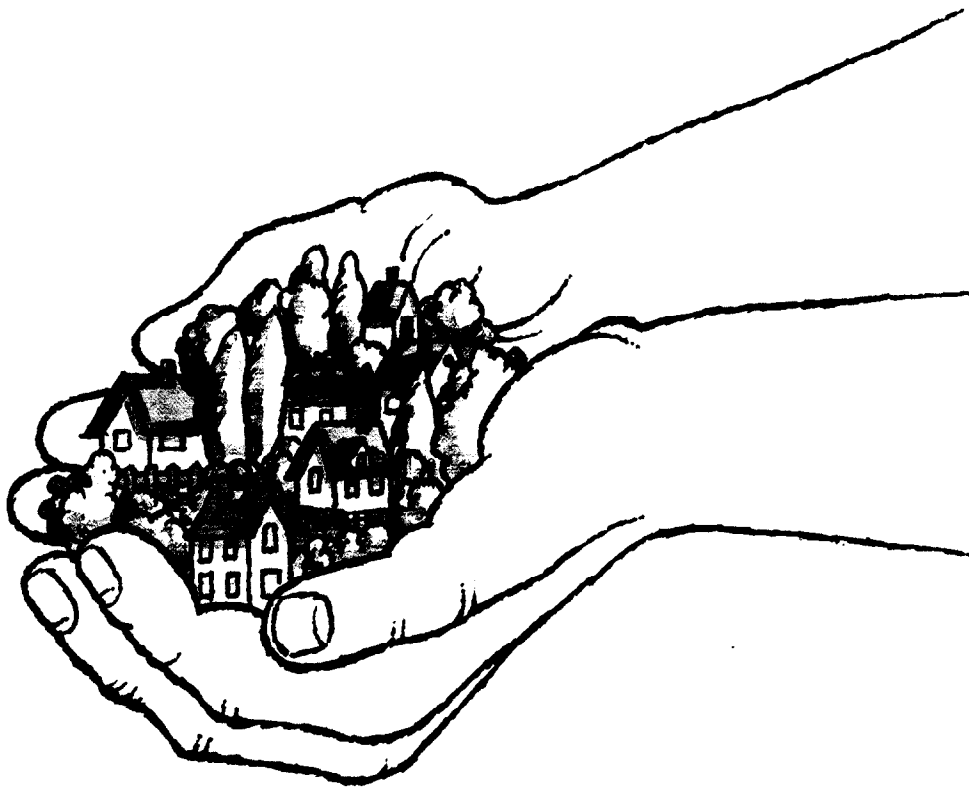


# Polling and Counting Manual

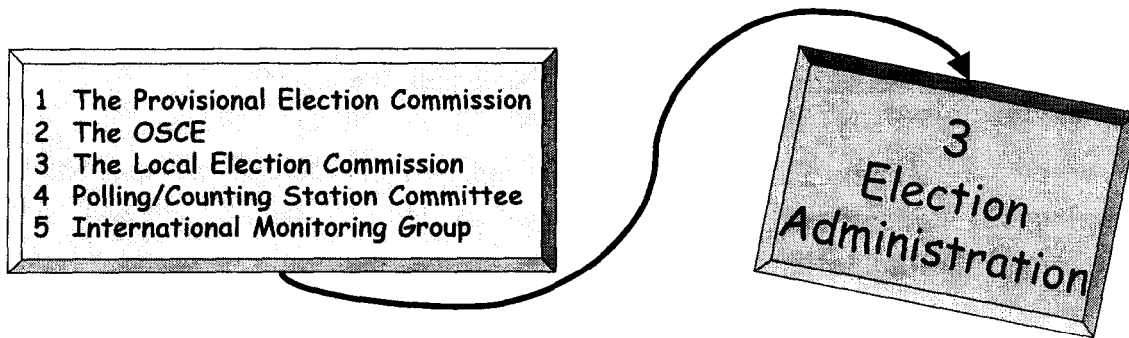


**OSCE**  
**Organisation for Security and Co-operation in Europe**  
**Mission to Bosnia and Herzegovina**

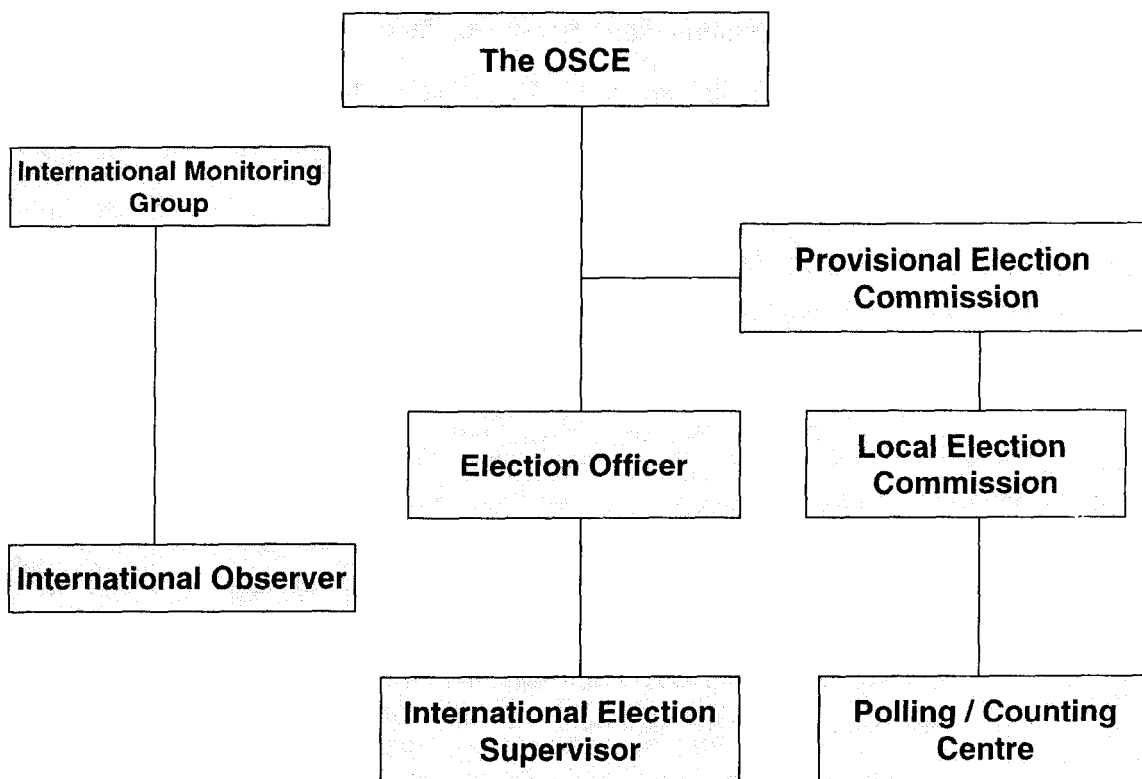
**Developed and Produced by Voter Education and Training**

**August 1997**





**Election Administration Structure**



## **1 The Provisional Election Commission**

Annex III of the GFAP charged the OSCE with establishing a Provisional Election Commission (PEC). The PEC **adopts Rules and Regulations governing the entire electoral process**, from voter registration to the implementation of election results. For the 1997 Municipal Elections the Rules and Regulations of the PEC **take precedence over all local laws and regulations**, except for areas not governed by the Rules and Regulations. The Provisional Election Commission's current mandate expires on 31 December 1997. It is currently envisaged that on 1 January 1998, a Permanent Election Commission will be fully established.

The PEC comprises **seven members**:

- ♦ Ambassador Robert Frowick, Chairman
- ♦ Mr. W. G. Robinson, Q. C., Deputy Chairman
- ♦ Mr. Hilmo Pasic, Representative of Bosnia and Herzegovina
- ♦ Mr. Mirko Boskovic, Representative of the Federation of Bosnia and Herzegovina
- ♦ Mr. Slobodan Kovac, Representative of Republika Srpska
- ♦ Ms. Deborah Schein, Member
- ♦ Mr. Peter Sorensen, Designee of the High Representative

## **2 The OSCE**

On 21 November 1996, the OSCE Permanent Council agreed to extend the **elections mandate of the OSCE Mission** to Bosnia and Herzegovina until **December 1997**.

The Permanent Council decision called on the OSCE to "continue **providing assistance for the preparation and conduct of Municipal Elections in 1997...**"

In Annex 3 of the GFAP, the agreement requires the OSCE to ensure whether conditions exist for the effective holding of elections and to **provide full supervision for their preparation and conduct**. This is accomplished through:

- The Chairperson of the Local Election Commission, in conjunction with the OSCE Election Officer, who is responsible for making all executive decisions on the days of Polling
- OSCE Election Officers who are responsible for all OSCE election activities in their area of responsibility
- OSCE International Election Supervisors who are responsible for overseeing the operation of a designated Polling Station

### **3 Local Election Commission**

Generally, there is one LEC appointed per Municipality. **The LECs are constituted electoral bodies at the local level.**

The members of the LECs are appointed by local councils or assemblies and are **approved by the PEC**. They have a **key role in supporting the electoral process**, and in being responsible for the **conduct of elections**, including the assignment of Polling Committees, under the supervision of the OSCE and the PEC.

The LECs are also responsible for providing facilities, furniture, utilities, heat, lighting etc for all Polling Stations and Counting Centres. **They are also responsible for the hiring of Polling Station Committees.**

### **4 Polling Station Committee**

A **Polling Station Chairperson and Committee** is appointed by the LEC for each Polling Station (except for Out-of-Country Polling Stations). The **Polling Station Committee** is responsible for **ensuring the integrity, security, and tranquillity of the voting process at the Station. (Article 72)**

**Members** of the Polling Station Committee **must be** suitably qualified individuals who are **eligible to vote** in the elections. In addition, **no person** shall be **appointed** as a member of or be employed by or participate in the functions of a Polling Station Committee if he or she is: (Article 73.1)

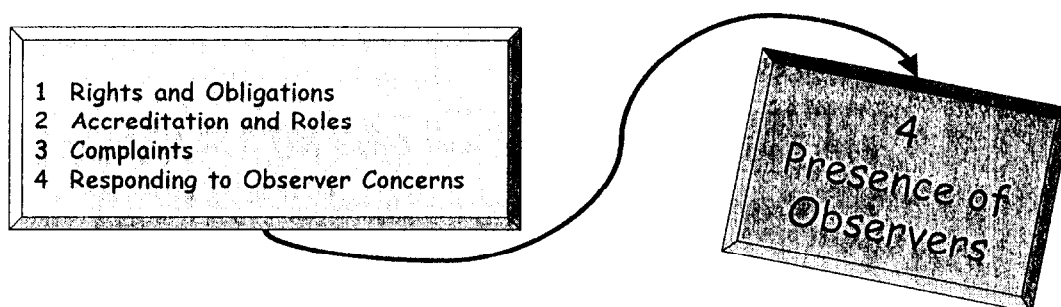
1. ineligible to run as a candidate for office under the GFAP in BiH
2. prohibited under any of the provisions of the Rules and Regulations of the PEC
3. elected to or holds a politically appointed office or is seeking an elective office
4. in a leadership position of a political party or coalition, or is an independent candidate, or intends to seek such a position
5. shown to lack the impartiality necessary to be a member of the Committee

## **5 International Monitoring Group**

In addition to the presence of OSCE International Election Supervisors at each Polling Station, a further, **independent monitoring body** will oversee and co-ordinate the activities of international Observers to **evaluate the electoral process**. These Observers will write their own review of the Polling Stations which they visit. This report is not reviewed or edited in any way by the OSCE. The PEC has enacted the following Rules & Regulations regarding the Election Monitoring Group Observers.

The PEC will invite **International Observers** in accordance with the GFAP, Annex 3, Art III (e) and the Copenhagen Document, paragraph 8. These Observers **include** representatives of **governments** and **international organisations** and **representatives of international non-government organisations**. (Article 151)

The Co-ordinator of the Election Monitoring Group and his/her office will co-ordinate a joint effort of the International Observers to **observe all aspects of the electoral process**. International Observers will be present at **Polling Stations** and **Counting Centres** and their observations will be the basis of the overall assessment of the electoral process. (Article 156)



The **Rules and Regulations** contain provisions which allow different **types of Observers** to be present during the various Election and Counting Day (s) activities.

The **presence of Domestic and International Observers** during the Polling and counting process **helps ensure**:

- a free and fair electoral environment  
and
- contributes to the transparency and public confidence in the legitimacy of the election results

**Every Observer must be accredited** by appropriate authorities, as stipulated by the **Rules and Regulations** of the PEC.



### **Domestic Observers**

The PEC establishes the right of accredited representatives of registered political parties, coalitions and independent candidates, and of the media and citizen organisations (hereinafter "Domestic Observers") to be present during the proceedings of the voting and Ballot counting at In-Country or Out-of-Country Polling Stations and during the Ballot counting at the OSCE Counting Centre. (Articles 65, 203 and 220.4)



### **International Observers**

In accordance with the Annex III of the GFAP and the Copenhagen Document, the PEC has invited **International Observers** to monitor the electoral process, including Polling and counting. These Observers include representatives of governments and international organisations, and representatives of international non-governmental organisations. (Article 151) The findings of the International Observers will be the basis of the overall assessment of the electoral process. (Article 156)

## **1 Rights and Obligations**

Both **Domestic and International Observers** have the right to:

- **observe all steps** in the voting and counting process
- **be present to view** the display and sealing of the empty Ballot box before Polling begins and observe the pre-Poll opening preparations
- **ask questions, express objections and lodge complaints** regarding the Polling and/or counting process in accordance with the Rules and Regulations of the PEC, which may be recorded in the Poll Book

Both **Domestic and International Observers** are **prohibited** from:

- **interfering** in any way in the electoral proceedings (**Articles 67 and 153**)
- **handling** Ballot Papers
- **instructing**, giving orders, or countermanding decisions of Polling Station officials
- **wearing or carrying anything identified** with a political party, coalition or independent candidate (**Article 68**).
- **attempting** to observe the filling out of the Ballot or **interviewing voters** (**Article 203.3**)

The following **obligations** apply to both **Domestic and International Observers**. They must:

- **observe** the electoral process in accordance with the Rules and Regulations of the PEC (**Article 67**)
- **respect** the **secrecy** of the vote
- **behave** in an **impartial** and **politically neutral** manner in carrying out their duties as Observers (**Article 155**)
- **abide by the laws** of Bosnia and Herzegovina and of the two entities (**Article 154**)
- **present personal identification and official accreditation** to the Polling Station Committee, OSCE Counting Centre Supervisor, Out-of-Country Voting Centres or International Election Supervisor upon entry into the election facility (**Article 68**)

- **read an acknowledgement of the rights and obligations** pertinent to serving as an International or Domestic Observer
- **wear official accreditation provided by the OSCE or the Election Monitoring Group** at all times while in the election facility (**Article 68**)

## **2 Accreditation and Roles**

The accreditation and roles of the Domestic and International Observers varies. The distinctions in procedures and observation roles are outlined below.

### **Domestic Observers**

- Registered political parties, coalitions or independent candidates may have only **one Domestic Observer present** at a given time at an In-Country or Out-of-Country Polling Station, or at the OSCE Counting Centre (**Article 67**)
- A Domestic Observer representing a political party, coalition, or independent candidate **may observe only in a Municipality in which his or her political party, coalition, or independent candidate is participating** (**Article 65**)
- Domestic Observers are **accredited** by the Local Election Commissions and are subject to notification to the PEC for In-Country Polling Stations. Domestic Observers are accredited by host government partners in conjunction with Out-of-Country officials for Out-of-Country Polling Station
- **Names of nominated** persons to serve as Domestic Observers are **submitted to the appropriate Local Election Commission, or Out-of-Country Polling Station Committee Supervisor**, who will ensure that all nominated persons comply with the accreditation requirements (**Article 66**)
- Local Election Commissions **forward the names** of newly accredited Domestic Observers to the In-Country Polling Station Committee Chairpersons in the Municipality
- Host government partners in conjunction with Out-of-Country officials forward the names of newly accredited Domestic Observers to the International Election Supervisor and Out-of-Country Polling Station Committee Chairperson

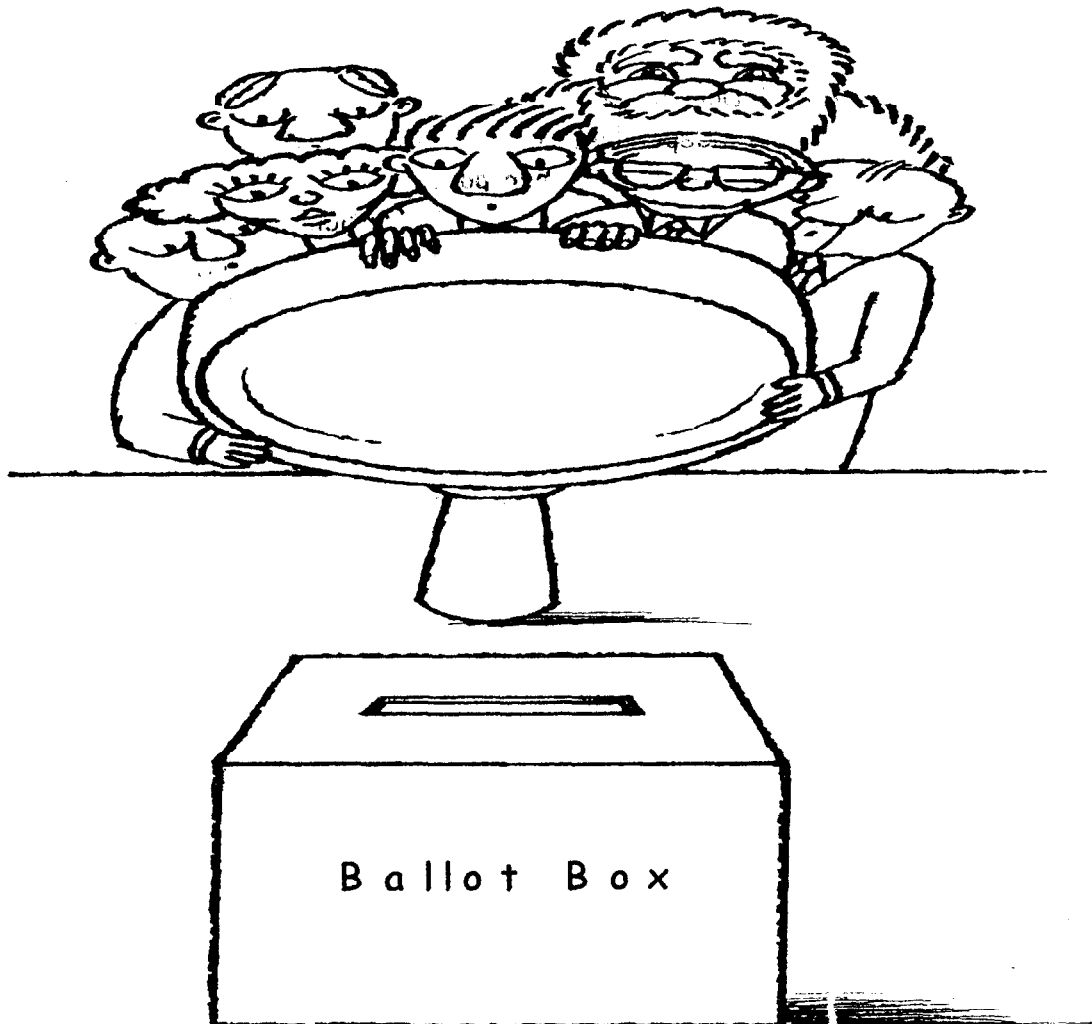




- **Accreditation** for Domestic Observers to observe proceedings at the OSCE Counting Centre is **obtained from the PEC (Article 203.1)**
- If further clarification is required regarding accreditation procedures, please contact Political Parties Services at OSCE Head Office in Sarajevo

#### **International Observers**

- The PEC has authorised **The Election Monitoring Group** to **accredit the international Observers (Article 152)**
- International Observers shall have **access to all relevant documents and meetings**, shall be free to **contact any person** at any time during the entire period of the electoral process and shall have access to all **Polling Stations (Article 159)**



### **3 Complaints**

#### **During the Polling**

Questions and **complaints** from both **International and Domestic Observers** concerning the Polling process shall be:

- **submitted** to the Polling Station Committee Chairperson
- **and/or** the Local Election Commission President
- **and/or** the International Election Supervisor
- **recorded** in the Polling Station Poll Book and/or the official record of the Local Election Commission (**Article 69**)

#### **During the Counting**

**Complaints** from International and Domestic Observers concerning the counting process **shall be lodged, in writing, within 24 hours after the alleged violation** of the Rules and Regulations of the PEC or the Procedural Instructions issued by the OSCE Deputy Head of Mission/Director General for Elections became known to the complainant, but in any case **no later than 72 hours after the actual occurrence** of the alleged violation of the Rules and Regulations or the Procedural Instructions (**Article 220.10**).

The lodging of a complaint, concerning either Polling or counting, **shall not interrupt or suspend the Polling or counting process** (**Article 220.10**).

### **4 Responding to Observer Concerns**

Make sure the Observers have a **clear view** of all activities throughout the Polling and counting process.

- **Treat** Observers **courteously** and **answer** their questions **promptly** and **accurately**
- Make **appropriate announcements** when special circumstances arise or to openly share information
- Be **responsive to complaints** brought to your attention by a International and Domestic Observer
- **Determine** if complaints are **justified** and take **appropriate steps** to make correction if **warranted**

- If you believe a complaint is without basis, explain why and be prepared to cite the **Rule and Regulation** to justify your response
- If a **satisfactory resolution is not found** contact the **OSCE Election Officer** in the area; discuss the matter further and attempt to achieve a resolution on a local level
- If the person is still **not satisfied**, advise the person of his/her **right to appeal**
- **All complaints or allegations** should be noted in the **Poll Book** (date, time, complaint, signature)
- The Polling Station Committee should **not impose** special or **unreasonable restrictions** on **Observers** except as necessary to maintain order and secrecy