

Transcript: Jeff Fischer – Bosnia & Herzegovina – 1996

After four years of warfare, the three major ethnic parties in Bosnia and Herzegovina agreed upon a peace settlement during talks in Dayton, Ohio, in September 1995. These Dayton Accords formed the basis of the first post-war national elections to be held in the former Yugoslav Republic. The Dayton Accords called upon the Organization for Security and Cooperation in Europe, the OSCE, “to supervise the conduct of the election.” The Accords specified that a Provisional Election Commission or PEC, to be composed of both international and national members, would establish the rules and regulations that governed the election.

My name is Jeff Fischer and I served as Director General of Elections for the OSCE for the September 1996 election, arriving in Sarajevo in May of that year. I was seconded to the OSCE by the International Foundation for Electoral Systems, or IFES, under funding by the United States Agency for International Development. The Dayton Accords stipulated that elections were to be conducted from six to nine months from the signing, so we had until September, at the latest, to be in compliance. The Accords required elections for the three- person presidency, the president of Republika Srpska, the national parliament, and entity assemblies in the Republika Srpska and the Federation. The Accords also stated that, if possible, elections should be held for cantonal and municipal assemblies.

However, my first travel to Sarajevo was 48 hours after the signing of the Paris peace agreement in late December, 1995. I was a member of a six-person advance team, sponsored by the OSCE's Office of Democratic Institutions and Human Rights, to provide a pre-election assessment of the issues associated with organizing an election, given the legacy of the conflict. The team was headed by Ron Gould, Deputy Chief Elections Officer for Elections. Canada. The destruction caused by the conflict was everywhere. People we met with were still suffering from the trauma of years of conflict.

My next travel to Sarajevo was in February, 1996, leading a two- person team from IFES to develop an operational plan and budget for the election. Those were completed by the end of February. It was then necessary for the OSCE Mission to Bosnia and Herzegovina to begin organizing the elections.

However, the Dayton Accords specified some administratively complicated provisions in order to leverage the elections as a means to reverse the effects of ethnic cleansing. Voters were given a variety of enfranchisement options. The 1991 census was used as the basis for determining voter eligibility. If internally displaced, voters were given the option to cast their ballot from their current residence, or from their 1991 residence, or they could select a “future intended residence” for balloting purposes. In order to enable voters to return to their 1991 residence to cast a ballot, the OSCE and NATO established

several Recommended Voter Routes between the Federation and Republika Srpska, which provided secure avenues for people to travel back and forth on election day.

The Accords also enfranchised refugees and registration and voting was organized in over 50 countries, with in-person voting occurring in countries bordering Bosnia and Herzegovina and postal voting in the others. The Out-of-Country Voting was organized in partnership with the International Organization for Migration and the Refugee Election Steering Group, organized by the OSCE.

In addition, the organization of these elections was complicated by other factors. These included coordinating first-time international partnerships, operating in a post-conflict environment operating in a post-communist environment, providing messages and training materials in the Bosnian, Serbian and Croat languages, and over two million landmines that impacted the movements of candidates, voters, supervisors, journalists, and observers.

In addition to providing a secure environment, the North Atlantic Treaty Organization, or NATO, assets were used to provide logistical support for the transport of election materials. NATO broadcasting facilities were used to produce voter education and training spots. In this regard, Spanish soap operas were popular in Bosnia and Herzegovina at the time. As a result we formatted one voter education message in a soap opera setting concerning a son who didn't want to vote and was shamed by his father into doing so. The message was performed by Spanish soldiers from NATO, with local language subtitles.

Under the Dayton accords the OSCE, Head of Mission, Ambassador Robert Frowick, had virtual Caesarean authority to rule on election disputes or policy decisions. There were four such landmark decisions during the process. The first decision was whether or not to proceed with the elections after an evaluation of conditions was conducted. Were the post-conflict circumstances concerning freedom of movement, assembly, and media in such a state that a competitive election could occur? The Head of Mission ruled that the elections should proceed.

The second milestone was the disqualification of the Serb Democratic Party, or SDS, the leading ethnic Serb party, if Radovan Karadzic remained the party leader because he was under indictment as a war criminal by the International Criminal Tribunal for the former Yugoslavia. Karadzic resigned, and the SDS was permitted to participate. The third decision was to postpone the municipal elections. The pattern of registrations in the "future intended residence" registration option showed strategic registrations by groups in order to capture certain municipalities and this was cited as the principal reason for the postponement. However, there were additional technical obstacles that clearly put the municipals out of reach. The final landmark decision was to reject the call of the

Election Appeals Sub-Commission for a nationwide ballot-by-ballot recount to verify the results of the election.

While the compressed timetable for the election benefited the peace negotiations, it contributed to significant political and logistical difficulties in organizing the election. At first the international community urged that all of the elections be held within the six months allocated. When this did not prove possible, a September 14th date was determined, nine months to the day of the signing of the agreement.

Despite these efforts, observers and the media continued to express their concerns about the election for what they were seeing as administrative and political deficiencies as well as deep sectarian divisions in society. In any case, the election was conducted within the parameters of the Dayton Accords and the parties accepted and abided by its results. And its policies and administration put forward precedents for inclusiveness, transparency, and political peacebuilding as legacies for future elections to be administered by Bosnia and Herzegovina election authorities.