

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Resolution 369 (2014)<sup>1</sup> Post-monitoring of local and regional democracy in Bosnia and Herzegovina

1. The Congress of Local and Regional Authorities of the Council of Europe notes that:

*a.* Bosnia and Herzegovina joined the Council of Europe in 2002, and in doing so, committed itself to contributing to the creation of a common democratic and legal area throughout the whole of the continent, ensuring respect for the Organisation's fundamental values: human rights, democracy and the rule of law, and to complying with European standards;

*b.* Bosnia and Herzegovina ratified the European Charter on Local Self-Government (ETS No. 122) on 12 July 2002 without any declarations, which entered into force in respect of Bosnia and Herzegovina on 1 November 2002. The country thereby committed itself to embedding the principle of local self-government in its domestic law in order to guarantee its effective implementation, to transferring competences to local communities with concomitant financial resources and to ensuring a full implementation of the principle of subsidiarity to guarantee the establishment of local self-government as provided by the Charter.

2. It refers to:

*a.* its Recommendation 324 (2012) on local and regional democracy in Bosnia and Herzegovina;

*b.* its Resolution 353 (2013) REV on Congress post-monitoring and post observation of elections: developing political dialogue.

3. The Congress welcomes the implementation of the census process which was launched in October 2013, and which was one of the Congress' recommendations.

4. However, it observes that most of the recommendations addressed, in 2012, to the national authorities have not been implemented; nor has a timeline been set to take them on board in the foreseeable future, making these recommendations still eminently relevant.

5. It expresses its grave concern with regard to, in particular, the lack of clarity in the apportionment of powers between the different levels of local governance (for example entities and lower levels of governance), and the absence of implementation of the principle of subsidiarity and some other fundamental principles set out in the Charter.

6. In the light of these considerations, the Congress:

*a.* will invite the ministers for local authorities of the Federation of Bosnia and Herzegovina and the Republika Srpska to address the Congress during its October session in 2014, and to discuss the developments envisaged by the respective authorities of Bosnia and Herzegovina in the light of Recommendation 324 (2012);

*b.* invites its Monitoring Committee:

*i.* to organise urgently in 2014 in Sarajevo a seminar on the implementation of the Charter in Bosnia and Herzegovina in co-operation with the Association of Municipalities and Towns of the Federation of Bosnia and Herzegovina, the Association of Municipalities and Towns of Republika Srpska, relevant NGOs and experts in the field of local democracy;

*ii.* to continue the post-monitoring process in 2014 in order to pursue the political dialogue with authorities at all levels of governance in Bosnia and Herzegovina in order to implement Recommendation 324 (2012) and the recommendation relating to the present resolution on post-monitoring of local and regional democracy in Bosnia and Herzegovina, and, in the meantime, to evaluate the progress made on a regular basis.

7. For the sake of efficiency, the Congress stands ready to adapt its action to the specificities of each entity in order to better target the desired objective.

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1. Debated and adopted by the Congress on 27 March 2014, 3rd Sitting (see Document [CG\(26\)13FINAL](#) explanatory memorandum), rapporteurs: Jean-Marie Belliard, France (R, EPP/CCE) and Beat Hirs, Switzerland (L, ILDG).