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Interview with Mrs. Vanja Bjelica-Prutina, president of the Central Election Commission of Bosnia and Herzegovina, about the impact of COVID-19 on the election management bodies

• How did COVID-19 affect the 2020 Local Elections in Bosnia and Herzegovina?

According to the applicable BiH Election Law, the Central Election Commission of Bosnia and Herzegovina should make the Decision on announcing and administering the 2020 Local Elections by May 7th at the latest.

The state of natural disaster was declared at the level of Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina in the second half of March, whilst the state of emergency was declared in Republika Srpska. The freedom of movement is limited, and numerous measures of social distancing, prevention of gatherings, etc. have been prescribed. The competent services are continuously monitoring the development of epidemiological situation, reviewing the prescribed measures accordingly. At this moment the BiH CEC cannot provide an accurate answer on the measures that will be in force at time when according to the applicable Law we should make the decision on announcing and administering the 2020 Local Elections at the latest, and therefore we cannot give a final answer about the impact of COVID-19 on the 2020 Local Elections.

However the fact is that COVID-19 has limited conduct of a significant number of preparatory activities that in an election year the BiH Central Election Commission starts conducting in January already and whose realization is crucial for good organization of elections and unimpeded delivery of electoral process in line with the BiH Election Law.

The BiH Central Election Commission, as all other institutions in BiH, is obligated to observe all decisions of the competent bodies, including the Decision on procedures by the institutions of Bosnia and Herzegovina aimed at protecting the lives and health of employees due to the risk of a possible epidemic of an infectious disease caused by Coronavirus (Covid-19) that prescribes the obligation of securing minimum workflow in order to protect the health and lives of employees in the institutions.

In such special work regime we are investing enormous efforts to ensure preparation i.e. update of the necessary regulations in terms of their improvement, which proved necessary after previous post-election conferences and roundtable discussions with various election stakeholders. Additionally, we are working on development of detailed public procurement plans and preparation of tender documents, since all public procurements are carried out by the BiH CEC and having in mind the importance of timely initiation of the public procurement procedures as the statutory public procurement procedures are very demanding and can take from 30 days to more than 60 day. Furthermore, just before announcing the

elections it is necessary to hold meetings with the municipal/city election commission to find alternative modes of communication via a video link, which will be used for the training of election administration if the situation caused by the Covid-10 virus would require that in the future.

On the other hand, some of the preparatory activities are entirely impossible. One of them being timely recruitment and training of temporary staff aimed at securing necessary human resources, i.e. the necessary support to the conduct of all activities in the election period. Here we will also mention the initiation of the public procurement procedures that is made impossible by the fact that the Budget of the institutions of BiH is still not adopted, which in turn is in a way an indirect consequence of the epidemiological situation. Namely, the BiH Presidency has requested the BiH Council of Ministers to reconsider the Draft law on the budget of the institutions of Bosnia and Herzegovina and the international obligations of Bosnia and Herzegovina for 2020, taking into account the extraordinary circumstances that have occurred after the initial preparation of the 2020 Draft Budget. The deadline given by the BiH Presidency to the BiH Council of Ministers for submission of the new Draft budget is by May 31st, 2020 at the latest.

We would like to note that the funds for the 2016 Local Elections were secured on December 30, 2015 when the Budget of the BiH Institutions for 2016 was adopted, while the funds for the conduct of 2018 General Elections were secured on January 21st, 2018 when the Budget of the BiH Institutions was adopted.

• What decisions were made in that regard? What are the current plans?

The BiH Central Election Commission has passed the Decision on procedures by the BiH Central Election Commission aimed at protecting the lives and health of employees due to the risk of a possible epidemic of an infectious disease caused by Coronavirus (COVID-19). This decision regulates the work process in the BiH Central Election Commission, presence of the members and employees in the premises, organization of the work from home, the method of conducting business while the decision is in force, etc.

By monitoring the development of epidemiological situation aimed at providing a timely response, the BiH CEC has at its session held on April 9th adopted a conclusion by which an Initiative to adopt the Law supplementing the BiH Election Law was sent to the BiH Parliamentary Assembly as in line with the applicable BiH Election Law the BiH CEC is authorized to initiate changes to the law. The aim of this Initiative is to enable the BiH CEC to make the Decision to postpone announcing and administering the elections in Bosnia and Herzegovina due to extraordinary circumstance since the applicable BiH Election Law does not prescribe such an option. The starting point of the Initiative was uncertain epidemiological situation in May, and the fact that the deadlines for numerous election-related activities would start running in May, and some of them could not be carried out due to measures prescribed by the competent authorities.

Parallel to waiting for the realization of the parliamentary procedure on the Initiative submitted, the BiH CEC has continued conducting all necessary activities for the preparation to announce the 2020 Local Elections, addressing competent institutions with the request to secure funds for the conduct of elections. Additionally, we have asked and urged the competent BiH Coordination Body to provide recommendations concerning the possibility to conduct election-related activities in May having regard to the epidemiological situation caused by the virus COVID-19. We are still waiting for the response to our inquiries.

According to latest information, members of the collegium of the House of Peoples of the Parliamentary Assembly had on its 12th session held on April 22 discussed the announcement of the Local Elections, and have due to the current epidemiological situation caused by Coronavirus proposed an initiative that the BiH Council of Ministers, in cooperation with the competent institutions, assess the conditions for the start of election period for the 2020 Local Elections.

The BiH CEC's plan is to continue conducting all preparatory activities for announcement of the 2020 Local Elections, respecting the current epidemiological situation in the country and the decision of the competent bodies. We are urging provision of the funds for the conduct of elections, and submission of all necessary information aimed at facilitating execution of our statutory authorizations.

• What challenges have you faced?

As it can be seen from the answers to previous questions we are facing numerous challenges. Generally speaking the biggest challenge might be to ensure ready, responsible and adequate action of the BiH CEC to different possible scenarios that we may face at the beginning of May due to unpredictability of the development of epidemiological situation, as well as inability to access relevant information that other competent institutions in BiH have had/have in their possession.

I find that we are successfully responding to the given challenge in a realistic framework of possibilities that the BiH CEC has as an independent institution. On the other hand, we strongly insist on the fact that all bodies of authority at all levels and officials in Bosnia and Herzegovina and diplomatic-consular representation offices of BiH are obligated to assist the bodies responsible for the conduct of elections.

• Do you have good (and/or bad) example of action or situation you are facing?

Example of good practice is the fact that this institution has organized its work very efficiently. We increased online communication, made remote access to computers and databases possible, planned online training sessions, etc. We have adapted to the new situation swiftly, holding daily CEC meetings via a video link, the same way in which we hold sessions at least once a week. The BiH CEC members and I as the president are unified in the commitment that the BiH CEC must provide maximum level of expertise, professionalism and capability in response to the very complex challenges we are facing. Of

course, the professional services of the BiH CEC provide support, approaching the work tasks and the activities under the BiH CEC's competence professionally.

On the other hand, I unfortunately must note that appropriate norms that would enable conduct of elections for the City of Mostar have not been put in place up to this moment. It is necessary to ensure exchange of information quickly, and improvement of interinstitutional cooperation, which is always needed, and especially at this challenging time. The BiH CEC will advocate this within its capacities and possibilities.

• How do you see cooperation with the Council of Europe in this period and how can the Council of Europe be of the most valuable assistance at these times?

I see the cooperation between the BiH CEC and the Council of Europe as very successful and very significant, and as the newly-elected president I avail myself of the opportunity to express sincere gratitude on behalf of the BiH CEC. We do appreciate your interest in the work of the BiH CEC and the challenges we currently meet. Speaking of concrete projects, I would like to point out that the BiH CEC has nominated 7 activities that should be financed by the Council of Europe. In that regard, we are hopeful to soon receive information on projects approved for financing by the Council of Europe so that BiH CEC could plan its obligations on time. For the purpose of considering this and many other questions with the aim of realization of established mutual cooperation, I will take the liberty to propose consultative meetings and further strengthening of communication.