

**Political Party, Coalition,  
and Candidate  
Registration Guide  
(Including Candidate List Instructions)**

**1997 Municipal Elections  
in Bosnia and Herzegovina**

**In the Spirit of Peace, Justice,  
Tolerance, and Mutual Respect**

**O|S|C|e**

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# Introduction

## **The 1997 Municipal Elections in Bosnia and Herzegovina: In the Spirit of Peace, Justice, Tolerance, and Mutual Respect**

**T**he 1997 Municipal Elections in Bosnia and Herzegovina bring with them the promise of enduring peace and stability—a vision of the Dayton Peace Accords. The political parties and candidates participating in these elections will play an important role in the realization of representative government. Parties and candidates can campaign with pride, knowing that they will be upholding the country’s constitutional commitment to the “sovereignty, territorial integrity, and political independence of Bosnia And Herzegovina.” They can campaign with honor, knowing that their conduct will set the tone for free, fair, and democratic elections. They can campaign with an eye toward peace and justice, knowing that this will eventually bring tolerance and mutual respect. And they can campaign with hope, knowing that with tolerance and mutual respect will come the rebuilding of Bosnia and Herzegovina and the chance for those uprooted to return safely home.

This guidebook is offered to all those interested in participating in the 1997 Municipal Elections as political parties, coalitions, or candidates (hereinafter, *parties and candidates*). It is designed to walk the interested participant through the registration process, and ideally, will help answer his or her questions and provide the necessary resources to successfully register as a party, coalition, or candidate for these historical 1997 Municipal Elections in Bosnia and Herzegovina.

Within these pages you will find:

- the who, what, when, where, and how of party, coalition, and candidate registration
- a sample Candidate List Form with “how-to” instructions
- a brief look at voter registration
- a review of campaign rights and the full text of the Code of Conduct and Campaign Guidelines
- a look at the four OSCE Commissions involved in the 1997 Municipal Elections
- the relevant *Provisional Election Commission Rules and Regulations*

# Who Is Eligible to Register?

## Are You Eligible to Register as a Political Party, Coalition, or Candidate?

### To Successfully Register for Participation in the 1997 Municipal Elections, You Must:

- be a citizen of Bosnia and Herzegovina
- be over 18 years of age
- be listed on the 1991 Census as adjusted for use in the 14 September 1996 Elections
- successfully complete the Provisional Election Commission Registration Application, Confirmation Form, or Candidate List Form
- take an oath to abide by the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Accords), the Electoral Code of Conduct for Political Parties and Candidates, and the *Provisional Election Commission Rules and Regulations* (hereinafter *Rules and Regulations*). You must also pledge to abide by and support the full implementation of the election results certified by the Provisional Election Commission.

### And You Must Not:

- be under indictment by the International Criminal Tribunal for the Former Yugoslavia or have failed to appear before that Tribunal

### What If You Live Outside of Bosnia and Herzegovina?

If you live outside of Bosnia and Herzegovina, you may also participate in the 1997 Municipal Elections as an independent candidate or candidate of a party or coalition. You must, however, follow the standard application requirements and registration deadlines. For more information or an Independent Candidate Registration Application or Confirmation Form or a Candidate List Form, contact Political Party Services in the OSCE Head Office in Sarajevo (Phone: 387-71444-U-4, extension 254, or Fax: 387-71-442-479).

# What Are Your Registration Options?

Anyone interested in participating as a party or candidate must submit the appropriate Provisional Election Commission Registration Application or Confirmation Form within the designated application periods.

## **Before You Register, Consider Your Options:**

- If you registered for the 14 September 1996 Elections, you do not need to re-register for the 1997 Municipal Elections, but you must submit a Provisional Election Commission Confirmation Form in accordance with the *Rules and Regulations*.
- If you are registering for the first time, you must submit a Provisional Election Commission Registration Application in accordance with the *Rules and Regulations*.

## **What is a Political Party Anyway?**

For purposes of the 1997 Municipal Elections, a political party is two or more persons that submit a Political Party Registration Application or Confirmation Form registering their intent to participate in the 1997 Municipal Elections in accordance with the *Rules and Regulations*.

## **And What About a Coalition?**

For purposes of the 1997 Municipal Elections, a coalition is two or more registered political parties that choose to form a coalition and that submit a Coalition Registration Application or Confirmation Form registering their intent to participate in the 1997 Municipal Elections in accordance with the *Rules and Regulations*.

## **Before Becoming a Coalition, Consider This:**

- A member political party of a coalition may not withdraw from a registered coalition prior to the conclusion of the certification of election results.
- A coalition comprised of the same registered political parties as appeared on its Coalition Registration Application for the 14 September 1996 Elections may submit a Confirmation Form. Otherwise, it must submit a Coalition Registration Application.
- Where a coalition has expressed its intent on its Confirmation Form or Registration Application to submit a candidate list for a municipality, a member political party of that coalition may not participate independently or as a member of another coalition in that same municipality.
- Where a coalition has expressed its intent on its Confirmation Form or Registration Application to submit a candidate list for a municipality, any candidate list for the same municipality submitted by a member political party of that coalition shall be invalid.
- An independent candidate may not be a member of a coalition.

# What Are Your Registration Options?

## What's the Difference Between an Independent Candidate and a Candidate of a Political Party or Coalition?

### The Independent Candidate

For purposes of the 1997 Municipal Elections, an independent candidate is an individual interested in standing for office independently of a party or coalition in the municipality in which he or she is registered to vote. The interested participant must submit an Independent Candidate Registration Application or Confirmation Form registering his or her intent to participate in the 1997 Municipal Elections in accordance with the *Rules and Regulations*.

### The Candidate of a Political Party or Coalition

For purposes of the 1997 Municipal Elections, a candidate of a political party or coalition is an individual interested in standing for office as a representative of a party or coalition in the municipality in which the candidate is registered to vote. He or she must complete a Candidate List Form in accordance with the *Rules and Regulations* and then turn the Form in to the president or vice-president of the candidate's party or coalition. The president or vice-president will be ultimately responsible for collecting and submitting all Candidate List Forms and for ensuring that the order of candidates on the candidates lists is correct.

## Additional Requirements for Candidates

Anyone interested in participating in the 1997 Municipal Elections as an independent candidate or the candidate of a political party or coalition must meet additional requirements.

### The Successful Candidate Must:

- be a registered voter and must register to vote between 5 May and 17 May
- be a candidate in the municipality in which he or she is registered to vote.

### The Successful Candidate May:

- participate in one municipality only
- participate even if he or she was a candidate for the 14 September 1996 Elections, as long as he or she was not elected to a legislative body. He or she waives any right to replace an elected member from that candidate list.

### The Successful Candidate May Not:

- participate if he or she remains in a legislative body to which he or she was elected in the 14 September 1996 Elections
- simultaneously participate as an independent candidate and a candidate of a political party or coalition
- appear on more than one candidate list
- withdraw as a candidate prior to the certification of election results if he or she has consented to appear on a candidate list of a registered political party or coalition.

# When and Where Do You Register?

## When Do You Register?

**P**olitical parties, coalitions, and candidates are scheduled to register or to confirm their registration at different times. The registration and confirmation periods are set forth below:

- Confirmation period for previously registered political parties and coalitions 14 - 25 April
- Registration period for political parties registering for the first time 14 - 25 April
- Registration period for coalitions registering for the first time 9 - 15 May
- Registration period for independent candidates registering for the first time 6 - 19 May
- Confirmation period for previously registered independent candidates 6 - 19 May
- Candidate List Forms Due 20 May  
(Forms will be available in late April)

## Where Do You Register?

**A**ll those interested in registering or confirming their registration must pick up a Registration Application or Confirmation Form from the OSCE Head Office in Sarajevo or from an OSCE regional center or field office. Applications and forms will be available as of 0900 hours on the opening day of the respective registration period and will be due no later than 1700 hours on the closing day of the respective registration period.



# Where Can You Participate?

## Once Registered, Where Can You Participate?

A successfully registered party has a range of options in choosing how it will participate in each municipality for the 1997 Municipal Elections. It may choose to become a member of a coalition in one municipality, may remain an individual party in another municipality, **and be a member of a different coalition in a third municipality.** A candidate, however, may only participate in one municipality-the one in which he or she is registered to vote.

### Candidate Lists: Confirming Your Participation in a Municipality

A political party or coalition, whether previously or newly registered, must indicate on its Registration Application or Confirmation Form in which municipalities it intends to submit candidate lists. To officially confirm its participation in a municipality, the president or vice-president of the respective party or coalition must then submit the Candidate List Forms (received from each candidate) for each municipality in which it intends to participate.

### Party and Candidate Options:

**A political party may participate independently:**

- in any or all municipalities in which it has not consented to be a member of a coalition

**A coalition may participate:**

- in any or all municipalities

**A member political party of a coalition must participate:**

- in all municipalities in which the coalition has indicated its intention to participate

**An independent candidate may participate:**

- only in the municipality in which he or she is registered to vote

**A candidate of a political party or coalition may participate:**

- only in the municipality in which he or she is registered to vote

# How Do You Register?

The registration requirements vary slightly depending on how the party or candidate chooses to participate and whether it was previously registered for the 14 September 1996 Elections. To ensure the interested participant's success, the specific requirements are set forth below.

## **A Previously Registered Political Party or Coalition Must:**

- submit a **Confirmation** Form signed by the president or vice-president of the political party or coalition confirming the party's or coalition's intention to participate in the 1997 Municipal Elections
- indicate each municipality in which the political party or coalition intends to participate
- retain the same name as appeared on the Registration Application for the 14 September 1996 Elections.

## **In Addition, a Previously Registered Coalition Must:**

- be comprised of the same registered political parties which appeared on its Registration Application in 1996, and
- confirm each political party's consent to be a member of the coalition.

## **A Previously Registered Independent Candidate Must:**

- submit a Confirmation Form confirming his or her intention to participate in the 1997 Municipal Elections
- indicate the municipality in which he or she intends to participate; it must be the same municipality in which he or she is registered to vote.

## **A Political Party Registering for the First Time Must:**

- submit a Political Party Registration Application
- submit a list of 200 voter signatures, including the name of each voter, his or her address on the 1991 Census as adjusted for use in the 14 September 1996 Elections, his or her I.D. number, and original signature
- submit a list of each municipality in which the political party intends to participate.

## **A Coalition Registering for the First Time Must:**

- submit a **Coalition** Registration Application
- submit a list of each member political party with the signature of the president or vice-president of each party confirming the party's consent to be a member of the coalition
- submit a list of each municipality in which the coalition intends to participate

## **An Independent Candidate Registering for the First Time Must:**

- submit an Independent Candidate Registration Application
- submit a list of 100 voter signatures, including the name of each voter, his or her address on the 1991 Census as adjusted for use in the 14 September 1996 Elections, his or her I.D. number, and original

# How Do You Register?

signature

- indicate the municipality in which he or she intends to participate; it must be the same municipality in which he or she is registered to vote.

## A Candidate of a Political Party or Coalition Must:

- submit a Candidate List Form (see “The Candidate List” on page 15 and sample Candidate List Form on page 17.)

# The Candidate List

## What is the Candidate List Form and How Do You Fill It Out?

This year, each candidate of a political party or coalition must fill out and submit a Candidate List Form in order to participate in the 1997 Municipal Elections. The Form will be computer scanned to ensure accuracy of information. A candidate should take care in completing his or her form properly. Improperly completed forms may result in candidate disqualification. Once the Form is complete, the candidate should give the Form to the president or vice-president of his or her respective party or coalition. The president or vice-president is then responsible for submitting the Forms in total to the OSCE Head Office or to an OSCE regional center or field office.

### Each Political Party and Coalition President or Vice-President Must:

- submit Candidate List Forms (one Form per candidate) for each municipality in which the party or coalition intends to participate
- sign and attach a Declaration Form, confirming that the submitted Forms are approved by the respective party or coalition for participation in the specified municipalities
- confirm that the order of the candidates as they are numbered on each Form is correct

This is an important step in the submission of candidate lists. Because each candidate will fill out the Candidate List Form individually, the candidate must indicate on the Form in which order he or she will appear on the candidate list. For example, the first candidate on the candidate list will fill in the three-digit field with "001." The second candidate will fill in this field with "002."

The president or vice-president will be responsible for confirming that this order represents the correct order of the candidates on the party's or coalition's candidate lists for each municipality. Once the Provisional Election Commission certifies all candidates on the candidate lists, parties and coalitions will receive a copy of their candidate lists (per municipality) which are on record with the Provisional Election Commission.

- The number of candidates submitted on any list (which is the number of Candidate List Forms) may be between one candidate and not more than ten percent (10%) over the maximum number of seats to be contested.

## Candidate List Instructions

The following sample Candidate List Form and instructions are provided to assist candidates in the application process.

### A Few General Tips When Filling Out the Form

The Candidate List Form filled out by each candidate will be read by a scanning machine which will scan the shaded letters and numbers on each Form and record the information. This process has a high accuracy rate, but the Form must be filled out carefully. Here are a few tips to consider when filling out the Form:



# The Candidate List

- Use a pencil to fill out the Form. But NEVER use a red pencil. (The scanning machine does not read red pencil.)
- You will get the best results by filling out the Form on a firm, smooth surface.
- Shade each letter or number in the appropriate oval. Be careful to shade the correct letter or number.
- Take care to shade within the oval and avoid making any stray marks.
- If you make a mistake, thoroughly erase the shaded oval before making a correction.
- Keep the Form clean and free of dirt, oil, water, or any other materials which would affect the surface of the Form.
- Do not wrinkle, bend, or fold the Form.

## Step-by-Step Procedures

### Step 1:

Fill in the squares with the requested information. Use one block for each letter of your name and one block for each number.

- a) **Fill in your last name. Then your first name.**
- b) **Fill in your sex.**
- c) **Fill in your 1991 municipality.** This is your municipality as listed on the 1991 Census. The Form uses a three-digit numerical code for each 1991 municipality. Contact the OSCE Head Office in Sarajevo or an OSCE regional center or field office for the municipalities code.
- d) **Fill in your 13-digit I.D. number as it appears on the 1991 Census as adjusted for use in the 14 September 1996 Elections.**
- e) **Fill in the voter registration number (which you will find on your voter registration receipt).** You will have this receipt if you have already registered to vote. If you have not yet registered, you must do so no later than 17 May. Those candidates not registered by this date will be disqualified.
- f) **Fill in the political party or coalition numerical code.** This is the three-digit number which was assigned to each political party and coalition upon registration.
- g) **Fill in the municipality in which you will be a candidate.** This is also the municipality in which you must be a registered voter. The Form uses the same three-digit code used to fill in your 1991 Municipality.
- h) **Fill in the order in which you will appear on the candidate list.** For example, the first candidate on the candidate list for a particular municipality should fill in “001” on his or her Form. The second candidate should fill in “002” on his or her Form.
- i) **Write in the name of the political party or coalition that you represent** You will see this box at the bottom left corner of the Form.

a)

e)

subm

# The Candidate List

a)

First Name  
**AMANDA**

1

2

3

4

5

6

7

8

9

0

A

B

C

D

E

F

G

H

I

J

K

L

M

N

O

P

Q

R

S

T

U

V

W

X

Y

Z

b)

Sex  
  
Male  
  
Female

c)

Opština  
1991  
**199**

d)

ID Number  
**0101950999999**

e)

Voter Registration Number  
(on your Voter Registration Receipt)  
**99999999999999**

f)

Political  
Party or  
Coalition  
Code  
Number  
**999**

g)

Opština/  
Općina u kojoj  
se kandidira/  
kandidiraš  
**199**

h)

**IMPORTANT**  
  
ORDER BY  
CANDIDATE  
ON  
CANDIDATE  
LIST  
  
Candidate  
Order  
**999**

Step 2:

Shade the letter or number in each oval to match the letter or number you wrote in the square above the oval.

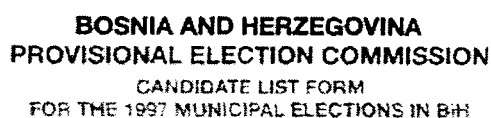
Step 3:

Read the oath and sign the Form.

Step 4:

Give your Form to the president or vice-president of your political party or coalition. He or she will submit your Form with all the Candidate List Forms for your party or coalition.

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

# A Brief Look At Voter Registration

## Encouraging Candidates and Supporters To Vote

**T**he 1997 Municipal Elections in Bosnia and Herzegovina will take place on the weekend of 13/14 September 1997. Prior to Elections parties and candidates should make a concerted effort to encourage their supporters to vote. This means encouraging your supporters to register to vote, since voter registration is mandatory this year. In addition, candidates must register to vote between 5 May and 17 May in order to participate in the elections. The following information is provided to help you and your supporters register to vote.

### To Vote in the 1997 Municipal Elections, Two Distinct Steps are Required:

#### **First step: Registration**

#### **Second step: Voting**

To be eligible to vote, an individual must register- whether or not they voted in the 14 September 1996 Elections. Once registered, a voter will receive a stamped receipt with a voter registration number. The receipt will indicate the name and sex of the voter and the polling station where the voter will vote. On 13/14 September, a voter should retain this receipt and present it at the assigned polling station.

### **Deciding Where to Vote:**

During voter registration, voters must select the municipality in which they **want** to vote. For the 1997 Municipal Elections, voters living in Bosnia and Herzegovina have several options. They can:

- . vote in person or by absentee ballot in their 1991 municipality as indicated in the 1991 Census as adjusted for use in the 14 September 1996 Elections;
- vote in person or by absentee ballot in the municipality in which they lived on 6 April 1992, if they changed their place of residence between the 1991 Census and 6 April 1992; or
- . vote in person in the municipality in which they **now** live and intend to continue to live. They must, however, present documentary proof of continuous residence in the current municipality since 31 July 1996 or before. Such documentation shall be:
  - either a resident receipt issued on or before 31 July 1996 by the appropriate municipal authority, or
  - a refugee/displaced persons card issued on or before 31 July 1996.

### **Validating Identity:**

During the voter registration process you must present valid identification. You may present any of the following identification documents for voter registration purposes:

- . an ID card
- . citizenship certificate
- . passport
- birth certificate

**1**



# A Brief Look At Voter Registration

- resident certification
- driver's license
- military booklet
- health booklet
- certificate of registration of change of name (valid only if issued by Bosnia and Herzegovina authorities in either the Federation of Bosnia and Herzegovina or in the Republika Srpska or if issued by former Yugoslav authorities in the state)
- a foreign passport allowing dual citizenship
- a declaration, which will include:

the name, address at the time of the 1991 Census, ID number (if known), and current address. The declaration should be made in the presence of two reputable people whose names are on the 1991 Census as adjusted for use in the 14 September 1996 Elections, a regular court judge, a religious authority, or a municipal official.

# The Code of Conduct and Campaign Rules

All registered participants of the 1997 Municipal Elections are bound by the “Electoral Code of Conduct for Political Parties, Candidates, and Election Workers” (Articles 119 through 124 of the *Rules and Regulations*) (hereinafter, the *Code*) and the “Campaign Rules for Registered Political Parties and Candidates” (Article 215 of the *Rules and Regulations*) (hereinafter, the *Rules*). Both the Code and the Rules provide fundamental guidelines to promote democratic tolerance and the conditions necessary for a free and fair election in which people can campaign without fear of coercion, intimidation or reprisals. All registered Political Parties and Candidates are bound by the Code and the Rules and are subject to penalties for any breaches of these regulations. Also, all those involved in campaign activities for the 1997 Municipal Elections, including all Political Party, Coalition, and independent Candidate representatives, all campaign workers, and active Political Party and Candidate supporters must strictly observe the Code and the Rules.

## A Political Party, Coalition, or Candidate Has a Right to:

- campaign in a peaceful environment
- peaceably assemble
- equal access to all forms of public media including free print space and broadcast time to explain campaign policies
- fair coverage from public broadcast and print media
- equal broadcasting and publishing for political advertisements (advertising rates shall be below the commercial rates)
- equal access to broadcast programming for political discussions
- appeal an adversarial decision effecting his or her participation in the elections
- file a grievance with the Election Appeals Sub-Commission against anyone alleged to have violated the *Rules and Regulations*
- an appeal may be filed against anyone who:
  - carries weapons at political meetings or near polling stations
  - uses disruptive communications devices within hearing distance of polling stations on election day
  - exhibits propaganda, campaign material, or advertisements on or in polling stations
  - disrupts meetings held by other parties and candidates
  - destroys the campaign materials of another participant
  - uses or incites others to use any form of violence or intimidation against other parties and candidates or their supporters
  - offers any inducement to voters in return for their support
  - makes false statements about or impersonates other participants, or
  - uses print or electronic media in Bosnia and Herzegovina to promote or oppose a party or candidate for a period to begin 24 hours prior to the opening of polling stations on the first day of voting.

# The Code of Conduct and Campaign Rules

## The Right to Have Accredited Observers at Polling Stations and Counting Centers

Each political party, coalition, and independent candidate has a right to have an accredited observer present at polling stations and counting centers. One observer per party, coalition, or candidate will be allowed at a polling station at any given time. The number of party, coalition, or candidate observers at a counting center shall be determined by the counting center chairperson. For procedures on accrediting observers, see Articles 66 through 69 of the *Rules and Regulations*.

## Lodging a Complaint

Complaints can be lodged with the Provisional Election Commission and the Election Appeals Sub-Commission, both of which will have the power to impose appropriate penalties, ranging from fines to disqualification of individual candidates appearing on candidate lists.

# Commissions

## Provisional Election Commission (PEC)

In accordance with the General Framework Agreement for Peace in Bosnia and Herzegovina (the Agreement), the Provisional Election Commission, among other things, was established to:

- supervise the electoral process to ensure that the structures and institutional framework for free and fair elections are in place
- determine voter registration provisions
- ensure compliance with the Rules and Regulations established pursuant to the Agreement
- ensure that action is taken to remedy any violations of the Agreement or of the *Rules and Regulations*
- impose penalties against any person or body that violates the Rules *and* Regulations, and
- accredit observers and ensure their unimpeded access and movement.

Ambassador Robert H. Frowick is the Chairman of the Provisional Election Commission and the Head of the OSCE Mission to Bosnia and Herzegovina. Dr. Kasim Begic serves as the representative from Bosnia and Herzegovina. Mr. Slobodan Kovac serves as the representative from the Republika Srpska and Mr. Mirko Boskovic serves as the representative from the Federation of Bosnia and Herzegovina. Mr. Peter Sorensen serves as the representative from the Office of the High Representative and two additional members represent the international community.

## The Local Election Commissions (LECs)

The Local Election Commissions are appointed by the municipal assemblies in the Federation of Bosnia and Herzegovina and the Republika Srpska. In accordance with the *Rules and Regulations*, political parties may also serve as members of LECs based on a lottery system. The LECs are responsible for the conduct of the elections under the supervision of the OSCE and the Provisional Election Commission.

### The LECs Must:

- provide space, furnishing, and staff for all the voter registration centers, polling stations, absentee voting polling stations, and counting centers
- provide training
- provide transport, security, and warehousing for election materials
- provide staff who are obliged to attend training sessions conducted by OSCE trainers
- keep strict account of their activities
- undertake other responsibilities as and when instructed by the Provisional Election Commission.

Authorized agents of the Provisional Election Commission, supervisors, observers and other members of the international community accredited by the Provisional Election Commission have access to all documents, records and working groups, planning meetings and official sessions of the LECs.

## The Election Appeals Sub-Commission (EASC)

The Election Appeals Sub-Commission ensures compliance with the *Rules and Regulations* and adjudicates complaints regarding the electoral process referred to it by the Provisional Election Commission, the Media Experts Commission (MEC), political parties, candidates, individuals, and other entities. The EASC



# Commissions

has the right to impose appropriate penalties and fines against any individual, candidate, party or body that violates the *Rules and Regulations*, or that violates the principles established in the Dayton Peace Agreement.

These penalties include:

- prohibiting a political party from running in the elections
- decertifying a party listed on the ballot
- removing candidates from a candidate list
- removing an independent candidate from the ballot.

## The Media Experts Commission (MEC)

The Media Experts Commission meets in Sarajevo and consists of representatives from the Republika Srpska, the Federation of Bosnia and Herzegovina, and Bosnia and Herzegovina, as well as various independent and government media specialists and the chairman of the OSCE Senior Advisor for Media Development. The MEC and the Media Experts Sub-Commissions of each of the OSCE regional centers have, among other things, the following responsibilities:

- to monitor that parties are meeting their obligations to facilitate the freedom of movement and security of journalists in the pursuit of their professional activities
- to monitor that local media are providing equitable access for all political parties and candidates participating in the election campaign, and that they are advocating access to state-controlled media
- to monitor media accuracy, fairness, and balance, and to ensure that the media are meeting standards of professionalism established by the MEC.

The Commission has the power to impose fines and take other appropriate action in cases of breaches of the media regulations by the Government, or in cases of serious failures by any of the media to observe the “Standards of Professional Conduct for the Media and Journalists,” as stipulated by the *Rules and Regulations*. For example, the MEC has the power to compel the various media to publish retractions in cases where they have published stories calculated or inclined to inspire racial hatred or discrimination. Any citizen or observer may lodge a complaint with the MEC.

## **“Electoral Code of Conduct for Political Parties, Candidates, and Election Workers”**

**(Articles 119 through 124 of the Provisional Election Commission *Rules and Regulations*)**

### **Article 119**

The object of this Code is to promote conditions conducive to the conduct of a free and fair election and a climate of democratic tolerance in which political activity can take place during the election period, which includes the full implementation of the results of the elections, without fear of coercion, intimidation or reprisals. The Code is binding on all political parties, coalitions, and candidates, each of which must declare that it will abide by it in accordance with Article 39(b)(3), 49(b)(7) and 55, before being registered by the Provisional Election Commission. It is the responsibility of political parties, coalitions and candidates to ensure that the Code is strictly observed by all their representatives, campaign workers and active supporters. (As adopted on 27 March 1997)

### **Article 120**


1. The following actions are strictly forbidden by the Provisional Election Commission:
  - (a) The carrying or display of arms or weapons at political meetings, polling stations, or in the course of any gathering of a political party nature;
  - (b) The use on polling day of any communications device in a polling station, or any loudspeaker or public address system whether mobile or fixed within hearing distance of a polling station; and
  - (c) The exhibiting of any form of propaganda, campaign material or advertisement on or in a polling station;
2. OSCE supervisors will make sure with help of local police, that these restrictions are respected and, where necessary, with help of IPTF.

### **Article 121 — Authority Acknowledgement**

All registered political parties and candidates must commit themselves to acknowledge the authority of the Provisional Election Commission; to implement and abide by its Rules and Regulations; to facilitate the access of its Members, official Supervisors and monitors, and other representatives, including accredited members of the OSCE Mission, to all public political meetings and other electoral activities; and to take all possible steps to ensure their safety from exposure to insult, hazard or threat in the course of their official duties.

### **Article 122 — Campaign Freedom**

All registered parties and candidates will respect the right of other parties and candidates participating in the elections to conduct their campaigns in a peaceful environment, to hold public meetings and to have access to all forms of public media in order to explain their policies, to canvass freely for membership and support from the voters, and to publish and distribute notices of meetings, placards, posters and other written publicity material. They will refrain from disruption of meetings held by other parties and candidates and will not use, or incite others to use, any form of violence or intimidation against other parties and candidates



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or their supporters. They will respect the freedom of the press and will refrain from any harassment or obstruction *of* journalists in the pursuit of their professional activities. They will refrain from offering any inducement or reward to voters in return for their support, and from any threat of retaliation or reprisal against supporters of other parties and candidates.

## **Article 123 — Code of Conduct Violation**

Any party or individual who has reason to believe that a party or candidate in the election has committed a breach of this Code of Conduct will have the right to lodge a complaint with the appropriate Election Commission or directly with the Provisional Election Commission, which will have the power to impose appropriate penalties, ranging from fines to disqualification of individual candidates or of one or more of the candidates appearing on a party list.

## **Article 124 — Election Results Acceptance**

All political parties, coalitions and candidates pledge themselves to abide by the result of the elections and to support the full implementation of the election results certified by the Provisional Election Commission. (As adopted 27 March 1997)

## **“Campaign Rules for Registered Political Parties and Candidates”**

(Article 215 of the Provisional Election Commission *Rules and* Regulations as of 3 April 1997, dates are subject to change.)

### **Article 215**

All registered political parties and candidates contesting the elections will abide by these rules and will take the necessary steps to ensure that they are well known and adhered to by their campaign workers.

1. Registered political parties and candidates shall not make use of the radio, television or newspaper media after midnight on September 12, 1996, for the purposes of promoting or opposing a particular registered party or the election of a particular candidate.
2. All registered political parties and candidates must be granted by local public officials an equal opportunity to display posters and other campaign materials in public places.
3. The unlawful removal, cover up, mutilation, defacing or alteration of any printed advertisement, placard, poster or banner referring to a particular political party or the election of a particular candidate is strictly prohibited.
4. Registered political parties and candidates shall not make use of any broadcasting facility outside of Bosnia and Herzegovina, after midnight on August 26, 1996, for the purposes of promoting or opposing a particular registered party or the election of a particular candidate.
5. It is strictly prohibited to make or publish any false statement in relation to a political party or to the personal character or conduct of a candidate.
6. The impersonation of a candidate or a campaign worker of a candidate or of a political party is

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strictly prohibited.

7. In relation to voting at the election, no person may:
  - a) Induce a person to vote knowing that the person is not qualified to vote at the election;
  - b) Induce a person to apply for ballot papers to vote in the **name** of some other person or having voted once at the election, apply at the same election for other ballot papers.
8. All registered parties and candidates will co-operate in so far as possible, to avoid arrangements involving public meetings, rallies, or marches taking place at the same time and the same place as similar political events organised by other parties or candidates.
9. No meeting, rally, march or other political event comprising 50 or more individuals may be held without notifying in writing at least 24 hours prior to the event the appropriate Local Election Commission and appropriate local police. Such events must not be disrupted by other political parties or by local authorities.

Any party or individual, who has reason to believe that a registered party or candidate in the election has committed a breach of these Campaign Rules, will have the right to lodge a complaint with the Election Appeals Sub-Commission which will have the power to impose appropriate penalties, ranging from fines to disqualification of individual candidates or of one or more of the candidates appearing on a party list. OSCE officials working on behalf of the Election Appeals Sub-Commission in an official investigation may remove or confiscate any promotional materials to the extent necessary in order to conduct investigations into violations of these rules.



## “Registration of Political Parties, Coalitions and Independent Candidates”

(Articles 39 through 52 of the Provisional Election Commission & Regulations)

### Article 39 — Confirmation of Previous Registration

- a) 1) Each political party or independent candidate that registered for any of the 14 September 1996 Elections or those envisaged for November 1996 shall not be required to re-register for the 1997 Municipal Elections provided that it submits a Provisional Election Commission Confirmation Form signed by the President of the party or Vice-president on behalf of the President as authorised by the party or signed by the independent candidate, confirming the party's or independent candidate's intention to participate in the 1997 Municipal Elections. Such a political party or independent candidate shall be subject to Article 46(b) of the *Rules and Regulations* of the Provisional Election Commission.
- 2) Confirmation forms shall be submitted to the Provisional Election Commission in Sarajevo or to any OSCE Office in Bosnia and Herzegovina no later than 1700 hours on a date to be announced by the Provisional Election Commission.
- 3) A coalition that registered for any of the 14 September 1996 Elections or those envisaged for November 1996 shall not be required to re-register for the 1997 Municipal Elections, provided that the coalition is comprised of the **same** registered political parties as appeared on its registration application for any of the 14 September 1996 Elections or those envisaged for November 1996, and provided that it submits a Provisional Election Commission Confirmation Form signed by the President of the coalition or Vice-president on behalf of the President as authorised by the coalition, confirming the coalition's intention to participate in the 1997 Municipal Elections. Such a coalition shall be subject to *Article 46(b)* of the *Rules and Regulations* of the Provisional Election Commission.
- b) The confirmation form shall include:
  - 1) a list indicating each municipality in which the political party or coalition intends to participate;
  - 2) the municipality in which an independent candidate intends to participate;
  - 3) a signed **statement that** the political party, coalition, or independent candidate will abide by the General Framework Agreement for Peace in Bosnia and Herzegovina, the Code of Conduct for Political Parties and Candidates, and the *Rules and Regulations* of the Provisional Election Commission; and
  - 4) in the case of a coalition, the signature of the President of each of the member political parties or Vice-president on behalf of the President as authorised by the party, confirming the consent of each political party to be a member of the coalition.
- c) For purposes of participation in the 1997 Municipal Elections, a coalition shall be considered a single political organisation from the date of its registration through the date **on** which the

certification of election results is concluded. A member political party may not withdraw from a registered coalition prior to the conclusion of the certification of election results. Where a coalition **has** expressed its intention on its registration application to submit a candidates list for a municipality, any candidates list for the same municipality submitted by a member political party of the coalition shall be deemed invalid.

- d) Where a coalition has expressed its intention on its confirmation form to submit a candidates list for a municipality, a member political party of that coalition may not participate as a member of another coalition in that same municipality.
- e) A political party, coalition, or independent candidate that does not meet the requirements set forth in Article 39(a)(1), (2) or (3) must register for the 1997 Municipal Elections.
- f) A political party or coalition qualifying under Article 39(a)(1), (2) or (3) choosing to participate in the 1997 Municipal Elections must retain the same name as appeared on its registration application for any of the 14 September 1996 Elections or those envisaged for November 1996. (As adopted on 4 February 1997 and amended on 20 March 1997)

## Article 40 — Political Party Registration

- a) A political party must register in accordance with **the Rules and Regulations** by completing and submitting to the Provisional Election Commission the appropriate application form. Political parties must submit their applications for registration to the Provisional Election Commission in Sarajevo or to any OSCE office within Bosnia and Herzegovina no later than 1700 hours on a date hereinafter known as the “date of party registration.” The date of party registration for the 1997 municipal elections shall be announced by the Provisional Election Commission. (As adopted on 4 February 1997)

## Article 41 — Registration Requirements

- a) The application form must include a list setting out the name, address on the 1991 Census as adjusted for use in **the** 14 September 1996 Elections original signature and identity number of each voter who supports the application of the political party. Voters may sign the list of more **than** one party. The number of voters required to sign the application is as follows:
 

1) Bosnia and Herzegovina, Federation of Bosnia and Herzegovina and Republika Srpska	10,000 signatures
2) Canton	1,500 signatures
3) Municipality	200 signatures

(As adopted on 4 February 1997)

## Article 42 (Deleted)

## Article 43 — Date of Candidate Registration

- a) The deadline for submitting the lists of registered political party candidates is 1700 on a date hereinafter known as the “date of candidate registration.” The date of candidate registration for the 1997 municipal elections shall be announced by the Provisional Election Commission. Registered

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political parties may submit their lists to the Provisional Election Commission in Sarajevo or to any OSCE office within Bosnia and Herzegovina. Candidates lists must be signed by the President of the party or Vice-president on behalf of the President as authorised by the party.

- b) Candidates elected in the 14 September 1996 Elections and who remain in the legislative body to which they were elected may not stand for office in the 1997 Municipal Elections.
- c) Candidates on a political party list from the 14 September 1996 Elections but not elected to a legislative body may stand for office in the 1997 Municipal Elections, but waive any right to replace an elected member from that list. (As adopted on 4 February 1997)

## Article 44 — Candidates Lists

- a) A registered political party must submit a separate list of candidates for each municipality in which the political party plans to present one or more candidates and the list must be in the form approved by the Provisional Election Commission. No individual may appear on more than one list of candidates. Each candidate may only stand in the municipality in which he or she is registered to vote. All voters who intend to be candidates must register to vote during a designated period, which will be announced by the Provisional Election Commission. Candidates who fail to register to vote within this period will be not be able to participate in the 1997 Municipal Elections.
- b) A candidate who has consented to appear on the candidates list of a registered political party may not withdraw as a candidate prior to the certification of election results.
- c) A registered political party may within 48 hours replace a candidate who has been declared ineligible by the Provisional Election Commission. However, a political party may not replace a candidate who was removed from the party's lists following a complaint from the candidate that he or she did not consent to have his or her name placed on that party's list of candidates. In order to be a registered political party candidate, the individual shall be a registered voter.
- d) If a candidate declines or is unable to accept his or her mandate following the allocation of seats, the candidate's name shall be removed from the candidates list, and the seat shall be allocated to the next candidate in sequence on the candidates list.

(As adopted on 4 February 1997 and amended on 20 March 1997)

## Article 45 — Number of Candidates per Candidates List

The number of names of candidates to be submitted on each candidates list for each registered political party may be between one candidate and not more than ten percent (10%) more than the maximum number of seats to be contested. (As adopted on 4 February 1997)

## Article 46 — Statement of Conduct

- a) The application for registration of a political party shall include a statement signed by the President of the party or Vice-president on behalf of the President as authorised by the party that the party will abide by the **General Framework** Agreement for Peace in Bosnia and Herzegovina, the Code of Conduct for Political Parties and Candidates, and the *Rules and Regulations* of the Provisional Election Commission.
- <sup>1</sup>b) No person who is under indictment by the International Criminal Tribunal for the Former

Yugoslavia and who has failed to comply with an order to appear before that Tribunal may stand as a candidate or hold any appointive, elective or other public office in the territory of Bosnia and Herzegovina. As long as any political party maintains such a person in a party position or function, that party shall be deemed ineligible to participate in the elections.

(As adopted on 4 February 1997)

## **Article 47 — Political Party Registration Review**

When a political party has obtained the necessary number of signatures and completed the application form, the party must submit these documents to the Provisional Election Commission in Sarajevo, which will have fourteen days from the closing date of party registration to review and accept or reject the application.

(As adopted on 4 February 1997)

## **Article 48 — Political Party Registration Appeals**

A political party or coalition which has been advised that its application has been rejected may appeal to the Election Appeals Sub-Commission within three days of being advised of the decision of the Provisional Election Commission. The Election Appeals Sub-Commission will have three days to decide the matter and subsequently must provide a written decision to the political party or coalition. The decision of the Election Appeals Sub-Commission is final. (As adopted on 4 February 1997)

## **Article 49 — Coalition Registration**

- a) Two or more registered political parties that choose to form a coalition must submit an application for registration under one name.
- b) The application for registration of a coalition shall include:
  - 1) the name of the coalition as it will appear on the ballot;
  - 2) the signature of the President of each of the member political parties or Vice-president on behalf of the President as authorised by the party, confirming the consent of each political party to be a member of the coalition;
  - 3) a list of each municipality in which the coalition intends to participate;
  - 4) the address of the coalition headquarters;
  - 5) a list of all officer positions within the coalition;
  - 6) the name, identity number and official titles of all coalition officers;
  - 7) a signed statement that the coalition will abide by the General Framework Agreement for Peace in Bosnia and Herzegovina, the Code of Conduct for Political Parties and Candidates, and the *Rules and Regulations* of the Provisional Election Commission.
- c) A political party may participate in only one coalition in each municipality.

(As adopted on 4 February 1997 and amended on 20 March 1997)

## **Article 50 — Coalition Registration Review**

- a) When a coalition has completed the application for registration, the coalition must submit the application to the Provisional Election Commission in Sarajevo or to any OSCE office within

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Bosnia and Herzegovina no later than 1700 hours on a date hereinafter known as the “closing date of coalition registration.” The closing date of coalition registration for the 1997 municipal elections shall be announced by the Provisional Election Commission. The Provisional Election Commission will have fourteen days from the closing date of coalition registration to review and accept or reject the application.

- b) For purposes of participation in the 1997 Municipal Elections, a coalition shall be considered a single political organization from the date of its registration through the date on which the certification of election results is concluded. A member political party may not withdraw from a registered coalition prior to the conclusion of the certification of election results. Where a coalition has expressed its intention on its registration application to submit a candidates list for a municipality, any candidates list for the same municipality submitted by a member political party of the coalition shall be deemed invalid.
- c) Where a coalition has expressed its intention on its registration application to submit a candidates list for a municipality, a member political party of that coalition may not participate as a member of another coalition in that same municipality. (As adopted on 4 February 1997 and amended on 20 March 1997)

## Article 51 — Coalition Candidates Lists

- a) Registered coalitions must submit a list of candidates for each municipality in which the coalition intends to participate. Each candidate may only participate in the municipality in which he or she is registered to vote. All voters who intend to be candidates must register to vote during a designated period, which will be announced by the Provisional Election Commission. Candidates who fail to register to vote within this period will not be able to participate in the 1997 Municipal Elections.
- b) Candidates elected in the 14 September 1996 Elections who remain in the legislative body to which they were elected may not stand for office in the 1997 Municipal Elections.
- c) Candidates on a coalition list from the 14 September 1996 Elections but not elected to a legislative body may stand for office in the 1997 Municipal Elections, but waive any right to replace an elected member from that list.
- d) The coalition list of candidates must include the name of every candidate, his or her address as it appears in the 1991 Census as adjusted for use in the 14 September 1996 Elections, his or her identity number, and his or her signature. The number of the names of candidates submitted may be between one candidate and not more than ten percent (10%) more than the maximum number of seats to be contested.
- e) The deadline for submitting the lists of registered candidates of coalitions is 1700 on the date of candidate registration. Registered coalitions may submit their lists to the Provisional Election Commission in Sarajevo or to any OSCE office within Bosnia and Herzegovina.
- f) A registered coalition candidate may not withdraw as a candidate after the deadline for the submission of candidates lists which shall be set by the Provisional Election Commission. A registered coalition may replace within 48 hours a candidate who has been declared ineligible by the Provisional Election Commission. However, a coalition may not replace a candidate who was

removed from the party's list following a complaint from the candidate that he or she did not consent to have his or her name placed on that coalition's list of candidates.

- g) If a candidate declines or is unable to accept his or her mandate following the allocation of seats, the candidate's name shall be removed from the candidates list, and the seat shall be allocated to the next candidate in sequence on the candidates list. (As adopted on 4 February 1997)

**Article 52 — Coalition Candidates Signature Requirements**

Lists of coalition party candidates must be signed by the President or vice-president of all parties concerned unless one person has been designated in writing by all parties concerned. (As adopted on 4 February 1997)

**“Registration of Independent Candidates for Legislative Bodies”**

(Articles 53 through 57.1 of the Provisional Election Commission *Rules and Regulations*)

**Article 53 — Application of Rules on Registration of Independent Candidates**

The rules for registering independent candidates apply to elections for the House of Representatives of Bosnia and Herzegovina, for the House of Representatives of the Federation of Bosnia and Herzegovina, for the National Assembly of the Republika Srpska, for cantonal legislatures and municipal assemblies. (As adopted on 4 February 1997)

**Article 54 — Qualifications**

- a) In order to be an independent candidates at the election a person must:
  - 1) be a registered voter
  - 2) complete the required application for registration form and submit the necessary number of supporting signatures as follows:
    - i) Bosnia and Herzegovina, Federation of Bosnia and Herzegovina and Republika Srpska 5000 signatures
    - ii) Canton 800 signatures
    - iii) Municipality 100 signatures
- b) Independent candidates elected in the 14 September 1996 Elections who remain in the legislative body to which they were elected may not stand for office in the 1997 Municipal Elections. (As adopted on 4 February 1997)

**Article 55 — Statement of Conduct**

Independent candidates must include with their application for registration a signed statement whereby they declare that they will abide by the General Framework Agreement for Peace in Bosnia and Herzegovina, the Code of Conduct for Political Parties and Candidates and the Rules and *Regulations* of the Provisional Election Commission. (As adopted on 4 February 1997)

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## **Article 56 — Persons Under Indictment by the ICTY**

No person who is serving a sentence imposed by the International Criminal Tribunal for the Former Yugoslavia, and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal, may stand as a candidate or hold any appointive, elective or other public office in the territory of Bosnia and Herzegovina.

(As adopted on 4 February 1997)

## **Article 57 — Registered Voters**

An independent candidates may only seek to be elected in one electoral unit. Each independent candidates may only stand in the municipality in which he or she is registered to vote. All voters who intend to be independent candidates must register to vote during a specially designated period the dates of which will be announced by the Provisional Election Commission. Candidates who fail to register to vote within this period will not be able to participate in the 1997 Municipal Elections. (As adopted on 4 February 1997)

## **Article 57.1 — Withdrawal As a Candidate**

An independent candidate may withdraw as a candidate at the election by submitting a notice to the Provisional Election Commission no later than the deadline set for the presentation of lists of registered party candidates. (As adopted on 4 February 1997)

## **“Procedures for Registration”**

(Article 58 of the Provisional Election Commission *Rules and Regulations*)

## **Article 58 — Registration of Independent Candidates**

- a) Independent candidates must complete and submit the registration form developed for this purpose by the Provisional Election Commission. This form must be accompanied by a list of 100 voters, which must include each voter's name, address on the 1991 Census as adjusted for use in the 14 September 1996 Elections, original signature and his or her identity number.
- b) The registration form for independent candidates must be submitted to the Provisional Election Commission no later than 1700 hours on a date hereinafter known as the “closing date of independent candidates registration.” Any application for registration received after this deadline will not be accepted. The Provisional Election Commission will have fourteen days from the closing date of independent candidates registration to accept or reject **an** independent candidate's application. If an application is rejected, the candidate will have three days to appeal the decision to the Election Appeals Sub-Commission as set forth in Article 48. (As adopted on 4 February 1997 and amended on 20 March 1997)

<sup>1</sup> Adopted by the Provisional Election Commission on July 19, 1996

