

# Remarks by High Representative and EU Special Representative Miroslav Lajčák At an Event Organised by the BiH Central Election Commission On the Occasion of Global Election Day



## Making BiH Institutions Work Better

Ladies and Gentlemen,

Let me express my gratitude to the Central Election Commission for its initiative to organize today's event and for inviting me to address the audience. The Central Election Commission is a success story of the election administration in BiH and the country can be proud of having such a body on the occasion of the international Election Day.

An economic free market needs efficient regulators that can ensure – without interfering with the basic mechanisms – that the market works properly. The same applies in the market of political ideas. A free market in public opinion must allow competing policies to be aired and criticised and modified and improved.

For this to happen such a market needs an efficient regulator, and the BiH Central Election Commission has fulfilled this role with remarkable success, particularly regarding the General Elections in 2006, which were the first completely managed by fully nationalized Commission, and with a new arrangement for registration – the Passive Voter Registration system.

The Central Election Commission has ensured that the energy generated by public debate in Bosnia and Herzegovina has not been squandered on disputes over election procedure or election results.

This has been an indispensable element in building of functioning system.

Later this year BiH will go to the polls again, this time in nationwide municipal elections. The Central Election Commission will serve as the institutional foundation of these elections. Political parties will win or lose, but the integrity of the system by which citizens express their opinion on the work of their political leadership will not and cannot be brought into question. This is what the Central Election Commission should be able to guarantee.

It is not unreasonable to judge a country by how well its institutions serve its citizens, and the Central Election Commission is a positive example of a BiH institution that serves citizens very well indeed.

It does this for three reasons:

- Every party in BiH subscribes to the basic democratic principles which the Central Election Commission was established to uphold – so the institution reflects a philosophical and political consensus;
- It has been allocated the administrative resources it needs in order to do its job; and

· Its role is clearly defined.

If these three conditions are applied to other state institutions then they can be expected to perform successfully.

The Central Election Commission has the responsibility of overseeing political party financing and taking part in the vetting procedure. It also applies conflict of interest legislation to ensure that elected officials and executive officeholders are held to standard of integrity. Despite a technical issue regarding the level of government responsible for this legislation, the Central Election Commission has built up its capacity to process conflict of interest cases. In fact Bosnia and Herzegovina has become a model for the rest of the region in this respect.

I would like to see the issue of the conflict of interest resolved before the October elections. Central Election Commission officials have been able to implement the law efficiently; they are the only body in the country with the resources and experience to do this at all levels, and the CEC should continue to be the enforcement mechanism, irrespective of where the law resides.

Before the next general elections the political leadership must address a discriminatory provision of the Constitution of Bosnia and Herzegovina, implemented in the Election Law of BiH where all citizens are not equal throughout the country and cannot be elected to the highest office.

The bottom line is this: Moreover, the Venice Commission in 2006 pointed out to incompatibility of such provision with the European Convention on Human Rights. No modern European democracy can discriminate against its citizens.

Addressing this and similar issues is consistent with signing a Stabilisation and Association Agreement and moving forward with the process of bringing Bosnia and Herzegovina into

alignment with the member states of the European Union. This process must be a priority for all political forces in the country. We will succeed if everyone agrees that the European agenda is first and not subject to political debate.

This is huge task must be based on two principles. The first is an irrevocable commitment to democracy – and the Central Election Commission has a key role in maintaining this commitment. The second is an irrevocable commitment to the territorial integrity and sovereignty of Bosnia and Herzegovina.

The process of constitutional reform is adjunct to the SAA process in order to make Bosnia and Herzegovina work better. Bosnia and Herzegovina has one path forward and that path leads it towards Europe as a functioning state within its current borders.

This in itself highlights the importance of improving the efficiency and transparency of state institutions such as the Central Election Commission

What is clear is that in the volatile political market of BIH the Central Election Commission has become a trusted and respected regulator in cooperation with local election officials. On behalf of all voters I would like to use the occasion of Global Election Day to express appreciation for the commitment that the staff have shown in rendering this fundamental public service and to wish the conduct of fair and democratic local elections in October this year.

Thank you.