilitate the smooth transition of the internship program to the domestic institutions to ensure sustainability of the program.

Select results of the internship program include the following:

- The second cycle of the FBiH internship program was launched with an increase from 11 interns in the pilot cycle to 32 interns assigned to different offices of both houses. The increased number of skilled interns provided additional staffing resources to a greater number of committees and offices.
- The quality of enacted legislation and public debates at the FBiH increased as a result of the key support provided by the 32 interns in the second cycle of the internship program. The interns supported parliamentary staff and MPs by conducting extensive research and by providing sophisticated comparative analysis of legislation.
- NDI signed a MoU with the BiHPA and participating universities establishing the BiHPA internship program. The state-level program followed the same model used at the FBiH, although NDI included applicants from the University of Serb Sarajevo to provide adequate representation to all ethnicities. The first cycle of 18 BiHPA interns from universities throughout BiH began working in late February 2003. Interns were placed with 8 committees, the BiHPA's information service (Indoc) and the three general secretaries.
  - Adnan Husic, an intern with the Committee for Defense and Security in the BiHPA House of Peoples, drafted a law for the committee addressing on alternative army service. This law is required for BiH to enter the European integration process. Husic also prepared a comparative analysis for the committee and compiled a list of relative international documents. As the adoption of this law required certain changes to the BiH Law on Defense, Husic also prepared a draft of amendments to that law.
- NDI signed a MoU with the RSNA general secretary and the dean of Banja Luka University to establish the RSNA internship program, which was based on the FBiH program. NDI launched the pilot semester of the RSNA internship program in January 2003, with the first cycle involving 12 students working for specific committees, caucuses and administrative offices. NDI applied lessons learned from the FBiH program in designing the RSNA program.
- In February 2003, the third cycle of the FBiH internship program began with 30 interns. The FBiH interns provided invaluable support to caucuses, committees and the administration. Discussions began on transferring the program to the FBiH and participating universities in order to make the program independent and self-sustaining.

- Igor Šolaja, intern for the FBiH SDP caucus, drafted a series of amendments for the SDP caucus on the proposed Laws on Bankruptcy and formally presented these at the caucus meeting. The caucus chair subsequently proposed these amendments, which were adopted by the FBiH House of Representatives.
- Jasmina Altumbabic, intern to the secretary of the FBiH House of Peoples, wrote an analysis of changes for the draft Rules of Procedure for the House of Peoples. The aim of the analysis was to align the proposed rules with the Law on Immunity imposed by the OHR in October 2002.

**Objective: A more organized and efficient legislative process is created.**

At the FBiH, transparency has been increased through the NDI-assisted design and launch of a website for that parliament in 2002. In 2003, this website was overhauled and expanded based on NDI's advice. The Institute's work with local NGOs and MPs in local conferences on the issue of transparency has helped instill a sense of the need for transparency and an understanding of its benefits for all. Recently, NGOs have been successfully encouraged to step up their demands for increased access to parliamentary documents and records.

Much remains to be done within the parliaments to raise the level of transparency to Western standards. For instance, parliaments have to continue working to firmly establish the practice of making easily available to the public its voting records, transcripts of sessions, minutes, and draft legislation. The need to do so is now reasonably well understood by NGOs, MPs, and parliamentary staff.

During 2001 and 2002, NDI assisted the FBiH with the process of developing and implementing major reforms to its Rules of Procedure. These reforms were needed to streamline plenary sessions and to increase parliamentary transparency. Unfortunately, the reforms were not adopted before the October 2002 election and were shelved by the new parliamentary leadership. However, the Institute has made good use of the rules in late 2003 and 2004 to help stimulate and focus a new initiative to reform the rules. The set of previously drafted and agreed upon reforms will likely provide the core of the new changes this year.

Select results include the following:

- During 2002, two FBiH *ad-hoc* committees completed draft amendments to the Rules of Procedure and a draft Code of Conduct to increase the efficiency and transparency of the legislative process and the accountability of MPs.
- The RSNA adopted a new Rules of Procedure and introduced the new legislation to the public as a result of NDI's efforts in advising MPs on this initiative. The application of the new Rules of Procedure in a session of the RSNA contributed to a more effective parliamentary debate and regulated the procedures of the Assembly in a more transparent way. International observers rated the session as improved in transparency and efficiency.

## **Brcko District**

### **Political Party Development**

At the time the Institute established its Brcko office, approximately 19 different parties were present in the District at varying levels of development (for a District of approximately 82,000 residents, this is somewhat excessive). As NDI's resources were limited, it was important to conduct a rigorous assessment of the political scene in the District in order to choose carefully in which partners to invest limited resources. Using a phased system for NDI's training, the Institute quickly pared down the number of parties with which it could realistically work and realize results. If a party did not incorporate the training from the first phase (basic organizational and administrative activity), it would not "graduate" to the advanced phases (voter identification and outreach, campaign planning, etc.). In this way, NDI utilized its resources to the greatest effect, working with those parties that showed a willingness and ability to work with the Institute. The result was that by the fall of 2003, NDI had identified approximately eight Brcko parties as its key partners with which it would move ahead in its programming for the remainder of the cooperative agreement.

**Objective: Brcko Party Branches improve organizational planning and development, including membership recruitment, fundraising and campaign planning.**

**Objective: Brcko Party Branches develop and implement strategies for promoting issue-based political action at the local level between elections.**

The major challenges for NDI in Brcko were the extremely low level of development of the Brcko parties, due to the absence of elections in the District, and the sheer number of parties and groups professing to be parties.

In the absence of elections, basic organizational activities for most parties had not taken place for several years. Membership lists were not kept or updated, parties did not have an identifiable set of issues or ideas with which they were associated, and residents generally regarded individual politicians as the main actors in the District. As a result, there was much work to be done in terms of basic organizational activities such as, database development, membership drives and rudimentary fundraising. All 10 parties made progress in these areas. Moving beyond that stage proved somewhat more difficult for the smaller parties, which generally failed to establish coherent and specific policy positions for their parties; only the larger parties – the SDP, SPRS and the SNSD – were able to conduct policy development within their parties that resulted in Brcko-specific platforms by the end of the first quarter of 2004.

Select results include the following:

- For the first time, following NDI advice and assistance, all Brcko District parties conducted rigorous self-assessments based on a questionnaire developed by NDI to highlight priority areas for future development. The findings were used to classify parties into categories based on organizational capabilities and in follow-on consultations to develop tailored training plans for each party.

- Category I (DS, HSS, LDS, and SNS) transferred paper membership lists and supporter information to electronic databases and began rudimentary membership drives, imposing a basic system of membership fees in order to generate funds for non-campaign activities.
- Category II parties (SDP, SNSD, and SPRS) reviewed and updated their membership lists. As a result of consultations with NDI, the SDP and SPRS held elections for their executive and planned membership drives for late spring 2004.
- The SDP, SPRS, SNSD, DS, and HSS formed local boards based on the existing framework of local communities in the District.
- All parties that received training on voter identification and targeting began mapping support using previous elections results and data from NDI's survey. In addition, the branches began voter registration drives within their parties and among their potential voting blocks based on the targeting and mapping skills.
- The SNSD and SDP, with input from NDI, designed and conducted surveys of their memberships in June and July as initial steps in conducting policy conferences. The SPRS conducted a survey of select local communities in Brcko District to query voter interests and support.
- The SDP, SNSD, and SPRS held policy conferences and workshops in November and December to define their pre-election platforms in light of the timing of the first District elections in October 2004.

### **Parliamentary Development Program**

The appointed nature of the Assembly created numerous challenges to NDI's planned program. As illustrated by both anecdotal evidence and the data collected in the November 2003 survey, the lack of elections (and the subsequent legitimacy bestowed by elections) meant that District residents held the Assembly in extremely low regard. Due to the large number of parties represented in the Assembly, and the lack of coordinated action within party groups, the political party was not seen as the basic unit of political action, but rather the individual councilor. The absence of recognized "government" and "opposition" parties meant that no accountability existed for policy successes or failures in the District. The lack of significant television coverage of the Assembly's proceedings also contributed to the lack of general awareness among District residents of the Assembly's function.

**Objective: The Brcko District Assembly develops more effective and transparent legislative processes and improved oversight of the executive.**

**Objective: The links between the residents of the Brcko District, the Assembly and its councilors are strengthened.**

With the expected turnover of a significant proportion of current councilors in the October 2004 municipal elections, there was a limit to the amount of time and effort that NDI could devote to parliamentary development assistance. The Assembly's expert services section (including the introduction of a system of committee clerks) must be strengthened and expanded to ensure that this expected turnover does not result, in the future, in a significant loss of institutional memory in the functioning of the Assembly and its committees.

Select results to date include the following:

- The Finance Committee held eight public hearings for various settlements and community groups as part of the District's budget process, with more than 40 individual submissions from citizens and groups. The hearings are a direct result of NDI's assistance to the committee.
- NDI facilitated negotiation between party clubs and the Assembly to reserve specific office space dedicated to councilors' outreach sessions, which was provided by the Assembly.
- The HSS, DS, SDP, and SPRS instituted regular constituent hours within the Assembly and at their main District headquarters.
- The SNS, LDS, and SNSD instituted regular constituency outreach hours both within the Assembly and at their main District headquarters.
- SPRS and SDP councilors sent direct mailings to constituents regarding issues of local importance (health services (SDP) and garbage and sanitation (SPRS)).

## **V. ATTACHMENTS**

1. Compilation of All Program Results, 2001 to 2004.
2. NDI BiH Pollwatcher Manual.
3. NDI BiH MP Orientation Manual.
4. NDI BiH Constituent Service Manual.
5. NDI BiH Public Hearing Manual.
6. NDI BiH Internship Handbook.
7. NDI BiH Lobbying Parliament Manual for NGOs.

## ATTACHMENT ONE

### COMPILED RESULTS FOR BOSNIA-HERCEGOVINA: POLITICAL PARTY AND PARLIAMENTARY DEVELOPMENT

USAID Associate Cooperative Agreement No. 168-A-00-01-00107-00

June 1, 2001 to March 31, 2004

#### Political Party Development

**Objective: Parties enhance organizational and operational capacity and democratize internal structures as part of election campaigning.**

##### *Q3 2001*

- In recognition of the need to build its organizational capacity and facilitate internal party communications, SNSD local party branches organized and coordinated their own training sessions on communications and message development training sessions, as a result of NDI assistance. This was the first time the party coordinated an internal training session and formally responded to the expressed needs of party members. The sessions passed on skills that will build the party operational capacity by enhancing membership and volunteer recruitment. The sessions also represented an effort on the part of party leadership to provide its own training resources, reach out to party branches, and conduct inter-election activities.

##### *Q4 2001*

- Political parties in the RS and Federation identified relevant party officials to participate in pre-election training seminars and possibly form their campaign teams. The identification and training of party campaign teams one year prior to elections marks an important step for the parties in engaging in long-term development and strategic planning, marking a contrast to previous ad hoc campaign teams and short-term development planning.

##### *Q1 2002*

- The SDP began the formal development of a board to facilitate internal communication and increased its efforts to enhance organized party outreach to citizens by forming a council to liaise with NGOs and unions.
- The board of the PDP Banja Luka branch initiated election work and, following frequent assistance and coaching from NDI, established its core local campaign team and planned an outline for pre-election activities, including a timeline that recognizes the importance of staging various aspects of the campaign chronologically and in a coherent and strategic manner.
- The SDP increased communication and coordination between cantonal boards and the central campaign leadership, leading to the development of a unified campaign plan that is coherent and consistent across all regions, the establishment of an election team with



appropriate roles and responsibilities clearly delineated, and the development of a timeline with deadlines for specific activities.

#### *Q4 2002*

- Based on consultations and advice from NDI, the SNSD democratized its campaign structure by allowing individual candidate autonomy during the election campaign period. The party allowed candidates to address local concerns, campaign on local policy priorities linked to central party priorities, and develop localized, semi-autonomous campaign structures. The prevalence of individual candidate campaign literature, the identification of strategic campaign areas, and the establishment of strong local campaign teams in those areas demonstrated this.

#### *Q1 2003*

- At least 20 political parties used the results of NDI's individual post-election branch assessments with party officials to inform their party plans for the year. In addition, the SDP used the results in all 12 municipalities of the Mostar City and Livno Cantons. The assessments revealed how NDI's training – especially GOTV training – aided parties during the elections. The PDP campaigns in both Foca and Srbinje marked voter lists that the party later used on Election Day for GOTV; the PDP Rogatica also ran a GOTV campaign based on NDI's training. While overall voter turnout in these municipalities fell between 15 and 20 percent, in Foca, Srbinje, and Rogatica, the PDP percentage of the vote rose, almost doubling the PDP district percentage result.
- Through consultations with Ivanic and its post-election report, NDI provided the PDP with the core ideas behind its major changes to the party's organizational structure implemented this quarter. With knowledge gained through NDI's training, the party established a president's cabinet, an executive director of the party, an executive director for party activities, and one executive secretary for each of the RS electoral districts.

**Objective: Political parties engage in comprehensive election preparation in order to develop policy platforms and campaign messages and strategy that address voter interests.**

#### *Q2 2002*

- NDI surveyed 118 attendees of training sessions in the Federation between March and April 2002 and found that 36 percent had utilized skills from the sessions to write a campaign plan for their area. Of the respondents, 52 percent utilized a variety of NDI skills since the training.
- After an NDI campaign training, the PDP instructed municipal campaigns to determine a vote goal for each polling station. The central campaign team formed "inspection squads" to ascertain that local campaign teams developed a list of polling station committee members and poll watchers.

### *Q3 2002*

- The 2002 general election campaign saw a dramatic rise in the number of party campaigns run in smaller municipalities, such as Knezevo, Zenica, Sanski Most, Livno, Siroki Brijeg, and Stolac. More party members took part in campaigns and organizing party activities on manageable scales for local voters. This success is directly attributable to the on-going work by NDI field coordinators, political party staff, and the supplemental election experts program, which provided a boost in resources and assistance to more areas of BiH.
- Using evaluation techniques presented by NDI, SNSD developed the capacity to assess its strengths and weaknesses and identify party priorities in targeting voters. Based on the feedback from the party on the assessment, NDI was able to provide assistance to SNSD as it developed and implemented a campaign plan across the entity.
- The SNSD, PDP, and SDP used NDI's public opinion research to analyze social and political issues and their impact on voters. NDI offered two open survey questions to political parties. The three parties contacted NDI, designed the questions, and used polling results to modify campaign messages, assess campaign impact, and improve campaign and election strategies. For example, SNSD used the information in the polls that showed youth emigration had increased in the period between NDI's polls in May and September 2002 to tie the issue of youth leaving the country to the dominant employment issue and modified its campaign to address the two main concerns of citizens. This demonstrated party efforts to reach out to voters and define policies based on recognized and researched voter concerns.

### *Q4 2002*

- The SNSD followed NDI campaign workplan outlines and used a consistent election message in literature, billboards, and public presentations. This was important because they developed campaigns, policies, and campaign messages that were local in focus but were tied to central party concerns.
- In local areas where candidates and PDP party offices followed NDI techniques, the PDP realized better-than-average election results. In most municipalities, PDP saw a decline in overall support; however, in Teslic, Kotor Varos, Foca, and Sanski Most, where NDI had worked, party election results either maintained the level of support or improved as compared to the 2000 election results.

### *Q2 2003*

- In the Federation, 138 party municipal branch presidents and vice-presidents conducted polling-station-level analyses of their municipality's election results. Through this initiative, they have obtained all the information necessary to write and implement targeted party plans. No party in the Federation has ever formally conducted such an analysis at this level. This would not have been done without NDI training, as a number of branch presidents and vice-presidents did not know how to conduct an analysis and some had not even looked at the election results.

**Objective: Parties conduct public outreach and engage citizens in the pre-election period in order to develop policy platforms and campaign messages and strategy that address voter interests.**

*Q3 2001*

- SNSD and PDP branches in Doboj, Pelagicevo, and Bijeljina developed and implemented door-to-door surveys to research public interests and voter concerns, contacting more than 1,300 people. The parties also planned for conducting follow-up surveys.

*Q4 2001*

- Based on NDI presentations during the central campaign trainings, the NHI, SBiH, and NS outlined plans to conduct their own pre-election research in order to identify voter concerns and areas of outreach and policy development to prioritize within the party campaign. This marked an important step in using issue- and research-based campaign techniques informed by voter priorities rather than a traditional, non-issue-based political message.

*Q1 2002*

- NDI provided critical public opinion research that enabled parties to formulate campaign plans and accurately target resources. This poll was the first voter survey conducted since the November 2000 election with any claim to statistical accuracy.

*Q2 2002*

- The PDP, SDP, and SNSD reviewed campaign messages and considered delivery methods after meeting with consultants as part of NDI's Experts Program. Parties reviewed and developed appropriately targeted messages as a result of these consultations and polling research provided by the Institute.
- SPRS party members volunteered and carried out public opinion polling research by contacting voters and creating a 143-page document on voter attitudes.

*Q3 2002*

- NSRzB activists conducted canvassing activities for the first time in Konjic, Prozor, Stolac, Siroki Breg and Mostar, utilizing skills from NDI's training sessions on voter contact. Increasing the number of skilled party activists resulted in an enhanced operational capacity for the party.
- Based on consultations with NDI, for the first time the SNSD developed area-specific GOTV campaigns to mobilize supporters on the Election Day.
- The NSRzB utilized NDI training to design a questionnaire for door-to-door canvassing that assessed voter intention, recorded party supporters, and noted information on potential supporters. The information was used for more efficient voter targeting

methods. As suggested by NDI, 60 volunteers were recruited specifically for this canvassing effort, contacting more than 10,500 households in Mostar in five days. NS members then used GOTV software created and provided by NDI to save the information for further use in a coordinated election day GOTV activity.

- Using evaluation techniques presented by NDI, the SNSD developed the capacity to assess its strengths and weaknesses and identify party priorities in targeting voters. Based on the feedback from the party on the assessment, NDI provided assistance to the SNSD as it developed and implemented a campaign plan across the entity.
- The NS utilized approximately 100 volunteers to contact more than 12,000 voters in Hercegovina, an unprecedented direct voter contact campaign by any political party in the region. As encouraged at NDI trainings, the efforts included literature drops, identification of party support, and coordinated party canvassing records.
- The NS conducted voter outreach in Siroki Brijeg by contacting more than 70 households. It was the first time *ever* that a party in BiH conducted door-to-door canvassing.
- The HDU contacted more than 2,700 households in Tomislavgrad, Livno, Drvar, and Kupres, utilizing 35 volunteers and skills learned from NDI's training sessions. Volunteers gave voters literature, assessed voter intention, and recorded the information for follow-up election-day activities.
- As a result of NDI's suggestions to profile specific candidates, HSS and HDU profiled female candidates in their party literature to reach out to additional sectors of the population.
- The SNSD, PDP, and SDP used NDI's polling to analyze social and political issues and their impact on voters. NDI offered two open survey questions to political parties. The three parties contacted NDI, designed the questions, and used polling results to modify campaign messages, assess campaign impact, and improve campaign and election strategies. For example, the SNSD used the information in the polls that showed youth emigration had increased in the period between NDI's polls in May and September to tie the issue of youth leaving the country to the dominant employment issue and modified its campaign to address the two main concerns of citizens. This demonstrated party efforts to reach out to voters and define policies based on recognized and researched voter concerns.
- The overall quality of the campaign literature of moderate parties with which NDI worked with improved, placing more emphasis on message, political issues, and policy platforms.
  - NS produced campaign literature that included the party platform and broader economic development information. In NDI training sessions, the Institute had stressed the importance of including platform information and action photos.
  - The SDP produced campaign literature that compared campaign promises from the 2000 general elections with party and Alliance for Change achievements, clearly demonstrating governance effectiveness and party adherence to legislative priorities.
- After trainings and consultations with NDI, the SDP organized 3,000 volunteers in the Sarajevo canton in the weeks leading up to the election to canvass 60 families each over

the course of the campaign. Volunteers attempted to reach each family twice, as SDP organized a rotation where volunteers would canvass in different communities. NDI estimates that 26,200 households were contacted in 4 municipalities in Canton Sarajevo (Centre, 9,000; Novi Grad, 9,000; Novo Sarajevo, 6,000; and Stari Grad, 2,200).

- SDP also conducted a range of direct voter contact activities, including door to door canvassing in Bihac, Cazin, Bosanska Krupa, Sanski Most, Gracanica, Živinice, Zvornik, Kalesija, Banovici, Tuzla, Maglaj, Goražde, Banja Luka, Prijedor, Doboj, Lukavac. Party workers in these municipalities visited some 27,500 households in total. In addition, SDP also conducted door to door canvassing, though no data is available on penetration rate in Zavidovic, Jablanica, Konjic, Breza, Bugojino, Mostar, Livno, Travnik, Zenica and Hadžici.

#### *Q4 2002*

- Mladen Ivanic, prime minister of the RS, developed consistent campaign messaging techniques based on media training provided by NDI's experts program. Throughout public speaking appearances, interviews, and other campaign-related activities, Ivanic used techniques to bring the discussions back to the PDP campaign message and responded to queries while still communicating PDP policies. With NDI expert assistance, Ivanic honed his campaign message and focused it on three main points: rule of law, continuing reform, and economic growth.
- Working with software developed and provided by NDI, SNSD, NHI, SDP, and NS established comprehensive supporter information databases developed through coordinated public outreach and direct voter contact activities during the election period. These voter databases can now be used to develop party membership rolls and simplify the process of contacting party supporters during non-election periods.
- SNSD, NHI, SDP, NS, SPRS, and the DSRS conducted door-to-door voter contact and recorded actual voter turnout at polling stations. The parties obtained information to follow up with supporters who did not vote and make efforts to contact them regarding upcoming party activities. This work was based on NDI party poll watcher and campaign training, which encouraged tracking voter turnout to translate known party support into active party engagement.
- The above-mentioned parties followed through on election-day plans (developed with NDI's assistance), enhanced voter turnout by tracking supporters at polling stations. This activity, which included phoning known supporters who had not yet voted and arranging transportation for supporters who needed to get to polling stations, allowed the parties to assure that support identified through door-to-door voter contact was translated into votes at the polling stations.
- The SNSD identified priority municipal campaigns, engaged in comprehensive door-to-door voter contact activities and distributed literature in a timely manner, significantly increasing its representation in the RSNA and BiHPA and made minor breakthroughs among Federation voters. Among all moderate parties, SNSD was the only party that saw gains in support from 2000 to 2002. This came as a direct result of following NDI methods and techniques.
- NHI achieved greater voter support and more mandates in areas where they used campaign techniques learned from NDI. In the October 7 edition of Sarajevo daily

newspaper *Dveni Avaz*, NHI official Miro Anic stated " ...The party that I belong to has to change a lot of things in its future work. We have to speak directly to the voters because [this election] showed that where we did that we achieved good results"

- In Teslic and Zvornik, SPRS local campaigns used election techniques learned from NDI. As a result, SPRS increased its support in both municipalities compared to 2000 election results, and in these two municipalities SPRS garnered the most support among all of its campaigns.
- SPRS conducted voter identification and issue priority research, independent of NDI, and used that information in its campaign. As a result, it narrowed its policy priorities to the main points of agriculture, health, and public support centers, and was better able to target groups, such as pensioners, teachers, and students. In municipalities where SPRS campaigns used this information, its support was maintained at its 2000 election level or increased.
- SNSD and SPRS candidates who used NDI door-to-door campaign techniques learned from NDI rose in levels of support. These candidates outperformed other candidates who did not engage in voter outreach activities. One SPRS candidate from Bijeljina moved from number 12 to number 2 on the party list, thus gaining a seat in the RSNA.
- SNSD was able to avoid some election-day difficulty among supporters by setting up a hotline that voters could call to ascertain their polling station. This helped SNSD supporters avoid the widespread problem experienced by many voters who had incorrect polling station information or did not know where to vote. As a result of efforts such as this, the SNSD saw its total number of votes increase while PDP, SDS, HDZ, SDA, SDP, and other parties saw an overall decrease in their number of votes.

### *Q1 2003*

- In Sokolac, where PDP did GOTV based on NDI's training, PDP voter support dropped five points from the 2000 election, but was still eight percent higher than its overall district result that included areas without GOTV.

### *Q2 2003*

- Twenty-eight members of the NSRzB conducted their own polling of citizens on local issues, provided contact information to elected representatives in Hercegovina Canton, and developed plans for sustaining and developing that voter contact under the direction of NDI.
- On April 24, the SNSD held a public meeting in Banja Luka on the topic of crime and corruption. SNSD leader Milorad Dodik called for new laws and the institution of a special prosecutor to carry out the fight against crime. This is the type of party activity that NDI has been advising parties to engage in for some time in this non-election year.

**Objective: Increase political participation of women and youth.**

*Q1 2002*

- The SDP Tuzla branch formed a youth and women's forum, and youth members of the DSRS initiated a process to form a party youth organization. The DSRS developed a party youth constitution following participation in NDI's youth schools.
- The LDS launched a party-driven youth voter registration campaign.

*Q3 2002*

- As a result of NDI's suggestions to profile specific candidates, HSS and HDU profiled female candidates in their party literature to reach out to additional sectors of the population.

*Q4 2002*

- A female SNSD candidate won a compensatory mandate in the RSNA by using methods learned during NDI's candidate training sessions, including door-to-door contact, issue-oriented campaign literature, and innovative outreach techniques (such as linking local priorities in agriculture to her campaign by distributing seed packets door-to-door with her campaign information stated on the packet).
- For the first time, parties made a concerted effort to increase youth participation during the campaign period. Parties were encouraged by NDI to recruit volunteers, and SNSD, PDP, SPRS, NHI, and NS worked with local organizations to recruit students as volunteers. This resulted in increased youth involvement in the campaign and election activities by youth branches and membership.
- As a result of skills gained during NDI's School for the Development of Democratic Leadership, a youth in Bijeljina ran as a PDP candidate and focused his campaign on youth issues and outreach. Although he was not elected, he raised his profile among PDP members and helped create a more structured and focused youth branch in that municipality.

**Parliamentary Development**

**Objective: Party caucuses strengthen their ability to function effectively.**

*Q2 2003*

- In April, Karlo Filipovic, FBiH SDP caucus chair, confirmed that the caucus had established three over-arching policy caucus committees based on what he observed during the NDI study trip to the NDP convention in Canada. These caucus committees are responsible for developing caucus positions, providing oversight on government operations in areas of financial and budgetary policy, economic policy and social services and identifying new issues in their policy area. Each committee comprises 15 caucus members, one of whom acts as spokesperson, with the others responsible for specific issues and areas.

**Objective: MPs strengthen their ability to represent constituents.**

*Q2 2003*

- On April 5, in Posusje, the NSRzB organized an all-day seminar on how to lobby parliament for 24 citizens from Canton 7. The event was conducted along with local NDI staff and included a review of a local youth poll, an overview of lobbying techniques and planning, a campaign planning workshop, and a question and answer session with two NSRzB MPs, one from the FBiH and one from the BiHPA. There was enthusiastic participation and interaction in the sessions, and at the conclusion the MPs suggested that such meetings were essential and should be held regularly.
- With NDI training and advice, 7 BiH MPs from one constituency in central Bosnia started a pilot project in four municipalities of opening constituency offices. The four municipal mayors enthusiastically provided office space and offered to help with distributing information to media and citizens.

**Objective: Committees improve their ability to increase the efficiency of the legislative process and increase public participation.**

*Q3 2001*

- Two FBiH committees commenced work on developing a public hearing process in the legislature. After identifying a topic of public concern and legislative interest, the committees called on witnesses to investigate how to conduct a public hearing and commenced with research on hearing topics.

*Q4 2001*

- Two FBiH ad-hoc committees completed draft amendments to the Rules of Procedure and a draft code of conduct to increase the efficiency and transparency of the legislative process and the accountability of MPs.

*Q1 2002*

- The FBiH ad-hoc committee reviewed and changed additional articles of the new Rules of Procedure aimed to improve the functioning of the parliament.

*Q2 2002*

- The FBiH ad-hoc committee adopted the amended Rules of Procedure. The amended rules also provide for publishing a monthly newsletter to facilitate public access to information about the work of the legislature.
- Nermin Niksic, SDP MP in the FBiH House of Representatives, used NDI's constituency outreach seminar and handbook to produce 500 questionnaires together with a follow-up



letter to constituents. Niksic received 250 responses, including 20 requests for membership in the SDP.

#### *Q1 2003*

- Dzevad Gusic (SDA), chair of the RSNA Committee for the Protection of Refugee and Displaced Persons Rights, created a plan to increase coordination with other committees, the RS government, and other organizations dealing with refugees and displaced persons, and approached NDI for constructive criticism. It was through NDI that Gusic learned about committee communication; without NDI training he would not have been able to develop the plan.

**Objective: Parliamentary staff resources are increased through the establishment of an internship program.**

#### *Q3 2001*

- NDI, the FBiH, and the University of Sarajevo signed an MoU establishing the FBiH internship program.

#### *Q4 2001*

- Eleven interns completed the first cycle of the FBiH internship program. The interns provided additional research and personnel capacity for the administration offices, party caucuses and parliamentary committees as well as gaining valuable knowledge and professional skills necessary to becoming more involved in political and legislative processes.
- FBiH administration offices, party caucuses and parliamentary committees utilized increased personnel resources through creating positions for student interns. The participating parliamentary officials gained additional research capacity and the ability to respond to constituent requests by assigning interns to important analysis and outreach positions.

#### *Q1 2002*

- The second cycle of the FBiH internship program was launched to include 32 students assigned to different offices of both houses. The increased number of skilled interns provided additional staffing resources to a greater number of committees and offices.
- Participating parliamentary offices, committees and caucuses used the interns to complete research and analysis tasks pertinent to current legislation.

#### *Q2 2002*

- The quality of enacted legislation and public debates at the FBiH increased as a result of the key support provided by 32 interns in the second cycle of the internship program. The interns supported parliamentary staff and MPs by conducting extensive research and by providing sophisticated comparative analysis of legislation.

- FBiH interns contributed to the overall enhancement of the efficiency of the work of parliament by undertaking more complex tasks and increased responsibility.

### *Q3 2002*

- NDI signed a MoU with the BiHPA and participating universities establishing the BiHPA internship program. The state-level program followed the same model used at the FBiH, though NDI included applicants from the University of Serb Sarajevo to provide adequate representation to all ethnicities.
- NDI signed a MoU with the RSNA general secretary and the dean of Banja Luka University on establishing the RSNA internship program based on the FBiH program.

### *Q1 2003*

- NDI launched the pilot semester of the RSNA internship program in January 2003, with the first cycle involving 12 students working for specific committees, caucuses and administrative offices. NDI applied lessons learned from the FBiH program in designing the RSNA program

### *Q2 2003*

- In February 2003, the third cycle of the FBiH internship program began with 30 interns. The FBiH interns provided invaluable support to caucuses, committees and the administration. Discussions began on transferring the program to the FBiH and participating universities in order to make the program independent and self-sustaining.
- The first cycle of 18 BiHPA interns from universities throughout BiH began working in late February 2003. Interns were placed with 8 committees, the BiHPA's information service (Indoc) and the three general secretaries.
- Jasmina Altumbabic, intern to the secretary of the FBiH House of Peoples, wrote an analysis of changes needed to the draft proposal for the rules of procedure for the House of Peoples. The aim of the analysis was to align the proposed rules with the new Law on Immunity imposed by the High Representative last October. The proposed rules also lack provisions on disciplinary measures in case of a breach of the rules of procedure and conduct unbecoming of the delegates. Altumbabic, after conducting comparative research of this problem in other countries, proposed a number of amendments to regulate these issues. The supervisor is satisfied with her work and promised that he would recommend and advocate that the amendments be adopted.
- Igor Šolaja, intern for the FBiH SDP caucus, drafted a series of amendments for the SDP caucus on the proposed Laws on Bankruptcy and formally presented these at the caucus meeting on April 21. The caucus chair subsequently proposed these amendments, and they were adopted by the FBiH House of Representatives and should become law. Šolaja had won the trust of the caucus over the past month through his hard work on this and other projects. He now enjoys their respect and a wide spectrum of responsibilities and obligations. For instance, the SDP caucus has provided Šolaja with a desk and a computer. He has been instructed to review all laws before the House and provide the caucus with his remarks and/or amendments.

- Indira Kadrovic, intern for the FBiH SBiH caucus, drafted rules of procedure for her caucus in April. The caucus chair reviewed and declared the rules excellent, and sent them to the party president, Safet Halilovic, for his review. He was also duly impressed. The SBiH party leadership is now considering adopting Kadrovic's rules of procedure as the universal framework for the work of all SBiH party caucuses in BiH.
- Mirzeta Camdžic, intern for the Constitutional-Legal Committee of the FBiH House of Representatives, generated a spreadsheet of the proposed laws before the committee with explanations. The purpose of the spreadsheet was to facilitate discussion and the recording of decisions. The spreadsheet was circulated at the first committee meeting in April. This type of briefing note had not been provided before at the parliament and was received enthusiastically by MPs. The spreadsheet was based on a model NDI provided at the interns' orientation seminar. The committee chair has now asked Camdžic to participate in committee deliberations.
- Adnan Husic, who works for the Committee for Defense and Security in the BiH House of Peoples, drafted a law for the committee addressing the issue of alternative army service or "serving the army as a civilian." Such a law is one of the pre-conditions for BiH to enter the European integration process. Husic did a comparative analysis for the committee and compiled a list of relative international documents. As the adoption of this law requires certain changes to the Law on Defense, Husic also prepared a draft of changes and amendments to that law. These documents were submitted to his supervisor prior to the committee meeting to discuss the issue. The committee members decided to postpone the discussion on this topic until they had thoroughly reviewed the draft law and draft amendments.
- Adnan Bogunic, assigned to the BiH Committee for Finance and Budget, researched and drafted a proposed law and presented it to the committee. The draft law was accepted by the committee and is now waiting to appear in the BiH plenary session.

**Objective: A more organized and efficient legislative process is created.**

### *Q3 2001*

- The RSNA adopted a new Rules of Procedure and introduced the new legislation to the public as a result of NDI's efforts in advising MPs on this initiative. These rules will serve to regulate the procedures of the RSNA, greatly improve the conduct of parliamentary debate and enable MPs to more fully understand their roles and responsibilities.

### *Q4 2001*

- The application of the new Rules of Procedure in a session of the RSNA contributed to a more effective parliamentary debate and regulated the procedures of the Assembly in a more transparent way. International observers rated the session as improved in transparency and efficiency.

**Objective: The capacity of BiH institutions to function as representatives of the Bosnian people across entity and ethnic lines are strengthened.**

*Q4 2001*

- Committee chairs from the BiHPA, FBiH and RSNA formed connections with NGOs working in similar issue areas. Information on programs and outreach opportunities was exchanged as well as contact information to facilitate future cooperation.
- Representatives of two NGOs responded to the invitation by the FBiH Committee on the Protection of Human Rights to participate in a public discussion on the draft law on slander. The committee and NGO representatives also formulated a plan for cooperation during workshops at the NDI-CCI conference in November 2001.

*Q2 2002*

- MPs from the BiHPA, FBiH, RSNA and NGO representatives participating in the NDI-organized April 2002 conference developed joint recommendations about steps to be undertaken toward strengthening links between citizens and parliament and implementing the principles of legislative transparency.

*Q4 2002*

- For the first time, the BiHPA identified and prioritized its own resource needs and independently organized an orientation seminar for MPs. This demonstrated important growth since 2000, when orientation sessions were organized solely by international organizations. Following consultations with NDI, the BiHPA identified its priorities for incoming MPs and worked with NDI and other organizations to arrange necessary training sessions. This orientation marked an important step by parliamentary officials and elected representatives to develop self-identified skills and capacities.

## **Brcko District**

### **Political Party Development**

**Objective: Brcko Party Branches improve organizational planning and development, including membership recruitment, fundraising and campaign planning**

*Q2 2003*

- For the first time, following NDI advice and assistance, all Brcko District parties conducted rigorous self-assessments based on a questionnaire developed by NDI to highlight priority areas for future development. The findings were used to classify parties into categories based on organizational capabilities and in follow-on consultations to develop tailored training plans for each party.
- Category I (DS, HSS, LDS, and SNS) transferred paper membership lists and supporter information to electronic databases and began rudimentary membership drives and

impose a basic system of membership fees in order to generate funds for non-campaign activities.

- Category II parties (SDP, SNSD, and SPRS) reviewed and updated their membership lists. As a result of consultations with NDI, the SDP and SPRS held elections for their executive and planned membership drives for late spring 2004.

#### *Q3 2003*

- The SDP, SPRS, SNSD, DS, and HSS formed local boards based on the existing framework of local communities in the District.

#### *Q4 2003*

- All parties that received training on voter identification and targeting began mapping support using previous elections results and data from NDI's survey.
- All parties received regular updates of the voter registration list and began voter registration drives within their parties and among their potential voting blocks.

#### *Q1 2004*

- Category II parties identified key personnel for each party's pre-election campaign effort, including those coordinating public relations, media relations, and volunteer coordinators.

**Objective: Brcko Party Branches develop and implement strategies for promoting issue-based political action at the local level between elections**

#### *Q3 2003*

- The SNSD and SDP, with input from NDI, designed and conducted surveys of their membership in June and July as initial steps in conducting policy conferences. The SPRS conducted a survey of selected local communities in Brcko District to query voter interests and support.

#### *Q4 2003*

- The SDP, SNSD, and SPRS held policy conferences and workshops in November and December to define their pre-election platforms in light of the timing of the first District elections in October 2004.
- The category I and II parties used the results of NDI's survey to shape pre-election platforms, focusing on issues of importance to local residents.

#### *Q1 2004*

- The SPRS women's branch holds a congress and reports on the findings of a survey conducted by the branch of women voters in the District. The women's branch directly used techniques and advice gained from NDI.

## **Parliamentary Development Program**

**Objective: The Brcko District Assembly develops more effective and transparent legislative processes and improve oversight of the executive**

*Q3/Q4 2003*

- The Finance Committee held eight public hearings for various settlements and community groups as part of the District's budget process, with more than 40 individual submissions from citizens and groups. The hearings are a direct result of NDI's assistance to the committee.

**Objective: The links between the residents of the Brcko District, the Assembly and its Councilors are strengthened**

*Q4 2003*

- NDI facilitated negotiation between party clubs and the Assembly to reserve specific office space dedicated to councilors' outreach sessions, which was provided by the Assembly.
- The HSS, DS, SDP, and SPRS instituted regular constituent hours within the Assembly and at their main District headquarters.

*Q1 2004*

- The SNS, LDS, and SNSD instituted regular constituency outreach hours both within the Assembly and at their main District headquarters.
- SPRS and SDP councilors sent direct mailings to constituents regarding issues of local importance (health services (SDP) and garbage and sanitation (SPRS)).









**ПРИРУЧНИК**  
**за**  
**страначко посматрање избора**

■ Приручник за страначко посматрање избора

■ Издавач:

НДИ - Национални демократски институт

■ Приручник припремили:

НДИ Бања Лука

■ Тираж:

4000 комада

# САДРЖАЈ

## I УВОД

1. Законска основа за грађанско посматрање избора
2. Зашто посматрамо изборе?

## II УПУТСТВО ЗА ПОСМАТРАЧЕ

- a) *Правила понашања посматрача*
  1. Увод
  2. Права и обавезе
  3. Шта није дозвољено?
  4. Шта посматрачи требају понијети са собом?
- b) *На који начин посматрамо изборе*
  1. Долазак и понашање на бирачком мјесту
  2. Шта и како посматрамо?
- v) *Критичне ситуације и инциденти*

## III ИЗБОРНИ ПРОЦЕС И ПРОЦЕДУРЕ

1. Изборни закон
2. Изборни дан
3. Изборни систем
4. Изборна администрација
5. Процедура за гласање и бројање
6. Изборни посматрачи и Изборни закон БиХ
7. Активности политичких странака на дан избора



# УВОДНА РИЈЕЧ

■ Независно и непристрасно посматрање избора од стране домаћих удружења грађана постало је један од битних елемената развоја цивилног друштва у Босни и Херцеговини.

Национални демократски институт се залаже за унапређење демократских процеса, те у складу са својом мисијом, објављује свој приручник у нади да ће тако помоћи политичким странкама у провођењу праведних избора. У прилогу овог приручника налази се дио који се односи на вођење програма на сам дан избора.

Ваша права и обавезе као акредитованог посматрача за опште изборе заказане за 05. октобар 2002. године, наведене су у поглављу 17 Изборног закона Босне и Херцеговине, а разрађене у овом приручнику.

Приручник смо уредили на овакав начин да би на самом почетку понудили информације о значају посматрања изборног процеса од стране посматрача који су из политичких странака. Потом слиједе информације које ће вама бити најбитније на дан гласања. Ово укључује законске прописе и упуте за посматрање према редослиједу одвијања изборних активности на бирачком мјесту. Да би обавили своју дужност на професионалан начин, вама ће бити од користи шире знање о надлежностима различитих органа који учествују у изборном процесу.

Молимо вас да овај приручник прочитате пажљиво и да стриктно поштујете инструкције, а посебно правила понашања посматрача. Унапријед се захваљујемо на вашем учешћу, које ће допринијети спровођењу фер избора, транспарентности процеса и јачању повјерења у демократски развој босанскохерцеговачког друштва.

■ НДИ



# I УВОД

## 1. Законска основа за грађанско посматрање избора.

■ Правни основ који је омогућио земљама да се укључе у посматрање избора јесте члан 8. Завршног документа усвојеног на конференцији ОЕБС–а 1990. године у Копенхагену, а који су преузели новији изборни закони, укључујући БиХ, Хрватску, Југославију, Бугарску, Албанију и друге. Овим документом се изричито обавезују земље учеснице да омогуће посматрање избора страним и домаћим институцијама и организацијама. Другим ријечима, исти правни основ пружа могућност посматрања избора како страним тако и домаћим држављанима као независним посматрачима.

Према важећем Изборном закону Босне и Херцеговине (поглавље 17 - Изборни посматрачи), предственици међународних посматрача, удружења грађана, **политичких странака**, коалиција и листа независних кандидата, могу посматрати све изборне активности у БиХ, под условом да се акредитују у складу са овим законом.

## 2. Зашто посматрамо изборе?

■ Посматрање избора од стране грађана или политичких странака представља важан фактор у развоју демократског друштва. У великом броју земаља

грађани окупљени у нестраначким, невладиним организацијама, као и политичке странке, укључују се у изборне активности и својим учешћем утичу на развој цивилног друштва. Посматрање избора је један од предуслова за фер и поштене изборе.

Транспарентност и отвореност изборних процеса омогућавају развој демократског друштва.

Интерес свих посматрача требао би бити да се спроведу поштени, транспарентни, слободни и фер избори. Домаћи нестраначки посматрачи ће бити присутни на већини бирачких мјеста на којима ће посматрати, процјењивати и о томе извјештавати, али ни у ком случају не смију показивати политичку наклоњеност.

Напомињемо да ћете Ви као посматрач, посматрајући изборе допринијети повећању нивоа регуларности изборног процеса и повећати повјерење осталих грађана у изборну процедуру. На овај начин ћете помоћи у подизању демократске културе грађана Босне и Херцеговине.

У овој изборној години, значај посматрања изборног процеса је за Босну и Херцеговину још већи, јер се организује и проводи од стране домаћих службеника и по новом Изборном закону.

Ви, као изборни посматрач, ћете имати прилику, са вашим познавањем изборног закона, кроз ваше извјештавање и процјене, дати важан допринос свеукупној изборној реформи која је у току.

# II УПУТСТВО ЗА ПОСМАТРАЧЕ

## а) Правила понашања посматрача

### ■ Увод

Успјех кампање ваше странке у посматрању бирачких мјеста зависи од сваког посматрача индивидуално. Понашање сваког појединца утиче на кампању.

Права и обавезе требале би се обављати на професионалан начин.

### ■ Права и обавезе

Права и обавезе посматрача су:

- да су информисани о својим правима да извјештавају и посматрају изборни процес. Они су врло добро упознати са могућим нерегуларностима;
- да прате све фазе у процесу гласања и преребрјавања;
- да присуствују постављању и печатењу празне гласачке кутије прије почетка гласања и посматрају припреме пред почетак гласања за отварање бирачких мјеста;
- да постављају питања, дају примједбе и улажу жалбе у вези са процесом гласања и/или бројања у складу са Правилима и прописима Изборног закона БиХ, и уписују коментаре у књигу бирачког мјеста,

### ■ Шта није дозвољено?

У интересу успјешности Кампање молимо Вас :

- да се не мијешате у изборне поступке,

- да задржите своју потпуну непристраност у обављању својих обавеза,
- да не изражавате политичку наклоњеност на бирачким мјестима и у околини истих,
- да не долазите у контакт са гласачким листићима, да не гледате како бирачи испуњавају гласачке листиће и не испитујете бираче,
- да се уздржите од разговора са медијима, те да интересе и питања особа из медија усмјерите у централни штаб,
- да не дајете упутства и наредбе и да се не супростављате одлукама особља бирачког мјеста,
- да не носите било каква обиљежја политичких странака или независних кандидата.

### Напомена:

**Уколико посједујете мобилни телефон, то је јако добро за комуникацију са вашом страначком канцеларијом, али га искључите док боравите на бирачком мјесту. Можете користити мобилне телефоне изван простора бирачког мјеста и ближе околине.**

### ■ Шта посматрачи требају понијети са собом?

Како бисте што боље посматрали гласање и бројање гласова, а себи олакшали посао, са собом понесите:



- Писмо од ваше политичке странке у којем се наводи да сте ви службени посматрач у њихово име;
- Личну карту или неки други идентификациони документ;
- Овај приручник;
- Обрасце за извјештавање;
- Хемијску оловку, сат, батеријску лампу, кишобран;
- Сендвич и безалкохолно пиће;

## б) На који начин посматрамо изборе

### ■ Долазак и понашање на бирачком мјесту

Посматрачи ће бити укључени у цијели изборни процес. Посматрачи требају доћи најмање пола часа прије отварања бирачког мјеста. Када дођете на бирачко мјесто представите се и упознајте се са предсједником Бирачког одбора и осталим члановима Одбора. Такође, представите се и осталим посматрачима и сазнајте којим странкама или коалицијама припадају.

На бирачко мјесто понесите Изјаву о непристрасности да је на захтјев Предсједника бирачког одбора можете предочити. Изаберите своје мјесто тако да не реметите изборни процес, с тиме да можете видјети ток цијеле изборне процедуре.

Молимо Вас да док посматрате користите овај приручник и провјерите да ли се ток изборне процедуре поштује. Биљежите Ваша опажања у обрасце за извјештавање. Придржавајте се предвиђених правила и прописа, не разговарајте са бирачима унутар бирачког мјеста, избегавајте теме кроз разговор са Бирачким одбором.

Уколико примјетите проблеме или кршење правила и прописа изборне процедуре, обратите се Предсједнику бирачког одбора и упишите Ваша запажања у Записник бирачког мјеста.

Изборни резултати могу развеселити или разочарати. Молимо Вас да своје осјећаје не исказујете све док сте у улози посматрача.

### ■ Шта и како посматрамо?

Као посматрач ваше политичке странке требате бити свјесни атмосфере изван и унутар бирачког мјеста и прије почетка самог гласања. Не би требало бити никаквих политичких плаката, постера или неког другог пропагандног материјала унутар, ван или у близини бирачког мјеста. Други посматрачи ће примијетити ако постоје обиљежја неких политичких странака, коалиција или независних кандидата и којих. Јесу ли изван или у бирачком мјесту присутне униформисане особе чије присуство може значити или значи узнемиравање бирача? Да ли постоје особе које дају бирачима новац или сумњиви материјал?

Уопште, да ли постоје нека од кршења предизборне шутње?

Молимо Вас користите овај приручник и на основу њега размотрите уређење бирачког мјеста и достављених материјала. Да ли је довољан број гласачких листића? Да ли је бирачко мјесто довољно велико за ефикасно обављање послова Бирачког одбора и за цјелокупан процес гласања?

**МОЛИМО ВАС ДА ОБРАТИТЕ ПАЖЊУ ДА ЛИ ПОСТОЈИ БИЛО ШТА ШТО УТИЧЕ НА ТАЈНОСТ ГЛАСАЊА!**

## - Процес гласања

Обратите пажњу да ли :

- Бирачки одбор слиједи прописана правила изборне процедуре;
- Бирачки одбор слиједи прописану процедуру идентификације бирача;
- је прописана процедура поштована и код оних бирача који нису у попису бирача;
- се врши издавање гласачких листића на прописан начин;
- су гласачке кутије прописно затворене;
- постоје неке друге оловке, осим хемијских, за испуњавање гласачких листића;
- је неком од бирача било дозвољено да попуњавају своје гласачке листиће изван мјеста предвиђеног за њихово попуњавање;
- је и колико је било гласања у име друге особе?
- је поштована изборна процедура код болесних и немоћних особа;
- је некоме било ускраћено право гласања и је ли то било оправдано;

## - Процес бројања гласачких листића

Процес бројања гласачких листића је уистину важан сегмент изборне процедуре као и процес гласања. Обратите пажњу када је почело бројање? Да ли сте примјетили било какве неправилности код бројања гласачких листића?

Једна од најбитнијих ствари је да ли су неупотребљени гласачки листићи запечаћени и спремљени прије отварање гласачке кутије?

Исто тако евидентирајте број гласачких листића које је Бирачки одбор прогласио неважећим.

Да ли је проглашавање неважећих листића било оправдано? Да ли је по Вама њихов број претјеран? Да ли је постојало било какво оспоравање или забуна током процеса бројања?

Након окончања бројања гласачких листића, Предсједник бирачког одбора је дужан јавно изложити примјерак Образца о збирним резултатима гласања на бирачком мјесту.

Из тог разлога изборни посматрач треба остати на свом бирачком мјесту све до завршетка бројања гласова, попуњавања и потписивања записника бирачког мјеста.

## в) Критичне ситуације и инциденти

Досадашње наведене информације су битне за професионално обављање дужности посматрача. Ми се надамо да ће се на свим бирачким мјестима поштовати изборна процедура, те да ће сам процес избора протећи регуларно и без проблема. Ипак, сви ми морамо обратити пажњу уколико дође и до кршења изборних правила и прописа; односно до критичних ситуација и изгреда.

Ви морате примјетити и унијети забилјешку у књигу која се налази на бирачком мјесту, као и у страначке формуларе ако такви постоје, ако:

- вама или другим посматрачима није дозвољено улазак на бирачко мјесто или сте са њега удаљени;

- да ли је бирачко мјесто облијепљено пропагандним материјалом неке политичке странке, коалиције или независног кандидата;
- било који облик физичког насиља или пријетњи на бирачком мјесту;
- униформисане особе унутар бирачког мјеста, осим полиције;
- гласачке кутије нису биле празне приликом печења;
- гласачки паравани не обезбјеђују потпуну тајност гласања;
- систематско кршење изборне процедуре;
- стварање хаоса и конфузије на бирачком мјесту;
- необављање прописаних дужности од стране одговорних особа бирачког одбора;
- недостатак или нестанак гласачког материјала;
- убацивање више од једног гласачког листића, од стране једне особе;
- гласачи којима је непотребно указивана помоћ приликом гласања;
- након отварања гласачке кутије установљено је да има више гласачких листића од укупног броја бирача који су присуствовали гласању;
- честих грешака приликом бројања листића и неправљање истих;
- неистичање резултата бројања на бирачком мјесту од стране Предсједника бирачког одбора; Сваки посматрач би требао да разликује неважне погрешке у примјени правила и прописа од оних кршења који могу грубо повриједити изборну процедуру.

**Уколико дође до ових критичних ситуација молимо Вас да их пријавите, а затим запажања уписете у Књигу бирачког мјеста.**

## III ИЗБОРНИ ПРОЦЕС И ПРОЦЕДУРЕ

### 1. Изборни закон

Изборни закон Босне и Херцеговине је усвојила Парламентарна скупштина Босне и Херцеговине на сједници Представничког дома одржаној 21.08.2002. године и на сједници Дома народа одржаној 23.08.2001.године.

Изборни закон је донешен у складу са Уставом Босне и Херцеговине и Анексом 3 Општег оквирног споразума за мир у Босни и Херцеговини.

### 2. Изборни дан

Општи избори ће бити проведени 5. октобра 2002. године, када ће бити бирани представници за слиједеће нивое власти:

Бирачи Босне и Херцеговине бирају:

- Предсједништво БиХ
- Представнички дом Парламентарне скупштине БиХ
- Бирачи Републике Српске бирају:
- Предсједника и потпредсједнике Републике Српске
- Народну скупштину Републике Српске

Бирачи Федерације Босне и Херцеговине бирају:

- Представнички дом Парламента Федерације БиХ
- Кантоналне скупштине
- Општинско вијеће Жепче

Гласање на бирачким мјестима у изборном дану се проводи непрекидно у току дана, са почетком у 7:00 часова и завршетком у 19:00 часова.

### 3. Изборни систем

У provedби општих избора ће бити кориштен изборни систем са слиједећим карактеристикама :

- Већински систем
- Пропорционални систем
- Систем отворених листа

- *Већински систем*

У већинском систему побеђује кандидат који освоји највише гласова.

- *Пропорционални систем*

Овај систем омогућава подјелу мандата у бираном скупштинском тијелу пропорционално броју освојених гласова.

- *Систем отворених листа*

У систему отворених листа, бирач може изразити своју преференцу за странку, али и за кандидата унутар страначке листе.

Бирач има три могућности за изражавање свога избора:

- Означити странку, коалицију, листу независних кандидата или независног кандидата;
- Означити једног или више кандидата унутар исте кандидатске листе;
- Означити политичку странку, коалицију, листу независних кандидата или независног кандидата и онолико кандидата колико он/а жели унутар исте листе

Ознаке унутар једне листе се сматрају гласом за политичку странку, листу независних кандидата или коалицију.

Сваки важећи гласачки листић се рачуна као један глас у вези с дистрибуцијом мандата за политичку странку, коалицију, листу независних кандидата или независног кандидата. Код другог бројања, број гласова за сваког кандидата унутар сваке листе ће бити дефинисан.

Већински систем ће се користити у избору Предсједништва БиХ и предсједника и потпредсједнике РС. Пропорционални и систем отворених листа ће се користити током избора за избор кандидата за Представнички дом Парламентарне скупштине БиХ, Представнички дом Парламента Федерације БиХ, Народну скупштину Републике Српске и за Кантоналне скупштине. За избор чланова Општинског вијећа Жепче користи се систем отворених листа.

### 4. Изборна администрација

Органи надлежни за provedбу избора су изборне комисије и бирачки одбори.

Састав изборне комисије или бирачког одбора треба бити мултиетничан, тако да одражава заступљеност конститутивних народа, укључујући и остале, у изборној јединици за коју се орган надлежан за проведбу избора оснива, водећи рачуна о посљедњем попису становништва.

Сви органи власти на свим нивоима и дужносници у Босни и Херцеговини и амбасадама и конзулатима Босне и Херцеговине, обавезни су помагати органима надлежним за проведбу избора.

#### **- Изборна комисија Босне и Херцеговине (ИКБиХ)**

До завршетка мандата Високог представника Изборна комисија Босне и Херцеговине се састоји од 7 чланова. Четири члана из Босне и Херцеговине су представници три конститутивна народа укључујући и остале, а три члана су представници међународне заједнице. У складу са својом процедуром, Представнички дом Парламентарне скупштине Босне и Херцеговине именује чланове Изборне комисије БиХ са кандидатске листе коју одобрава Високи представник (Поглавље 19. члан 1. Прелазне и завршне одредбе ИЗ БиХ).

Изборна комисија Босне и Херцеговине је независан орган који подноси извјештај непосредно Парламентарној скупштини БиХ.

#### **Важне овласти Изборне комисије Босне и Херцеговине:**

- координише, посматра и регулише законитост рада свих изборних комисија и бирачких одбора у складу са законом;
- доноси административне прописе за проведбу овог закона;
- предлаже буџет за Изборну комисију БиХ и Секретаријат и подноси извјештај о извршењу буџета;
- одговорна је за израду, тачност и вођење Централног бирачког списка за територију БиХ;
- овјерава политичке странке, коалиције, листе независних кандидата и независне кандидате за учешће на свим нивоима избора у БиХ;
- потврђује и овјерава кандидатске листе за све нивое избора у БиХ;
- одговорна је за правовремено штампање дистрибуцију и сигурност гласачких листића и образаца за изборе на свим нивоима у БиХ;
- утврђује форму и садржај гласачких листића за све нивое избора у БиХ;
- потврђује, овјерава и објављује резултате избора на свим нивоима избора у БиХ;
- издаје увјерење особама које су добиле мандат;
- обавјештава изборну комисију или бирачки одбор да не поступају у складу са одредбама овог закона, или да их крше, и надлежном органу налаже предузимање одговарајућих мјера;
- објављује у службеним гласилима и средствима јавног информисања у БиХ и ван ње пословнике, прописе и изборне резултате, информације за бираче, те остале информације неопходне за проведбу овог закона и свих изборних закона;
- обавља све изборне активности за избор чланова предсједништва БиХ и чланова Представничког дома Парламентарне скупштине БиХ;
- провјерава одлуку надлежног органа о престанку мандата изабраног дужносника на свим нивоима власти, како би се осигурало да је мандат изабра-

ног представника престао у складу са законом, и у случају када је дужносник поднио оставку, да је то учинио својом вољом;

- подноси извјештај Парламентарној скупштини БиХ о стању проведбе избора у Босни и Херцеговини, проведби овог закона и предлаже измене овог закона.

Изборна комисија Босне и Херцеговине може поништити изборе у изборној јединици или на неком бирачком мјесту, ако је установљено да је за вријеме гласања и бројања гласачких листића дошло до неправилности које могу утицати на резултате избора (Поглавље 2. чл. 10. ИЗ БиХ)

Изборна комисија оснива Секретаријат који ће обављати стручне и административно-техничке послове за потребе Изборне комисије БиХ.

#### **- Општинска изборна комисија**

Општинска изборна комисија је изборно тијело које се састоји од три до пет чланова које именује Општинско вијеће односно Скупштина општине уз сагласност Изборне комисије БиХ.

#### **Важне овласти ОИК-а:**

- осигурава да све кандидатске листе за општинско вијеће или скупштину општине буду састављене у складу са Изборним законом и доставља их на одобрење Изборној комисији БиХ;
- посматра рад општинских органа у процесу проведбе избора, а посебно процес регистрације бирача;
- одређује бирачка мјеста на подручју општине за гласање на свим нивоима власти у БиХ;
- именује и обучава чланове бирачких одбора;
- брине о сигурности и достави бирачким одборима бирачког материјала за гласање на свим нивоима избора у БиХ;
- обавјештава бираче о свим информацијама неопходним за проведбу избора, у складу са прописима Изборне комисије БиХ;
- одговорна је за уређење бирачког мјеста и друге техничке припреме за изборе;
- одговорна је за правилно бројање гласачких листића на бирачким мјестима и у општинским центрима за бројање;
- обједињује резултате избора са бирачких мјеста у општини, посебно за сваки орган за који је вршен избор, и доставља их Изборној комисији БиХ;
- Обавља друге послове у складу са законом и прописима Изборне комисије БиХ.

#### **- Бирачки одбор**

Бирачки одбор именује надлежна општинска изборна комисија за свако бирачко мјесто, а састоји се од предсједника и два или четири члана зависно од броја регистрованих бирача. За сваког предсједника и члана бирачког одбора морају се именовати зајменици.

Уколико се на изводу из Централног бирачког списка за одређено бирачко мјесто налази до двије стотине педесет (250) бирача, у том случају ће се бирачки одбор састојати од предсједника и два (2) члана. Уколико се на изводу из Централног бирачког списка за одређено бирачко мјесто налази више од двије стотине педесет (250) бирача, у том случају ће се бирачки одбор састојати од предсједника и четири (4) члана.

Замјеници учествују у раду бирачког одбора само у случају да је члан бирачког одбора спријечен, из оправданих разлога, да дође на бирачко мјесто на дан избора или ако члан бирачког одбора мора из оправданих разлога напустити бирачко мјесто у току рада на дан избора. Уколико се на изводу из Централног бирачког списка за одређено бирачко мјесто налази више од шесто (600) бирача, у том случају замјеници предсједника и чланова бирачког одбора, након затварања бирачког мјеста, увијек учествују у процесу бројања гласова.

Бирачки одбор непосредно руководи радом бирачког мјеста, осигурава правилност и тајност гласања и евидентира резултате гласања на бирачком мјесту.

#### **За члана изборне комисије или бирачког одбора не може бити именована особа:**

- која се жели кандидовати у смислу одредби чланова 1.6 и 1.7 Изборног закона БиХ;
- која је кандидат за изборе за било који ниво власти;
- која је носилац изабраног мандата или је члан извршног органа власти;
- је санкционисан/а због озбиљног кршења Правила и прописа, гдје је он/она лично одговоран/а за кршење;
- која је члан највишег извршно-политичког органа политичке странке или коалиције;
- којој је изречена казна за радњу која представља тежу повреду изборних закона или прописа за коју је лично одговорна у посљедње четири године;

## **5. Процедура за гласање и бројање**

У наставку слиједи Правилник о начину гласања и бројања гласачких листића којег је донијела Изборна комисија Босне и Херцеговине на основу чл. 2.9 тачка 2. Изборног закона Босне и Херцеговине на сједници одржаној 05. 08. 2002. године.

### *ПРАВИЛНИК О НАЧИНУ ГЛАСАЊА И БРОЈАЊА ГЛАСАЧКИХ ЛИСТИЋА*

#### **- Опште одредбе:**

##### **Члан 1.**

Овим се Правилником регулише:

- Начин уређења бирачких мјеста;
- Одговорност и улога бирачких одбора;
- Начин гласања на бирачким мјестима;
- Начин бројања гласачких листића на редовним бирачким мјестима;
- Начин гласања путем поште;

#### **- Бирачка мјеста**

##### **Члан 2.**

Бирачка мјеста одређује општинска изборна комисија најкасније петнаест (15) дана прије дана избора.

Бирачко мјесто не може се налазити у вјерском објекту, згради органа власти, згради која је власништво политичке странке или у којој је сједиште политичке странке, згради која је кориштена као мјесто за мучења или злостављања, или мјесту гдје се служи или конзумира алкохол.

Свако бирачко мјесто означава се редним бројем.

Општинска изборна комисија, најкасније петнаест (15) дана прије дана избора, објављује која су бирач-

ка мјеста одређена за гласање и гдје бирачи могу гласати.

Бирачко мјесто се одређује према броју бирача, који, у правилу, не може бити већи од једне хиљаде (1000), узимајући у обзир и удаљеност бирача од бирачког мјеста.

Један бирачки одбор може опслуживати једно редовно бирачко мјесто и једно бирачко мјесто за гласање у одсутности, уколико општинска изборна комисија одлучи да је то најсврхисходније рјешење.

Општинска изборна комисија дужна је најкасније дванаест (12) часова прије дана избора осигурати да простор одређен за бирачко мјесто буде припремљен за отварање.

Под бирачким мјестом и његовом околином, сматра се бирачко мјесто као и простор у кругу од педесет (50) метара од улаза у зграду у којој се налази бирачко мјесто.

#### **- Бирачки одбори**

##### **Члан 3.**

Бирачке одборе именују општинске изборне комисије најкасније петнаест (15) дана прије дана избора.

Бирачки одбор састоји се од предсједника и од два (2) или четири (4) члана. Предсједник и чланови бирачког одбора имају замјенике.

Критерији за именовање чланова бирачких одбора се дефинишу посебном одлуком Изборне комисије БиХ.

Предсједник руководи радом бирачког одбора и одговоран је за законитост његовог рада.

Бирачки одбор непосредно руководи радом бирачког мјеста, осигурава правилност и тајност гласања и евидентира резултате гласања на бирачком мјесту, осим у случајевима утврђеним члановима 16. и 17. овог Правилника.

#### **- Дужности и одговорности чланова бирачког одбора у процесу гласања**

##### **Члан 4.**

##### *1. Предсједник*

- Руководи радом бирачког одбора и заједно с бирачким одбором је одговоран за законитост рада на бирачком мјесту;
- Одржава интегритет процеса гласања/бројања и одржава мир и ред на бирачком мјесту све вријеме;
- Попуњава све потребне обрасце;
- Осигурава да на бирачком мјесту нема оружја;
- Једног члана бирачког одбора одређује за замјеника предсједника како би, у случају потребе, могао дјеловати у њено/његово име;
- Одређује дужности сваком члану бирачког одбора;
- Помаже бирачима којима треба додатно објашњење о процесу гласања и рјешава сва питања које се односе на идентификацију и право гласа бирача;
- Евидентира у образац записника о раду бирачког одбора вријеме и околности свих изнимних догађаја на бирачком мјесту;

##### *2. Контролор реда*

- Осигурава контролу протока бирача на бирачком мјесту.

##### *3. Службеник за идентификацију*

- Провјерава идентитет бирача;

- Проналази бирачево име на изводу из Централног бирачког списка;
- Осигурава да се бирач потписао поред свог имена на изводу из Централног бирачког списка.

#### 4. Службеник за издавање гласачких листића

- Издаје гласачке листиће;
- Објашњава како треба исправно испунити гласачке листиће;
- Обавјештава бирача да, ако је гласачки листић погрешно испуњен или оштећен (упропаштени гласачки листић), може добити други гласачки листић;
- Упућује бирача према слободној гласачкој кабинџи.

#### 5. Контролор гласачке кутије

- Упућује бирача да убацџ гласачке листиће у гласачку кутију и напусти бирачко мјесто;
- Осигурава да нитџ један бирач не напусти бирачко мјесто а да не убацџ гласачке листиће у гласачку кутију;
- Осигурава да се само гласачки листићи убацџу у гласачку кутију.

*Уколико се бирачки одбор састоји од предсједника и два члана, у том случају ће контролор реда истовремено обављати функцију контролора гласачке кутије, док ће службеник за идентификацију истовремено обављати и функцију службеника за издавање гласачких листића.*

#### - Записник о раду бирачког одбора

##### Члан 5.

Током процеса гласања води се Записник о раду бирачког одбора (у даљем тексту *Записник*). Записник ће бити достављен сваком бирачком одбору заједно са осталим изборним материјалом.

##### Записник садржи слиједеће податке:

- Насловна страница – садржи лого усвојен за те изборе, простор гдје се уписује име општине и простор за уписивање броја бирачког мјеста, те наслов “Записник о раду бирачког одбора”;
- Страница 1. - представља списак изборног материјала који је бирачки одбор требао добити од општинске изборне комисије, с простором на који се уписује када је материјал примљен и количина истог;
- Страница 2. - представља простор за уношење описа стања бирачког мјеста на дан уочи избора.

*Предсједник својим потписом потврђује тачност навода на страницама 1 и 2.*

- Страница 3. – представља простор који се испуњава прије отварања бирачког мјеста на сам дан избора, а садржи простор за уписивање имена предсједника и присутних чланова бирачког одбора или њихових замјеника, те простор за уписивање било каквих значајних догађаја или проблема који су се десили прије отварања бирачког мјеста. На ову страницу предсједник уписује вријеме отварања бирачког мјеста.
- Страница 4. - представља Изјаву и Кодекс понашања за чланове бирачког одбора које предсједник и чланови бирачког одбора морају потписати прије отварања бирачког мјеста;
- Страница 5. – представља списак акредитованих посматрача који су посматрали процесе гласања и бројања на том бирачком мјесту. Овај дио испуњава и потписује предсједник;

- Странице 6. и 7. – простор у који се уписују сви важнији догађаји који су се десили у току процеса гласања и бројања;
- Странице 8. и 9. – простор у који се уписују мишљења и примједбе чланова бирачког одбора, бирача или посматрача. Било који члан бирачког одбора или акредитовани посматрач може унијети своје мишљење или дати запажање на забиљешке у записнику. Ако ова особа лично не потпише записник, њено мишљење или примједба неће бити разматрани;
- Страница 10. - простор у који се уписују подаци и разлози о удаљавању особа с бирачког мјеста због нарушавања реда;
- Страница 11. – простор у који се уписује вријеме затварања бирачког мјеста и значајни догађаји који су се десили при затварању бирачког мјеста;
- Страница 12. – резервни простор, уколико се искористи сав простор на некој од претходних страница записника;
- Страница 13. - простор у који се уписују подаци о особама којима није дозвољено да гласају због тога што њихово име није нађено на изводу из Централног бирачког списка;
- Страница 14. - образац у који се уписује број коверти с непотврђеним гласачким листићима из гласачке кутије;
- Страница 15. - простор у који мобилни тим за гласање уписује податке о времену одласка на терен, о броју задужених коверти са гласачким листићима за поједине општине, као и о броју коверти из гласачке кутије.

*Странице 14. и 15. се испуњавају само на бирачким мјестима која издају непотврђене гласачке листиће или на онима у чијем склопу се налазе мобилни тимови.*

#### ПРОЦЕС ГЛАСАЊА

#### - Дан уочи избора

##### Члан 6.

Општинска изборна комисија ће дан, а најкасније дванаест (12) часова, прије отварања бирачких мјеста, доставити бирачком одбору изборни материјал који садржи, како слиједи:

- извод из Централног бирачког списка за одређено бирачко мјесто;
- одговарајући број гласачких листића;
- одговарајући број гласачких кутија;
- сет образаца за бирачко мјесто;
- кандидатске листе;
- Записник;
- Потрошни материјал према спецификацији из записника неопходан за процес гласања и бројања гласачких листића.

Бирачки одбор мора провјерити да ли је изборни материјал достављен од стране општинске изборне комисије за то бирачко мјесто комплетан и у исправном стању те у одговарајући дио записника евидентирати списак и количину добијеног изборног материјала.

Након примања материјала предсједник и чланови бирачког одбора су обавезни провјерити простор предвиђен за бирачко мјесто, те отклонити евентуалне недостатке. Подаци о стању бирачког мјеста се уписују у одговарајући дио записника.

Бирачки одбор је одговоран за сигурност бирачког материјала на бирачком мјесту.

Предсједник бирачког одбора је одговоран за сигурност бирачког материјала од времена пријема материјала на бирачком мјесту, па до затварања бирачког мјеста

Бирачки одбор мора уклонити са бирачког мјеста све ознаке и обиљежја која упућују на политичке странке, вјерске симболе као и остале ознаке које могу имати дискриминаторско значење. Бирачки одбор ће затим приступити постављању ознака бирачког мјеста, улаза и излаза, смјера локације бирачког мјеста, забране уношења оружја, забране пушења, те изложити кандидатске листе.

Предсједник заједно са члановима бирачког одбора организује изглед бирачког мјеста тако да се омогући несметан проток бирача на бирачком мјесту.

Предсједник доноси одлуку који чланови бирачког одбора ће вршити функције контролора реда, службеника за идентификацију, службеника за издавање гласачких листића и контролора гласачке кутије.

#### - Прије отварања бирачког мјеста

##### Члан 7.

Сви чланови бирачког одбора морају доћи на бирачко мјесто најмање један час прије почетка гласања. У том времену само чланови бирачког одбора и посматрачи могу бити присутни на бирачком мјесту.

Бирачки одбор ће одредити мјесто за сваку гласачку кабину, водећи рачуна да нико унутар или изван бирачког мјеста не може видјети бирача док гласа. Отвор гласачке кабине треба бити окренут према зиду. Ако се гласачка кабина мора поставити поред прозора, прозор треба покрити тако да се онемогући поглед извана у гласачку кабину.

Прије почетка гласања предсједник треба заједно с члановима бирачког одбора:

- Уписати имена предсједника и чланова бирачког одбора у записник и потписати се на мјесто предвиђено за то;
- Потписати службене изјаве и кодексе понашања који се налазе у записнику;
- Написати све неопходне податке на коверте/пакете;
- Уписати број бирача из извода из Централног бирачког списка на Образац за бројно стање;
- Ручно пребројати примљене гласачке листиће за сваки изборни ниво, уписати укупан број примљених гласачких листића у Образац за бројно стање и саопштити га;
- Показати празну гласачку кутију, а онда ставити пластичне печате на гласачку кутију;
- Уписати серијске бројеве печата гласачке кутије на Образац за бројно стање;
- Поставити запечаћену гласачку кутију на мјесто гдје је сви присутни на бирачком мјесту могу видјети;
- Уписати у записник вријеме отварања бирачког мјеста;
- Провјерити документе о акредитацији, идентификацијске документе и беџеве посматрача, и уписати имена и вријеме боравка посматрача на бирачком мјесту у записник;
- Упутити посматраче гдје могу сјести да посматрају изборне активности и подсјетити их да могу постављати питања али да се не могу мијешати у процес, нити гледати у кабину.

#### - Процедуре гласања

##### Члан 8.

Сва бирачка мјеста почињу са радом у 07:00 часова, и затварају се у 19:00 часова.

Ако бирачко мјесто из оправданих разлога није отворено на вријеме, а кашњење је трајало до три (3) часа или краће, гласање на том бирачком мјесту може се продужити за временски период у дужини трајања кашњења. Ако је кашњење трајало дуже од три (3) часа, о дужини периода за који се гласање продужава одлучује општинска изборна комисија.

Ако је због нарушавања реда, гласање прекинуто у трајању до три (3) часа или краће, гласање ће се продужити за период у дужини трајања тог прекида, о чему одлучује предсједник бирачког одбора. Ако је прекид трајао дуже од три (3) часа, о дужини периода за који се гласање продужава одлучује општинска изборна комисија.

Предсједник бирачког одбора је дужан у најкраћем року обавијестити општинску изборну комисију о разлогу због којег је дошло до кашњења у отварању бирачког мјеста или до прекида гласања на бирачком мјесту.

Општинска изборна комисија дужна је одмах по пријему обавијести, обавијестити Изборну комисију БиХ о кашњењу у отварању бирачког мјеста или о прекиду гласања на бирачком мјесту.

Општинска изборна комисија дужна је одмах по доношењу одлуке обавијестити Изборну комисију БиХ о продужењу гласања на одређеном бирачком мјесту.

##### Члан 9.

На бирачком мјесту испуњавање гласачког листића мора бити у тајности, гласање мора бити лично, осим у случајевима предвиђеним чланом 5.19 Изборног закона БиХ, а што је поближе описано у члану 15. овог Правилника.

Нити једна особа не смије ометати бирача који испуњава гласачке листиће, нити смије покушати тражити било какве информације о томе за кога је бирач гласао, гласа или жели гласати, нити спречавати или покушавати спријечити некога у остваривању права гласа.

##### Члан 10.

Лична исправа за утврђивање идентитета бирача је један од слиједећих важећих докумената са фотографијом:

- лична карта
- пасош
- возачка дозвола
- војна књижица
- важећи идентификацијски документ издан од стране земље домаћина
- избјеглички картон издан од стране земље домаћина или друге међународне организације

*Посљедња два документа се прихватају као доказ о идентитету само за бираче који гласају непотврђеним гласачким листићима у складу са чланом 5.18 Изборног закона БиХ.*

*Ако је бирач промијенио име, обавезан је, уз један од горе наведених идентификацијских докумената, дати на увид и рјешење о промијени имена, издано од стране надлежног органа.*

##### Члан 11.

При уласку на бирачко мјесто ради гласања, сваки бирач мора предочити један од важећих личних докумената са фотографијом у смислу члана 10. овог Правилника.

Након што је бирач доказао свој идентитет члану бирачког одбора, и након што је његово име нађено на изводу из Централног бирачког списка, бирач се

потписује поред свог имена на изводу из Централног бирачког списка.

Након што бирач буде правилно идентификован и након што се потпише у извод из Централног бирачког списка, члан бирачког одбора му издаје гласачке листиће и у исто вријеме бирач се упућује према једној од гласачких кабина, како би означио гласачке листиће.

По означавању гласачких листића, бирач преса-вија листиће на начин да се заштити тајност гласа и убацује их у гласачку кутију.

*Уколико је бирач на изводу из Централног бирачког списка означен као бесправни корисник, неће му бити омогућено да гласа за општину боравишта, а у складу са одредбом члана 19.8, став 3. Изборног закона БиХ.*

#### **Члан 12.**

Предсједник и чланови бирачког одбора ће, уколико се налазе на изводу из Централног бирачког списка за то бирачко мјесто, гласати прије него први бирач дође на бирачко мјесто.

#### **Члан 13.**

Ако бирач упропасти свој гласачки листић, други гласачки листић му може бити издан, ако бирач врати гласачки листић који је упропастио члану бирачког одбора. Члан бирачког одбора ће дописати ријеч "упропаштен" преко враћеног листића, те га уложити у за то предвиђену коверту. Члан бирачког одбора ће затим бирачу издати други гласачки листић. Замјена гласачког листића бит ће забиљежена у записник.

#### **Члан 14.**

Припадници полиције могу носити оружје за које су задужени кад улазе на бирачко мјесто ради гласања. Полицајци ће гласати брзо, и неће се задржавати на бирачком мјесту дуже него што је потребно да остваре своје бирачко право. По одобрењу предсједника бирачког одбора, полицајцима се може дозволити да стану на почетак реда бирача.

#### **Члан 15.**

Бирач који је слијеп, неписмен или физички неспособан је дефинисан као особа којој је потребна помоћ друге особе која није члан бирачког одбора или посматрач.

Када је бирач слијеп, неписмен или физички неспособан, предсједник бирачког одбора одобрава да друга особа, коју изабере бирач који није у могућности да гласа, помогне том бирачу да гласа. Ова особа не смије бити члан бирачког одбора нити посматрач. Особа која помаже бирачу да гласа написат ће своје име штампаним словима на извод из Централног бирачког списка до имена бирача којем је помагала и потписати се. Особа која помаже другом бирачу да гласа не мора бити регистрован бирач. Једна особа може помагати само једном бирачу.

Физички неспособни бирачи су такођер и они бирачи који дођу до бирачког мјеста али не могу ући. Друга особа коју бирач одабере треба донијети лични документ физички неспособног бирача на бирачко мјесто и изјавити да бирач не може доћи на бирачко мјесто. Службеник за идентификацију треба провјерити да ли се име бирача налази на изводу из Централног бирачког списка. Ако је име бирача на изводу из Централног бирачког списка, члан бирачког одбора узима записник, гласачке листиће, оловку и

коверту и, након што каже предсједнику, одлази до физички неспособног бирача. Члан бирачког одбора записује њено/његово име и личне податке у записник. Бирач се потписује поред ових података. Затим бирач испуњава гласачке листиће и ставља их у предвиђену коверту. Особа коју је бирач одабрао ће однјети коверту до гласачке кутије, отворити је и ставити гласачке листиће у гласачку кутију.

Особа која помаже физички неспособном бирачу да гласа написат ће своје име штампаним словима на извод из Централног бирачког списка до имена бирача којем је помагала и потписати се.

#### **- Бирачка мјеста за гласање у одсутности**

##### **Члан 16.**

Бирач на бирачком мјесту за гласање у одсутности је држављанин БиХ који има статус расељене особе и има бирачко право, а регистровао се да гласа у одсутности за општину у којој је имао пребивалиште према посљедњем попису становништва који је извршила држава Босна и Херцеговина, у складу са чланом 19.8 став 1 Изборног закона БиХ, те припадник оружаних снага који је регистрован да гласа у одсутности за општину у којој има пребивалиште.

На бирачким мјестима за гласање у одсутности ће се слиједити основне процедуре гласања које су установљене за редовна бирачка мјеста. Бирачу који гласа на бирачком мјесту за гласање у одсутности се издају коверте које садрже гласачке листиће који се издају у општини за коју бирач гласа.

Бирачки одбор ће прије отварања бирачког мјеста за гласање у одсутности обавити исте радње као и бирачки одбор на редовним бирачким мјестима, а како је описано у члану 7. овог Правилника, с разликом да ће се на овим бирачким мјестима ручно пребројати коверте које садрже гласачке листиће по општинама за које бирачи гласају и ти бројеви ће бити унесени у образац за бројно стање.

#### **- Гласање непотврђеним гласачким листићима**

##### **Члан 17.**

По једно бирачко мјесто за гласање у одсутности у свакој општини биће овлаштено за издавање непотврђених гласачких листића.

Само они бирачи који су се регистровали да гласају путем поште, а у међувремену су се вратили у Босну и Херцеговину, имаће право да гласају непотврђеним гласачким листићима за општину за коју су регистровани да гласају путем поште.

У овом случају, име бирача се додаје на посебан образац који садржи све податке као и извод из Централног бирачког списка у складу са чланом 5.18 Изборног закона БиХ. Бирач се потписује на извод и гласа непотврђеним гласачким листићем.

Службеник за издавање гласачких листића, користећи идентификациони документ бирача, испуњава неопходне податке на предњу страну коверте с непотврђеним гласачким листићима на основу којих се може провјерити његово бирачко право и уписује ознаку Н на полеђини гласачких листића који се издају бирачу.

На предњу страну коверте за непотврђене гласачке листиће уписују се слиједећи подаци:

- Број бирачког мјеста
- Регистрациони број бирача
- Јединствени матични број бирача
- Презиме и име бирача
- Датум рођења

- Спол
  - Адреса
  - Општина за коју гласа
  - Шифра комбинације за коју бирач гласа
- Гласачке листиће бирача из става 2. овог члана бирач ставља у коверту са назначеним подацима бирача и коверта се запечати, прије него што је бирач убаци у гласачку кутију. Службеник за издавање гласачких листића задржава личне исправе бирача све док бирач не врати непотврђене гласачке листиће у запечаћеној коверти.

#### - Гласање бирача с посебним потребама

##### Члан 18.

У сврху евидентирања бирача који су због старости, болести или инвалидности везани за своје домове, општинске изборне комисије ће најкасније 30 дана прије дана избора писменим путем, затражити од општинских органа задужених за социјално старање и других органа који имају податке о особама поменутих у овој параграфи, да доставе податке о особама које су због старости, болести или инвалидности везане за своје домове. У информацијама које се достављају, морају бити слиједећи подаци: име, презиме, матични број и адреса.

На основу података достављених од органа за социјално старање, или других органа који имају податке о наведеним категоријама бирача, општинска изборна комисија ће на изводима из Централног бирачког списка проверити да ли су особе из претходног става регистроване као бирачи на подручју те општине. Уколико се имена бирача из претходног става пронађу на изводу из Централног бирачког списка, општинска изборна комисија ће их јасно означити и у колони предвиђеној за потпис бирача уписати да ће та особа гласати путем мобилног тима. У колону за потпис бирача уписују се ријечи: "Мобилни тим".

У сврху евидентирања бирача који су везани за установе као што су затвори, казнено-поправни домови, гериятријске, дистрофичарске или друге здравствене установе, општинске изборне комисије ће 28 дана (или раније) прије дана избора, надлежним тијелима под чијим су ингеренцијама ове институције, писменим путем доставити захтјев за достављање информација о бирачима који ће на дан избора боравити у овим институцијама. Надлежни органи су дужни доставити тражене податке општинским изборним комисијама најкасније у року од седам (7) дана. У информацијама које се достављају, морају бити слиједећи подаци: име, презиме, матични број, адреса и назив општине у којој особа има пребивалиште/боравиште.

Општинска изборна комисија ће у бази података у центру за регистрацију бирача проверити да ли су особе из претходног става регистроване као бирачи с правом гласа и у којој општини су регистровани.

Општинска изборна комисија ће у року од најкасније седам (7) дана, саставити листе бирача који задовољавају услове из претходног става и прослиједити захтјев надлежним општинским изборним комисијама у општинама регистрације бирача, да се имена бирача који се налазе на листама јасно означе на изводима из Централног бирачког списка у општинама у којима су регистровани да гласају.

Општинска изборна комисија којој је упућен захтјев од друге општинске изборне комисије дужна је у року од најкасније седам (7) дана извршити обавезе из

претходног става и обавијестити општинску изборну комисију која је упутила захтјев за означавање одређеног броја бирача.

Након обављене процедуре, општинска изборна комисија ће на допунску листу за гласање која садржи све податке као и извод из Централног бирачког списка уписати неопходне податке о овим бирачима и обавијестити надлежну институцију који од наведених бирача ће моћи гласати на дан избора путем мобилног тима за гласање.

У случају да установа одбије сурадњу у поступку евидентирања и неометаног гласања ове категорије бирача, о томе ће, путем општинске изборне комисије, бити обавијештена Изборна комисија БиХ.

У сврху гласања бирача везаних за домове, хоспитализованих особа или бирача који ће гласати у затворима, општинске изборне комисије ће у склопу бирачких мјеста у одсуству, узимајући у обзир територију и број институција, организовати мобилне тимове за гласање који ће посјетити бираче из ове категорије у њиховим домовима или институцијама.

Мобилни тим за гласање састоји се од једног (1) предсједника и два (2) члана. Предсједник руководи радом мобилног тима и одговоран је за законитост његовог рада.

Општинска изборна комисија ће дан прије, а најкасније дванаест (12) сати прије отварања бирачких мјеста, скупа са материјалом за бирачка мјеста, бирачком одбору на бирачком мјесту из претходног става овог члана Правилника доставити, уз изборни материјал из члана 6 овог Правилника, изборни материјал који садржи, како слиједи:

- допунску листу за гласање са уписаним именима бирача пријављеним за гласање овим путем.
- одговарајући број гласачких листића запакованих у ковертама на којима се налазе шифре општине за које се гласа.
- одговарајући број гласачких кутија.
- 2 обрасца за бројно стање за бирачко мјесто за гласање у одсућности.
- потрошни материјал неопходан за процес гласања и бројања гласачких листића.

Прије почетка рада мобилног тима за гласање предсједник и чланови мобилног тима ће заједно с предсједником и члановима бирачког одбора:

1. Уписати имена предсједника и члана бирачког одбора у записник и потписати се на мјесто предвиђено за то (с назнаком *МОБИЛНИ ТИМ*);
2. Потписати службене изјаве и кодексе понашања који се налазе у записнику;
3. Уписати број бирача са Допунске листе за гласање на предвиђено мјесто на Обрасцу за бројно стање за бирачко мјесто за гласање у одсућности;
4. Ручно пребројати примљене сетове гласачких листића за сваки изборни ниво, а према бирачкој опцији бирача који су уписани на Допунску листу за гласање, и уписати тај број у Образац за бројно стање за бирачко мјесто за гласање у одсућности;
5. Показати празну гласачку кутију, а онда ставити пластичне печате на гласачку кутију;
6. Уписати серијске бројеве печата гласачке кутије на Образац за бројно стање и
7. Уписати у записник вријеме одласка мобилног тима за гласање на терен.

Метода гласања бирача из овог члана се не разликује од методе гласања описаног у члановима 9., 10., 11., 13. и 15. овог Правилника осим у томе што ће



мобилни тим за гласање, уколико врши посјету бирачима који су везани за домове, сваки пут након гласања, отвор гласачке кутије прелијепити самољепљивом траком, на коју ће се потписати и предсједник и члан мобилног тима за гласање.

Мобилни тим за гласање ради од 07:00 до 19:00 часова уз напомену да мобилни тим мора бити на бирачком мјесту у одсуству са кога је задужио гласачки материјал у вријеме затварања овог бирачког мјеста.

Након затварања бирачког мјеста за гласање у одсутности, бирачки одбор бирачког мјеста за гласање у одсутности и мобилни тим за гласање ће унијети консолидоване податке у трећи образац за бројно стање за бирачка мјеста за гласање у одсутности.

#### **- Ометање процеса гласања**

##### **Члан 19.**

Предсједник бирачког одбора може са бирачког мјеста и његове околине удаљити сваку особу која нарушава ред. Свако удаљавање са бирачког мјеста бит ће забиљежено у записник. Бирачки одбор одлучује о удаљавању са бирачког мјеста посматрача акредитованог у складу с одредбама Поглавља 17 Изборног закона БиХ.

##### **Члан 20.**

Ако постоји опасност по ред и мир, и ако дође до избијања насиља или ако се открије оружје на бирачком мјесту у смислу члана 2, став 8. овог Правилника, предсједник бирачког одбора ће:

- осигурати да се одмах отклони опасност или присуство оружја и спријечи избијање насиља;
- ако се опасност, избијање насиља или присуство оружја не може отклонити одмах, предсједник ће прекинути гласање за онолико времена колико буде требало за поновно успостављање реда и мира на бирачком мјесту;
- ако је гласање обустављено и поновно успостављен ред и мир, предсједник треба поступити у складу са чланом 8 овог Правилника.

*Ако се ред на бирачком мјесту наруши, предсједник бирачког одбора може, у складу са чланом 5.6. став 1. Изборног закона БиХ, затражити помоћ полиције или снага сигурности изван бирачког мјеста да помогну да се поновно успостави ред и мир на бирачком мјесту. Гласање се прекида док се на бирачком мјесту налазе припадници полиције или снага сигурности.*

#### **- Затварање бирачког мјеста**

##### **Члан 21.**

Сваком регистрованом бирачу, који је у реду за гласање у тренутку затварања на дан гласања, биће одобрено гласање.

Процедура затварања и за редовна бирачка мјеста и за бирачка мјеста за гласање у одсутности је слиједећа:

- Предсједник ће 15 минута прије затварања бирачког мјеста објавити свим бирачима унутар и испред бирачког мјеста да ће се оно убрзо затворити. Свим особама које су се налазиле у реду прије самог затварања бирачког мјеста биће дозвољено да гласају;
- Предсједник ће одредити члана бирачког одбора да у вријеме затварања заузме мјесто на крају ре-

да да би се осигурало да се нити једна особа не прикључи реду у вријеме затварања;

- Затворити и осигурати врата одмах након што посљедња особа из реда обави гласање;
- Уписати вријеме затварања бирачког мјеста у записник;
- Запечатити гласачку кутију постављањем сигурносног самољепљивог папирног печата преко отвора на кутији;
- Потписати се преко печата.

Посматрачима ће бити дозвољено да буду присутни при извршавању задатака код затварања и њихова имена ће бити уписана у записник.

#### **- Бројање гласова на редовним бирачким мјестима**

##### **Члан 22.**

Гласачки листићи које су испунили бирачи чије се име нашло изводу из Централног бирачког списка на редовним бирачким мјестима, биће пребројани на бирачком мјесту одмах након затварања истих на дан избора.

##### **Члан 23.**

Бројање гласова на бирачком мјесту ће бити проведено слиједећим редом:

- Задуживање гласачких листића
- Контролно бројање гласачких листића
- Бројање гласова (систем већинског гласа)
- Бројање гласова добијених по систему отворених листа- гласови за странку
- Бројање гласова добијених по систему отворених листа- гласови за кандидате

#### **- Задуживање гласачких листића**

##### **Члан 24.**

Чланови бирачког одбора прије отварања гласачке кутије, у присуству посматрача, требају:

- пребројати и уписати укупан број преосталих неискориштених гласачких листића за сваки изборни ниво у Образац за бројно стање;
- спаковати неискориштене гласачке листиће за сваки изборни ниво у оригиналну кутију
- пребројати и уписати у Образац за бројно стање укупан број бирача који су се потписали на извод из Централног бирачког списка;
- пребројати и уписати број упропаштених гласачких листића за сваки изборни ниво и ставити их у одговарајући пакет;
- испунити ДИО 3 Обрасца за бројно стање и потписати га;
- уписати број потписа са извода из Централног бирачког списка на обрасце за збирне резултате за сваки изборни ниво;

#### **- Контролно бројање гласачких листића**

##### **Члан 25.**

Чланови бирачког одбора, заједно са предсједником, у присуству свих посматрача требају:

- Отворити гласачку кутију и испразнити је на празан сто за бројање;
- Показати празну гласачку кутију присутнима, доказујући да у кутији нема преосталих гласачких листића;
- Разврстати гласачке листиће по изборним нивоима у скупине од по двадесет пет (25) комада;
- Поредати свезјеве од по двадесет пет (25) један на други;

- Пребројати свежње од по двадесет пет (25) гласачких листића и додати им преостале гласачке листиће како би се добио укупан број;
- Уписати број гласачких листића за тај изборни ниво на папир и ставити тај папир на врх свежњева;
- Уписати укупан број гласачких листића из гласачке кутије, за сваки изборни ниво, на обрасце за збирне резултате;
- Предсједник објављује укупан број гласачких листића свим присутнима.

Након завршетка испуњавања образаца, сви гласачки листићи који нису потребни за слиједећи процес бројања ће бити спаковани, посебно за сваки изборни ниво, у провидне пластичне вреће које требају бити одложене тако да их могу видјети сви присутни.

#### **- Контролно бројање - бирачка мјеста за гласање у одсућности**

##### **Члан 26.**

Након што је посљедњи бирач гласао, предсједник ће заједно с члановима бирачког одбора са бирачког мјеста за гласање у одсућности обавити контролно бројање коверата са гласачким листићима. Коверте ће тек бити отворене у Центру за бројање.

Чланови бирачког одбора требају:

Након што испуне Дио 3 "Обрасца за бројно стање за бирачко мјесто за гласање у одсућности", отворити гласачку кутију(е) и испразнити садржај на сто, тако да сви присутни виде.

Разврстати коверте са гласачким листићима у свежње према комбинацији гласачких листића за општину:

- Коверте с непотврђеним гласачким листићима
- Коверте с гласачким листићима за гласање у одсућности

Избројати коверте с непотврђеним гласачким листићима и гласачким листићима за гласање у одсућности, преконтролисати и уписати их у Образац за бројно стање за сваку општину.

Спаковати коверте с непотврђеним гласачким листићима у означену заштитну врећу с великим "Н" те повезати коверте с гласачким листићима за гласање у одсућности за сваку општину и спаковати их.

Испунити Образац за бројно стање за бирачка мјеста за гласање у одсућности и потписати га.

#### **- Важећи гласачки листићи за све изборне нивое**

##### **Члан 27.**

Гласачки листић је важећи уколико:

- је у оном облику који је потврдила и службено издала Изборна комисија БиХ,
- је означен тако да је намјера бирача јасна,
- није потписан и на њему се не налази име, назив, изјава или неки други текст, илустрација или симбол.
- Гласачки листић који је оштећен или подеран сматраће се важећим, све док оштећење није такво да се не може установити намјера бирача.

#### **- Бројање гласова – систем већинског гласања**

##### **Члан 28.**

Гласачки листић је важећи ако је бирач означио квадратић испред само једног кандидата.

##### **Члан 29.**

При бројању гласова добијених по систему већинског гласа чланови бирачког одбора ће пратити слиједећу процедуру:

- Сортирати гласачке листиће за тај ниво у посебне свежње по кандидатима
- Направити посебан свежањ празних и гласачких листића који су испуњени тако да није могуће са сигурношћу утврдити којем кандидату је бирач дао свој глас чију исправност ће установити бирачки одбор
- Пребројати гласачке листиће за сваког кандидата у свежње од двадесет пет (25) и увезати их
- Пребројати гласачке листиће за сваког кандидата
- Бирачки одбор ће провјерити гласачке листиће који су испуњени тако да није могуће са сигурношћу утврдити којем кандидату је бирач дао свој глас. Гласачки листићи за које већина чланова бирачког одбора процијени да су важећи ће бити додани хрпи за одговарајућег кандидата.

Преостали неважећи гласачки листићи ће бити подијељени у двије групе:

- празни гласачки листићи
- гласачки листићи за које бирачки одбор сматра да нису важећи

Заједно с члановима бирачког одбора, предсједник ће:

- Избројати сваку категорију неважећих гласачких листића и уписати број на Образац за збирне резултате (већински глас) за тај ниво и спаковати их
- Уписати коначне резултате за сваког кандидата на Образац за збирне резултате (већински глас) за тај изборни ниво. Уколико одређени кандидат не добије нити један глас, мора се уписати нула (0) поред назива тог кандидата.

Предсједник треба објавити резултате свим присутним. Бројање се мора обавити на такав начин да сваки посматрач има увид у цијели процес.

#### **- Бројање гласова добијених по систему отворених листа за све изборне нивое**

##### **Члан 30.**

Гласачки листић је важећи ако је бирач означио квадратић:

- Поред назива само једне политичке странке, или коалиције, или листе независних кандидата, или имена једног независног кандидата;
- поред имена једног или више кандидата унутар листе само једне изабране политичке странке или коалиције или једне листе независних кандидата;
- поред назива једне политичке странке, или једне коалиције, или једне листе независних кандидата, и кандидата (једног или више) унутар те одабране политичке странке или коалиције или листе независних кандидата;

#### **- Прво бројање гласова**

##### **Члан 31.**

При првом бројању гласова добијених по систему отворених листа, утврђује се број гласова који је освојио одређени кандидат, политичка странка, коалиција, листа независних кандидата или независни кандидат.

Процедура првог бројања гласова је слиједећа:

- Изабрати један од изборних нивоа за које се гласало по систему отворених листа да се прво изброји.
- Разврстати гласачке листиће у посебне свежње по независним кандидатима, политичким странкама, коалицијама или листама независних кандидата.
- Направити посебан свежањ празних и гласачких листића који су испуњени тако да није могуће са сигурношћу утврдити којој је политичкој странци, коалицији, независном кандидату или листи неза-

висних кандидата бирач дао свој глас чију исправност ће установити бирачки одбор

- Пребројати гласачке листиће у свежњеве од двадесет пет (25).
- Увезати свежњеве гласачких листића за сваког независног кандидата, листу независних кандидата, политичку странку или коалицију еластичном гумицом и уписати укупан број гласова у свежњу и име одређеног независног кандидата, политичке странке, коалиције или назив листе независних кандидата, на лист папира и ставити га на врх тог свежња.

Бирачки одбор ће провјерити гласачке листиће који су испуњени тако да није могуће са сигурношћу утврдити којој је политичкој странци, коалицији, независном кандидату или листи независних кандидата бирач дао свој глас. Гласачки листићи за које већина чланова бирачког одбора процијени да су важећи ће бити додани хрпи за одговарајућег независног кандидата, политичку странку, коалицију или листу независних кандидата. Преостали гласачки листићи ће бити подијељени у двије групе:

- празни гласачки листићи;
- гласачки листићи за које бирачки одбор сматра да нису важећи.

Заједно с члановима бирачког одбора, предсједник ће:

- Избројати сваку категорију неважећих гласачких листића и уписати број на Образац за збирне резултате 1 (отворена листа) за тај ниво и спаковати их;
- Уписати коначне резултате за сваког независног кандидата, политичку странку, коалицију, или листу независних кандидата на Образац за збирне резултате 1 (отворена листа) за тај изборни ниво. Уколико независни кандидат, листа независних кандидата, политичка странка или коалиција не добије нити један глас, мора се уписати нула (0) поред назива тог независног кандидата, листе независних кандидата, политичке странке или коалиције;
- Посебно запаковати гласачке листиће за независне кандидате.

Предсједник треба објавити резултате свим присутним.

Бројање се мора обавити на такав начин да сваки посматрач има увид у цијели процес.

#### - Друго бројање гласова

##### Члан 32.

Прије отпочињања другог бројања гласова за које се гласало по систему отворених листа, резултати првог бројања гласова се преносе са Обрасца за збирне резултате 1 на Образац за збирне резултате 2.

Приликом другог бројања утврђује се број гласова за сваког кандидата унутар листе политичке странке, коалиције или листе независних кандидата.

Бројање гласова за сваку политичку странку, коалицију или листу независних кандидата обавља се засебно.

Ово бројање се проводи методом упоредног бројања уз кориштење помоћног обрасца за бројање.

Након што су сви гласови пребројани, резултати се узимају из једне књиге помоћних образаца за бројање и преносе на Образац за збирне резултате 2 (отворена листа). Уколико кандидат није добио ни један глас, мора се написати нула (0).

Након испуњавања свих дијелова на Обрасцу за збирне резултате 2 (отворена листа) за тај изборни

ниво, предсједник и сви чланови бирачког одбора ће потписати образац.

Након испуњавања обрасца, избројани гласачки листићи се пакују у означене вреће.

*Прво и друго бројање гласова добијених по систему отворених листа треба поновити за сваки изборни ниво користећи Помоћни образац за бројање и Образац за збирне резултате 2 (отворена листа) за тај изборни ниво.*

##### Члан 33.

Након утврђивања резултата гласања, бирачки одбор одмах, а најкасније дванаест (12) часова након затварања бирачког мјеста, доставља надлежној општинској изборној комисији записник о раду бирачког одбора, извод из Централног бирачког списка, све посебне обрасце из члана 35. овог правилника, све непотврђене гласачке листиће, важеће гласачке листиће, неважеће гласачке листиће, те одвојено неискориштене и упропаштене гласачке листиће.

Предсједник бирачког одбора јавно излаже резултате гласања (жуте копије образаца за збирне резултате) на бирачком мјесту како би јавност могла имати увида у њих.

Бирачки одбор испоручује сав преостали изборни материјал општинској изборној комисији, а према упутама Изборне комисије БиХ.

##### Члан 34.

Након што од бирачких одбора добије сву документацију и материјале за изборе, општинска изборна комисија утврђује обједињене збирне резултате гласања проведеног на територији те општине за органе на свим нивоима власти за које су проведени избори и о томе саставља записник, који се подноси Изборној комисији Босне и Херцеговине у року од двадесет и четири (24) часа након затварања бирачких мјеста. Обједињени збирни резултати гласања за општину се уписују у обрасце за збирне резултате на нивоу општине. Општинска изборна комисија задржава примјерке обједињених збирних резултата гласања и дистрибуира их надлежној изборној комисији, у складу са прописима Изборне комисије Босне и Херцеговине.

Обрасци за збирне резултате на нивоу општине ће садржавати све податке које садрже обрасци за збирне резултате на редовним бирачким мјестима.

Општинска изборна комисија јавно ће изложити обједињене збирне резултате избора (жуте копије образаца за збирне резултате) како би јавност могла имати увида у њих.

Општинска изборна комисија просљеђује вреће са ковертама са гласачким листићима бирача који су гласали у одсућности и непотврђеним гласачким листићима са свих бирачких мјеста у тој општини увезане са пластичним печатом који на себи има серијски број. Вреће требају да буду видно означене шифром општине.

Свака врећа са непотврђеним гласачким листићима треба да садржи коверте са непотврђеним гласачким листићима, образац за бираче који гласају непотврђеним гласачким листићима, а који садржи све податке као и извод из Централног бирачког списка и копију обрасца за бројно стање.

Коверте с непотврђеним гласачким листићима се достављају Изборној комисији ради потврђивања да ли је бирач регистрован за гласање путем поште и да ли има бирачко право.

Уколико је потврђено да се бирач који је гласао непотврђеним гласачким листићима регистровао за гласање путем поште и има бирачко право, коверта се отвара и броји у главном центру за бројање гласачких листића, у противном, коверта се не отвара и не броји.

#### - Обрасци на бирачким мјестима

##### Члан 35.

Редовно бирачко мјесто:

- Образац за бројно стање (редовно бирачко мјесто)
- Образац за збирне резултате-већински глас
- Образац за збирне резултате 1 - отворене листе
- Образац за збирне резултате 2 - отворене листе
- Помоћни образац за бројање

Бирачко мјесто за гласање у одсутности:

- Образац за бројно стање (бирачко мјесто за гласање у одсутности)

#### Образац за бројно стање (редовно бирачко мјесто)

У образац за бројно стање на редовним бирачким мјестима се уносе слиједећи подаци:

1. Прије отварања бирачког мјеста
  - Број бирача на изводу из Централног бирачког списка (ручно бројање)
  - Број примљених гласачких листића
2. Током гласања
  - Број накнадно примљених гласачких листића
  - Укупан број гласачких листића
3. Након затварања бирачког мјеста
  - Број потписа на изводу из Централног бирачког списка (ручно бројање)
  - Број упропаштених гласачких листића
  - Број изданих гласачких листића
  - Број неискориштених гласачких листића

#### Образац за збирне резултате - већински глас

У образац за збирне резултате-већински глас се уносе слиједећи подаци:

- Укупан број потписа на изводу из Централног бирачког списка из обрасца за бројно стање
- Број гласачких листића у гласачкој кутији за тај ниво
- Збир гласова
  - неважећих (неозначених)
  - неважећих (осталих)
  - укупан број неважећих гласачких листића
  - укупан број важећих гласачких листића, и
  - укупан број свих гласачких листића
- Имена кандидата, назив листе независних кандидата, политичке странке или коалиције из које је кандидат и простор за уписивање броја добијених гласова

#### Образац за збирне резултате 1 - отворене листе

У образац за збирне резултате-отворене листе се уносе слиједећи подаци:

- Укупан број потписа на изводу из Централног бирачког списка из обрасца за бројно стање
- Број гласачких листића у гласачкој кутији за тај ниво
- Збир гласова
  - неважећих (неозначених)
  - неважећих (осталих)
  - укупан број неважећих гласачких листића

- укупан број важећих гласачких листића, и
- укупан број свих гласачких листића

- Имена независних кандидата те назив политичке странке, коалиције или листе независних кандидата, и простор за уписивање броја добијених гласова

#### Образац за збирне резултате 2 - отворене листе

У образац за збирне резултате-отворене листе се уносе слиједећи подаци:

- Укупан број потписа на изводу из Централног бирачког списка из обрасца за бројно стање
- Број гласачких листића у гласачкој кутији за тај ниво
- Збир гласова
  - неважећих (неозначених)
  - неважећих (осталих)
  - укупан број неважећих гласачких листића
  - укупан број важећих гласачких листића, и
  - укупан број свих гласачких листића
- Имена независних кандидата те назив, политичке странке, коалиције или листе независних кандидата и простор за уписивање броја добијених гласова
- Имена кандидата са поједине листе политичке странке, коалиције или листе независних кандидата, и простор за уписивање броја добијених важећих гласова након другог бројања гласова

#### Образац за бројно стање (бирачко мјесто за гласање у одсутности)

У образац за бројно стање на бирачким мјестима за гласање у одсутности се уносе слиједећи подаци:

- 1) Прије отварања бирачког мјеста
  - Број бирача на изводу из Централног бирачког списка (ручно бројање)
  - Број бирача на Допунском бирачком списку (ручно бројање)
  - Број примљених коверти са гласачким листићима
- 2) Током гласања
  - Број накнадно примљених коверти са гласачким листићима
  - Укупан број коверти са гласачким листићима
- 3) Након затварања бирачког мјеста
  - Број потписа на изводу из Централног бирачког списка (ручно бројање)
  - Број потписа на Допунском бирачком списку (ручно бројање)
  - Број потписа на обрасцу за бираче који гласају непотврђеним гласачким листићима
  - Број упропаштених коверти са гласачким листићима
  - Број изданих коверти са гласачким листићима
  - Број неискориштених коверти са гласачким листићима
- 4) Након отварања гласачке кутије
  - Број коверти са непотврђеним гласачким листићима
  - Број коверти са гласачким листићима

## 6. Изборни посматрачи и Изборни закон Босне и Херцеговине

- Ко може посматрати изборни процес ?

Према важећем Изборном закону Босне и Херцеговине (поглавље 17 - Изборни посматрачи), представници међународних посматрача, удружења грађана, политичких странака, коалиција, листа независних

кандидата, могу посматрати све изборне активности у БиХ, под условом да се акредитују у складу са овим законом.

#### - Права посматрача

Посматрачи имају приступ свим релевантним документима и јавним састанцима изборних комисија, могу у току цијелог периода изборног процеса у било које вријеме контактирати било које лице и имају приступ свим центрима за регистрацију бирача, бирачким мјестима и центрима за бројање и другим релевантним мјестима како је утврдила Изборна комисија БиХ.

#### - Обавезе посматрача

Посматрачи ће у току посматрања изборних активности бити независни и политички неутрални. Посматрачи се неће на било који начин мијешати у изборне активности и поштиваће тајност гласања. Посматрач може имати само два (2) представника у исто вријеме на јавном састанку изборне комисије, центру за регистрацију бирача, центру за бројање, бирачком мјесту или другим релевантним мјестима, како је утврдила Изборна комисија Босне и Херцеговине.

За вријеме посматрања изборних активности посматрачи ће носити службене акредитације и неће носити било каква обилжежја или ознаке које их повезују са одређеном политичком странком, коалицијом, листом независних кандидата или независним кандидатом.

**Извод из Упустава о процедурама за акредитовање посматрача за изборе у Босни и Херцеговини којег је донијела Изборна комисија БиХ на основу члана 17.3 и 17.4 Изборног закона Босне и Херцеговине ("Службени гласник БиХ" број 23/01.), на сједници одржаној дана 05. јуна 2002.**

*Поступак приступа акредитованог посматрача у просторије изборне комисије, центра за регистрацију, бирачког мјеста и центра за пребројавање гласова у Сарајеву ради посматрања рада.*

- Након доласка на мјесто рада изборне комисије, центра за регистрацију, бирачког мјеста или Центра за пребројавање гласова у Сарајеву, посматрач мора показати лични идентификацијски документ службенику Изборне комисије, центра за регистрацију, бирачког мјеста или Центра за пребројавање гласова у Сарајеву.
- Службеник ће провјерити посматрачев идентификацијски документ с фотографијом, како би се потврдило да се име посматрача налази на захтјеву за издавање акредитације.
- Службеник ће задржати идентификацијски документ.
- Службеник би тада требао записати име посматрача, његово опредељење, и његов број акредитације у службену књигу Изборне комисије, центра за регистрацију, бирачког мјеста или Центра за пребројавање гласова у Сарајеву, биљежећи вријеме кад је посматрач стигао, и касније, вријеме кад је посматрач напустио просторије, како би се ограничио број посматрача на два из једне странке, коалиције, листе независних кандидата или независног кандидата, удружења грађана или

представника међународних посматрача у било које вријеме.

- Посматрач ће носити службену акредитацију приликом посматрања рада изборне комисије, центра за регистрацију, бирачког мјеста или Центра за пребројавање гласова у Сарајеву.
- Када посматрач напушта мјесто изборних активности, дужан је обавијестити службеника о напуштању просторија, након чега ће му бити враћен идентификацијски документ.

#### - Подношење приговора

Уколико посматрач примијети неправилности у раду Изборне комисије, центра за регистрацију, бирачког мјеста или Центра за пребројавање гласова у Сарајеву, треба поднијети приговор службенику Изборне комисије, бирачког мјеста, центра за регистрацију, или Центра за пребројавање гласова у Сарајеву. Приговори морају бити забиљежени у службени записник.

Уколико се службеник сложи са приговором посматрача, и уколико може донијети одлуку директно, то треба одмах учинити. Наводе приговора треба унијети у службени записник.

Уколико службеник не може одмах пронаћи рјешење за проблем, онда он треба контактирати службеника у Секретаријату Изборне комисије БиХ, питати за савјет и што прије применијети предложено рјешење.

Уколико проблем остане неријешен, службеник треба информисати посматрача да има право поднијети формални приговор надлежној изборној комисији или Изборном вијећу за приговоре и жалбе.

*Многе странке организују кампање како би идентификовали оне који их подржавају и како би били сигурни да ће ти људи гласати на дан избора. Провјерите са својом странком све специфичне информације о томе шта је планирано. За странке које ће посматрати бираче на бирачким мјестима, слиједеће информације би требале помоћи њиховим посматрачима на бирачким мјестима.*

#### **ГОТВ – "get out the vote" (измамите глас) Инструкције за страначке посматраче**

- **Будите сигурни да сте и Ви гласали - прије него почнете са својим посматрачким обавезама, поуните свој гласачки листић.**
- Код Вас се налази само листа оних бирача који подржавају вашу странку на Вашем бирачком мјесту. *Ваша је дужност да примјетите да ли су ти бирачи изашли да гласају.*
- Бирачи ће дати своја имена изборним службеницима на гласачком мјесту и они ће избрисати њихова имена са листе регистрованих гласача. Кад гласач каже своје име, провјерите своју листу и ако се то име појављује на Вашој листи оних који подржавају Вашу странку, онда га прекрижите.
- У току дана, волонтери из Ваше странке ће долазити на бирачко мјесто да провјере листу људи који су већ гласали. Њих ћете сачекати ван бирачког мјеста и даћете им имена оних који су већ гласали. Они онда требају избрисати та имена са њихових листа.

- Са доласком слиједећих бирача, бришите имена оних који се појављују на Вашој листи. Наставите тај процес до затварања бирачког мјеста.
- **Након што се бирачка мјеста затворе, останите на пребројавању гласачких листића. Погледајте инструкције Ваше странке о томе како им требате јавити резултате гласања на вашем бирачком мјесту.**
- **Свака активност којом се омета или опструира изборни процес.**  
Изборна комисија БиХ би жељела да потсјети општинске изборне комисије да политичке странке имају право да учествују у одређеним активностима на дан избора. Ове активности укључују слиједеће:
- **На бирачким мјестима:** Акредитовани посматрачи политичких странака имају право посматрати све активности унутар бирачког мјеста, док год се посматрачи не мијешају у процес гласања. Ово укључује право да знају ко је гласао и да провере бирачки списак. Посматрачи политичких странака могу водити своје забиљешке о томе ко је гласао док год се ова активност проводи дискретно, без уплитања у процес гласања и није виђена као застрашивање бирача.

## 7. Активност политичких странака на дан избора

Узимајући у обзир да Поглавље 7 Изборног закона БиХ регулира активности политичких странака, странке би требале обратити нарочиту пажњу на члан 7.4 који регулира активности на дан избора.

### Члан 7.4

*У периоду који почиње двадесет и четири (24) часа прије отварања бирачких мјеста и траје до њиховог затварања, политичким странкама, коалицијама, листама независних кандидата и независним кандидатима, забрањено је учествовање у јавним политичким активностима што укључује, али се не ограничава само на слиједеће:*

- Одржавање скупова у циљу предизборне кампање;
- Излагање на бирачком мјесту и његовој околини било каквих материјала у циљу утицања на бираче;
- Кориштење домаћих и међународних средстава јавног информисања у циљу утицања на бираче;
- Кориштење мегафона или других разгласних уређаја у циљу утицања на бираче;

**Да би се ово олакшало, службенику за проверу личних докумената на бирачком мјесту је дата упута да наглас прочита име сваког бирача када његова/њена идентификација буде потврђена.**

Информације које посматрачи политичких странака прикупе на бирачком мјесту се могу послати званичницима странке изван бирачког мјеста, али се ова активност мора водити ван бирачког мјеста и на начин да се поштује повјерљивост и достојанство бирача.

- **Изван бирачког мјеста:** Активистима политичких странака је дозвољено да контактирају поједине бираче путем телефона или лично на такав начин да то не застрашује или присиљава бирача. Такав контакт се мора водити дискретно и приватно и поштујући Поглавље 7 Изборног закона БиХ.

*Хвала Вам на Вашој помоћи у току избора. Један од главних послова које ћете обављати као страначки посматрач је да пратите излазак људи на гласање. Ово помаже другима који су ван бирачког мјеста да наговоре оне који Вас подржавају да изађу на изборе и дају свој глас. За оне који су ван бирачког мјеста то је велика уштеда времена ако знају ко је већ гласао.*







***MP ORIENTATION MANUAL***  
***HOUSE OF REPRESENTATIVES***  
***PARLIAMENT OF THE FEDERATION BiH***

Respectable MPs:

On behalf of the National Democratic Institute for International Affairs (NDI) I would like to congratulate on your election to the House of Representatives, Parliament of the Federation BiH. Some of you are returning to the House of Representatives, some of you have served as elected members in other assemblies of BiH, while others are experiencing the excitement of being elected representatives for the first time.

NDI has prepared this information package to assist you with your work ahead. We hope you will find useful in the months ahead as you embark on your work of strengthening BiH's young democracy.

This manual is designed to complement the orientation session held in March 2003 by NDI for members of the House of Representatives. We trust that the information and suggestions contained in this manual will be helpful as you work to fulfill your new responsibilities.

In the months and years ahead, NDI will be available to provide you with further assistance on the topics contained herein and other issues. NDI is keen to work with you, and will actively seek your advice on how we can best assist your work through seminars, conferences, consultations and through the placement of student interns. We will be consulting you, your party clubs and the parliament in the design these programs. Please contact NDI if you have any suggestions or would like to request more information on a given issue.

Again, congratulations and best wishes. NDI is looking forward to working together with you to strengthen and expand democracy in BiH.

Paul Labun  
Director Parliamentary Program, Parliament of Federation of BiH  
National Democratic Institute  
Bosnia and Hercegovina

2003 March



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## **TABLE OF CONTENTS**

### **1. WELCOME LETTER**

### **2. ROLE AND RESPONSIBILITIES OF MEMBERS**

### **3. RESOURCES AVAILABLE TO MEMBERS**

#### **4. BEING A MP**

- A) Analyzing legislation**
- B) Role of Committees and Boards**
- C) Work of the Party Caucus**

#### **5. TIPS ON MEDIA/PUBLIC RELATIONS**

- A) Working with the Media**
- B) Tips on Speechwriting**
- C) Tips on Public Speaking**

#### **6. OTHER TIPS ON BEING EFFECTIVE**

- A) Tips on Time Management**
- B) Tips on Managing Meetings**
- C) Tips on Problem Solving Skills**

### **7. KEY EXCERPTS FROM THE RULES OF PROCEDURE**

### **8. PRINCIPLES OF CODE OF CONDUCTS FOR MEMBERS OF PARLIAMENT**

### **8. APPENDIXES**

- **Appendix I – Sample of the Explanation of the Bill on Ombudsman of Federation BiH**
- **Appendix II – Sample of the cover page of the Bill on Ombudsman of Federation BiH**

## **2. ROLE AND RESPONSIBILITIES OF MEMBERS**

ROLE	DUTIES	OVERVIEW OF APPROPRIATE ACTIVITIES
Member of the House and its Committees	<ul style="list-style-type: none"> <li>• Attending sittings of the House and meetings of its committees</li> <li>• Participating in debates and questioning in the House and committees</li> <li>• Studying proposed legislation</li> <li>• <i>Taking part in committee public hearings, in Parliament or in the field</i></li> <li>• Voting <i>in the Chamber</i></li> </ul>	<ul style="list-style-type: none"> <li>• Scheduling daily, weekly <i>and monthly</i> activities; Anticipating future time demands</li> <li>• Reviewing proposed legislation and <i>proposing amendments, where appropriate</i></li> <li>• Preparing questions for Ministers</li> <li>• <i>Proposing initiatives, conclusions</i> and developing Private Members' Bills</li> <li>• <i>Proposing witnesses for Committee Public Hearings</i></li> <li>• <i>Reviewing and assisting with the preparation reports of committees</i></li> </ul>
Member of Caucus	<ul style="list-style-type: none"> <li>• Attending caucus meetings</li> <li>• <i>Participating in internal debates on caucus positions and voting</i></li> <li>• <i>Respecting the confidential nature of caucus debates</i></li> <li>• <i>Respecting and abiding by the collective decisions of caucus, including voting</i></li> <li>• <i>Becoming knowledgeable on a specific policy area or law for the party caucus</i></li> <li>• <i>Communicating with the Ministry of your assigned policy areas</i></li> <li>• <i>Representing the party caucus in the House and the community, including the media</i></li> <li>• <i>Attending party meetings and being aware of party positions and activity</i></li> <li>• Representing your party at openings and other events in your constituency.</li> </ul>	<ul style="list-style-type: none"> <li>• Preparing for caucus meetings by reading materials and gathering reactions of citizens and party officials</li> <li>• <i>Expressing the opinions and needs of your electoral district in internal caucus debates</i></li> <li>• <i>Dividing the work of caucus among your colleagues by assigning specific policy areas to each member of caucus</i></li> <li>• Researching the hot issues in <i>your area of policy responsibility</i> and preparing reports for caucus meetings</li> <li>• <i>Communicating regularly with the Minister or Department staff of your assigned policy areas, to get information and give them public reactions</i></li> <li>• Maintaining contact with your <i>party riding associations</i> to inform them of caucus activity in parliament and to get feedback government policy</li> <li>• <i>Organizing and/or participating in public meetings held by the party caucus</i></li> <li>• Preparing press releases and arranging press conferences</li> </ul>

<b>ROLE</b>	<b>DUTIES</b>	<b>OVERVIEW OF APPROPRIATE ACTIVITIES</b>
<p>Constituency Representative</p>	<ul style="list-style-type: none"> <li>• <i>Monitoring and being aware of local issues, positive and negative</i></li> <li>• <i>Studying and understanding proposed laws that have special concern to the constituency</i></li> <li>• <i>Meeting regularly with local groups and officials from the electoral district</i></li> <li>• <i>Being available to be contacted by individual citizens of the constituency and making an effort to communicate with them</i></li> <li>• <i>Responding to inquiries of constituents, with phone calls or letters</i></li> <li>• <i>Intervening on behalf of the constituency in: caucus, committees and the House as well as with Ministers and Departments</i></li> <li>• <i>Meeting with local media</i></li> <li>• <i>Sending greetings to citizens on special occasions such as holidays and birthdays</i></li> <li>• <i>Participating in official openings and ceremonies</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Scheduling daily, weekly and monthly activities</i></li> <li>• <i>Maintaining regular (monthly) contact with local groups, NGOs, associations, unions, Municipal officials and local media to inform them of your activity in parliament and to get feedback</i></li> <li>• <i>Ensuring citizens know how to contact you by advertising where they can write, fax or, phone you.</i></li> <li>• <i>Scheduling regular (weekly) office hours (time and place) when citizens can make an appointment to meet with you to express their concerns and ideas</i></li> <li>• <i>Preparing responses to citizens: letters and telephone calls, asking questions in the house, preparing amendments and legislation</i></li> <li>• <i>Going Door to Door regularly to hear the concerns of your constituents; recording the results</i></li> <li>• <i>Researching possible policy and legislative solutions to local issues</i></li> <li>• <i>Developing mailing lists of citizen to send newsletters of your activity and/or surveys</i></li> <li>• <i>Preparing weekly newspaper columns; Participating in local TV shows or radio broadcast</i></li> <li>• <i>Assigning the above tasks to staff, party volunteer or interns, where appropriate</i></li> </ul>

### **3. RESOURCES AVAILABLE TO MEMBERS**

The House of Representatives in Federation BiH Parliament has several offices available to Members. They are:

- *Typing office with 7 typists -- ground floor*
- *Photocopying office with 3 photocopying machines and one fax line -- ground floor.*
- *Archive office -- 1<sup>st</sup> flour*
- *Mailing office with two phone lines -- ground floor*

#### ***Typing Office***

The typing office, which is located on the ground floor in the parliament building, is equipped with 5 computers and 2 printers. Members can obtain the assistance of typists for typing amendments, conclusions and anything else directly related to Members' work in the Parliament.

#### ***Photo-copying Office***

The photocopying office is also found on the ground floor of the parliament building. It has 3 photocopying machines as well as one fax line. Members are entitled to use all available services from this office (photocopying, sending and receiving fax documents related to Members' work in the chamber).

#### ***Archive Office***

The archive office is located on the first floor, right wing, of the parliament building. All legislative documents received and considered by the House of Representatives since 1996 can be found here. Members are entitled to examine all legislative documents (law proposals, laws, declarations, Decisions, etc.) contained in this office. In the archive office Members can also find all minutes from previous House of Representative sessions and the audio recording of proceedings.

#### ***Document Distribution and Mailing Office (DDM Office)***

This office is responsible for receiving and sending all parliamentary mail as well as for sending invitations for sessions and parliamentary materials to Members. It is also responsible for providing copies of all parliamentary documents such as agendas, amendments, conclusions, declarations, etc.

The DDM Office also has two phone lines, which Members can use for work related purposes.

### **3.1. FINANCIAL RESOURCES:**

Under article 16 from the Rules of Procedure, Members of the House of Representatives, Federation BiH Parliament have a right to a salary and allowance for performing their representative duties as well as right to reimbursement for certain material expenses. The monthly Per Diem for every Member is 425 KM. The monthly salary for full time Members is 815 KM plus a small additional amount calculated on the basis of years of service. The monthly salary for a caucus chair is 910 KM (plus the years of service supplement). The same salary is provided to committee chairs. Committee deputy chairs receive 864, 5 KM per month (plus the same supplement).

The House of Representative provides daily Per Diems for days of sitting for all Members who are not resident of Sarajevo. This daily Per Diem is 30 KM and with the coming into effect of the Collective Agreement, this Per Diem will be 10% of the average salary in Federation BiH over the last three months.

For sitting days the House of Representatives provides hotel accommodation in “High A category” hotels for all Members not resident of Sarajevo.

The House of Representatives provides reimbursement for the use of a private vehicle for work purposes. The rate of reimbursement is 30% (with the Collective Agreement it will be 25%) of the price of one liter of “super” gasoline per kilometer driven.



## ***GETTING STARTED***

It is important to have a factual and legal understanding of the issues to be addressed by a Bill. Start by determining the problem the Bill seeks to resolve.

Caucuses may choose to designate certain members as responsible for certain legislation or areas of interest – for example, many parties in other countries appoint shadow-cabinets, or critics, to develop specific expertise and profile among their members. This is a good way to share the workload and highlight policies that are important to your party. However, it also means that if you are the member who is designated to read and analyze a bill for your Caucus, you must ensure that your work is done thoroughly as your colleagues will be looking to you for advice on the overall position your party will take on the bill as well as amendments that should be proposed and issues or concerns to highlight in their speeches on the bill. You must also ensure that your notes and analysis are easy for your colleagues to understand.

All bills should be read carefully, systematically, and methodically. With every reading, a more comprehensive and accurate understanding of a bill's strengths and weaknesses will be gained. But before reading a bill in detail there are a few things to note:

- Review the headings of different parts of a bill. This will help to develop a clear sense of its structure.
- Look at the section and subsection headings of a bill. Try to determine how a section, or series of sections, fits within the whole bill as well as their relationship to each other.
- Produce an outline of the bill in order to understand its logic. A written outline can be drafted by skimming the bill prior to reading it in detail. You should continue to refer back to this outline and fill it in as you get more information. Often, the last few pages of a bill will provide an explanation<sup>1</sup> of the bill to help you as you go along.
- Always keep in mind that bills are intended to become law. Therefore provisions of a bill have to be drafted to co-exist with other provisions of that law and/or with other existing laws. As necessary, locate and understand the relevant existing legislation and the impact of the amendments in the bill.

## ***BILL IDENTIFICATION***

The House of Representatives of the Federation BiH Parliament has a clear system for classifying, documenting and recording Bills and enacted laws.

Usually the cover page<sup>2</sup> of a Bill should contain the following information:

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<sup>1</sup> Appendix 1 – sample of the explanation of the Bill on Ombudsmen of the Federation BiH.

<sup>2</sup> Appendix 2 – sample of the cover page – Bill on Ombudsmen of the Federation BiH.

- The name of the country and entity
- The name of the Bill's drafter
- The Bill's number and title
- The name of the Chamber considering the Bill

## ***TITLE AND EXPLANATION OF THE BILL***

### ***Title of the Bill***

The title appears on a Bill's cover page. It should be brief and allow the reader to easily understand the issue under consideration.

For lobbying and advocacy purposes, a title can promote the ways in which the Bill will benefit the public and improve the quality of life in a country. It can be used to demonstrate that, in spite of the obligations imposed by a law upon citizens, the public interest still remains the main concern of the legislator.

### ***Explanation of the Bill***

This section of the Bill explains in some cases what is the constitutional foundation for introducing the Bill, the reasons for having this kind of legislation and an explanation of certain clauses (articles) of the Bill.

## ***BILL STRUCTURE***

### ***The structure of a Bill affects its meaning***

When reading a Bill in detail always keep the Bill's structure in mind. Remember that in most cases every section should be read individually. However, each section does not exist on its own, but relates to the other section of the law.

*Example: The Bill on Ombudsmen of Federation BiH in section III, articles (10) and (13) and section IV, article (16) contains following:*

*“(10) Upon the joint proposal of the responsible body of the House of Representatives and House of People (in further text: responsible body) the House of Representatives and House of People of the Federation BiH Parliament appoint and replace Ombudsmen. The Responsible body makes joint proposal by two-third majority of all its members”.*

*“(13) The reasons bellow can cause the termination of Ombudsmen duties:*

- a) If Ombudsman submit resignation;*
- b) If his/her mandate expire*
- c) If he/she is not able to perform their duties*
- d) If he/she is' t left the conflicted function;*
- e) If he/she is declared guilty followed by valid prison punishment for deliberately performed criminal act against the Constitution of Bosnia and Hercegovina and Federation, against humanity and international law, against public official and other responsible official or other criminal acts performed because of the self-interest or other unethical motive;*
- f) If he/she is dismissed from a job.*

*On the day of Ombudsmen death his/her place is vacant, or on the day of the resignation, dismissal, reading of the valid verdict against him/her or on the day of mandate expiration.*

*In another cases from the standing 1 of this article the appearing day of the vacant position determines the House of Representatives and House of People upon the proposal of the responsible body from the article 10 of this law.*

*When the Ombudsman vacant position appears in the harmony with the standing 2 of this article the responsible body from the article 10 of this law will suggest new Ombudsman candidate within the deadline of one month.*

*In cases when place or places become vacant because of expiration of the mandate the Ombudsman or Ombudsmen will temporary continue to conduct duties until the new appointment take place.*

*When is one of three Ombudsman position vacant because of the reasons different then expiration of the mandate another ombudsmen will temporary conduct his/her duties until the new Ombudsman is appointed.*

*“(16) The Ombudsman function is disunited with all public functions; every political activity; continued work in the public office; membership in the political party or performing senior function in the political party, labor union, association, foundation or in the religious organization or with the employment in any of those organizations; with performing of the judge function; and with any activity in any profession, trade or another working positions.*

*The ombudsman who was government employee enjoy guaranties of getting back in to the government office after the expiration of the mandate.*

*Before taking the ombudsman office and within the then days deadline the ombudsman will resign of any potential disunited function, not doing this will be understood as refusal of the appointing.*

*When the disunited activity happened after the ombudsman’s appointing to the office it implies, in the harmony with the article 13 of this law, for ombudsman to submit resignation on the day when the disunited activity appeared. The responsible body from the article 10 of this law makes decision is some function disunited or not.*

Breaking legislation down into section and subsection not only separates ideas and topics, but also promotes clarity and precision. Each subsection should contain a specific distinct idea or topic that is related and integral to the overall objective of the legislation.

## ***POLITICAL AND LEGAL ISSUES***

### ***What is the object and scope of this legislation?***

- What does the legislation say? Why does it say this? What else should it say?
- Who is targeted by the Bill? Who benefits from the Bill? Who is hurt by the Bill? Are there exceptions?
- What rights, duties and/or obligations are defined in the Bill?
- Is the procedure prescribed in the Bill fair and reasonable?

***Are political goals achieved by this proposed law?***

***What positions has your party taken in the past that may support or conflict with this legislation?***

***How will the law be implemented?***

- Who will implement the legislation? What agency, department or ministry will administer the product, program or activity resulting from the Bill?
- What will be the rights and obligations of political and administrative officials in the ministry/ies?
- Do the Minister and relevant public officials have enough power to implement the law? Is the degree of discretionary power granted to the government or an administrative official appropriate?
- What is the political, economic and social impact of that legislation? Does the government have the financial and administrative means to control and enforce this legislation?
- What is the enforcement process? What penalties and sanctions (civic and criminal) should be included in the Bill to promote compliance with the Bill?
- Can citizen appeal against the decision made by the government (e.g. is a tribunal established)?

***What is the funding mechanism for service, activities or programs created by the Bill?***

- Are specific financial expenditures and allocations identified in the legislation?
- Where will financial resources for the activities called for by the Bill come from?
- How are financial resources to be obtained to cover the expenses of enacting the legislation?

***Will there be public consultation before the adoption of the Bill?***

- Who has been consulted so far? Who have you consulted individually?
- What are they saying that should have an impact on whether or not you can support, amend, or try to defeat this legislation?
- Who else should be offered an opportunity to express an opinion:

Other Ministries?

The business community?

NGOs?

Religious groups?

Members of the public?

Other experts?

- What can be done to make sure that the law will reflect the views of the majority?
- Does the Bill achieve the best compromise between a variety of potential solutions?

***What is the period of application of the law?***

- When will the law come into operation? What is the effective date of enactment? Can anything delay the effective dates of the Bill? Is the Bill effective retroactively (meaning that its effective date is prior to the date that Bill was enacted)?
- What consideration should be taken into account before the law is enacted? Is there a period when the law gradually comes into effect? Are there any transitional dates clearly spelled out in the Bill?
- Is there an expiration date for the application of the law? If so, does this date make sense?

***Can this Bill pass all tests of legality?***

- Do experts consider all aspects of this Bill to be consistent with the Constitution?
- Is it consistent with other existing legislation?
- Is it consistent with existing case law from the courts and administrative tribunals (national and international)?

***SEMANTIC ISSUES***

***Is the Bill understandable? Is it precise?***

***Is it consistent in its use of language?***

If words are not used accurately and consistently, then the result is confusion regarding their interpretation. Consistency is one of the most important characteristics of a well-written Bill.

**Does the Bill eliminate bias against classes of people? Does it use discriminatory language? Is the Bill gender sensitive?**

**Is every word selected carefully?**

Always check what the choice of a specific word implies. Each word is meant to have a specific meaning. If the definition of a term used in the Bill is complete, the meaning of the term may be strictly limited to the definition of the term.

*Example: “All citizens are entitled to the following right or benefits...”*

*A question to ask is “Would non-citizens be adversely affected by being deprived of those rights or benefits?”*

### **KEY TERMS**

The presence or the absence of a specific word or expressions can have a major impact on the life of the people who will apply the law and on those subject to it. The following are terms and expressions to which you should give particular attention:

#### **And/or**

Does the legislator want all conditions and propositions in the sentence to be fulfilled? Or would only one of them be sufficient? Using “and” implies that all of the propositions must be fulfilled while “or” means that only one condition must be met.

*Example:” The name of Business Company cannot contain names **and** signs that are against present regulations or international conventions”.*

If the legislator had used the term “or” instead of “and”, only one of the propositions would be required for giving names to the business companies.

#### **Must/may**

If the term “must” is used, it means that the legislator decided that what is prescribed in the Bill is an obligation. If the term “may” is used instead, then it is up to the person or organization targeted by the Bill to decide whether or not to comply with the provision of the Bill. The provision is discretionary rather than compulsory.

*Example: The Ministry of External Affairs must issue a business visa to any company registered in one of the countries mentioned in Annex A.*

The meaning of above would be different if “may” had been used. It would then become optional for the government to issue business visas. If too much discretion is given, it will be difficult for MP’s to control the regulatory power of public servants.

### **CONCLUSION**

Once Bills are enacted into law they are there to stay unless amended. In order to avoid legal uncertainties that could lead to lengthy and costly litigation, it is necessary to ensure that the Bills passed by Parliament are as clear and transparent as possible. This will benefit both the citizen, subject to the application of the law as well the government

leaders and public servants charged with implementing, administrating and enforcing the law of Federation BiH.

To fully understand a Bill's political objective and the ramifications of its adoption, it is necessary to examine and scrutinize all components of the Bill without exception. Every distinct section, subsection and word has a particular role and meaning. Analyzing of legislation should start by understanding the structure and basic concepts of the Bill. From there, MPs should move to carefully focusing in to the Bill's specifics. Reading Bills carefully permits ambiguous areas to be clarified and reduces the need for future amendments. Through carefully scrutiny of legislation, MPs gain a comprehensive knowledge of proposed legislation and become more effective in the legislative process. In addition, it places MPs in a better position to explain legislation to the public and the media.

### ***IN SHORT***

The key to thoroughly understanding a Bill is to look at it carefully, systematically and methodically. This requires that a piece of legislation is read more than once. With every reading, a comprehensive and more accurate understanding of a Bill's strengths and weaknesses will be gained.

The following questions are a guide:

- What is the purpose of the Bill?
- What is the background on the Bill?
- What is affected?
- Who was consulted?
- What is the current law and how will it change?
- When does the Bill go into effect?
- How long does it stay in effect?
- How will the Bill be implemented?
- What are the implications for the cantonal and local governments?
- What are the arguments "for" and "against" and who makes them?
- Are there recommendations or suggestions for improving it?

## 5. TIPS ON MEDIA/PUBLIC RELATIONS

### A) *Working with the Media*

1. Get to know the journalists from your local newspapers, TV and radio stations.
2. You make news all the time in your work as an MP. Don't wait for journalist to contact you. If there is something of interest to journalists and the public, contact them and tell them yours story.
3. Events and issues become news because the media judge them to have a direct impact on people's lives or an indirect one on the way people think about their lives. The media will often rely upon you to help them judge what is newsworthy.
4. Issue a press release to your local media when you make a speech in Parliament outlining the main points in a press release.
5. Remember that journalists work to deadlines. Daily newspapers must meet their first deadlines by 8:00 p.m. and a radio and TV reporter about one hour before the news goes on the air.
6. Do not make a press release more than one side of a paper unless you really have to.
7. Use quotes in the press release. It's more reportable and gives it a human touch.
8. Write the press release as if it is a newspaper story – summarise the main point in the first paragraph – it catches the eye.
9. When you do a television interview, check your appearance, hair and clothing before the interview.
10. Before an interview, memorize a concise phrase that encapsulates your point – a “soundbite”. This will help you get reported.
11. Make sure you prepare for an interview. Talk the journalist beforehand so that you understand what questions will be asked and to establish a relaxed atmosphere.
12. In an interview, know the points you want to get across – and make sure you say them. Don't just respond to the interviewer's questions.
13. Be confident and remind yourself of your own expertise, commitment and authority.



14. Keep yourself accessible and make sure the media know how to get in touch with you. Always ring a journalist back as soon as possible, even if you have nothing concrete to say. It helps maintain a good relationship.
15. Always ensure that the basis on which you are briefing journalist is understood and agreed. Assume that everything you say will be reported.
16. When there is bad news, don't hide. If you don't have the answers, make a statement explaining why you don't know. Get back to the media as soon as possible.
17. If you are misquoted or a journalist gets the facts wrong, contact them immediately and ask for subsequent correction. But don't burn bridges with reporters – sometimes their editors will not allow a change in a story and you will have to continue to work with the reporter whatever the decision of their editors
18. Be honest. Don't create unrealistic expectations and be brave enough to publicly admit mistakes. Remember that “no comment” is usually understood to mean you are guilty as charged. We all make mistakes and the public admire people who own up instead of denying them or running away.
19. Don't rely entirely on the media to communicate with the public. What about producing a small newsletter for your constituency telling them what you are doing in Parliament?
20. Remember that journalists are not the enemy. The role of the media in a democracy is to communicate information to voters-so that they will be able to make the right choice at election time. It is your responsibility as an elected representative to work with the media to ensure they get the information they need to communicate with the public.
21. Watch yourself on television news, listen to yourself on radio news, and read your quotes in print news. By doing so you can get better idea on how you are projecting to you electorate.

## ***B) Tips on Speechwriting***

1. Know who your audience is – and make the speech relevant to it.
2. In Parliament, it is a good idea to speak with your Caucus chair to ensure you are not covering the same points as other MP's.
3. Decide on what points you want to make and stick to them. A useful structure for a speech is:
  - a) tell people what you're going to tell them. Introduce your points briefly
  - b) tell them. Flesh out your arguments, starting with your second strongest point and ending on your strongest point.
  - c) Tell them what you have told them. Summarize your arguments and state your position once more but very clearly.
4. Don't try and get more than 3 or 4 main points across in one speech.
5. Make the speech interesting, both for content and in the style of delivery. Use dramatic effects such as pauses and emphasis on certain phrases or words.
6. Write for speaking not for reading – it often helps to read it aloud while you are writing.
7. Use simple words and short sentences.
8. Keep the speech to time – practice it and time it.
9. Print it out in large font – 24 points - using the top half of the page only. Cut off the bottom half and number the pages so that you do not get lost.

## ***C) Tips on Public Speaking***

As long as you plan your thoughts beforehand and write down the main points, you can deliver effective speeches. Even in Parliament, you can rely on the speaking skills you use when you suddenly have to address a crowd in your constituency or during the election campaign. Talk from the heart and people will listen.

The ability to speak effectively to audiences and groups is an integral part of being an effective MP. As a speaker you have a small window of opportunity to provide information and convince your audience of something. Once they have left the room or your time has expired in the House, your chance is over!

To assist you in this endeavor, we advise you to keep in mind the *THREE PILLARS OF PUBLIC SPEAKING – VOLUME, SILENCE AND EYE CONTACT*.

### ***VOLUME***

Use your “big voice” whenever you are speaking to a group. You sound more confident and make people listen to what you are saying. Just making the voice louder automatically makes it more persuasive.

- Elevating the volume does not strain the voice but rather it relaxes the speaker and lets one breathe normally.
- When we speak louder, we automatically begin to emphasize key words and sound passionate.
- Even when using a microphone keep your energy and voice at full tilt and volume. Whether standing or sitting, just keep the microphone a safe distance away. Never rely on it completely.

### ***SILENCE***

Short, frequent silences help slow you down if you are speaking too quickly, give you time to breath during your presentation and allow you and your audience to think about what you are saying.

- Silent pauses are effective, not only in allowing the audience to digest what we are saying but also in letting us think about what we are saying, collect our thoughts, stress certain points and move on.
- Just like we would eat a meal, take a bit, chew it, swallow and then digest, the silence between each thought is necessary to let the audience digest what has been said.
- Place silence between each thought- not between each sentence.

- While you may know your presentation like a map – inside out – others don't. You should deliver it in small sound bites as we might tell someone directions to our house. Pauses allow each step of the directions to be digested by the listener.

### ***EYE CONTACT***

Eye contact helps you effectively get your point across and engage your audience. Change your focus after the main points of your sentences to increase impact. When you look into someone's eyes, it makes you think more and makes that person think with you.

- Never talk to the ceiling or the walls.
- Spend an entire thought with one person's eyes, don't just rove the room with your eyes.
- Remember when you speak in the House to look at visitors and journalists they are present.

### ***BODY LANGUAGE***

The natural tendency when you go up to speak is to try to hide. We try to hide our body, avert our eyes and hide our voice. A good speaker draws the audience in like good storytellers, making them hang on to what you'll say next.

- Don't allow your body to get into a locked position (i.e. hands in pockets, arms crossed, etc.)
- Let your hands hang free at your side until you may naturally use them to illustrate your points. Even if in one hand you are holding the speech, in the chamber, with other hand you can physically emphasize the important key words and thoughts in each sentence. If you know your speech well, you can even put the speech down for a minute and use your arms and hands to emphasize important thoughts or parts of the speech.

***IF YOU HAVE SOMETHING TO SAY, SAY IT CLEARLY AND LOUDLY. OTHERWISE, DON'T SAY ANYTHING AT ALL.***

## **OTHER TIPS:**

### ***Time management***

The author of a book on time management, Edwin Bliss<sup>3</sup>, writes that he first became interested in patterns of time use when, as an assistant to a United States senator, he was struck with similarities in the operating styles of the more successful members of the US Congress.

“Faced with urgent and conflicting demands on their time – for committee work, floor sessions, speeches, ceremonies, interviews, briefings, investigations, correspondence, constituents’ problems and, above all, the need to be informed on a wide range of unrelated subjects-they develop techniques for getting maximum benefit from minimum investments of time. They learn to set priorities in relation to their own goals rather than someone else’s; they learn to screen themselves from unwarranted interruptions; they learn to delegate, to plan to concentrate on important things, and to disregard trivia. If they don’t learn, they don’t return”.<sup>4</sup>

Consultants and professionals in the private sector, who are paid by the hour, know how much their time is worth. At the end of the day, time is money. Your time as an MP is even more precious because it’s taxpayers’ money.

The tips on effective time management below are borrowed from Bliss’ book on GETTING THINGS DONE:

1. Behavior Modification – managing your time better will usually mean changing habits that we have learned over a lifetime. So, be prepared and make sure you reward yourself for each success, even if it’s just a pat on the back.
2. Breaks – the normal reaction when we are under pressure is to try and work non-stop for hours on end to get it all done. It doesn’t work – you must take a short break even if it means simply changing your position, walking around the building for a minute or getting a cup of coffee.
3. Briefcase – if you are constantly taking a full briefcase home with you every evening, something is wrong. You are human being and have a life beyond Parliament. Being an MP does not mean working long hours, but you need to set aside a time when work stops and family, friends and rest begins.
4. Categories of time use – divide you work into what is Important and Urgent, Important but not Urgent, Urgent but not Important, Busy Work (routine but not important – like re-organizing your desk drawers) and Wasted Time. Most people

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<sup>3</sup> Getting Things Done. The ABC of Time Management. Edwin C Bliss. Futura Publications

<sup>4</sup> As above: page 1

spend too much time on work that is Urgent but not Important and Busy Work. If you spend most of your time on What is Important but not Urgent, this should solve most of the problems.

5. Communication – bad communication wastes a lot of time. Communicate clearly, honestly and directly.
6. Concentration – this is one of the most basic principles of time management. Focus on what you are doing NOW.
7. Deadlines – give yourself a deadline for each task, and stick to it.
8. Efficiency versus effectiveness – there is big difference between doing the right thing and doing things right. Think about the first before the second.
9. Fear – when we procrastinate it usually is because we are afraid of something. Confront your fears and get past them.
10. Follow up – if you have asked someone to do something make sure you follow up.
11. Goals – you need to know what your goals are if you don't want to waste time. They can be personal, political or professional.
12. Indecision – if you are the kind of person who doesn't take decisions because you are afraid of making mistakes, remember that indecision is the worst mistake you can make.
13. Information overload – even speed reading has its limits. The human brain can only absorb so much so work out a system to determine what you read personally and what other people read for you and inform you about.
14. Lists – keep 2 lists for each day on 1 piece of paper. On one side of the paper list all your appointments for the day. On the other side keep a To Do list – a list of everything you want to accomplish in order of priority.
15. Mental blocks - if you just can't get it done, analyze the situation and find out what's stopping you (lack of facts, lack of conviction, lack of starting point, tunnel vision or fatigue) and fix it.
16. No – the best time saver is just to say NO. Protect your priorities and don't be distracted by someone else's.
17. Plan – you need a game plan for the day and for the week. If you don't do this, other people's action will determine your priorities.

18. Priorities – set your priorities according to what is important and think about what is urgent second.
19. Procrastination – if this is your problem, you need to do something about it now.
20. Speed reading – if you have too much to read, a speed reading course is not the answer. Rather, be more selective about what you choose to read.
21. Staff time – if you have one or more staff members working for you, it's even more important to manage your time properly. Make sure they know they can criticize you without fear. Let them know that you recognize the degree to which their actions can control your time, and respect their time so they will respect yours.
22. Tension – there is a difference between tension and stress. Tension and pressure is necessary because it keeps us on our toes but if you don't manage your time well, you will soon suffer from stress.
23. Time for what – if you use these tips and manage to save your time, you will have more time available. For what? Use the time saved for rest and for fun – you have earned it!
24. Unfinished business – if you start something make sure you finish it. There are no prizes for running half a race. If it's a big task, break it up into smaller tasks – divide and conquer.
25. Wheel-spinning – if you are the kind of person who goes into everything in a mad rush it means you haven't planned properly. Stop and plan. It's what you should have done to avoid the crisis in the first place.

*PLAN YOUR WORK AND WORK YOUR PLAN!*

## *Tips on Managing Meetings*

Politicians probably spend 99% of their time in meetings. It's important therefore to ensure meetings produce results. All of us hate spending time in meetings that are going nowhere.

What causes meetings to be a waste of time? Here are some of the reasons:

- no purpose
- no agenda
- not sticking to the agenda
- starting late
- too long, no time limits
- not relevant to your work
- ineffective chairperson
- poor participation
- a few people dominate the meeting
- people not prepared
- no decisions or conclusions
- no follow-up
- redundant, rumbling discussion
- actions already determined before the meeting
- hidden agenda introduced
- side issues discussed
- key people missing
- too many people at the meeting
- wrong people present
- short notice or lead time
- not knowing what is expected
- too many interruptions



## **G) TIPS ON PROBLEM SOLVING SKILLS<sup>5</sup>**

### ***1. Avoiding problems-solving pitfalls***

Using a systematical approach to solving problems can help groups and individuals to avoid some of the common pitfalls of ineffective problem solving:

- Jumping to a conclusion before effectively analyzing all aspects of the problem
- Failing to gather critical data either about the problem or proposed solutions
- Tackling problems that are beyond the control or influence of team members
- Working on problems that are too general, too large or not well-defined
- Failing to develop an adequate rationale approach to a solution
- Failing to involve critical people – especially those outside of the group – when searching for solutions
- Failing to adequately plan methods for implementing and evaluating the recommended solution

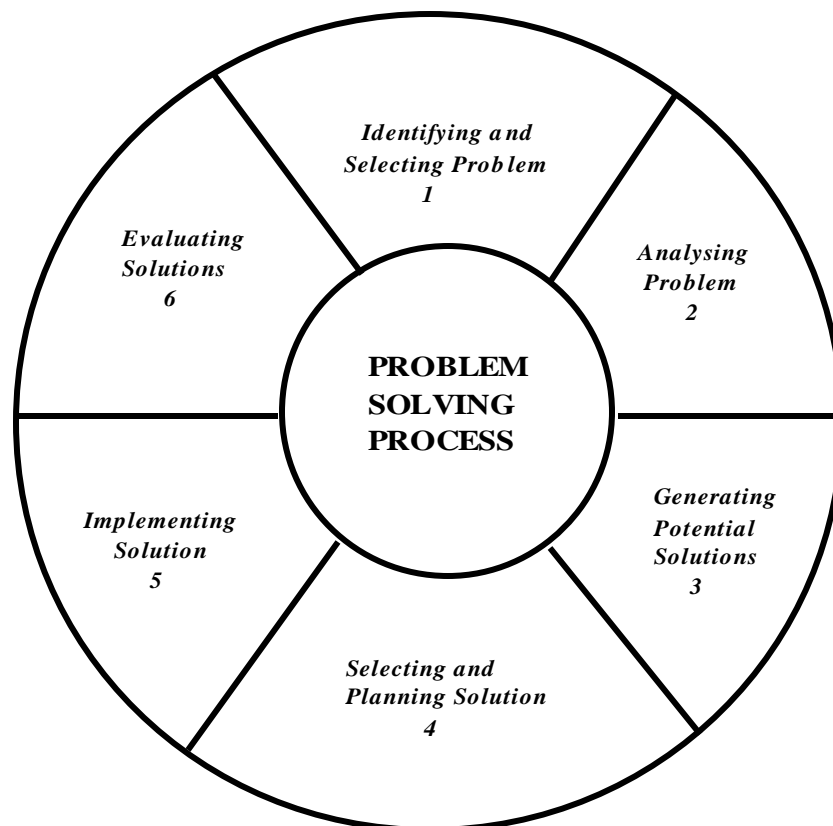
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<sup>5</sup> Based on a presentation “A problem-solving tool kit for legislative decision making” by Dr. David Bednar of Ricks College for the National Conference of State Legislatures, Philadelphia, 1999)

## 2. *The problem-solving process*

The six steps of the problem-solving process are often shown as segments of a wheel – as shown below. Although the six steps are numbered, groups seldom proceed from step 1 to step 6 without revisiting and revising earlier steps.

Problem-solving groups go through a series of expansions and contractions to answer the questions posted and produce outcomes associated with each step. Expansions are idea-generating stages – points at which the group capitalizes on the diversity and creativity of all members. Contractions are the idea-sorting and selecting steps – points at which the group evaluates the ideas and egress on the best ones.



## **5. SOME OF THE MOST IMPORTANT EXCERPTIONS FROM THE RULES OF PROCEDURE**

### ***II REALIZATION OF RIGHTS AND DUTIES OF REPRESENTATIVES***

#### Article 9

A representative has the right and duty to be present for sessions of the House of Representatives and for sessions of the committees of the House of Representatives he/she is member of, as well as to participate in their work and decision-making. In accomplishing their functions, representatives can participate in the work of parliamentary committees they are not members of, but without the right to participate in making decisions. A representative must be informed of the time of the sessions and be provided with adequate materials upon request.

The representative is required to fulfill tasks given to him/her by the House of Representatives or by a committee he/she is member of, within the sphere of its work.

#### Article 10

A representative who is unable to attend a session of the House of Representatives or of a committee, or if he/she has to leave during the sitting of the chamber, is obligated to inform the speaker of the House of Representatives and/or the committee chairperson and to provide the reasons for not participating at the session of the chamber or committee.

#### Article 11

An MP has the right and duty, within the rights and duties of the House of Representatives, to initiate changes to the of Federation Constitution, to the laws and other regulations and common acts of the House of Representatives, and to initiate debate on executing of mentioned acts as well as on the conduct of policy issues, An MP also has the right to ask questions on matters within the jurisdiction of the House of Representatives and to initiate measures related to the interest of the people, the citizens and to the political parties they belong to.

#### Article 13

A member of Parliament has right to be informed on a regular and timely basis about the work of: the House of Representatives, the House of People of the Federation BiH Parliament, the President and Vice-president of the Federation BiH, the Federation BiH Government, federal ministries, federal administrative bodies and organizations that perform activities related to the interests of the Federation BiH or organizations that perform legally mandated public functions, as well as on all issues important for MPs' work.

#### Article 15

Members of Parliament should receive materials on agenda items for the House of Representatives sessions and of the committees they are member of, as well as materials produced to better inform MPs.

#### Article 16

Members of Parliament have a right to a salary for performing MPs' functions and to be reimbursed for certain material expenditures, as well as to other reimbursements according to the law.

#### Article 18

Members of Parliament have immunity on Federation BiH territory starting on the day of verification and ending on until the day his/her mandate expires.

#### Article 19

Members of Parliament cannot be criminally charged or held responsible in civil law procedures for any activity performed during his/her mandate.

No legal body in Federation BiH may arrest a Member of Parliament without approval from the House of Representatives.

After being informed by a lawful body of the necessity of temporarily arresting an MP who has allegedly participated in a criminal activity that is punishable by imprisonment, the Speaker of House of Representatives must within 48 hours of receiving the information, call for the convening of a session of the House. The session should be held no later than 8 days following the day that the notices are sent to members.

#### Article 20

A member of Parliament has the right to resign from his/her representative function.

Their resignation must be submitted to the speaker of House of Representatives in either written form, or orally at the session of the House of Representatives.

The member of Parliament who is resigning or any other MP can initiate debate over the issue of the resignation. If the MP still wants to submit his/her resignation following such a debate, the speaker must declare that the mandate in House of Representatives of that particular MP has ended.

### ***IV PUBLICITY OF THE WORK***

#### Article 26

The House of Representatives works openly. The House of Representatives shall provide to the public in a timely fashion objective and accurate information about its work. Under the same conditions, The House of Representatives shall provide, at no charge, information to all public media, with the exception of information considered to be state, military, official or business secrets, either under the law or under regulations lawfully enacted.

#### Article 27

Draft laws and bills introduced in the House of Representatives as well as acts adopted by the House of Representatives can be publicized in their entirety in the daily press or in specialized publications.

***CONSTITUENT SERVICE MANUAL***  
***FOR***  
***PARLIAMENTARIANS IN BOSNIA AND HERCEGOVINA***  
(English Translation)

## ABOUT NDI BiH

The National Democratic Institute for International Affairs was established in 1983 and it is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions.

In Bosnia and Hercegovina NDI has operated since 1996. NDI works with parties oriented toward democratic principles and Dayton peace agreement. NDI cooperates with parties at all levels, from the central to the local. In BiH NDI have two major programs: Political Party Development and Parliamentary Program. Within the Political Party Development program NDI designed two new programs youth and women program.

## ABOUT THIS MANUAL

This manual provides information about methods that members of parliament can use in communicating with citizens and in providing services for their electoral districts.

The handbook is written for the use of members of parliament, especially newly elected MPs, as well as their district party colleagues.

The following chapters provide information about approaches that MP might consider adopting. In some cases, the manual may cite activities that you have undertaken already. This manual is divided into sections on strategic planning, communications and solving of individual citizen problems.



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## INTRODUCTION

### GETTING INVOLVED IN CONSTITUENT SERVICE

In many democratic countries if you ask two members of parliament about the nature of constituent work it is very likely you will hear two different philosophies about it.

“I want to enable people to solve their own problems, although my office may play an important role, ultimately I want citizens to think they solved their problems themselves , says one MP.

“I am like a doctor, citizens come to me feeling desperate and powerless. They need to get a problem solved. I use my office to try to fix their problems”, proclaims another MP.

Should an MP be a “doctor” who tries to cure a problem or someone who empowers others to solve their own problems?

You can be both. By working with a local organization and citizens to solve problems, you can help them to understand that they have the power in a democracy to seek answers and services. Today an MP may be a person who fixes problem: tomorrow citizens may know how to remedy their predicaments themselves.

Regardless of the role the MP decides to play, it is necessary to actively participate in the community he or she **represents**. Both MPs, above mentioned, understand that they have special responsibilities toward their **election units** and they understand that they can gain political benefits from playing a prominent role at the local level.

#### **Why get involved in your election unit?**

In many democratic countries members of parliament have opened district offices that provide services to their constituents.

Why are they doing it? Why do they think this work is worthwhile?

- **Create a link between citizens and institutions of power**

By getting involved in a local problems and helping citizens, you demonstrate that parliamentary democracy has practical applications in people’s lives.

By listening to public opinions and relating these concerns to one’s own party and the parliament an MP assumes the role of a channel for developing policies based upon real human needs.

- **Provide a public resource**

Members of parliament hold the power to untangle the administrative labyrinth. They have authority and resources to get answers and they enjoy access to information often unavailable to local elected officials and other community representatives. *The MP constituency office represents a unique community resource.*

- **Humanize the MP, the party and parliament**

By working actively in the constituency, an MP demonstrates that democracy is a system in which leaders care about real people with real problems, not just abstract ideologies and faraway policies. This humanizing approach helps build greater trust in the institution of parliament and may produce residual benefits for your party as well.

Your powers as MP are certainly limited and you will not be successful when responding to every request for assistance. But it is better to have tried and failed than to have not tried at all; citizens recognize a good effort and will remember and appreciate your attempts to help them. Of course you must be realistic; do not build false expectations about your power.

- **Mobilize citizen participation**

When you work with local officials, non-governmental organizations and ordinary citizens, you empower them to improve their lives and their communities. By widening the number of citizens who directly take responsibility for their own destiny, you are fighting apathy and helping to make democracy work through the politics of practical problem solving. And you are also building a base of potential political supporters.

- **Obstacles to Serving Constituents in Bosnia and Hercegovina**

As an MP, you might be thinking: “It is easy for Americans to talk about the usefulness of constituent service. A U.S. senator’s office has ample funding and staff, and BiH MPs have virtually no available money resources for constituency activities.

The challenges specific to BiH MPs are difficult to overcome. That why this manual presents practical approaches and concepts that BiH MPs may use to effectively serve constituents.

- **Overcoming the obstacles: conflicting loyalties between the party and the election unit**

Many MPs may believe that their primary loyalty lies with their party. But this allegiance does not have to conflict with their local activities. In fact, constituent service provides an MP with a chance to involve the party in addressing local needs and problems. Thus, an MP who is active at a local level can strengthen the party by keeping in touch with citizens.

- **Overcoming the obstacles: limited or no financial and staff resources**



Developing and active district profile does not always require a lot of money. MPs should be able to use their influence to secure budgetary resources to establish district offices, hire staff and travel in their constituencies. MP should be able to use the support of their political parties, local public administration and non-governmental organizations to communicate with citizens in a cost-effective manner.

NDI experience in other countries from this region found that the biggest obstacle to working in a district is insufficient time and not insufficient staff or equipment. The lack of time is the single most common complaint of MPs everywhere including the United States and Western Europe. The only answer to the challenge of time is to make your district activities more efficient.

Citizens and local leaders often mistakenly believe they need to talk directly with an MP – and not his/her staff **or party volunteers** - if they want to solve a problem. For example you as an MP can recruit several lawyers from your municipality to provide free legal help for concerned citizens. To do this you just have to ask your local lawyers to volunteer two hours of their time once a week. Similar activity to what we described here was conducted by one political party in Travnik and they were very satisfied with the results of it and of citizen responses. They were able to gain significant support at the next elections because of such effort. Effective MPs realize that they must use their staff as their spokespersons in order to reach a wider audience and work more efficiently. MPs need to build public trust in their staff in order to overcome the obstacle of insufficient time and resources.

It must be stressed that MPs can best manage the obstacles they face if their district strategy is focused, professional and innovative. We hope the following chapters will give both new and veteran MPs some ideas about efficient ways in which they can have an impact on the lives of the people they represent.

## CHAPTER I

### ESTABLISHING A STRATEGY FOR YOUR DISTRICT ACTIVITY

A member of parliament from Winnipeg faces a choice: spend every Saturday morning talking with people who randomly visit the office with various unspecified problems. Or arrange meetings with groups of farmers on Saturdays to discuss the land law.

A congressional representative in Florida who specializes in retirement issues also needs to decide how to spend time in the constituency. The member thinks it is important to be available for one-on-one meetings in the office, but also realizes that a large audience of pensioners can be reached by arranging to appear regularly on radio call in programs.

Members of parliament constantly face these kinds of choices when deciding how to allocate their time in district activities. Do you meet with people individually or do you try to reach them collectively?

Do you seek to focus the agenda when you talk with people, or do you open yourself to a wide range of topics? In fact, your inventory of activities should include all of these approaches - - but how do you decide when you should do what?

#### **The Need to Plan**

As an MP, you already know that you cannot do everything for everyone. Not only are your powers limited, so are you time and resources. Even in the U.S. where the Congress has ample funding, there is always too little time and too few resources to do everything. And everywhere in the world, the next election always seems to be just around the corner.

Because time and money are precious resources, successful MPs develop strategies to determine priorities. Plan for the most effective district work Strategic planning requires you to:

- 1. Define your goals**
- 2. Establish objectives to fit your goals**
- 3. Determine priorities**
- 4. Develop goal oriented action plans**
- 5. Evaluate your plan regularly**

#### ***1. Define your goals***

Successful MPs generally define a limited number of goals for their constituent work and then select activities for meeting those goals. Your goals should encompass your major political and policy priorities, and reflect your broad sense of mission as an MP.

Goals are the broad targets toward which you move by means of various activities. Strategic planners note that goals should be demanding, yet achievable. If the goals you set are too easily reached, then perhaps your time could be used more effectively on other goals. For example, if you already have a good relationship with the party leadership in your hometown, perhaps you should not focus on strengthening this relationship as your primary goal. Instead you might concentrate on building contacts in other towns.

On the other hand, your goals should not be impossible to attain. If your primary goal is to eliminate air pollution in your district you are setting yourself up for failure and disappointment. Instead you might try to focus on reducing pollution in a particular town or from a particular industry.

Typical district office goals for BiH members of parliament might include:

- Working for the interests of the people who voted for you;
- Working for the interests of under represented groups of citizens;
- Developing a relationship with potential voters/supporters;
- Developing an ongoing relationship with local government officials in your district;
- Developing a relationship with specific interest groups in your district;
- Becoming a spokesman on a specific issue that is important to your district.

All of these goals may be appealing and in some cases they may overlap. But for purpose of planning, it is best to select two or three goals to be the focus of your district activity.

Many members of parliament find that goals are more manageable if they share their district responsibilities with other MPs. According to an NDI survey of Romanian MPs, 61% of the respondents who were elected from the same district with other MPs from the same party have divided responsibilities for district activities with their party colleagues. 51% of these respondents said they have informally divided the district into different zones that they share.

42% of the NDI survey respondents who share a district have divided responsibility for district activity according to issue. For example, one MP might deal with rural problems while another might deal with industrial problems.

## ***2. Establishing activities for fulfilling your goals***

In order to reach your goal often you will need to conduct several activities. For example, you might decide that you want to develop a better relationship with a large rural population in an isolated area of your district. In order to reach that goal you might plan

to hold public meetings in that district four times a year. You may also determine that you will speak on the telephone with the mayor of the region's major town once a month.

Below we have listed some examples of strategic activities that members of parliament established in order to serve wider goals. The goals and activities described below illustrate the range of options available to MPs for involving themselves in district work. The choices you make must be based on your own unique circumstances.

**Goal:** Expedite implementation of the land law

**Activity:** Hold meetings with local officials

*An MP from the U.S. Congress determined that the implementation of the Land Law is an important long-term goal for his district and his party. He therefore scheduled a series of meetings with mayors throughout the district to discuss delays in implementing the land law. During one of these visits a mayor informed the MP that the city's surveying equipment was inadequate to meet the number of requests for land. The MP promised the mayor to investigate the possibilities for providing assistance in obtaining new equipment.*

**Goal:** Connect citizens to the legislative process by developing legislation based on district needs.

**Objective:** Hold meetings with citizens and collect information that can be used in developing recommendations and amendments on draft law or law proposal.

*An MP from Federal Parliament from Canada used information obtained from her district office to develop legislation. By meeting with farmers through the district, the MP staff documented key concerns about national laws relating to farm and pasture land. Based on the feedback of her constituents, the MP's office developed legislative amendments to address problems found in Law on Fish Farms.*

Strategic planners note that you should begin by listing all the activities that you might perform to move you toward attaining your goals.

The next step – determining priorities – helps you narrow your objectives to those that will best aid you in reaching your key goals.

### ***3. Determine priorities***

A U.S. Senator tried to answer on all invitations at the beginning of his mandate. However, he quickly realized that even though he believed these activities were generally serving his goals, he was doing too many things that produced too little impact. He is now more careful in selecting priorities.

Strategic planning demands that you face the difficult task of listing your activities in priority order, which means discarding some good activities that you would otherwise like to pursue. Sometimes, you must abandon some good ideas to focus on more pressing responsibilities. At other times, you must say no to people who think their meeting or activity is the most important request in the world.

The first step in determining priorities for your activities involves ranking the importance of your goals. Suppose you have established two primary goals: 1) to improve your relationship with an isolated rural region and 2) to improve your relationship with small business people throughout your district. If you decide that your work on the small business issues should take precedence, you then must determine those activities in the isolated rural area that you must cancel or postpone. If you had planned to visit the region once a month, maybe you should reduce the frequency of visits to four times a year. Of course when you do visit the region, you should make sure that you participate in many activities and reach the greatest number of people possible.

One political party in Canada advises MPs to consider the following guidelines when setting priorities<sup>1</sup>:

**a) How many constituents will be reached with the activities?**

You can meet with farmers individually regardless of the land reforms issues. Or you can host a meeting of 40 farmers to discuss land reform. The large meeting may not be as personal, but you can affect the lives of many more people.

**b) How important is the activity to the community?**

MPs often receive invitations from groups or individuals whose views and problems do not reflect the concerns of most people. In some cases, these groups may represent radical points of view that alienate most citizens. If you make a special trip to a region in your district you will maximize your effectiveness if you meet with people and groups who represent the broad concerns of your constituents.

**c) How much work is involved? Are the resources available?**

When analyzing whether to organize an event, you should not be afraid to turn to others to help you with the project. If, for example, you want to meet with citizens from a specific region on a regular basis, perhaps local non-government organizations can organize some events for you along with other MPs. If an MP from your party is interested in working with a target group – such as senior citizens – perhaps you can jointly perform some activities and share the workload. You should also consider conducting activities that require a limited amount of time and energy; do not involve yourself in overly difficult or complex efforts.

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<sup>1</sup> New Democratic Party (NDP) Constituency Resource Manual for the Ontario Provincial Parliament (New Democratic Party: Toronto, Canada, 1990) pp. 17-18.

**d) Consider the negative ramifications of declining an invitation to an event.**

Will you create irreparable bad feelings if you do not attend? Will your absence create damaging publicity? You might divide the audiences for potential activities into three types:

- **Friendly groups:** MPs in many countries attempt to maintain regular communication with friendly groups to preserve that good relationship. In NDI parliamentary survey, MPs noted that their best relations in their districts were with majors and councilors from their party. These relations with local elected officials, which were even ranked higher than the MPs' relationship with fellow MPs from the same party, are vital to an MP's district strategy.
- **Hostile groups:** MPs try to avoid extensive contact with clearly hostile groups. However, it is important to meet with such constituents at certain times to openly and honestly discuss your differences of opinion.
- **Potential supporters:** Many MPs believe it is most beneficial to spend time with potential supporters. In 1995, for example, NDI observed Member of Parliament who spent an entire afternoon at a large conference of tenants of nationalized housing. This MP believed that this meeting was an effective use of his time because he was generally – although not completely – in agreement with their concerns.

***4. Develop goal oriented action plans***

Writing down your plans on a calendar will help you visualize whether you are attempting to do too much and whether your activities are adequately focused on your primary goals. If you schedule seems too ambitious, you should drop or postpone events.

Begin by recording on a calendar the scheduled activities over which you have no control. Once you have noted the dates and times of events that you are obligated to attend, you and your staff can begin to plan and organize your own activities. The activities which you initiate to serve specific goals should be put into the framework of a goal-oriented action plan.

An action plan should list a general office goal and the activities that you will perform to move toward that goal. The action plan should specify deadlines for the activities and the persons who are responsible to implement the activity. For example, if you want to produce a newsletter four times a year, your staff should determine when the draft text must be ready, when it must be finalized for the printer, and when and how it will be distributed.

***5. Evaluate your plan regularly***

Every three months you and your staff should assess whether your strategy is moving you toward your goals. Have you manage to implement the activities that you laid out for yourself? Have your activities helped you achieve your goals? You may have planned to reach out to the population of an isolated region by working with the major of the largest town in the area. You may, however, find out that the major is unreliable. Or perhaps he is so unpopular that he actually hinders your ability to communicate with citizens. In such a case you may need to find other local leaders who can help you reach out to citizens.

Finally, be realistic. You might find that a particular region of your district is so unfriendly to your party, or to you, that no amount of outreach is effective there. In such a case, you might be better served by focusing your energy on a group of citizens who are more receptive to your positions. In other cases, you may find out that you do not have the staff or the funding to implement a project which has turned out to be more complicated than you originally expected. You may need to cut back your original plans in such a case. In the continual process of evaluation, remember: It is better to have a small success than a large failure.

## **CHAPTER II**

### **COMMUNICATIONS AND OUTREACH**

At one public meeting in small mining town, a mine worker stands up and asks his MP if the mining industry is going to die in the region. For years it has been rumored that the mines are unprofitable and will have to close.

At another meeting outside of Chicago, a steelworker asks his congressman if the steel industry has any future. Thousands of people have been laid off in recent years and several factories have been closed.

“Our traditional industries will continue, but these industries will no longer provide the same number of jobs. Therefore we must build a more diversified regional economy”. This is the message delivered by both legislators.

The audiences in both places begin a dialogue with their representatives. “We are too old to lose our jobs, what new industry do you think we can attract, how can we prepare ourselves for the economic transition”. Although both legislators can offer few promises, they can provide useful and honest information about a wider political and economic picture, and help prepare people for an uncertain future.

A dialogue is a two-way street that benefits both sides of the conversation. By communicating with citizens, members of parliament are able to explain their vision for the community, and are able to learn what their constituents are thinking and feeling. Such exchanges let citizens know that their parliamentary representatives care about their needs and opinions.

#### **What is Outreach?**

Parliamentarians use a variety of techniques to communicate with constituents. Some of these methods, such as writing letters and sponsoring public forums, are traditional. Other techniques, such as forming advisory committees, holding special events and conducting public opinion surveys, are more innovative.

These activities are called “outreach” in the United States because they attempt to reach out to a wide number of people who otherwise may not participate in the political process except at election time. These people may have good ideas and energy that can be used to promote local projects or build a base of support for local problem solving. At other times, outreach may simply provide an outlet for frustrated citizens to ask a basic question that deserves an honest answer.



## **I. Office and Office Hours**

You may spend most of your time at the parliament building in Sarajevo or Banja Luka, but your district office remains a permanent symbol of your ongoing interest in people concerns. And if you could have an assistant, who greets constituents as they come in door, it would provide many citizens with their first impression of you.

It is important to hire assistants who have the capability to obtain a basic understanding of legislative questions and legal issues that they must confront daily. Choose assistants who are friendly, professional and energetic. Some MPs hire experts who are lawyers and can advise constituents about certain problems, but any “expert” must also be able to deal compassionately with people.

Many parliamentarians locate their offices in their party headquarters for financial or other practical reasons. These MPs often believe that since they were elected on party lists, it is important for them to share the party’s hardship and successes by being located in local party offices. From another standpoint some MPs support idea of establishing separate offices. They believe it is important to separate their position within the party from their job as members of parliament. This can be true, but for sure it is more expensive than to use existing local party facilities in district.

According to an NDI survey of members of parliament, office hours are overwhelmingly the most popular method that MPs use to communicate with citizens. In NDI’s poll 82% of respondents answered that they “often” use office hours to communicate with citizens. In contrast, 40% often use public meetings, 37% often use the mass media, and 39% often use the mail to communicate with citizens.

### **Office Hours**

Obviously, your constituency office should be open at hours convenient to the public. While most full-time constituency offices are open Monday to Friday from 9:00h or 10:00h to 16:00h or 17:00h you can arrange the hours to suit your personal schedule. You might consider opening one evening or Saturday morning to accommodate constituents who are unable to contact your office on working days.

Flexibility is important. Some offices have indicated a willingness to schedule appointment at hours outside of regular working hours, if that time is more convenient for constituents.

If your constituency is large or has a number of centers, you may decide to hold office hours on a rotational basis in various centers using existing facilities as a temporary office site. With some advance planning efforts you can often schedule office hours in conjunction with other activities you plan to conduct in particular region.

### **Formal Appointments**

Setting up formal appointments enables you:

- to adhere to some kind of schedule (either 15 or 30 minute intervals)
- to maintain some control over the volume of people in the waiting room.

### **Open office hours when anyone may come will mean:**

- no loss of time between appointments, particularly if an interview takes less than the allocated 15 or 30 minutes
- staying until everyone in the waiting room has been seen.

*An advertisement in the local newspaper will let your constituents know the location and office telephone number. Information about your office hours may be included in newspaper advertisement.*

### **Scheduling**

Your constituency office may receive invitations from local groups (NGOs) asking you to speak or attend particular events. Your assistant should obtain as much information as possible about the event including:

- *date and place;*
- *nature of the event;*
- *what is expected of you;*
- *sponsoring group;*
- *contact person*
- *number of people expected to come.*

Since it is important to obtain a full description of the event, your office might want to design a small form so that relevant details are included.

### **Reference Books**

Your constituency office will find it useful to establish a small library of basic reference books:

- A guide through executive and legislative institutions in BiH with contact information;
- Telephone Directories for all places in your constituency, available from your local PTT office;

## **II. Public Meetings**

At one public meeting an MP can talk with hundreds of citizens and gain a sense of the community problems and values. This information is vital to you as MP. In addition, by appearing before a group of citizens, you demonstrate an interest in their problems and the courage to confront hostile questions.

*Your appearance at public forums helps strengthen public belief in the institution of parliament and will serve you well at election time.*

### **A. Planning a public meeting**

In planning a schedule of public meetings, you need to consider some basic questions:

*How many, where?*

An active MP should develop a regular schedule of public meetings, at least once a month, throughout the district. When you begin strategic planning, pay attention first to places where you haven't been in a long time. Plan a trip there. Have you ever met with small business people? Perhaps a local association of small businesses can arrange a meeting for you.

#### **Issue focus or general topic?**

You will need to decide whether your public meeting should focus on a single issue, like some particular law, or whether the topic should be more general such as review of a recent parliamentary session. Generally, a specific issue will attract more people to the meeting and will be more appealing to the **media**. However, an open forum may be more suitable in a community that you do not often have an opportunity to visit. In such towns and villages, citizens may welcome the chance to attend a meeting and speak about a variety of issues.

#### **How can you advertise the meeting?**

Advertise the time and place of your public forum well in advance of the meeting. In the U.S. many members of Congress mail postcards to every house in the neighborhoods near the meeting place. While this practice may not be possible in BiH, it is feasible to hang posters in apartment blocks or billboards, or place a small advertisement in the newspaper.

Be sure to inform media about the public meeting. After distributing a press release, you or your assistant should telephone newspaper and television reporters to remind them of the upcoming event. The assistant might inform the reporters of some key issues that are likely to be examined: "We expect a lot of citizens to discuss the Law proposal on Taxation policy".

Regardless of how you advertise, it is important to promote your event and circulate details about the meeting. Even if attendance at the meeting turns out to be small, a widely publicized notice highlights the fact that the meeting occurred and that you made yourself available to your constituents.

## **Can you ask a local NGO to organize meetings for you?**

Since organizing meetings can be very time consuming, you might consider asking an NGO to organize a meeting for you. For example several NGOs in BiH seeks to better link citizens/voters and parliamentarians from different parities, based on that they can plan an event for you or include you in an already scheduled activity.

## **How can you prepare yourself?**

In the U.S. a congressional assistant recalls being invited to a “friendly informal neighborhood meeting”. However, when she arrived at the meeting, she was meet by a group of 200 environmental activists raging with anger at her and her boss. She felt trapped. And she obviously looked uncomfortable and appeared unprepared.

Do not let this happen to you. Acquaint yourself with your potential audience. Ask your party volunteers to acquire as much information as possible about the group to which you will be speaking. If you are visiting a city that you rarely visit, your assistant should do some research; telephone a few town officials or a local reporter to find out about the pressing local issues. Ask your assistant to prepare a brief report for you about what you should expect at the meeting.

## **B. Holding a public meeting**

A successful public meeting requires a moving and focused discussion, facilitated by both the MP and the moderator. But, you should also be flexible enough to allow people to express themselves so that they understand that you are listening and are concerned.

### *Choose a moderator*

Do not moderate the forum yourself. Select another person to perform this important task. The moderator can be a local ally from your party or media figure. The moderator should introduce the topic for discussion, announce the rules for questions and answers, and state the time that the meeting is scheduled to end. Make sure the moderator can firmly control the proceedings and, if necessary can play the role of the “bad guy”. That is, if someone in the audience becomes rude or talks to long, the moderator should not be afraid to interrupt. Also, five minutes before closing the forum, the moderator should remind the audience that the meeting will end. Such an announcement protects the MP from the appearance of cutting someone off from speaking or not recognizing other questioners when the meeting ends.

### *Make an opening presentation*

In an opening statement you should directly and briefly address the topic of the public forum. For example, if you are there to provide an overview of the past session in the parliament, you may want to limit your discussion to three key issues. Your speech should also reflect a well-researched understanding of your audience.

### *Registry of attendees*

You should arrange sending a sign-up sheet through the audience during every public forum; this can be even done while they are entering in to the building. Though this device you can gather a list of names and addresses that may be useful to you in future. On the sign-up sheet you may also leave a space for attendees to write comments or inquire if they have particular interests. This information may translate into potential supporters for future projects.

### **Allow plenty of time for questions and answers**

Consider a public meeting a forum for dialogue. Consider yourself less a speech-maker and more a facilitator of an honest discussion. Below we have listed some suggestions to use in playing that role.

- *Encourage reticent participants.* In selecting questions, the moderator or MP might survey the entire audience and encourage people to speak who clearly have questions but may be afraid to ask. In some public forums the meeting organizers provide citizens with pencils and small cards on which to write their questions that are later collected and given to the MP to answer. This practice encourages people to participate who otherwise might be too nervous to speak in public.
- *Avoid campaigning.* You should make it clear that you are there as a public servant to listen to citizens, answer their questions and have a discussion. You will return at another time to campaign for their votes. This does not mean, however, that you should try to pretend you are not a politician. If you insist too frequently that you do not care about reelection, you are likely to sound dishonest.
- *Be willing to accept criticism.* If you believe a criticism has a merit, it may not hurt to admit it. Your audience will appreciate your honesty. However, you should try to turn criticism into an opportunity for constructive problem solving. For example, during a meeting in an isolated town in Manitoba, local people criticized an MP for failing to pay enough attention to them. The MP admitted that he had been negligent, but he turned a potentially negative situation into a positive opportunity to question his audience and find out the kind of parliamentary liaison needed in town.
- *Occasionally, it is acceptable to address some unrelated questions.* People often want to discuss issues that are irrelevant to your duties as a member of parliament. As a local community it may be appropriate for you to selectively comment on such questions. However, most MPs believe that you should not allow questions which are clearly unrelated to your job as an MP to dominate the meeting.

### **III. Finding new ways to meet citizens**

There are many imaginative ways to encourage people to communicate with you.

## **Special events**

Some MPs organize special events to appeal to particular audiences. For example, a group of opposition MPs in Bulgaria organized a football match for themselves and interested young people. Before the match, the MPs discussed some political issues with attendees at the event.

A U.S. member of Congress from the Midwest regularly organizes a meeting with senior citizens. This meeting is a social occasion during which senior citizens can acquire information about government programs available to them. And they get a chance to talk with their congressional representative and socialize with each other.

In these cases, the MPs and congressman determined that they wanted to reach out to key groups, young people or senior citizens, in more informal ways. As an MP who is active in your district, you may want to think about designing events that will be useful and fun for key groups that are important to you.

## **Clinics**

Clinics are commonly thought of as time scheduled in the constituency when constituents know a member of parliament will be present for consultation or informal discussion about problems in the community. Identify a regular time to be in the community and post or advertise the schedule prominently. Schedule clinics at a variety of places around the constituency, even if only for an hour or two.

## **Report Backs**

Report Backs are organized forums during which members of parliament “report back” to their constituencies about recent developments in government. Members of parliament can discuss personal achievements, developments in a committee they sit on, important laws being discussed by the parliament or recent important political or social developments.

## **Door to door – meeting citizens randomly**

During the electoral season, American politicians often campaign by going house to house to talk with citizens. This technique can also be used to meet people and listen to their opinions. By going out to meet people throughout your term, you show citizens that you are not simply interested in talking to them only during election time.

## **IV. Using the mail**

BiH MPs typically do not write large quantities of mail to their constituents. With very limited resources, it is difficult for parliamentarians to write many letters. Furthermore, it

often seems that face-to-face contact is the only really effective way to communicate with people and get things done.

However, MPs can use mail to contact people that they would not normally meet on the street or at political meetings. A letter indicates that an MP takes the concerns of his citizens seriously. A letter provides MPs a chance to empathize with their constituents and articulate their positions on key issues. In addition, a concise written expression of these positions can be a very useful preparation for public meetings and media appearances.

Letters should be straight-forward and uncomplicated. The most effective forms of written communication are not formal and long, but simple, personal and brief.

### **A. Types of letters**

Parliamentary letters to constituents are written either in response to a letter sent by a citizen or are unsolicited communications.

*Letters of response* may answer a citizen's complaint, a request for help or an expression of opinion. In the U.S., the office policy of most members of Congress dictates that all constituents who write letters deserve a speedy reply<sup>2</sup>. A letter of response may be negative in content but the MP should let citizen know that his/her viewpoints are important. For example, you might write:

*"I understand and share your concern about air pollution, however I cannot support your proposal to completely close down our city's paper factory. Such an action would cause severe economic difficulties. However, I am working with the government and international organizations to identify funding for pollution reduction equipment to help ease the unhealthy conditions identified in your letter".*

*Unsolicited letters*, the other main type of constituent mail common in the U.S., are generally rare in BiH. Such letters are often sent to citizens without the MP having received any requests for communication from the constituents. Often the same letter is sent out to large numbers of people who are known to be interested in a specific topic.

Unsolicited mail can be an effective way to reach out to new audiences who do not necessarily expect to hear from you or simply to maintain contact with old friends and supporters. For example, if you have been active in promoting rights of the war veterans, you can write to the members of war veterans groups to inform them of your activities. In the U.S., such a letter might begin by stating:

*"Dear Mr. Stanley, as a war veteran you might be interested in the recent activities of the Democratic party to promote your rights through legislation in Congress".*

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<sup>2</sup> Please see Appendix 1 for an actual example of a constituent letter and Appendix 2 for the U.S. Congressman response.

Because unsolicited letters are unusual in BiH, they can be particularly effective. Citizens will be impressed to receive a letter from their MP, especially if it contains substantive and useful information.

In order to sent such letters your party or district office should collect addresses of people who are concerned about particular topics. In addition you may be able to acquire lists of addresses from NGOs that are active in your community. It is useful, if not essential, to put these addresses into a computer database for repeated use in the future. By using a computer you can print large quantities of the same letter to groups of people.

## **B. Writing constituent mail**

BiH parliamentarians should develop their own styles for writing constituent mail. Samples of letters based on English language techniques in this manual may be helpful to you in writing quick concise letter to constituents. By showing you English language techniques for writing constituent letters NDI has no intention to impose on you a particular style in writing letters but rather to help you in determining your own style in writing constituent letters.

### **1. Plan your letter**

Before you begin writing it is important to define the purpose of the letter in concise and concrete terms. This intention should be plainly stated in your letter. After briefly stating your reasons for writing, you should next provide further explanation.

This style of writing, known as the “inverted pyramid style” is a classic international technique for conveying information quickly and efficiently. You begin the pyramid by stating the most important information. In this manner, even if the recipient stops reading after the first paragraph, he/she should have a good understanding of the letter’s purpose. The letter should next provide all necessary explanatory information. You should close the letter with additional helpful suggestions or ideas.

*a. State the purpose of the letter*

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*b. Provide further explanatory information*

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*c. Close with alternative suggestions or ideas*

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For example, if you or your party helped a widow to receive the veteran benefits of her deceased husband, you might plan a letter along the following lines:

*I am pleased to inform you how I was able to determine that you are entitled to receive the veteran benefits of your deceased husband.*



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*Explain why the widow is entitled to the benefits*

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*Explain why it may have taken so long for the benefits to come through (it is not necessary for you to take responsibility for the delay)*

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*“If I can provide you with further information, please do not hesitate to contact me”.*

In writing constituent mail one party from Canada recommends the following advices to new MPs when planning a letter<sup>3</sup>:

- Good news before bad
- Requests before justifications
- Answers before explanations
- Conclusions before discussions
- Summaries before details
- Generalities before specifics

## **2. Write the letter**

Several suggestions might be helpful as you compose your letter:

- *Think about your audience.* How much do they know about the subject of your letter? If you do not know the person to whom you are writing, it is safe to write in plain and simple terms that any layman would understand.
- *Briefly explain important background information.* Even if citizens seem to be well informed, it is worth repeating your understanding of a situation. For example, if you are writing to tenants of nationalized houses, it might be wise to clearly reiterate the current status of legislation on this issue just to make sure that the citizens do not misunderstand.
- *Avoid complex or bureaucratic language.* In writing, your goal should be to cut through technical or obscure terms by providing citizens with clear answers, and information. By using customary words and phrases, you can create a familiarity with yours readers and built trust as their representative.

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<sup>3</sup> NDP Constituency Office Resource Manual, pp. 51-53.

## **V. Documenting feedback**

### ***Public Opinion Research***

As a member of parliament you are the representative of all the people in your constituency. In order to effectively represent the interests of your constituents, it is important for you to know what your constituents think, what their greatest concerns are and how they feel about legislation or government programs. As an MP you can learn a lot about the feelings of your constituents simply by spending time and working in your constituency. Informal conversations with constituents, public meetings and meetings of various committees all give you the opportunity to learn more about your constituents' concerns and opinions. Sometimes, however, it is useful to gather public opinion through very simple but effective surveys or in a more scientific and organized way, through public opinion research.

#### Surveys – Questionnaires

Many political parties in BiH use questionnaires as a regular campaign tool for reaching citizens. Questionnaires enable you as MP to communicate with voters. People like when they are asked for opinion and you will increase your credibility by asking and listening people.

Why you should use a questionnaire and what are the benefits of it?

- The questionnaire conducted in a local community by going from door to door will increase your profile and it will show to voters that you and your party take care about them. It will illustrate how you are not afraid to talk directly with the voters.
- The questionnaire is a good organizational tool that can help you and your party in reaching new volunteers and party supporters.
- The questionnaire can help you and your party in identifying issues and topics important to the voters and finally
- By using questionnaires you will be able to build the list of voters voting for you.

#### Questionnaire Developing

A questionnaire should be very simple with simple graphic design and it should be limited on two A4 pages of paper.

First page should be focused on local issues. At the top of the page you should put a simple and short introduction that will explain to voters why you are conducting a survey.

For example you can say:

“Your \_\_\_\_\_MP wants to listen what you have to say. Many politicians are not interested in what you think. My party and myself are interested in you and your opinion. This why we are here on your doorstep to find out what is important to you how we can do a better job for you”.

Second page should be focus on broader issues. On the second page you can test your and your political opponent popularity. On the second page you should make enough space for people comments and it should contain your (your party) contact information. See appendix\_\_\_\_, for a sample of a questionnaire.

### Public opinion research

Formal research can allow you to gather comprehensive information in a short time and will allow you to check if your more informal methods of gaining public opinion are accurate.

Research conducted by people other than yourself will also give you honest answers to questions that might be difficult for you to ask yourself, like” Do you think your MP is doing a good job”?

Here are some brief points about putting together public opinion surveys:

- Questions can be either closed-ended or open-ended. A closed ended question provides the respondent with limited options for the answers. For example, a closed-ended question might ask:

Who do you believe are your representatives in parliament?

\_\_\_\_\_ MPs who represent my constituency and are from the party which I voted for

\_\_\_\_\_ All MPs from the party I voted for

\_\_\_\_\_ All MPs representing the constituency where I live

\_\_\_\_\_ MPs from my hometown or village

\_\_\_\_\_ I have no representative in parliament

\_\_\_\_\_ No opinion

\_\_\_\_\_ Other\_\_\_\_\_

An open-ended question might ask citizens:

*Who do you believe are your representatives in parliament?*

---

Generally, it is easier to ask and evaluate closed-ended questions. Although open-ended questions can provide interesting information about citizens’ motivations, you should usually try to limit such questions to one per survey because every answer will be slightly different.

- Keep questions simple. Avoid bureaucratic language and long sentences. And do not assume that citizens know what you are asking about.
- Avoid biased or leading questions. You need to find out how people really think, not how you would like them to think.

A biased question might ask:

*Are you angry about the inadequate funding which the government allocated for the war invalids?*

Yes \_\_\_\_\_ No \_\_\_\_\_

Instead you might ask:

*Do you believe that the government allocates adequate funding for the war invalids?*

Yes \_\_\_\_\_ No \_\_\_\_\_

- Response options should be clear. All possible answers should be covered in your response options. The respondent should be able to mark only one answer. For example, a poorly phrased questions might ask:

*How often do you read daily newspaper?*

- \_\_\_ Every day
- \_\_\_ Almost every day
- \_\_\_ 4-5 times per week
- \_\_\_ Once per week
- \_\_\_ Once per month

As you can see with these response options, the same respondent could answer Almost every day and 4-5 times per week. Also someone who never reads daily newspaper has no possible response.

A better question would ask:

*How often do read daily newspaper?*

- \_\_\_ Every day
- \_\_\_ 3-4 times per week
- \_\_\_ Once per week
- \_\_\_ Once per month
- \_\_\_ Never

Survey questionnaires can be filled out by the respondent, or interviewers can personally ask the questions to random citizens. Such personal interviews yield the most accurate results. However, they are most expensive and difficult to administer. If you choose to distribute written questionnaires, make sure that it is easy for citizens to reply. It is best for the person

distributing the questionnaire to collect it immediately after it is filled out. If you are distributing the questionnaires by mail, it is best to include a stamped return envelop with your address written on it.

Citizens want to know that you are gathering their opinions for a reason. Therefore it is vital that the results of your survey are published in a bulletin or released to the press. This feedback tells citizens that they are involved in decision making process.

## **VI. Media and Publications**

Word of mouth is your most important form of publicity. News travels fast in the villages and small towns, and your constituents will soon hear about your activities if you are active in your constituency. However, coverage of your outreach activities on the radio or in the newspapers can be beneficial. Your constituents will be interested to hear or read about something that is going on in their home. Having your name in print or on the air will increase your stature in your constituency. News coverage of events or projects that you have organized will encourage other MPs and increase your popularity with the leaders of your political party. Donors and government officials might be more responsive to an MP who's name is well known. In other words, when you do something newsworthy in your constituency, it is in your interest to have it published or broadcast.

There are several things to remember when you are dealing with reporters. First, do not expect reporters to come to you. You must seek out reporters aggressively and keep them informed of your activities. Reporters are human beings-they want to do their job with as little efforts as possible, so make it easy for reporters to cover your activities. Second, not everything you do is newsworthy. Do not expect reporters to cover every public meeting you have or to be interested in every project you initiate. Be selective when you write news releases or invite reporters to your constituency. Only try to get coverage for truly newsworthy events. Third, not everything that a reporter records or writes is broadcasted or printed. Reporters have bosses who must chose between many different stories each day. Do not get angry at a reporter who covered one of your activities just because the story did not appear on the radio or in the newspaper. Fourth, remember that there are more then 100 other MPs trying to have their event covered.

### **A. Bulletins**

Bulletins represent the most common publication format. Such publications do not need to be elaborate or more that one or two pages (see sample of the bulletins in appendix 3). It is much better to produce a plain and simple publication on a regular and frequent basis than to print a fancy bulletin only once a year. The bulletin is also a forum in which to present views and opinions that you have received from constituents. Be sure to include the results from opinion surveys.

## **B. Issue publications**

Another type of publication can focus on a key issue. If you have been active on war veterans issues, for example, you might write a one-page paper on your and your party's work on behalf of war veterans and the status of those issues in parliament.

## **C. Press releases<sup>4</sup>**

An effective way to generate free media attention is to create a press release. A press release can be used to publicize an event or highlight specific accomplishments. Press releases should be short (about one page), concise in content and be of general interest to the perspective audience. Before sending out a press release, however, a number of factors should be considered that will increase your chances for coverage.

1. Press release should be timely. It is unlikely that a news organization would publish an account of an event that occurred over a week ago. Likewise, do not send out a release so far in advance that the recipients forget about the event before it occurs.
2. Use clear language in the press release. Quotations are valuable especially in press and television.
3. Say something newsworthy. If reporters become accustomed to receiving press releases that do not merit news attention, the reporter may dismiss all of your future press releases without even reading them.
4. Limit your press release to one page that summarizes the major points or issues and their significance.
5. If, possible, supply the newspaper media outlets with a good quality black and white photograph of the event explaining what is depicted (the names of those appearing in the photo, the date, location and nature of the event). *Most newspapers are more likely to use press release if a picture is included.*
6. Follow-up on press releases. Call those to whom the press release was sent and make sure they receive it. Before an event, inquire whether someone from the news organization will be able to attend. After an event, contact the press who attended to answer any questions and emphasize important points or issues.
7. Create a press list. Compile address, telephone/fax numbers and the names of appropriate personnel including assignments editors and reporters likely to cover your story. *It is important to develop a relationship with the individual reporters. A good relationship is often a key element in getting your press release covered.*
8. In all press releases, be sure to list a contact name and number, where a reporter can call and follow-up.

## **CHAPTER III**

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<sup>4</sup> Excerpted from T. King and C. Olsen, "Delivering the Message", *Uneven Paths: Advancing Democracy in Southern Africa*, (NDI, Edited by Pdraig O'Malley, 1993, New Namibia Books (PTY) Ltd.) Chapter4.3.

## **SOLVING THE PROBLEMS OF INDIVIDUAL CITIZENS**

A village person in Moldova visits her senator's office to ask for help in finding her pension money which has mysteriously been lost in the labyrinth of government bureaucracy.

Half way around the world, in rural Mississippi, an elderly woman walks into her congresswoman's office because her social security pension money has not arrived on schedule.

Both women are angry and confused. The local bureaucrats in Mississippi and Moldova have asked them to fill out numerous official complaint forms, but still, they have not received their money. They have come to their elected representatives as a last resort.

In Bosnia and Hercegovina, just like everywhere, citizens need an identifiable individual to whom they can turn for help when they are bewildered or frustrated by bureaucracy. People should know that they can acquire answers from their MP. You and your party colleagues have a broad knowledge of public administration, both national and local. MPs and their staff should be sympathetic human beings with human faces who can use their authority to solve problems.

*Working on the problem of individuals is known as "casework" in the parliaments of the English-speaking world and in this manual we refer to individual problem solving as casework.*

### **Casework**

Why involve yourself in helping individuals solve their problems with bureaucracy? After all, MPs are lawmakers not social workers, right?

But actually lawmakers are social workers in a very real sense. A good MP will try to improve the lives of people in his/her district by creating responsive laws and policies.

Casework allows you to acquire a first-hand understanding of the way in which parliament and government is working, or not working, for your constituents.

Casework also lets your constituents know that you care about the impact of parliamentary decision making upon their daily lives. In a democracy, MPs understand that citizens are their "bosses", and all wise employees try to be responsive to the concerns of their supervisors.

In a practical sense, casework is an important method to further a parliamentarian's goals, goals as a public servant and goals as a politician. For example, suppose that your goal is to guarantee that people in your district understand their rights in the process of privatization. You and your office can meet that goal by explaining to your constituents their rights and clarifying steps they may take to avoid problems in process of privatization. Casework in this instance represents both an element of good public service and a smart political activity.

### **Responding to constituent problems**

An MP faces three general options in deciding how to address a constituent request:

- 1) refer the case
- 2) reject the case and
- 3) try to personally get involved to find a solution.

Although the last option sounds like a noble and responsible path, it is often unnecessary.

### **Option 1: Refer the case**

Most parliamentary offices refer cases that are not within their jurisdiction to the appropriate agency. In an NDI survey of members of the Romania parliament, 73 % of respondents noted that they consider it their responsibility to “refer citizens to the proper authorities that are competent to solve their problem”.

In many situations, citizens do not have a basic understanding of where they can go for help or how they should solve the problem. In such cases, a parliamentary office can offer some friendly “hand holding” to confused and frustrated citizens.

*Do not refer the constituent to someone else unless you are sure that is where the answer is. If a constituent doesn't know where to go for an answer and you don't know either, try to find out for him or her.*

### **Option 2: Tell the person there is nothing you can do.**

Saying “no” is often the hardest thing for a politician, but in the long run, most MPs believe it is politically unwise to hold out false expectations.

Saying “no” is especially important for issues which the public sector has no control. For example, in Romania citizens still expect government to take care of matters that are now controlled by the free market. During a public meeting in some village in Romania, for example, two MPs were asked to do something about the high prices in a privately owned local grocery store. While these prices may represent a very real problem for the local customers, the members of parliament maintained that they could not interfere in such matters of private commerce.

In addition, MPs should advise their staff (if they have any) to carefully decline any evasive involvement in legal issues. MPs in all countries are commonly asked to get involved in matters that are before the courts or are under investigation by the police. Involvement in such cases is generally considered to be unethical.

### **Option 3: Playing the role of an advocate**



If an MP or staff member determines that a case should not be referred or rejected, there are variety of ways in which an MP can play an advocacy role. By playing an advocacy role in the name of constituent you should be aware of several procedural steps that you district office should follow:

- *Opening the case – give the person a chance to tell his/her story in his/her own words. Try to be less official or bureaucratic. It is common practice in many countries that MPs ask citizens to fill out a one-page form in which they describe their problems and officially ask for assistance. Try to keep the meeting personal, but as short as possible. At the end of the meeting inform the citizen of the steps you plan to take to try to resolve the issue.*
- *Keeping track of your work – It is important to keep good records of all efforts made to help a citizen. Even make a note of situations in which you attempted to make a phone call but received no answer. In some congressional offices in the US, staff are required to make a telephone call every 15 days to inquire into the status of unresolved casework. Citizens remember this kind of follow up and sometimes this persistence is the only way to resolve a case.*

### **How to measure casework success?**

Often after exploring various avenues to resolve a problem, your efforts may be unsuccessful. In these cases, it is vital that you provide an honest and clear answer to the constituent without hiding behind bureaucratic language. At the same time make it clear that the MP was not the final decision-maker in the case, and you cannot be blamed.

According to one study, U.S. Congressional offices estimated that they achieved “favorable outcome” in 37% of cases they handled<sup>5</sup>. It is not surprising that the majority of cases have negative outcomes since citizens usually request the assistance of their MP as a last resort and have probably already exhausted most of the alternatives for resolving their problems.

Just because an MP’s intervention did not bring about a positive change, should an MP’s effort be considered a failure? No. An unsuccessful attempt at problem solving could contribute to a longer term change in policy in the government or within the opposition. Furthermore, while the ultimate answer to the citizen’s problems may be negative, in many cases, people often prefer any resolution to no answer at all.

*If you handled the case with a human approach, the citizen will have had at least one positive experience with BiH system of democracy governance. By working on such a case, you have taken a small step to empower people to find solutions to their problems. You have also performed a wise political act that may be remembered at election time.*

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<sup>5</sup> Johannes, John R. Congressional Casework: Attitudes, Orientations and Operations. p.17.

## **CONCLUSION**

This manual should be considered as a collection of good ideas for constituency activity which have been used in other countries. We hope this manual will encourage MPs to more consciously plan out a program for their district activities in which they focus on limited and achievable goals.

There is no real conclusion to this manual because there is no conclusion to the process of public participation in a democracy. Constituent service is a part of democratic dialogue that should be continuous, even though particular problems may have beginnings and ends.

***PUBLIC HEARINGS  
IN  
PARLIAMETARY PRACTICE***

**HANDBOOK FOR PREPARATION AND CONDUCT  
OF PUBLIC HEARINGS BY PARLIAMETARY  
COMMITTEES**

(English Translation)



***NATIONAL DEMOCRATIC INSTITUTE FOR  
INTERNATIONAL AFFAIRS  
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*Prepared by NDI Bosnia and Hercegovina*



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## I. PUBLIC HEARINGS AS AN INTEGRAL PART OF THE WORK OF PARLIAMENTARY COMMITTEES

- A public hearing may be defined as an information gathering mechanism used by parliamentary committees in their work, when analyzing and designing policies, as well as for the purpose of supervision. Public hearings may be held in relation to issues such as lack of legal frameworks, though it is more common to hold public hearings on drafts and proposed laws. In any case, parliaments draw different benefits from public hearings.
- Public hearings inform MPs, staff from different departments and the public on different issues considered in a particular draft or proposal, on measures to be taken in order to improve the act, and sets the intensity of support for a particular law.
- The purpose of public hearings can also be to follow the level of implementation of the Government's program of work, to monitor the activities of the Government, and to present problems in a given field, that the House of Representatives may deal with later.
- Public hearings allow citizens to take part in developing positions on certain issues, thus assisting in developing public opinion on a measure or an issue.

## II. TYPES OF PUBLIC HEARINGS

All types of public hearings share the same elements of preparation and conduct. Some of those are set by the existing Rules of Procedure. At the same time, there are differences between several types of public hearings, due to several reasons. It is common for each working body to prepare and adopt its own Rules of Procedure. The Rules must follow the Rules of Procedure of the House of Representatives, but may also expand and elaborate provisions contained in them.

Second, Rules of procedure of working bodies often differ among themselves. For example: in the US, some parliamentary committees do not contain the five minute rule for hearing testimonies, i.e. the rule which generally allows a committee member to take no more than five minutes when asking questions of a witness taking part in a public hearing.

Third, public hearings are conducted for **different purposes**. In terms of purpose, public hearings may be divided into three principal categories:

- legislative
- supervisory
- investigative

A public hearing may at times serve a dual purpose, such as legislative and supervisory. Although the rules of procedure generally do not contain particular provisions on the said three types of hearings, some provisions are applied more to certain types of hearings.

For example, Rule XI of the Rules of Procedure of the US Congress contains a provision related directly to investigative public hearings, such as protection of witness' rights. Also, powers of the US Congress committees for issuing subpoena for documents or for summoning witnesses to public hearings arise from a provision contained in the Rules of Procedure (Rule XI, Clause 2(m)(1)(B)).

- Parliamentary committees conduct **legislative public hearings** on issues and problems related to particular draft laws, or in order to promote options that may later become draft laws. Parliamentary committees sometimes hold hearings in order to develop a position on further activities of the committee or the parliament. More often, the purpose of a legislative public hearing is to consider measures and analyses of the conditions that need to be met for a draft to become a proposal and eventually a law. This type of public hearings allows for the creation of a forum for the presentation of fact and opinions on an act, presented by the witnesses coming from different walks of life, including MPs themselves, government officials, representatives of interest groups, NGOs, and other citizens interested in finding adequate solutions for the subject matter dealt with by a given act.
- **Supervisory public hearings** consider an act, an issue or a problem, or a proposed activity, often focusing on the quality of government programs and the level of performance of government officials. A supervisory public hearing also ensures that the implementation of the law by the executive is in accordance with the intention of the legislator, and that the administrative policy reflect the public interest. The idea of this type of public hearing is to promote effective, economical and efficient government activity. In the US, it is common that parliamentary committees conduct this type of public hearings when re-authorizing and passing new programs, or establishing government agencies.
- **Investigative public hearings** share some of the features of legislative and supervisory ones. The difference rests in the actual investigative nature, usually if there is a suspicion that an offence was committed by a public official while acting in an official capacity, or if a company or an individual is suspected of an offence.

In some cases, parliamentary practice has seen the establishment of special investigative committees, tasked with investigating a particular case. In countries with democratic traditions, regular working bodies have the possibility to conduct investigations within their scope of activities.

## **Conducting public hearings in the field**

Most public hearings are held at the seat of the parliament, but a working body may decide that there is a need for a public hearing to be held elsewhere. There are several reasons for organizing public hearings in the field. A public hearing brings the parliament closer to the people. Through public hearings in the field, a parliamentary committee may hear witnesses who are unable to come to the seat of the parliament to testify. In this way, a public hearing may discuss a problem or an issue to the people directly affected by it.

Public hearings in the field may intensify relations between the chair of the committee, other committee members and the electorate of their respective constituencies. They may also be interesting for the media, including TV stations, local, cantonal or entity ones. However, public hearings in the field may not be explicitly used for political campaigning. Most rules of procedure contain provisions banning any official travel on behalf of the parliament in order to conduct a political campaign.

### **III. PREPARATION AND CONDUCT OF PUBLIC HEARINGS**

When deciding on holding a public hearing, the parliamentary committee should consider different issues.

The committee must define the information it wishes to obtain through the hearing, assess what political message is to be communicated through the public hearing, and then consider whether a public hearing is the best method for the realization of the parliamentary committees' specific objectives. Several factors will bear an impact on the plan of the public hearing, including the importance of the subject matter, the level of interest of different groups in the subject matter, and the significance of the public hearing for the parliament itself.

Parliamentary committees world-wide often receive thousands of requests for public hearings. In the context of overflow of requests of this kind, the committee must decide on whether a public hearing on a particular topic would be the best utilization of funds and personnel. The committee must also consider whether a public hearing would fit into the general plan of work of the committee.

*In order to receive an approval for a public hearing, the secretary of a committee must prepare for the chair of the committee a preliminary note on the public hearing, containing information such as purpose and scope of the public hearing, expected outcome, list of potential witnesses, number of days needed for the public hearing and if available, positions of parliamentary opposition parties. In addition to this, a written summary of informal discussions with committee members may be useful.*

## **Sources of external assistance**

Numerous governmental and non-governmental resources are available to parliamentary committees, to assist them in conducting public hearings, since most public hearings are focused on government programs or potential programs. Therefore, executive agencies may often be the best source of information. Committees may request information directly from a government office.

Non-governmental organizations may be a rich source of information for parliamentary committees. Academics and personnel from other organizations are often willing to provide assistance by presenting specific data, analyses and statements. Studies have shown that testifying before a parliamentary committee during a public hearing is an important and effective method of influencing legislation. Additionally, the process of consultation of experts and interest groups provides committees with information and assistance from ordinary citizens who have direct experiences in relation to the proposed legislative act or issue, and who will be directly affected by the decisions made by the committee and the parliament.

## **Joint public hearings**

It is sometimes useful to consider holding public hearings jointly with a parallel committee from the other house or another committee of the same house. In such cases, the two committees should agree on procedural rules and should consider logistics, such as the venue. Decisions on joint public hearings should be preceded by a joint session of the two committees, to decide on holding a joint hearing.

The decision on joint public hearings is likely to be received better by the parliament and the government as the funder of the hearing, primarily due to the fact that this type of work is a more effective way of using the limited financial resources available for this type of activity. Organizing joint hearings may reduce the difficulties and delays that may arise from sometimes contradictory actions and proposals.

Still, in most parliaments in the world such hearings are not frequent. Some legislatures think that the parliament would benefit more from parliamentary committees presenting separate views and approaches. Moreover, coordination between two committees may be hindered by the fact that there are different dynamics in holding committee meetings, which is of direct impact on the timetables of individual committee members.

## **Planning**

When planning public hearings, the first thing to be considered is the schedule of sessions of the house. In order to maximize the presence of committee members at public hearings, overlaps of hearings and plenary sessions should be avoided.

## **Announcing public hearing schedules**

The chair of the committee should announce the public hearing time, date and topic no less than seven days prior to the hearing. In exceptional circumstances, if there is an obstacle, public hearings may be held at a shorter notice.

The announcement should be published at the parliamentary bulleting and, if possible, in daily newspapers.

The chair of the committee should provide timely information to other committee members on the time, place and topic of the public hearing and should supply them with all the relevant materials, a list of witnesses and their written testimonies.

## **Selection and invitation to witnesses**

Selection of witnesses is often one of the most important issues in planning a public hearing. Parliamentary committees should focus particularly on whose positions should be presented, who should testify, in what sequence and what format.

In some cases, the committee will try to hear all the reasonable opinions on a particular issues, while in other cases it may invite witnesses to present specific views on an issues, rather than all who have a view to present. In the US, the Rules of Procedure allow an opposition committee member to invite witnesses of his or hew own choice during one day of the hearing. In addition to this formal right of the opposition, opposition committee members also often hold informal discussion with the majority committee members on the selection of witnesses to be invited.

In order to give testimony, a witness must be formally invited by the parliamentary committee. Prior to the official invitation, the committee secretary may identify all potential witnesses and hold brief interviews with them. Once a list of suitable witnesses has been determined, the chair of the committee shall send official summons.

The invitation should provide the witness with basic information on the public hearing including purpose, topic, date and venue. *In addition to the problem or the issue the witness should focus on during the testimony, the invitation should also include a note on the maximum length of the oral testimony.*

If needed, the committee may supply witnesses with additional information. Such information may be the names of committee members, rules of conduct of the public hearing, measures and relevant excerpts from legislative acts related to the subject matter i.e. the topic of the public hearing.



The committee may reimburse the witnesses' travel costs, if they had to travel to the venue, and if such reimbursement is provided for, it should be indicated in the invitation.

## **Written statements**

The invitation may request the witness to submit his or her bio-data and a copy of the written statement (long version of the testimony). Most rules of procedures of democratic parliaments require the witness to send the text of the statement for the public hearing to the committee, so that it may limit the oral testimony to the key elements of it. Different committees have different rules on when the written statements are to be submitted. This time varies from 24 to 72 hours prior to the hearing.

The committee should have the power to decide in what cases it does not want to request written statements, e.g. when the witness is given too short a notice. However, in most cases, parliamentary committees are trying to obtain copies of statements timely, for several reasons. Some of the reasons are: to summarize or to prepare a statement outline, to prepare questions related to each statement, and to photocopy the statement and distribute it to the media and others.

## **Statements of witnesses from NGOs**

Written statements submitted in advance by NGO witnesses must contain specific information. In addition to a summary, the statement should contain the amount and the source of any government contract entered by the NGO in the two preceding fiscal years, which may be relevant to the testimony.

## **Format and sequence of testimonies**

The committees decide on the format and the sequence of testimonies. According to experiences from other countries, a witness should first give brief presentation on the written statement, and then answer questions asked by committee members, before another witness starts his or her testimony.

In the recent public hearing practice, there are more and more witness panels. In such cases, witness panelists are required to present views, and then **committee members** present questions for the entire panel. This public hearing format is believed to stimulate the discussion and provide relevant information more efficiently. In parliamentary practice, committees have tested several other formats suitable for gathering information, which are not formally presented as public hearings. For example, a committee may hold a seminar, during which experts present their opinions on a given subject matter, with opportunities for informal questions and discussions, or a round table giving committee members and secretaries an opportunity for an open dialogue with individuals who have knowledge and experience in a particular field.

Sequence of testimonies falls within the discretion of the parliamentary committee. In the US, standard protocol requires that MPs who want to testify speak first, and similar privilege exists for senior government officials. Celebrity witnesses must be scheduled very carefully, as they may often generate considerable media and public attention. Their appearance is often scheduled for the beginning of the public hearing.

The sequence of testimonies of academics, representatives of educational institutions, NGOs and other citizens should be set in such a way as to facilitate the best communication between the intention of the committee and the information the witnesses are to present. For example, the committee may decide on the sequence where one witness will be able to challenge the testimony of another.

## **Information package**

In the US, chairs of committees often require the secretaries to prepare an information package, containing information on the public hearing and short summaries of statements received, to be used by committee members prior to and during the public hearing. The information package may contain different items, such as topic description, scope and purpose of the hearing.

For legislative hearings, information packages should contain copies, explanations and comparative overviews of all the measures to be considered. Basic information may include relevant statutes, provisions, court decisions, news articles, agency reports, academic studies and a chronological overview of key events. In order to assist committee members in conducting public hearings, information packages may contain a list of all the witnesses according to the sequence of testimonies, copies of summaries of their statements and their biographies.

In addition to the above, the information package should contain possible questions the committee members may present to witnesses, and brief notes for committee members which may help them in their introductory remarks.

## **Publicity and the media**

The purpose of the committee when holding a public hearing does not have to be just to gather information. The purpose may include public presentation of a problem, in order to draw attention to it. Public presentation of a problem during investigative public hearings may be a particularly effective technique. Public officials are often more likely to work on eliminating program problems or differences if an issue has been widely presented in the public. Public hearings are also used for building support for a proposal by the general public or specific members of the public.

Presence of the media and the organization of media coverage depends on the rules of procedure. For example, in the US, Rules of Procedure of the Congress require that public hearings should be open to the general public, radio reporters, TV and photographers, unless the parliamentary committee decides otherwise. In the US, hearings may be closed to the public only for a limited number of specific reasons, e.g. if the information to be considered may compromise national security.

Some of the important provisions related to media coverage of public hearings should be listed here:

- radio and TV coverage of public hearings may not be used for party campaign purposes, in order to promote or discredit a person - a political candidate;
- media coverage should be in accordance with acceptable standards of dignity, propriety, civility and decency, traditionally practiced by the parliament;
- after the chair of the committee has decided on the maximum number of cameras, media representatives should agree on forms and length of recording.
- TV cameras and reporters must not be placed between the table for witnesses and committee members, and photographers must not be placed in such a way as to hinder the hearing itself;
- TV cameras must be operated from fixed positions and must not prevent coverage of the hearing by other media;
- TV and radio equipment must be set prior to the beginning of the hearing and must not be installed or removed during the hearing;
- technicians may install additional sources of lighting in the hearing room in order to improve the light during the hearing, but only to the maximum TV coverage level.
- if the number of media representatives registered for covering the hearing exceeds the number set by the chair of the committee, the adequate number will be selected by random ballot draw;
- journalist must register.

## **Administrative issues**

A number of administrative operations must be completed prior to the hearing, and this is usually the responsibility of the secretary. There are two administrative issues: (1) booking the public hearing venue; (2) finding an official rapporteur in the planning phase.

Many administrative details are related to the layout of the room to be used for the hearing. This includes providing equipment and facilities (such as name tags, written materials, mineral water), providing writing material for the chair, timer, notebooks. Providing all the committee members with an adequate number of copies of information packages, rules of procedure, reserving space for the media, personnel from departments, witnesses, providing microphones and other audio equipment, providing an adequate number of copies of witness statements and other materials relevant for the public hearing.

## **Conducting a public hearing**

As stated earlier, public hearings require intensive preparation. After the hearing has been announced, witnesses selected and invited, the room booked, necessary research completed, information package prepared, the hearing may commence.

## **Quorum**

A quorum needs to be set in order to start a public hearing. A quorum exists if no less than one half of the committee members are present at the public hearing.

## **Introductory remarks at the opening of a public hearing**

When present, the chair of the committee usually chairs the hearings. In his/her absence, the deputy chair of the committee shall chair the hearing. In his/her absence, the most senior committee member shall take the chair.

In order to commence the public hearing, the chair usually gives introductory remarks, introducing the topic and the purpose of the public hearing. On that occasion, the chair may describe key events that preceded the hearing and the key issues. At the end of his/her intervention, the chair introduces the next committee member to give introductory remarks (if needed).

If all the committee members need to give introductory remarks, the chair may limit the speaking time to five minutes. The chair usually does not encourage all the members to give introductory remarks, mainly because of the time, and the common practice is that the chair invites written submissions by committee members, rather than oral introduction.

## **Introduction of witnesses**

Following the introductory remarks, the chair should introduce all the witnesses planned to testify at the hearing, following the agreed sequence and format.

## **Oral testimonies of witnesses**

Each committee should request the witnesses to limit their testimonies to a brief presentation of arguments. In order to save time, since written statements are available to the committee, as submitted prior to the hearing, it is usually not needed or recommended for a witness to read his/her entire statement.

In some cases, the chair may limit the duration of the testimony. The usual duration is five minutes. If needed, the chair may extend it for another five minutes.

### **The five minute rule for questions to witnesses**

The question and answer time starts when the witness has finished his/her oral testimony. Committee members use this time to ask questions in order to obtain additional information which may support future actions and decisions of the committee. Sometimes the committee secretary may prepare questions the chair and other members may ask the witnesses. In some cases, the line of questioning may be presented to and discussed with the witnesses even prior to the hearing.

Each committee member should be able to present questions to each witness, over a period of five minutes. This time may usually be extended in a joint decision of all committee members.

The sequence of questioning by the committee members may be set in accordance with the power of the affiliated party in the parliament, or on the basis of sequence of arrival to the hearing.

### **Questions by committee staff and others**

On the basis of a separate decision, the chair of the committee may allow the secretary or another staff member to ask questions. In the US, the Intelligence Services Agency allows witnesses to be questioned by committee staff or secretary.

Many committees allow members of other committees to attend public hearings, but usually only the chair or the deputy chair of such committees may ask questions.

### **Activities following the public hearing**

After questioning the last witness, the chair concludes the hearing. At the end, the chair may summarize what has been said during the hearing, what information has been obtained on a particular issue, and may give a closing comment on the future schedule or the action to be taken by the committee.

Following the end of the public hearing, the secretary should prepare a summary of all the testimonies. This summary should be distributed to all committee members and the media concerned. Additional questions on issues which remained unresolved during the public hearing, which the committee members may have, should be gathered by the secretary and forwarded to the witnesses for their written response.

In coordination with the chair, the secretary should prepare a report on the public hearing, to be presented at the plenary session.

## **Transcript and accompanying documents**

If such technical options exists, each public hearing should be recorded and later typed. The transcript must be true and correct, with technical, grammatical and typing corrections approved by an authorized official.

After this, the committee usually publishes a transcript of the public hearing, especially in case of legislative hearings, and public hearing transcripts should be distributed to all MPs prior to the plenary session.

The committee may consider the possibility of documents to accompany the report. Accompanying documents may include written witness statements, tables, committee research and written testimonies submitted by the witnesses who were unable to attend the public hearing, witness responses to questions asked by committee members during the public hearing.



# MANUAL FOR INTERNSHIP STUDENTS<sup>1</sup>

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[www.ndi.ba/ndi.org](http://www.ndi.ba/ndi.org)



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<sup>1</sup> *This manual was developed and distributed to support NDI trainings and consultations. Note that over the years additions and minor revisions to content have been made to improve it as a training material/reference guide and to adapt it to a specific training situation.*

Welcome students!

Congratulations on your selection as a student intern. It is with great pleasure that I welcome you to NDI's third cycle of parliamentary interns at the Parliament of the Federation of BiH.

Internships are a mechanism used in western democracies to facilitate practical work experience for students and young people. Through internships, students have an opportunity to apply what they have studied in university by assisting with the actual tasks being done in a professional work place.

One of the goals of this internship program is to provide you with a practical work experience and allow you to develop important contacts. We believe this will help you to navigate a successful transition from academic life to professional life.

However, NDI's student internship program at the Parliament of the Federation of BiH has proved itself valuable, not only for students, but to the development and the work of the parliament itself. Finally, we hope that your experience will encourage you to make a more significant contribution to the public life and democratic development of BiH.

Pursuing these goals and the success of the program at the Federation, this year NDI is expanding parliamentary internships to the state level parliament and the assembly of the Republika Srpska.

Again, congratulations on being selected. We are confident that you will do your best to fulfil your role. We trust that your experience as intern will benefit you, the Parliament and your country.

Respectfully,

Paul Labun  
Director  
Parliamentary Program for Federation of BiH  
National Democratic Institute

**Introduction**



In western democracies, elected representatives are supported by a team of assistants. This team is very active. They conduct field research, track media stories and public opinion, analyse law proposals, and write speeches to ensure the elected representative is well informed and fulfils as much of his responsibility as possible .

You may wonder why it is that an elected representative requires so much support. The logic being applied here is that an elected representative requires a level of support to match the importance of his or her assignment. In the system of democratic governance, elected officials are crucial. They must review, pass and propose laws. They must scrutinize the executive. In addition they must act as the link between citizens and government.

Such support requires enormous financial resources. Parliaments in BiH lack these resources. As a result, representatives and delegates in BiH do not receive assistance from trained and professional people. This assistance is greatly needed in the complicated work of constructing BiH as a modern democratic state. BiH stands in the middle of transition process with high level of criminal and corruption because of the lack of quality laws and its efficient execution.

One of the obstacles to the developed of BiH is the current educational system. Students in secondary schools and universities receive only theoretical knowledge without possibility of its practical application; what actually is the purpose of the education itself. Young and educated people who leave school are unable to find work. They often are turned away because they lack the necessary experience. After number of years, they find themselves not so young any more. And question why young people leaves country is raised every day.

These are the reasons why NDI, together with the parliaments and the Universities in Sarajevo and Srpsko Sarajevo, offer student internship programs. Student internships are a chance for students studying on their final year on Faculty of Political Sciences, Law Faculty, Faculty of Economics and Philosophy Faculty to gain work experience in Parliaments. Students are assigned to working bodies (certain commissions and boards), clubs of the political parties and to offices of secretary of the House of Representatives and House of Peoples.

Each intern student is assigned to a **parliamentary supervisor from whom the student will receive specific assignments**. The supervisors assigned by NDI have the sole responsibility for giving students assignments. If others in the parliament wish to give an intern an assignment, they need to obtain the approval of the supervisor of that intern.

Number of working hours of the students is 15 in average, dependable on size of assignment which they got from their supervisor.

According to experiences gained up to now, work of the intern students included:

1. Creation of comparative analysis of the law proposals
2. Suggestions for amendments on existing law proposals
3. Creation of amendments on law proposals
4. Creation of reports on specific subjects
5. Tracking media reports
6. Tracking work of working body or a club
7. Making records of working body or a club session
8. Tracking sessions of working bodies or clubs
9. Tracking plenary sessions of House of Representatives or House of Peoples
10. Tracking attendance of representatives on House of Representatives' sessions
11. Writing speeches for representatives and delegates

This list is not definitive.

In the following pages, information and research techniques are outlined that will help to assist interns in their roles as parliamentary assistants. In general, there are several key principles which student should seek to keep in mind to guide their work:

1. REGULAR COMMUNICATION WITH SUPERVISORS AND NDI
2. COOPERATION WITH STAFF AND INTERNS
3. LOYALTY TO SUPERVISOR
4. CREATIVITY
5. SELF INITIATIVE
6. FLEXIBILITY

The Federation of Bosnia and Herzegovina was established by the Washington agreement signed on 18th March 1994. Following this, there was a constitutional session of the FBiH which consisted of MPs from the whole territory of FBiH chosen on elections in 1990 in the Assembly of the Republic of BiH. The Constitution of BiH was adopted on 30th March 1994. The Assembly stopped working in October 1996 after elections for the Parliament of BiH.

The sharing of the power is a principle which is consistently implemented, so the power in FBiH is divided on **legislative** implemented by the Parliament of FBiH, **executive** implemented by the President of FBiH, and the Government, and **judicial** one.

The Parliament of Federation is the the supreme legislative body of Federation which has exclusive power to enact law acts from the jurisdiction of FBiH. That means that the Constitution of FBiH has clearly separated the exclusive jurisdiction of the cantons and of Federation, and those which are mutual jurisdiction of both.

The executive jurisdiction of the Federation is:

1. to organize and lead the defense of Federation, to protect its territories including establishing the mutual commandship of all military forces in Federation, to supervise the military production, to bring the military agreements in accordance with the Constitution of BiH, to cooperate with permanent committee for military issues and with the Ministry Council about the defense of BiH,
2. the citizenship of the Federation,
3. to ascertain the economic policy including planning and revival, and the policy of using the terrains owned by the state on the federal level,
4. to bring the regulations about finances and financial institutions of Federation and fiscal policy,
5. to restrain terrorism, intercantonal crime, unauthorized drug trafficking and organized crime,
6. to allot electronic frequencies to radio, TV and other purposes, in accordance with the Constitution of BiH,
7. to ascertain the policy of energy including the distribution between the cantons and protection and maintenance of the necessary infrastructure,
8. to finance activities of federal government and institutions which are established by imposing tax, debt or by some other means.”

The Federation of BiH and cantons have mutual jurisdiction for:

- a) the guaranteed and implemented human rights
- b) health issues
- c) environmental politics
- d) communicational and transport infrastructure in accordance with the Constitution of BiH
- e) social welfare
- f) to implement law and other rules and regulations about the citizenship and passports of the citizens of BiH from the federal territory, about the residence and the migration of the foreigners.”
- g) tourism
- h) exploiting the natural resources

## **The Parliament of the Federation of Bosnia and Herzegovina**

The Parliament of the Federation of BiH as the supreme legislative body in the Federation of BiH has the structure of two houses:

- House of Representative
- House of People

### **House of Representatives**

According to the regulation of the Constitution of FBiH the HoR consists of 98 MPs elected for a period of 4 years. The leadership of the HoR is being chosen on the constitutional session of HoR and it consists of:

- Speaker
- Two deputies who cannot be of the same constitutional nation
- Secretary of the HoR

The HoR works in accordance with the Rules of Procedure about the work of HoR of the FBiH (Sluzbene novine FBiH, br 8/97, 2/98, 26/98).

### **The Speaker of the HoR**

The HoR has the speaker and the deputy of the speaker. Both of them are chosen from all MPs on the session of the HoR after the verification of the MPs' mandate in the HoR.

The caucuses give the propositions for the election of the speaker and the deputy of the HoR.

The speaker of the HoR:

- represents the HoR; participates in preparation, summons and presides over the session of the HoR and the course of HoR; initiates the consideration of the issues from the domain of the HoR on the session; agrees together with the speaker of the HoP upon the ways and deadlines of considering the resolutions which demand for the affirmation of both Houses; takes care of the realization of the working program of HoR and informs the HoR about it; takes care of implementing the Rules of Procedure, of signing the acts enacted by HoR and gives the directions to the secretary of the HoR dealing with the carrying out the given assignments.

The deputies of the speaker of the HoR:

The deputies of the HoR substitute the speaker when he is obstructed to perform his duties. The speaker of the HoR consults his deputies about the issues from their domain.

### **The Secretary of the HoR**

The HoR has a secretary who is, after being suggested by the Committee for Appointing and Selection, appointed by the voting of the HoR. The secretary of the HoR helps to the speaker of the HoR in preparing and handling the sessions and in coordinating assignment of the HoR and committees and boards, takes minutes of the sessions, calls up the MPs in the HoR, makes sure that the notes taken by the audiotape or by the shorthand are printed and

published. He also does all sorts of jobs given to him by the speaker and the deputies of the HoR. In case that the secretary is obstructed to attend the session, the speaker and the deputies decide to choose a MP to help them. One of the most important functions of the secretary is to prepare the session!

## **Committees and Boards**

Permanent and temporary committees and boards are created in order to discuss the issues in jurisdiction of the HoR, to consider the law drafts and other general acts, to prepare and realize other tasks for the HoR.

Committees and boards of the HoR give their opinion, suggest and report the HoR about the issues from their domain but only decide about the issues which are given to their jurisdiction by the Rules of Procedure or by decision of the HoR. On the basis of conclusion of the HoR, Committees and boards can investigate and ask for testimony, evidences and documents for that purpose. Permanent committees and boards are educated by the Rules of Procedure or by the decision of the HoR. Temporary committees and boards are educated by the conclusion of the HoR. Each committee and board has the chairman and the deputy and the secretary. Committees and boards meet on sessions.

Committees and Boards of the HoR:

1. Constitutional Committee
2. Legislative justice Committee
3. Administrative Committee
4. Committee for Protection of Human Rights
5. Committee for Defense and Security
6. Committee for Appointing and Selection
7. Committee for Informing the HoR
8. Committee for Language
9. Mandate-Immunity Committee
10. Board for Economical and Monetary policy
11. Board for Energy, Mining and Industry
12. Board for Privatization and Denationalization
13. Board for Justice and General Administration
14. Board for Return of Refuge and Displaced Persons
15. Board for Educational issues, Science, Culture and Sports
16. Board for War Veterans' and Invalids' issues
17. Board for Labour, Health and Social Protection
18. Board for Agriculture and Forestry
19. Board for Environmental Arrangements', Housing and Ecology Issues
20. Commission for Gender Equality

The domains of the few committees and boards will be shown in the following text. You can find more details in the Rules of Procedure of the HoR, articles 41-73.

## **Legislative Justice Committee**

-Legislative Justice committee is one of the most important committees of the HoR. Its primary task is to consider each and every first or second reading of the draft, the constitutional base for enacting the laws, to consider whether it is adjusted to the Constitution and legal system, to deal with the law through legal techniques. Besides that, the task of this Committee is to ascertain that the laws and other regulations and general act of the HoR are cleaned up. Suggestions of the Committee, which are formulated as changes or additions of the law drafts and other regulations and general acts are put into its report and are called amendments.

### **Administrative Committee**

The basic task of this committee is bringing out the decisions about the salaries of the MPs, functionaries which are selected or appointed by the HoR and about material costs of the MPs or the managers of the HoR. Administrative Committee ascertains the draft for acquiring means in the budget of the Federation for the work of the Parliament of the Federation and using of these means.

### **Committee for Human Rights**

-Considers the issues dealing with violating the freedom and rights of the citizens established by the Constitution of the Federation and laws of the Federation by government bodies, public institutions and organizations which give public authorizations as well as broader issues important for protection of human rights and basic freedom which are initiated by ombudsmen, citizens, political organizations and citizens' associations, other organizations and communities and reports about these to the HoR. The committee usually does not consider the issues which are put in court procedures and procedures of any other kind except if there is unacceptable delay of the procedure or the obvious misuse of the authorities and arbitrariness and the committee is then warned by the Ombudsman. Likewise, the committee considers drafts, appeals and suggestions in which the issue of the functionaries' responsibility is being initiated and delivers them giving its opinion to the competent body of HoR.

### **Committee for Informing the HoR**

-Considers allotment of electronic frequencies for radio, TV and other purposes; considers the issues of the informing the public about the working of the HoR and committees and boards; suggests and take measures for the improvement of the public information about the issues which are being considered and decided in the HoR; considers law drafts and drafts of other regulations, general acts and other issues dealing with informing and gives opinion and suggestions to the HoR.

### **Committee for Language**

-Committee for language establishes the sameness of the laws and other acts as well as laws and other acts which are adopted by HoR on Bosnian and Croatian language.

### **Mandate-Immunity Committee**

-Mandate-Immunity committee considers the issues dealing with the implementation of the MP's immunity in the HoR. It also informs the HoR about the cases which take back the mandate of the MP.

### **Board for Energy, Mining and Industry**

-Board for Energy, Mining and Industry deals with the issues of: establishing the energetic policy including the distribution among the cantons and protection and maintenance of the necessary infrastructure; of energy, mining and exploiting other natural resources; of metalurgy and metal processing; of projecting and building the investing and other objects from the domain of energy, mining and industry; of the principles of dealing with these activities; of the development programs in fields of energy, mining and industry; of managing the economic enterprises with the majority state property; of the system of the industrial organization; of the influence of the economic policy measures put upon the industrial development; of the projecting and building investing and other projects; of the traffic and communications; of communicational and transporting infrastructure coordinated with the Constitution of BiH; of other issues from the fields of economy, energy, mining and industry as well as economic activities and branches of industry from the competence of the HoR.

### **Board for Economic and Monetary policy**

-Considers: policy and programs of revival and development of the Federation, establishing the measures of economic policy, financing the activities of federal government and institutions which are founded by imposing taxes, debts and other means by federal government; considers the functioning of financial institutions on federal level ( Bank Agencies, Office for Supervising the Insurance, Custom Office, Tax Administration, Financial Police); considers the regulations from the financial domain; considers providing , realization and controlling of the realization of federal budget; takes into consideration decisions about debts, public loans and other obligations of the Federation, and faster development of economically underdeveloped cantons and areas.

### **Board for Privatization and Denationalization**

-Besides others, the duties of this board is to consider the acts which are brought by HoR from the domain of privatization, to follow and analyse the implementation of the privatization process, to suggest measures and acts dealing with denationalization and privatization to the HoR.

### **Board for Justice and General Administration**

-Considers the issues about the realization of constitutionalism and legacy; about unity of legal system, about system of elections, about the federal government, about federal holidays, about awards, prizes and other acknowledgements of the Federation, about political and territorial organization of the Federation, about implementing laws and other regulations concerning citizenships and passports of the BiH citizens from the federal part, about residence and migration of the foreigners, about heraldry, flag and the seals of the Federation, about gathering citizens into associations and social and political organizations, about public peace and order, about getting, having and wearing the weapon, about legal position of

religious communities, about system of federal administration, about rights, obligations and responsibilities of the employees and governmental bodies which are being educated by federal, cantonal and municipal authorities, about federal courts, counsel for prosecution and for defence, about advocates and other ways of legal help, about regulating the criminal acts and economic embezzlements and responsibility for them, about amnesty, about implementing the sanctions and correcting measures, about the system of the felony and its procedure and about the responsibilities and sanction for the felonies that violate federal regulations, about special court procedures in fields where the social relations are organized by the Federation.

### **Board for Educational issues, Science, Culture, and Sport**

-Considers issues about the system of education, culture and sports and technical skills, about library activities, about filming activities, about the protection and benefit of cultural and historical and natural heritage, about principles of organizing scientific and researching activities, about planning and developmental programs in areas of education, science, culture, sport and technical skills and about other issues from the competence of the HoR.

### **Board for War Veterans and Invalids Issues**

-Considers the issues of the position, status and special protection of the war veterans , invalids, civil war victims, members of shehid families i.e. the killed soldiers and demobilized members of Armed forces of the Federation.

### **Board for Labour, Health and Social Protection**

-Considers the issues of rights, obligations and responsibilities of the employed worker, of working protection; of of pension and invalid insurance; of employing; of protection of the war veterans and invalids, members of the shehid families i.e.killed soldiers and demobilized members of the Armed forces of the Federation and civil war victims; of protection due to health of the citizens and the organization of health service; of the principles of protection of the children, citizens and organization of the health service; of the protection of senior and weak persons and other ways of social protection.



## Caucuses of Political Parties

In the HoR, the caucuses of political parties present in the HoR are being formed. Caucuses are a mode of activity of the MPs in the HoR, especially when it comes to preparing and establishing suggestions for the daily agenda of the sessions of the HoR. Caucuses have chairman and the deputy which coordinate their activities with other caucuses. Caucuses can create the coordinating body for mutual cooperation. The HoR, in accordance to its possibilities, provides working space for the caucuses, provides necessary financial means for their indirect activities in the HoR, provides the documentation and other announcements dealing with the activities of the HoR, committees and boards and official brochures of the FBiH and official newspapers of BiH, and also provides administrative-technical and other servicing.

## The House of Peoples

The HoP, the second house of the Parliament of the F BiH, consists of **58 delegates** where 17 of them belongs to Bosniak nationality, 17 belong to Serbian nationality, 17 belong to Croatian nationality and 7 of them are from minorities.

The delegates of the HoP are selected by cantonal assemblies out of their MPs and this choice is done on the basis of national structure of the denizens of the cantons. The number of delegates for the HoP who are selected in each canton is in ratio to the number of the denizens of the canton but the number, structure and the manner of selection of the delegates are established by the law.

There has to be at least one Bosniak, one Bosnian-Croat and one Bosnian-Serb from each Canton which have at least one such a MP in their legislative body. Bosniak, Croatian and Serbian delegates from each canton are selected by the representatives of their constitutional nation in accordance with the election results in the legislative body of that canton, and the choice of the delegates from the minorities should be arranged by the law. Each law adopted in the HoR must be adopted in the same language by the HoP. However, the basic function of the HoP is the protection of the vital national interests. Vital national interest is defined by the Constitution of the FBiH and is as follows:

**Vital national interests** of the constitutional nation are defined as follows:

- realization of the rights of the constitutive nations to be adequately involved in the legislative, executive and judicial bodies;
- to have identity of the constitutional nationality;
- to have constitutional amendments;
- to participate in organizing the bodies of the authorities and to have equal rights in the process of deciding important issues;
- to be educated, to cherish their religion and language, culture and tradition and their cultural heritage;
- to have territorial organizations;

- to have the system of public informing and other issues which would be treated as those of the vital national interest if 2/3 of one of the delegate caucuses of the constitutional nations in the HoP think they are.

The HoP as well as the HoR has its own speaker, deputies and secretary. However, unlike the HoR, HoP has not adopted the Rules of the Procedure so the basic procedures are realized by the Rules of the Procedure of the Constitutional Assembly of the Republic of the Bosnia and Herzegovina.

## **Committees and Boards**

Taking into the consideration the committees and boards the HoP brought the **Decision about the education and activities of the committees and boards of the HoP of the Parliament of the F BiH.**<sup>2</sup>

Committees and boards of the HoP are:

1. Constitutional Committee
2. Legislative Justice Committee
3. Administrative Committee
4. Committee for Protection of Human Rights,
5. Committee for Defense, Security and Control of the Regular Work of the Services for Protection of the Constitution of the F BiH
6. Committee for Appointing and Selection
7. Committee for Informing the HoP
8. Committee for Language
9. Mandate-Immunity Committee
10. Board for Economical and Developmental policy, Finances and Budget
11. Board for Energy, Mining, Industry, Services, Agriculture and Forestry, Environmental and Housing Issues
12. Board for Privatization and Denationalization
13. Board for Justice and General Administration
14. Board for Refuge and Displaced Persons
15. Board for Educational Issues, Science, Culture and Sport
16. Board for War Veterans' and Invalids' Issues

## **Caucuses in HOP**

There are no caucuses of the political parties in the HoP but delegates form the caucuses of the constitutional nations. According to the decision of the Constitutional court of BiH, all three nations in BiH should form four caucuses in the HoP:

- Caucus of Bosniak delegates
- Caucus of Croatian delegates
- Caucus of Serbian delegates
- Caucus of the Minorities

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<sup>2</sup> According to this decision, the committees and boards are being formed. However, their domain is very similar to the domain of the committees and boards of the HoR. This is the reason why they will not be widely treated.

Before this Decision and the amendments to the Constitution of the FBiH were announced by the High Representative for BiH, there were three caucuses in the HoP:

- Caucus of Bosniak delegates
- Caucus of Croatian delegates
- Caucus of minorities

Each caucus has its own chairman. The chairman summons for the session of the caucus before the plenary sessions.

The function of the caucuses in the HoP is the protection of the vital national interest of the nation out of which they were selected. The procedure related to the vital national interest is the following:

In case that 2/3 of the one of the caucuses of the constitutional nations in the HoP decides that a law, regulation or act relates to the vital national interest, the law will be taken into the consideration by the HoP. If the majority of each caucus present in the HoP votes for this law, regulation or act then these are considered to be adopted. If the HoP agrees about the amendments, the law, regulation or act is again delivered to the HoR

## **THE PROCEDURE OF ENACTING LAWS**

The basic authorization of the Parliament of the FBiH is passes the laws and other general acts among which the budget is emphasized. By enacting the laws and other general acts the Parliament also sets the legal frames of domain all other governmental bodies.

Because the Parliament of the Federation of BiH has two houses it is necessary to mention that the law is adopted only after being adopted by the HoR and the HoP in the same textual language.

The legislative procedure is fixed by the Rule of the Procedure based on the basic regulations contained in the Constitution of the FBiH. The Rules of the Procedure differ three parliamentary procedures of enacting the law:

1. REGULAR PROCEDURE
2. SHORT PROCEDURE
3. URGENT PROCEDURE

### **REGULAR PROCEDURE**

is the usual procedure of enacting the laws while the other two procedures are exceptions and should be treated as such. The regular procedure has usually three phases:

- Initiative phase
- Debate phase in committees and boards
- Phase of debate and decision in the Parliament of the FBiH i.e. its Houses

It is necessary to emphasise that the largest number of laws are initiated by the Government. Around 98% of the laws enacted in the Parliament of the Federation were suggested by the government. Because of these reasons we will start from the first phase of the regular procedure when the government is the one that suggests the law. Each government has its

own activity program in which the issues that need to be resolved in a year are set and such a program has the Government of the Federation.

The government is supposed to pass the annual activity program before the beginning of the calendar year. The activity program contains the most important assignments the government is supposed to fulfil during the year; it determines the ones who are to prepare the material; it contains the deadlines when the specific issues will be considered and the shorter explanations will be provided if necessary. Such materials are called the pre-drafts. The pre-draft should have all the elements which are necessary for the draft by the Rules of the procedure. Before the pre-draft is delivered to the Government for consideration, the competent ministry<sup>3</sup> is obliged to ask for opinion about the first reading from :

1. Legislative Governmental Office whether it is in accordance to the Constitution of the Federation and legal system and methodological unity when creating the law;
2. The Federal Ministry of Justice when it comes to the set about the sanctions and the sets related to the organizing the system of the federal administrative bodies;
3. Federal Ministry of Finances dealing with financial means necessary for the realization of the regulations.

The pre-drafts are delivered to these governmental bodies in order to have their opinion. These bodies are obliged to give their opinion to the processor immediately if possible. If this is not possible, it should be done within a week and if all this is about the regulation that sets the issue of the system or some other more complex issue the opinion must be given within 15 days or when the processor asks for it.

When the opinion is given, the pre-draft is delivered for the governmental declaring. The pre-draft should contain the appropriate explanation and the declaration of the processor because of the opinion of the asked bodies. In the addition of the pre-draft, the opinion of the mentioned bodies are given too.

If the government accepts the first reading it is considered to be the first reading of the draft of the government and by delivering it to the speaker of the HoR and the HoP it enters the parliamentary procedure.

The first reading of the draft should be created to formulate the solutions that are suggested in the form of legal provisions. Specific provisions could be given in one or more variants.

The first reading should contain the explanation in which one can find: constitutional base for enacting laws; reasons why the law needs to be enacted; principles that should arrange the relationships in specific area; financial and other means necessary for the implementing the laws and the way of their providing and explanations of the legal solutions contained in the first reading of the draft ; opinions of bodies and organizations which were consulted during the creation of the draft but which were not adopted by the person who suggested it as well as the reasons for it; When the changes and addition of the law are done by the first reading the law provisions are also given. They can also change or something can be added to them.

The draft is given to the speaker of the HoR who directs them to the MPs, to the Legislative justice Committee, competent committees and boards and caucuses.

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<sup>3</sup> Further on: processor of law

The speaker of the HoR delivers the first reading of the draft to the President and Vice-president of the Federation.

The first reading of the draft can be taken into consideration on a session of the HoR within the deadline longer than 14 days from the day of the delivery. Before considering the first reading on the session of the HoR, the first reading is considered by the Legislative Justice Committee and competent committees and boards and they report it to the HoR within 8 days before the beginning of the session of the HoR. The HoR can decide, while considering the first reading, to include the general and specific considerations. In general consideration the MPs give their opinion whether it is necessary to enact the law, about the principles the law should be established on, whether these principles are consistently implemented in the first reading, about the necessary financial means and their resources. In the specific consideration the specific solutions are discussed in the first reading.

If the HoR evaluates that it is not necessary to enact the law, the draft is overruled by the conclusion. If the Legislative Justice Committee of the HoR gives the opinion that the first reading is not in accordance with the Constitution of the Federation and the legal system in the Federation, the HoR will take a stand about the opinion of the Legislative Justice Committee.

After the consideration the HoR accepts the first reading by the conclusion. This first reading can serve as **the base for creating the second reading of the drafts with standpoints and objections to the drafts given by the committees and boards and MPs on the session of the HoR**. The conclusion with such standpoints and objections are delivered to the person who suggested the second reading of the draft to take them into consideration while creating the second reading.

After being accepted by the both Houses of the Parliament, the second reading of the draft is delivered to the Ministry which created the pre-draft. That Ministry then approaches to creating the second reading of the draft taking into account all opinions and suggestions given by the representatives and committees and boards.

When the second reading is created the processor delivers it again to the same bodies he did when dealing with the first draft. The procedure is the same. When the government accepted the second reading, it is delivered to the Parliament. The HoR and the HoP delivers it to the Legislative Justice Committees and competent bodies which are considering it and report their Houses.

On the plenary session the second reading of the draft is considered and also amendments are suggested till the end of the discussion. When the speaker closes the discussion everybody approaches to the voting. The suggested amendments are to be voted for and by the simple majority<sup>4</sup> of the present MPs on the session of the HoR. The accepted amendments become the constituent part of the second reading of the draft. After voting about the amendments, the second reading of the draft is being voted for. For enacting the law the majority of the votes of all the MPs or delegates of both Houses of the Parliament is necessary.

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<sup>4</sup> The simple majority is 50%+1

## SHORTENED PROCEDURE

The law can be enacted in a the short procedure. That means, if this is not a complex and vast law the person who suggests can ask for the short procedure. In this case the phase of the first reading of the draft is skipped so the second reading of the draft can be immediately delivered.

The second reading of the draft is delivered to the MPs in at least 20 days from the day specified for the sessions of the HoR when it would be considered. If the HoR evaluates this as not such a complex and vast law, it will accept the suggestions of the persons there and approach the consideration of the second reading of the draft. The amendments can be given till the end of the main discussion. If the HoR does not accept to even consider the second reading of the draft in the short procedure, the second reading will be considered as the first reading of the draft.

## URGENT PROCEDURE

The laws usually cannot be enacted in urgent procedure. It can be done only if the law is about arranging the relations and issues which cannot be delayed for any reasons and if the enacting the law would cause harm to the Federation. The HoR decides about the second reading of the draft as a previous issue before ascertaining the daily agenda. The discussion takes place about this issue and the HoR decides whether to accept to enact law in short procedure. The decision is enacted by the simple majority out of the total number of the MPs.<sup>5</sup> If they agree to enact it , it is put on the daily agenda of the same session. The amendments could be proposed on the second reading of the draft until the end of the consideration.

## EXPLANATION OF TERMS

### GOVERNMENTAL ACTS

The Federal government, while implementing their authorizations established by the Constitution of the Federation, passes the resolutions legally powered, resolutions, decisions, solutions and conclusions. The Federal government passes the **resolutions legally powered** in accordance of the Constitution. **The resolution** deals with the most important issues from the jurisdiction of the Federal government, closely arranges the relations for the implementing the law, found the professional and other services of the government and ascertains the principles of the internal organization of the federal administrative bodies.. **The decision** arranges specific issues or passes the governmental measures , gives the consent or reaffirms the acts of other committees or organizations, decides about other issues which are not arranged by the provision. **The solution** decides about the appointing and dismissal as well as other specific issues from the governmental competence. **The conclusion** establishes the standpoints about the issues important for the implementing the established policy, arranges

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<sup>5</sup> In case of the HoR: 50 MPs

internal relations in the government and gives assignments to the federal administrative bodies and governmental services.

### **AMENDMENT**

is the reparation, the addition to a law, the suggestion for its change and adding. In the Parliament of the F BiH the amendments could be given by all the MPs and the authorized law persons.

They are given in the form of the written text with the explanation, and if they contain the resolutions of the financial obligations the person that suggests them has to point to the sources of the funds. The person can suggest the amendments till the end of the consideration of the law. The government can suggest the amendments for the second readings of the draft which were not suggested by the government till the end of the consideration of the law. The one who suggested the amendments can declare himself and the government can do that even it is not the one who suggested it. The accepted amendment becomes the integral part of the second reading of the draft. The amendment is accepted by the majority of votes of the present ones.

### **AUTHENTIC INTERPRETATION**

is the interpretation of the norm given by its legislative body. This is a general act which ascertains the truthfulness, authenticity, originality and accurate sense of the unclear law provision or other acts. This is applied and valid from the day when the law or other act is applied. the initiative can be started by the authorized persons that suggest the law, the Constitutional court of the F BiH, the Supreme Court of the F BiH, ombudsman, the Court for Human Rights, federal prosecutor and defence, citizens, enterprises and other legal institutions. The initiative is given to the Houses of the Parliament and the Legislative-justice Committee, after acquired opinion of the Government and competent committees and boards, evaluates reasonableness and, in that case, ascertains the interpretation of the text and reports it back to the House. The procedure for the establishing the authentic interpretation is the same as one for the law.

### **BUDGET**

is the plan of the incomes and outcomes for certain period of time. In theoretical law there is no unified attitude whether it is the law or not. The budget is one of the most significant instruments of the financial and economic policy but also important for the realization of some other policies (social, health, developing...). The basic principles: transparency, balance (avoidance of the surplus and deficit), specification (the incomes are presented by the sources and outcomes by the users), unity (in one document), completeness, accurateness and previous approval (no collecting and spending without the decision of the Parliament of the adopting a budget or the decision about the temporary financing). According to the Constitution of the F BiH, the President of the F BiH dismisses both Houses of the Parliament if they do not succeed in approving the budget before the beginning of the budget year.

## **URGENT PROCEDURE**

is the procedure of enacting the law when it is concluded that the enacting in the regular procedure would cause the harm to the Federation. In the Parliament this is discussed as a previous issue, before the accepting the daily agenda.. In the urgent procedure the amendments can be suggested by the conclusion of the consideration of the law.

## **INITIATIVE**

is the initiative for enacting laws which can be started by the assemblies of the cantons, city and municipal councils, citizens, enterprises and other legal bodies. The opinion about the initiative is given by the Government and committees and boards of the Parliament. The way and the persons who prepare the first reading of the draft are determined by the means of conclusion if the initiative is accepted.

## **INTERPELATION**

is the quest towards the minister usually related to some event or process. By the means of the interpellation certain issues are being brought up and the solution for them is being searched. If it is accepted, the government is obliged to conduct by it. Using interpellation one can ask from the government the preparation of the legal project or other decision aiming to take measures to recover the state to which the attention is paid.

## **POSSIBILITY OF ELECTIONS IN PARLIAMENT**

means that the authorization of its members are extracted from the will of the citizens expressed on the general and indirect election. In the case of the Parliament of the two Houses , which is the case of the Parliament of the F BiH, general and indirect elections are anticipated for one House ( HoR of the Parliament of the F BiH) and in the second House ( HoP of the Parliament of the F BiH) delegates are selected from the assemblies of the canton. By the selection and appointment of the members of the Parliament the duration of the mandate is already determined.

## **PUBLIC DISCUSSION**

is the procedure of the acquiring the opinion of the citizens, interested governmental bodies, scientific and professional institutions about the first reading of the draft or some other issues especially important for the Federation of the BiH. The initiative can be started by authorized persons who suggest or the caucuses. By the means of the conclusion about the implementing the public discussion is determined the way of the announcing the first reading of the draft, committees and boards which will organize and lead the public discussion, the necessary financial means and sources, the deadline and also the ways of collecting and sorting out opinions and suggestions. The report about the implemented discussion is delivered to the person that suggests the acts and to the MPs. This person is obliged to explain the reasons of not accepting the suggestions and opinions from the discussions.



## **TRANSPARENCE**

Every citizen has a right to be informed about the activities of the Government. Activities of the Government of F BiH are (in accordance to law) are public and so are all other acts that the Government of F BiH brings. Public can be excluded only in rare situations, where certain level of secrecy is determined by a law. Journalists with the passes have the approach to all documents which are considered and by the Office of Informing they are followed by professional help.

## **COALITION**

is written or oral agreement of the two or more parties about the cooperation, unique approach and voting. Coalition can be created before new convocation of the Parliament or after that. In present parliamentary life of the BiH and F BiH, there is a specific form of coalition in the HoP. That means, in order to create a law, the consensus is necessary, the consensus of majority of the delegates of constitutive nations in these Houses. This is a result of constitutionally established way of making decisions, so it can be called a necessary parliamentary partnership.

## **THE FIRST READING OF THE DRAFT**

is a legal act constructed in a way that it formulates solutions that are suggested in a form of legal decrees. Certain decrees can be given in one or more variants. It should contain: constitutional base, explanation of the reasons because of which it should be enacted, principles on which it is based, finances and its resources, explanations of legal solutions, opinion of competent bodies who get all the acts for the consideration in accordance to law (Federal Ministry of Justice, Legislative Office of the Government of F BiH, Federal Ministry of Finances) with notice that the objections of these bodies are accepted or explanations why they aren't.

If the person who suggests is not the governmental one, it gets all the acts due to giving opinion. They can be considered on the sessions of the Parliament after a deadline of 20 days since delivered to MPs. The consideration is usually unique but also can be done in two parts: as general and specific consideration. The first reading of the draft is accepted by conclusion and it can serve as a good basis to construct the second reading of the draft and the person who suggests it is obliged to consider the objections and stand points while constructing the second reading of the draft.

## **THE VOTE OF NON-CONFIDENCE IN GOVERNMENT**

At least 20 MPs in HoR of P F BiH can start a suggestion to vote about inconfidence to government. The Government informs the MPs about the suggestion within 30 days. The suggestion to vote inconfidence to Government is put on the daily agenda of the first session of the House that is held after receiving governmental report or if the Government doesn't deliver it, this should be done after the deadline of 30 days. The suggestion can be refused

and a conclusion could be brought to oblige the Government to certain activities or accept by making decision about voting for inconfidence to the Government. For making a conclusion or a decision we need a majority of the total number of MPs . The President and the Vice-president of F BiH and Speakers of the HoP of P F BiH are informed about the conclusion or decision.

### **DECISION**

is the term for various kinds of legal acts.

### **CONCLUSION**

By the conclusion , one of the Houses of the Parliament of F BiH decides about its activities and the activities of its committees and boards. By the conclusion one can also ascertain obligations of the government of the Federation and federal governmental bodies when it comes to preparing the laws, other regulations and general acts or doing other activities in its jurisdiction. Also by the conclusion one of the Houses can take a stand about the issue that was discussed, except the issues about their stand that is expressed by a declaration.

### **RESOLUTION**

By the resolution of the one of the Houses the attention is paid to the condition, problems and needs in all areas or in the particular area of the social life. It also establishes a policy that needs to be implemented in all areas or in a particular one, and establishes measures for its implementation. The resolution also contains guidelines for the activities for the Federal bodies and organizations considering issues that it refers to.

### **DECLARATION**

is used to express the attitude of the Houses on important issues that the F BiH has interest in.

### **OBSTRUCTION**

is a means of a parliamentary struggle of the opposition that consists of disrupting of the parliamentary activities in various ways. It is in a form of not involving in activities of the Parliament, in a form of the obstruction of the activities by long speeches to delay making decision, by giving new suggestions to delay a procedure etc.

### **GENERAL CONSIDERATION OF THE LAW**

consists of giving opinion of MPs whether it is necessary to pass the law, about the principles that the laws are build on and whether these principles are consistently implemented in the second reading of the draft and MPs' opinion about the necessary finances and their resources. By the end of a search , the one who suggests can call for the delay of the search and if not, the Government can do it. This should be decided immediately.

## **AUTHORIZED SUGGESTING PERSON**

The first and the second reading of the draft can be suggested by : the Prime Minister who is competent to suggest and give recommendations in legislative area, every MP, caucuses and committees and boards of the Parliament.

## **PARLIAMENTARY PROCEDURE**

are procedures of making decisions, established by the Constitution of the F BiH, used to ensure the legitimacy of the Parliament's function. Violation of the established procedures causes illegitimate decisions. The changes of the procedures in different form or opposite to their established form also produces unconstitutional and illegitimate parliamentary decisions.

## **CLEANED- UP LAWS**

When it comes to a relation with a law or some other act, several changes and additions are being brought which make it untidy, therefore, even more difficult to use and the law is approached to to be cleaned up. A cleaned-up law or other act out of the jurisdiction of the Parliament of the F BiH is considered enacted when the same text is enacted by Legislative Justice Committee of HoR and the relevant body of the HoP. A cleaned-up law is used from the day when published in a Official brochure of the F BiH.

## **PRE-DRAFT OF THE LAW**

is an act of informally legal phase of the legislative procedure in which the law is formed for the first time. This is usually done by the competent services ( Administrative Committee), experts for a specific part of the law or persons advanced in technique of making normative acts. In the methods of the activities of the F BiH it is a obligatory form of a processed legal problem that is being prepared for the P F BiH and which is being discussed on the governmental sessions due to establishing the first reading of the draft.

## **PREVIOUS PROCEDURE**

is a discussion about the need of enacting some law, basic issues that need to be arranged and about the principles by which the law should be arranged on the basis of the person who suggest them. By the conclusion, the Parliament verifies the need to pass a law and obliges the suggesting person to prepare the first reading of the draft.

## **SECOND READING OF THE DRAFT**

is a law text given in a form the law is usually shaped. It contains an explanation from the first reading of the draft, issues that are solved by the law, explanation of important legal solutions, changes and additions related to the first reading of the draft, explanation of not accepting remarks and suggestions. It can be passed to a parliamentary procedure 20 days after given to the MPs. A person suggesting the second reading of the draft can, by the end of the search, ask for the delay and so can the Government even if it is not the one who suggest. The changes in the second reading of the draft are done by making the amendments.

## **REBALANCE OF THE BUDGET**

is the second establishing of the budget's balance. It is an obligatory procedure in a situation when estimated that incomes or outcomes are different than expected which causes the one of the most important budget's principle-balance, not to be implemented. The causes can be unexpected or unreal outcomes, late or underestimated income collecting, and economical or natural catastrophies. The budget's rebalance is brought by the same procedure as the budget itself and makes the first budget plan out of use.

## **SHORT PROCEDURE**

is a law-passing procedure. It is not used for complex and immense law so instead of the first reading we have the second reading of the draft and ask for a short consideration of the law. A deadline for passing the law in such a situation cannot be shorter than 20 days from the day appointed for a session of the Parliamentary House when the considering of the second reading of the draft will take a place. If a short procedure of the consideration is unaccepted the second reading is transferred into the procedure of the first reading of the draft. A third of the Ministers can call for this resolution except of the Prime Minister and his deputy. The Constitutional court of the F BiH can, in an urgent situation, decide otherwise if asked by the Prime Minister or his deputy. In the Government of the F BiH the calling on the account of the vital national interests can be possible in cases of:

1. Giving opinion about whether the President or Vice-president of the F BiH is permanently unable to perform his constitutional obligations that come from his position, with a goal of the new elections for the president and Vice-president in order these positions till the end of the current mandate (article IV.B.3.82.9 of the Constitution of the F BiH);
2. Passing a resolution legally powered in case of danger for the country when the Parliament of the Federation is not able to do it (art. IV.B.9. of the Constitution of the F BiH);
3. Giving amendments to the Constitution of the F BiH (art.VIII Constitution of the F BiH)

The decisions in these three cases are brought by consensus.

## **SHUFFLE OF THE MINISTERS**

On the suggestion of the Prime Minister, a Minister or his deputy are being replaced by the President of the F BiH.

## **CHANGE OF THE PRIME MINISTER**

The shifting of the Prime Minister is not regulated by the Constitution of the F BiH. The Government can be replaced by a decision of the President of the F BiH with the consent of his deputy.

## **ADMINISTRATIVE BODIES**

Administrative activities in the federal jurisdiction i.e. cantonal jurisdiction are done by administrative bodies of the Federation i.e. administrative bodies of the canton, administrative

activities in the jurisdiction of the town i.e a municipality are done by a mayor i.e. a headman of the municipality. Administrative bodies are established by a body of a legislative power as a suggestion of the government and city's i.e. municipal services and city's i.e. municipal councils are found by a mayor's suggestion i.e. the suggestion of the headman of the municipality. Activities of the administrative bodies are transparent. The federal administrative bodies are the Federal Ministries and Federal administrations

## **ADMINISTRATIVE ORGANIZATIONS**

are administrative institutions within the state ( federal) administration , which deal with administrative and professional activities. Such administrative org. are most often called : institutes, management, commission, institutions etc. Administrative organizations by using scientific methods , deal with studying, research and processing of data for the needs of other bodies but they can also be given some administrative jobs.

**Administrative institution** can be established as independent federal institutions ( e.g. Federal Institute of Statistic ) as an federal institutes as a part of a Federal Justice Ministry.

## **ADMINISTRATIVE AFFAIRS**

Administrative bodies in their jurisdiction deal with :

- implementation of the established policy and perform laws and other regularities;
- establish administrative supervision over a law implementation and other regularities;
- give regulation for the implementation of the laws and other regularities;
- suggest and give recommendation in legislative domain;
- respond to the questions of the bodies of the legislative government
- deal with other administrative and professional activities determined by law and other regulations.

## **PROVISION**

is the highest general legal act after the law given by the government.

## **PROVISION LEGALLY POWERED**

is a general act which is given by the Government of the F BiH in order to make decisions in case that the country is in danger when the Parliament of the F BiH cannot do so. The details are regulated by the Constitution of the F BiH ( article B.3.9.)

## **VITAL NATIONAL INTEREST**

Constitutional category for protection of interests of the constitutional nations in BiH. It is precised by Amendments over Constitution of the F BiH which was announced on the 19.4.2002. by the High Representative for BiH ( Official brochure of BiH , number 16/02).

Name of the institution  
For instance. *Parliamentary Assembly of BiH*  
Name of the working body

**Name of the theme  
of the  
Comparative Analysis**

Supervisor  
name and surname

-----

intern student  
name and surname

-----

Date and place

## **INTRODUCTION**

Introduce the subject to the reader before entering to the specifics of the comparative analysis. For instance, if some law institute is considered, its theoretical aspect, possible divisions, short historical development and similar are considered first and after that, presentation of the institute in existing constitutional frame takes place.

Take the constitution into consideration: determine which administrative unit has competence over mentioned institute.

Define the present legal form in the area. Present the existing law regulation as well as the way it regulates the area which is subject to comparative analysis.

Evaluation of the specifics of the legal form should not be presented in introduction but only as a short presentation of the institute.

Outline the sources of your information.

The introduction should be no longer than one page of text.

## **COMPARATIVE ANALYSIS**

This middle section is most important. First, obtain as much correct information about the theme as possible. Important information is present legal form, meaning present regulation of certain matter, as well as problems that exist and have been occurred during conduction of the law.

Then take the situation in our or other countries into consideration, differences in treatment should be mentioned in this part as well as its positive or negative consequences.

Take into consideration and the financial situation of the country or countries which you are comparing. Comparative analysis have the purpose of presentation of the positive experiences in other countries but there is need to be realistic and seek for solutions which are feasible considering constitutional position of the country and its financial resources.

## **CONCLUSION**

After presentation of other countries solutions, it is necessary to make certain conclusion based on their positive and negative experiences.

First of all, it is necessary to present the differences in legislation of our country comparing to other countries. After that possible changes of existing legislation should be presented in

order to find out optimal solution. The constitutional frame for possible changes should also be specially considered.

Some of the institutions are not recognized by the all of the constitutions or it limits their application and there is a fact that constitutional changes are much more complicated than legislative changes.

Each proposal has to be explained as simply as possible.

You may also present the way changes and supplements of the laws should be made in order to reflect positive experiences of other countries. Keep in mind the scope of possibilities in this country. If proposal for changes and supplementals of the law is made, it needs to be explained as well.





**LOBBYING PARLIAMENT:  
A GUIDE FOR NGOs**

**NATIONAL DEMOCRATIC INSTITUTE  
BOSNIA AND HERCEGOVINA  
2002**

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## **INTRODUCTION:**

Lobbying parliament is a way by which non-governmental organizations (NGOs) can play a role in the process of democratic governance. Lobbying is any planned effort to influence political governance and decision-making. Lobbying parliament may take such forms as making a presentation to a parliamentary committee or meeting with a party caucus of individual MP.

In countries with democratic traditions, NGOs (including, neighborhood organizations, chambers of commerce, trade unions, environmentalists, human rights groups) spend considerable time and resources lobbying their elected politicians. They do this in an attempt to make their voices heard by their representatives and to influence their decision-making.

*Through lobbying parliament you can:*

- ⇒ Inform individual law-makers and political parties in parliament about community needs and impacts of policy decisions;
- ⇒ Contribute to new and innovative ways of developing policies and providing new services,
- ⇒ Bring an important public issue to the attention of parliament;
- ⇒ Defend existing rights; and;
- ⇒ Work toward improving your own and/or others' situations.

Effective lobbying of parliament depends on being well-prepared and well-informed and have a clear goal and purpose. It requires knowing how to communicate your views clearly and effectively. It also requires understanding why it is your role to take this issue to your elected representatives.

*This guide provides an introduction to approaches and tactics for lobbying parliament, including:*

1. Overview of lobbying campaigns;
2. Lobbying individual MPs;
3. Lobbying a Party Caucus;
4. Making a submission to a Parliamentary Committee;

## 1. OVERVIEW: LOBBYING PARLIAMENT

When planning a political lobbying campaign you can think about two types of lobbying: *direct lobbying* and *indirect lobbying*.

### A. Direct lobbying.

- A direct lobby involves meeting with MP(s), discussing an issue, arguing your cause and making concrete recommendations. There are three main venues for direct lobbying that you should consider:
  - 1) Meeting face to face with individual MPs;
  - 2) Presenting a brief to a party caucus of parliament;
  - 3) Making a submission to a public hearing of a parliamentary committee.

### B. Indirect Lobbying:

- Many groups that lobby parliament also develop an indirect lobbying campaign. This involves informing the broader public of an issue, which, in turn, indirectly puts pressure on MPs and political leaders.
- Indirect lobbying is often done through the purchase of media such as newspaper and radio advertisements and TV commercials and billboards. These are very effective tools to get your message out, however, they are very expensive.
- There are less expensive indirect lobbying methods, these include: informing your fellow citizens through town hall meetings, organizing protests, door to door canvassing and surveys and the use of booths and posters, etc. You may be able to get free media attention through such activities.

### C. Direct lobbying vs Indirect lobbying:

- NGOs with limited financial resources should learn how to be effective at direct lobbying of parliament. This guide will help you learn these techniques.
- You should considering following up your direct lobbying with some indirect lobbying. You can reach some of the public with the inexpensive techniques listed above.
- Doing public outreach (indirect lobbying) shows you believe your issue is an important public issue. It will impress the MPs with whom you are meeting. In addition, you may be able to attract the media and get some free publicity.

## **D. Planning**

- The focus of this guide is on direct lobbying but below are some pointers to help you plan and run your entire lobby campaign. You can use this list to develop an overview to assist with designing your campaign strategy.

### **Lobby Campaign Checklist:**

- get to know the facts and the legal constraints, if any, on your issue;
- think about what you want to achieve, and agree on any compromises you are prepared to make;
- understand your opposition, their point of view and where they may be prepared to compromise;
- identify MPs who may be interested in championing your issue
- identify MPs who may be sympathetic to your campaign;
- identify how different political parties will react to your campaign;
- identify influential people in the community who may be willing to support you;
- plan your campaign: Who? When? How? Direct Lobbying? Indirect Lobbying?
- involve as many members of your group as possible;
- know the political process and get your timing right in relation to it;
- be polite; be concise; be realistic;
- do not be afraid to ask for advice;
- contact the Media/Press Gallery and let them know who is involved, what your case is, what you are looking for and when your campaign events are (such as a parliamentary committee presentation);
- keep up the campaign until you have achieved your purpose - or failed to;
- back up your direct lobbying with indirect lobby such as events, publications, media appearances and other forms of publicity;
- make sure there are no open disagreements within your campaign - everyone should be well briefed on the issues; and
- have regular meetings to brief and debrief people and co-ordinate the campaign.

## **2. LOBBYING MPs**

Meeting face to face with an individual MP can be the most effective method of lobbying. In such meetings, you can present your issue and views to a law-maker directly, without the filter of the media and away from the eyes of his colleagues. Face to face meetings are less formal and have the potential to be engaging and memorable. Through successful encounters of this kind your group can establish an ongoing and productive relationship with an individual MP.

An open and frank discussion of your issue may shed new light on the matter for both of you. The MP may receive new information that will provide a more in-depth or complex perspective. As a lobbyist, you will get feedback that may help you to refine your arguments and presentation. It is also useful to get a sense of how the particular legislator and his or her party views you, your campaign and the issue you are raising.

But beware, a unproductive meeting with a busy MP can go wrong and leave a negative impression. The key is to be well prepared and not to waste his or her time.

Here is a list of suggestions for lobbying an individual MP:

### ***Arranging the Meeting***

1. Find out how to contact each MP and party caucus (try the clerks' office);
2. Make appointments with those you want to lobby and ask how much time is available so you can use it to your best advantage;
3. Attempt to meet with any MP who you believe may be interested in or connected to your issue;
4. Attempt to meet with MPs who represent electoral districts that are particularly affected by your issue;

### ***Preparing for the Meeting with the MP***

1. Have two or three well briefed speakers;
2. Prepare a brief written summary of your case, your organisation's origin, credentials and your area of work, refer to it at the meeting and submit it to the MP and others at the meeting;
3. Agree on the order of speaking and issue each speaker will address;
4. Assign someone to take notes;
5. Arrive five minutes early,

### *Presentation and Discussion with the MP*

1. **Introduce** everyone in your party and your organization, explain why you wanted to meet and ask if you can begin by presenting your views and concerns and then get his/her reaction;
2. **Facts and stories:** When presenting your issue and views it is important to have facts and statistics that show you have done some research. However, also find a few stories that illustrate your arguments. Stories personalize an issue and may resonate with a politician more than statistics.
3. **Stick to the basics:** Try to keep your conversation focused on a few basic points. The more complicated and convoluted your message, the greater the chance the conversation will wander into uncharted territory. If the MP you are lobbying changes the topic, gently return to your main point.
4. **Questions:** Ask if there are any questions and do your best to answer them. If you do not know an answer, say so and offer to try to find the answer and get back to them.
5. **Don't lose your temper.** Don't get angry, sarcastic or discourteous. In rare cases, you may find a MP is unresponsive or even openly hostile to your concerns. If that's the case, and you cannot find any common ground, you may wish to reiterate your key points and end the meeting.
6. **Get a commitment:** Ask your politician to do something concrete to show support for your issues. For instance, you may ask her/him to:
  - a) make a statement in the House;
  - b) ask a question in Question Period;
  - c) ask a relevant parliamentary committee to look at the issue;
  - d) raise your concerns in party caucus, help you arrange a meeting with several other MPs in their party or their party caucus chair;
  - e) invite the MP to address your group or a local meeting that you are hosting.

### *After the Meeting with the MP*

1. Write a note of thanks for the time you were given to present your case.
2. If there were requests for more information ensure that they are followed up.
3. Keep the record of what was said at the meeting on file, especially if the MP made any commitments to your group. Files of meetings can be useful for preparing for future meetings or presentations.

### 3. LOBBYING A PARTY CAUCUS

Making a presentation to a party caucus can be an effective lobbying technique for NGOs and community groups. Presenting your views to a party caucus a way to influence the position of an entire party and an entire block of votes. You can also use this technique to inform the parties about an issue that you feel deserves the attention of politicians.

A party caucus gets tangible benefits from the lobby of a NGO. The NGO can provide a party caucus with expert analysis of a Bill and give advice about the short and long term impact of proposed policies and amendments. Locally-based NGOs can offer the caucus a sense of how the electorate in their area might react to new legislation. Finally, a NGO can alert a party caucus to a looming issue of which it may not be well informed.

In developed democracies, a party caucus will often ask to have a presentation by a NGO with relevant expertise, or might schedule monthly meetings with certain NGOs.

#### The Party Caucus and Bills

- When a new Bill is before the House, a party caucus will often debate it internally and develop a caucus position. MPs in the caucus are then expected to take this position when speaking in the House and in the media. The party caucus will attempt to vote together as a block as an expression of their common position.
- In order to be consistent in the eyes of the public, the party caucus and the leadership will attempt to take the same the position. Thus, lobbying the caucus can have an influence on the entire position of the party.

#### Presenting to a Party Caucus

- Your presentation to a party caucus should be tailored so that it aligns with the interests of that particular party. Framing your position in terms that are familiar and important to the party in question will make it all the more convincing to them.

Here some things to do when designing a **presentation** to a party caucus:

- Do general research on the themes that the party has been raising lately;
- Do specific research on the positions the party has taken on your issue, including how they have voted on related subjects;
- Request to meet with the chair of the caucus on a given issue and ask if you might briefly address his entire caucus;
- Be prepared to meet with only part of the caucus;
- Bring a brief handout on your position along with a longer submission if you have one (*see lobbying parliamentary committees*);
- Tailor your presentation to party you are lobbying; weave in (where possible) their previous commitments, proclaimed values and voting record.

- Meet with as many party clubs as you can: this will show you are non-partisan and will exert the greatest influence. You can use these meetings to gather useful information about the different views of the different parties;
- Keep a record of support or refusal to support your position; even refusal of support your campaign can be a useful in the media or when meeting with competing parties.

**Example:** Your group has a lobbying campaign on a Bill calling for an increase in education funding. As part of your campaign, you want to lobby a large party caucus whose MPs and party leader regularly call for measures to encourage economic growth.

To prepare your presentation to that party caucus, you can:

- Find quotes where their party members and leadership has called for new and innovative measures to help create jobs;
- Develop arguments that show how this Bill on education can lay the foundation for economic growth and job creation;
- Provide the caucus with clear, media-ready lines that they can use in public to defend their the support of the Bill.
- Tell them that, “by supporting this Bill you will be fulfilling your commitment to work toward economic growth...”

#### **4. PUBLIC HEARINGS BY PARLIAMENTARY COMMITTEES:**

Presenting at a public hearing held by a parliamentary committee is a formal way for our group to participate in the governing process and influence its outcome. As open events, public hearings may be reported by the media and may, in turn, help shape broader public opinion.

Public hearings are important mechanisms for elected representatives who make up parliamentary committee. Hearings directly involve the people they represent in the development of laws and other decision-making. Hearings can also be a useful way to for a committee to gather technical information and gauge public opinion.

#### **Parliamentary Committees**

Parliamentary committees can use hearings to assist them in their various tasks. The tasks of committees include:

- ⇒ Drafting Legislation;
- ⇒ Reviewing Legislation in detail and proposing amendments to the House and the Executive;
- ⇒ Consulting with the public on issues and new or planned Legislation ;
- ⇒ Reviewing of performance of government departments and agencies;
- ⇒ conducting inquiries on important issues; and



- ⇒ Obtain information directly from government officials.
- Committees have broad powers of inquiry, including, the ability to send for people, papers and records. Committees are often required to report back to Parliament with their findings, recommendations, and proposed amendments.
- There are usually 10-20 committees in each parliament. The assigned areas of work for each committee are defined in the Rules of Procedure for each House. If you are interested in the work of a particular committee, you may wish to ask the clerk for the description of its areas of responsibility. (See appendix A for list of committees in the BiH)

## Public Hearings

All public hearings share the same elements of preparation and conduct. Some of those are set by the existing Rules of Procedure of the House. At the same time there are differences between several types of public hearings. It is common for each working body to adopt its own Rules of Procedure that follow but may expand and elaborate on the existing Rules of Procedure of the House.

Hearings are conducted for different purposes. In terms of purpose, public hearings may be divided into three categories: *legislative, supervisory and investigative*. A public hearing may, at times, serve a dual purpose such as legislative and supervisory.

1. *Legislative public hearings* are hearings to review draft laws or to examine options that may later inform the creation of a draft laws. This type of hearing allows for a public forum for the presentation fact and opinion on a proposed set of laws. Witnesses from all walks of life may be asked to present to the committee, including MPs themselves, government officials, NGOs and other citizens interested in finding adequate solutions for the subject matter dealt with by a given Bill.
2. *Supervisory public hearings* consider an act, an issue or a problem or a proposed activity, often focusing on the quality of government programs or the level of performance of government officials. A supervisory hearing also ensures that the implementation of the law by the executive is in accordance with the intention of the legislator. This type of hearing promotes effective, efficient and economical government. Members of the public may be invited to testify to gather information about the effectiveness of programs.
3. *Investigative public hearings* share many of the features of the legislative and supervisory ones. The difference rests in their investigative nature. Such hearings may be held to investigate a strong suspicion or evidence that a public official has committed an offence while acting in an official capacity or if a

company or individual is suspect of a offence that has a significant public impact.

### **Public Hearings in the Field**

- Most public hearings are conducted at the seat of parliament, but a working body may decide there is a need for a public hearing to held elsewhere. Hearings are conducted in the field to bring parliament closer to the people. It may allow witness to appear whom the issue being reviewed directly affects but who are unable to travel to the seat of parliament to testify. Hearings in the field have extra costs and are more time consuming. Committees must usually make a request to the House if they wish to hold hearings in the field.
- As a local group or NGO you might make a request to the appropriate committee to conduct public hearings in an area that will be significantly affected by a proposed law or is being affected by ongoing government policy.

### **Finding Information about Public hearings**

- After a committee has decided to conduct a public hearing, the Chair of the committee should announce the hearing no less than seven days in advance, unless there are exceptional circumstances in which can it may be held at shorter notice.
- The announcement should be published in the parliamentary bulletin and, possibly, in the daily newspapers. You may also be able to visit the parliamentary website to find information about the work of committees.
- If you are especially interested in the area covered by given committee, contact the clerk of the committee to find out the agenda of the committee and the matters, such as draft legislation, that it will be considering. You may even wish to write to the committee requesting public hearings on a given Bill or issue.
- If you wish to make a submission, contact the clerk and inform him or her that your group wishes to make a submission to the committee on the matter being reviewed. The clerk may ask for some description of what you wish to present to the committee and/or a written submission. The clerk may also request to interview you briefly concerning your presentation.

## **A. PREPARING A WRITTEN SUBMISSION**

Many committees will require that you submit a written submission before your presentation. The submission can provide an in-depth analysis of the legislation or subject being reviewed.

Such a document makes it easy for MPs to familiarize themselves with your views and to prepare questions. It will help the committee group and order the sequence of presentations.

There is often no set format for a written submission –check with the clerk to see if the committee has set any formal specifications. However, make sure your written submission includes the following information:

- Who the submission is from (your name, address, telephone number; and if it is from an organisation - its name, aims, membership and structure);
- The name of the committee to which it is going, and the date;
- The amount and source of any government contract entered into by you organization in preceding years, which may be relevant to your testimony
- Whether you want to speak to the committee in person about your submission (if so, give a daytime phone number);
- How widely you have consulted about the matter;
- Your comments - arrange them in logical order, be simple and brief, accurate and complete.
- If you are commenting on a Bill, first state your general position, then make detailed comments on clauses of concern;
- If you are commenting on an enquiry, use its terms of reference (available from the clerk of the committee) as a guide to presenting your views;
- End with your list of recommendations.

## **B. PRESENTATION BEFORE THE COMMITTEE**

The purpose of presenting in person to the select committee hearing is to stress key points and clarify anything the committee members might find unclear in your written submission, if you have submitted one.

### **The Format of the Presentation**

- The committee decides on the format and sequence of testimonies. In other countries, witnesses usually one by one give a brief presentation on their written statement and then answer questions posed by the committee members.
- In recent practice, witness panels are being increasingly used. In such cases, panelists are asked to present their views and then committee members ask questions to be answered by the *entire* panel. A committee may also decide to use an informal method, such as a seminar or roundtable, where experts present their opinions on a given subject matter, followed by an opportunity for informal questions and dialogue.

### **Sequential Presentation to a Committee**

The following outlines how to prepare for a presentation based on the common practice of sequential presentation, where witnesses one by one present and are asked questions. However, the suggestions apply for any format of testimony.

- If you have been informed that the committee will hear your presentation, contact the clerk a day or two beforehand to confirm you are on the agenda and your speaking time and learn about any last minute changes.

#### **1. Prepare a Summary**

- For your presentation prepare a brief one or two page summary. (You can attach your summary to the front of your longer submission.)
- Your short summary should introduce who you are and highlight your main points. Some legislators say a clearly written letter or issue sheet is the most effective way to win support.
- Always bring plenty of copies of your summary. You should have enough for all members of the committee, including the clerk. Bring extra copies for other presenters who may be interested as well as for any media that might be present at the hearing.

#### **2. Time Limits**

- Committees will limit your time. Committees might allow for presentations of 5 minutes but may allow for 10 minutes. Ask the clerk if any time limit has been set. Be ready to summarize your submission quickly -in a couple of minutes- as you may be asked to do so.

#### **3. Group Testimony**

- You may decide to have several members of your group present on different aspects of your position. This can show the wide representation of your group and

the variety help retain the attention of MPs. You can also consult among yourselves if necessary before responding to questions.

#### **4. At the Hearing**

- Arrive early. This will give you chance to survey the terrain and identify the committee members As well as the committee members in the room the committee clerk(s), media representatives, and members of the public may be present.
- Do not be worried or nervous about doing something wrong. Remember that you are citizen and you and your organization have a right and also a duty to participate in a committee hearing. Elected representatives also have a duty to hear what you have to say.
- While you are waiting, listen and watch how the system works and note the points that are being followed up by committee members. You should also be ready in case you are called early.

#### **5. The Verbal Presentation**

- Introduce yourself and address the chairperson and committee members. For example: “Mr. (or Madam) Chair, members of the Committee, my name is Homer Q. Public and I am here today representing...(name of organization). We have a number of concerns we would like to raise with you regarding the matter you are looking at....”
- Make a brief statement about your submission and conclude with a summary of main points;
- Make your points as concisely as possible and use factual information:
- You may want to make an argument that your position is in the best interest of all the citizens of the country.
- Legislators may want to know: what, if anything, is being done or has been done in other jurisdictions; what other groups support or oppose your proposal; what the costs may be. If you know the answers, include them in your statement.
- Offer to help: You may want to ask if there is anything you can do to help get the proposal in question approved or defeated. This shows you and your group care enough to be willing to contribute more time and energy.

#### **6. Questions from committee members:**

- When you have completed your summary the Chair will ask the members of the committee if they have any questions. Questions are usually limited to five minutes;
- All questions and answers should be routed through the committee chair. This helps to maintain order. It also makes it easier to follow the hearings when listening to an audio recording of the proceedings.
- Take your time answering questions. It is acceptable to have a whispered conversation amongst yourselves as to who will answer the question;
- If you don't understand a question say so; If you don't know the answer, or if you don't have a group opinion or policy on a question then say so. If you are asked a question and you don't have the information with you but can get it ask the Chair if you can send it to the committee secretary later; and
- A committee member may ask what appears to be a pretty obvious question. They sometimes do this as a favour so that you can stress a key part of your submission
- Remember: while in the committee room do not to make noise or disrupt the hearing. (Turn off your mobile phone.)

## **7. After the Presentation**

- The committee may allow you and other members of the public to stay on after your presentation and listen to subsequent testimony.
- Do not expect immediate committee action following a hearing. The committee may take some time to hear all the presenters and finish its work on the legislation or issue in question.
- At the end of the time allocated for the hearing, the committee may decide when it is sitting next and which subjects it will be considering.
- The next day you can inquire with the clerk as to the agenda of the committee and when it intends to complete the stage of hearings.

## **8. The Transcript and Report**

- There should be a transcript of the hearing made available to the public at some later date.

- The committee will prepare a report of the hearing process that it will submit to the plenary. This report should be a public document. Contact the clerk to obtain a copy. You can make use of these records in a variety of ways.

***Appendix A***  
**COMMITTEES**

***House of Representatives of the Parliamentary Assembly of BiH***

1. Constitutional-Legal Committee
2. Committee for Foreign Affairs
3. Committee for Foreign Trade and Customs
4. Committee for Finance and Budget
5. Committee for Human Rights, Immigration, Refugees and Asylum
6. Committee for Traffic and Communications
7. Administrative Committee
8. Committee for Accomplishing Equality of Sexes in BiH

**House of Peoples of the Parliamentary Assembly of BiH**

1. Constitutional-Legal Committee
2. Committee for Foreign Trade and Policies
3. Committee for Finance and Administration

***House of Representatives of the Parliament of the Federation of BiH***

1. Juridical-Legal Committee
2. Administrative Committee
3. Committee for Human Rights and Freedoms Protection
4. Committee for Defense and Security
5. Committee for Election and Appointment
6. Committee for Information
7. Committee for Establishing the Sameness of Texts
8. Mandate-Immunity Committee

**House of Peoples of the Parliament of the Federation of BiH**

1. Committee for Constitutional Issues
2. Juridical-Legal Committee
3. Administrative Committee
4. Committee for Human Rights and Freedoms Protection
5. Committee for Defense and Security and Control of Legality of the Work of Services for Protecting Constitutionality of the Federation of BiH
6. Committee for Election and Appointment
7. Committee for Information



8. Committee for Establishing the Sameness of texts in Bosnian and Croat language
9. Mandate-Immunity Committee

### **National Assembly of RS**

1. Mandatory-Immunity Committee
2. Committee for Elections and Appointments
3. Board for Constitutional Issues
4. Legislative-Legal Board
5. Board for Political System, Judiciary and Management
6. Board for Economy and Finances
7. Board for Environment Protection
8. Board for International Relations
9. Board for Supervision and Control of Work of the Bodies and Institutions related to Field of Defence and Internal Relations
10. Board for Social Activities
11. Board for Petitions, Proposals and Public Supervision
12. Board for Protecting the Rights of Refugees and Displaced Persons
13. Board for Social Position of Women and Gender Equality