

Hysteria, Bosnia and OHR

On the formation of governments after elections

A background brief on a non-crisis and
a simple recommendation to Christian Schmidt:
do not impose anything



25 April 2023

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Who is who: Bosnian political parties after the 2022 elections

Parties and all their seats won in all thirteen directly elected assemblies 2022¹

| Party | Leader (since) | Seats |
|--|--------------------------------|------------|
| SDA – Party of Democratic Actions | Bakir Izetbegovic (2014) | 102 |
| HDZ BiH – Croat Democratic Union | Dragan Covic (2005) | 73 |
| SDP BiH – Socialdemocratic Party | Nermin Niksic (2014) | 54 |
| SNSD – Alliance of Independent Social Democrats | Milorad Dodik (1996) | 37 |
| DF – Democratic Front | Zeljko Komsic (2013) | 34 |
| NiP – People and Justice | Elmedin Konakovic (2018) | 30 |
| NES – People’s European Alliance | Nermin Ogresevic (2021) | 20 |
| HDZ 1990 – Croat Democratic Union 1990 | Ilija Cvitanovic (2016) | 18 |
| NS – Our Party | Edin Forto (2021) | 16 |
| SDS – Serb Democratic Party | Milan Milicevic (2022) | 15 |
| SzBiH – Party for Bosnia and Herzegovina | Semir Efendic (2021) | 14 |
| PDP – Party of Democratic Progress | Branislav Borenovic (2015) | 10 |
| BHi – Bosnian and Herzegovinian Initiative | Fuad Kasumovic (2022) | 7 |
| HRS – Croat Republican Party | Slaven Raguz (2014) | 7 |
| DEMOS – Democratic Alliance | Nedeljko Cubrilovic (2018) | 6 |
| HNP – Croat National Advancement | Ivan Vukadin (2020) | 6 |
| PDA – Movement of Democratic Action | Elzina Piric (2022) | 5 |
| PzD – Movement for State by Bosniak and Croat RS parties | – | 5 |
| SP – Socialist Party Petar Djokic | Petar Djokic (2002) | 5 |
| US – United Srpska | Nenad Stevandic (2015) | 5 |
| ZPiR – For Justice and Order | Nebojsa Vukanovic (2014) | 5 |
| DNS – Democratic Peoples’ Alliance | Nenad Nestic (2019) | 4 |
| POMAK – Movement for a Modern and Active Krajina | Suhret Fazlic (2018) | 4 |
| NB – New Beginning | Emir Hubjer (2022) | 3 |
| NPS – Peoples’ Party Srpska | Darko Banac (2020) | 3 |
| SBB – Alliance for Better Future | Fahrudin Radoncic (2009) | 3 |
| SPS RS – Socialist Party of Republika Srpska | Goran Selak (2020) | 3 |
| HNL – Croat Independent List | Josip Peric (2014) | 2 |
| NPi – New Political Initiative | Rasim Mujagic (2022) | 2 |
| SDBiH – Socialdemocrats of BiH | Enver Bijedic (2019) | 2 |
| BNS – Bosnian People’s Party | Sanin Musa (2021) | 1 |
| BHD – Bosnian and Herzegovinian Democrats | Dzebrail Bajramovic (2020) | 1 |
| HSP BiH – Croat Justice party BiH | Nikola Raguz (2017) | 1 |
| HSP HB BiH – Croat Justice Party Herzeg-Bosnia and BiH | Stanko Primorac (2015) | 1 |
| HSP AS – Croat Justice Party of dr. Ante Starcevic | Miljan Nakic (2010) | 1 |
| LS BiH – Labour Party of BiH | Elvira Abdic Jelenkovic (2013) | 1 |
| LS BiH – Liberal Party of BiH | Daliborka Milovic (2018) | 1 |
| NGL – Independent Civic List | Esad Kanlic (2021) | 1 |
| SNS FBiH – Serb Harmony SNS FBiH | Dusko Radun (2020) | 1 |
| SNP FBiH – Serb Unity SNP FBiH | Dragana Damjanovic (2022) | 1 |
| ZNG – For New Generations | Damir Marjanovic (2021) | 1 |
| Independent candidates | | 1 |
| Total seats in thirteen assemblies | | 512 |

¹ Central Electoral Commission of Bosnia and Herzegovina (CIK), [“Opci izbori 2022. godine – Potvrđeni rezultati 02.11.2022. godine”](#), 2 November 2022.

Who is who: Cast of Characters

Internationals in Sarajevo



[Christian Schmidt](#)
High Representative (since 2021)



[Michael J. Murphy](#)
US Ambassador (since 2022)

Federation presidency



[Lidija Bradara](#)
President (HDZ BiH)



[Igor Stojanovic](#)
Vice-President (SDP BiH)



[Refik Lendo](#)
Vice-President (SDA)

Party leaders



[Nermin Niksic](#)
SDP



[Dragan Covic](#)
HDZ BiH



[Bakir Izetbegovic](#)
SDA

Free and fair elections, again

On 2 October 2022, almost 1.7 million voters took part in the ninth general elections in Bosnia and Herzegovina since the end of the war (1995) and the entry into force of the country's current constitution.²

These were elections for the presidencies of the state and of two entities (Federation and Republika Srpska). At the same time, voters were asked to elect their representatives to thirteen directly elected assemblies: at the level of the state, at the level of the two entities and at the level of the ten cantons.

These elections were, once again, organized by Bosnian institutions, led by the country's Central Electoral Commission.

On election day, there were more than 60,000 election observers at 5,903 polling stations.³ There was also an international observation mission from the world's most experienced election monitoring organization, the Office of Democratic Institutions and Human Rights (ODIHR) in Warsaw.

ODIHR, which is linked to the OSCE, concluded in its final report that the 2022 elections “were overall well organized and competitive.” Election preparations “were managed in an overall efficient and transparent manner.” ODIHR noted that the Bosnian Central Electoral Commission (CEC) “administered the elections efficiently, transparently and within the legal deadlines.” It stressed that “there is general trust in the accuracy of the voter register” and the CEC undertook “continuous efforts to remove outdated entries from the database.” The electoral legal framework “is generally conducive to democratic elections.” The campaign was “calm and competitive, including on social networks, and fundamental freedoms of association, assembly and expression were respected.”

ODIHR also stated that election day was “largely peaceful, with some disruptive incidents in and around polling stations.” Voting process “was assessed positively in 95 per cent of the 1,785 polling stations observed” while “procedures, including voter identification, were largely respected, and transparency was assessed positively in almost all observations.”⁴

Democratic choice and diverse assemblies

Voters had a lot of choice. 7,258 candidates competed for 518 directly elected positions (three members of the presidency of Bosnia and Herzegovina, three of the presidency of Republika Srpska and 512 members of thirteen assemblies). Most candidates were members of one of 110 political parties and coalitions. 17 ran as independents.⁵

When the CEC published the final election results on 2 November 2022 these revealed, once again, a highly diverse party landscape. Representatives from 41 parties and coalitions won seats in at least one of thirteen directly elected assemblies. These assemblies are:

² General elections took place in 1996, 1998, 2000, 2002, 2006, 2010, 2014, 2018 and 2022.

³ Central Electoral Commission of Bosnia and Herzegovina (CIK), “[Opci izbori 2022 – osnovne informacije](#)”, 29 September 2022.

⁴ OSCE ODIHR, [Bosnia and Herzegovina – General Elections 2 October 2022 – ODIHR Election Observation Mission Final Report](#), 2 February 2023.

⁵ Central Electoral Commission of Bosnia and Herzegovina (CIK), “[Opci izbori 2022 – osnovne informacije](#)”, 29 September 2022.

The state lower house
The Federation (entity) lower house
The Republika Srpska (entity) lower house
The ten cantonal assemblies within the Federation

Number of seats and political parties/coalitions elected to assemblies, 2022⁶

| | Total seats | Total parties |
|----------------------------------|--------------------|----------------------|
| State-level lower house | 42 | 14 |
| Federation lower house | 98 | 14 |
| Republika Srpska Assembly | 83 | 11 |
| Cantonal assemblies | | |
| Gorazde | 25 | 13 |
| Canton 10 | 25 | 10 |
| Zenica-Doboj | 35 | 9 |
| Una-Sana | 30 | 9 |
| Tuzla | 35 | 8 |
| Herzegovina-Neretva | 30 | 8 |
| Posavina | 21 | 7 |
| Sarajevo | 35 | 7 |
| Central Bosnia | 30 | 6 |
| West Herzegovina | 23 | 6 |

In only two cantonal assemblies – in Posavina and West Herzegovina– did one political party, HDZ BiH, win a majority. These two cantons are small, with a population of only 138,000. This represents 3.9 percent of Bosnia’s total population.⁷

In the eleven other assemblies, coalitions of between 2 and 5 parties are required to reach a majority.

Number of parties required to get to a majority⁸

| | Required number of parties for a majority | Strongest party (percent of all seats) |
|----------------------------------|--|---|
| State-level lower house | 5 | SDA (21%) |
| Gorazde canton | 4 | SDA (20%) |
| Sarajevo | 3 | SDA (20%) |
| Federation lower house | 3 | SDA (27%) |
| Zenica-Doboj | 3 | SDA (31%) |
| Canton 10 | 3 | HNP (20%) |
| Herzegovina-Neretva | 2 | HDZ BiH (37%) |
| Central Bosnia | 2 | SDA (37%) |
| Tuzla | 2 | SDA (37%) |
| Republika Srpska Assembly | 2 | SNSD (35%) |
| Una-Sana | 2 | SDA (27%) |
| Posavina | 1 | HDZ BiH (57%) |
| West Herzegovina | 1 | HDZ BiH (61%) |

⁶ Central Electoral Commission of Bosnia and Herzegovina (CIK), [“Opći izbori 2022. godine – Potvrđeni rezultati 02.11.2022. godine”](#), 2 November 2022.

⁷ See the [2013 Census results](#).

⁸ Central Electoral Commission of Bosnia and Herzegovina (CIK), [“Opći izbori 2022. godine – Potvrđeni rezultati 02.11.2022. godine”](#), 2 November 2022.

Building coalitions

Since the publication of the final results on 2 November 2022, Bosnian politicians have engaged in discussions to form governments in all thirteen jurisdictions. So far, governments have been formed in nine of them.

The State level

At the state level, the three members of the directly elected tri-partite presidency, coming from three political parties (SNSD, SDP and DF), held their inaugural session on 16 November 2022.⁹

On 15 December 2022, following intense discussions, the leaders of three political parties, Milorad Dodik (SNSD), Dragan Covic (HDZ BiH) and Nermin Niksic (SDP) signed a four page long coalition agreement: “Guidelines, principles and goals for the executive and legislative branches for the period 2022-2026.”¹⁰



Photo: Milorad Dodik (SNSD), Dragan Covic (HDZ BiH) and Nermin Niksic (SDP) after signing a coalition agreement on 15 December 2022 in the state-level Parliamentary Assembly building in Sarajevo under the state flag¹¹

On 22 December 2022, the tri-partite presidency, with two votes in favour and one vote against (the DF’s Zeljko Komsic) nominated Borjana Kristo (HDZ BiH) as chairwoman of the next Council of Ministers.¹² On 28 December 2022, a majority in the upper house of the state level parliament approved her nomination.¹³

⁹ Member of the Presidency are Zeljka Cvijanovic (SNSD), Denis Becirovic (SDP BiH) and Zeljko Komsic (DF). See Dnevni avaz, [“Inauguracija clanova Predsjedništva BiH: Becirovic, Cvijanovic i Komsic položili zakletvu”](#), 16 November 2022.

¹⁰ BHRT, [“Osmorka, HDZ i SNSD potpisali koalicioni sporazum o formiranju vlasti na drzavnom nivou”](#), 15 December 2022.

¹¹ N1, [“Procitajte kompletan sporazum koji su potpisali Dodik, Niksic i Covic”](#), 15 December 2022.

¹² Al Jazeera Balkans, [“Predsjedništvo imenovalo Kristo za predsjednicu nove vlade BiH”](#), 22 December 2022; N1, [“Komsic glasao protiv Kristo, za N1 otkrio razlog”](#), 22 December 2022.

¹³ Klix, [“Borjana Kristo izglasana za predsjedavajuću Vijeća ministara BiH”](#), 28 December 2022.

14 parties in the Bosnian state-level lower house, 2022 election results¹⁴

| | Party | Seats |
|----|---|--------------|
| 1 | SDA – Party of Democratic Actions | 9 |
| 2 | SNSD – Alliance of Independent Social Democrats | 6 |
| 3 | SDP BiH – Socialdemocratic Party | 5 |
| 4 | HDZ BiH – Croat Democratic Union | 4 |
| 5 | DF – Democratic Front | 3 |
| 6 | NiP – People and Justice | 3 |
| 7 | SDS – Serb Democratic Party | 2 |
| 8 | PDP – Party of Democratic Progress | 2 |
| 9 | NS – Our Party | 2 |
| 10 | NES – People’s European Alliance | 2 |
| 11 | ZPiR – For Justice and Order | 1 |
| 12 | DEMOS – Democratic Alliance | 1 |
| 13 | US – United Srpska | 1 |
| 14 | BHi – Bosnian and Herzegovinian Initiative | 1 |
| | <i>Ruling coalition</i> | 23 |
| | Total | 42 |

On 25 January 2023, the upper house also approved the new Council of Ministers with 23 votes from seven political parties.¹⁵

In three months since, the new Council of Ministers held 10 regular and 4 extraordinary sessions.¹⁶ It is working.

The ten cantons

By 24 April 2023, seven cantonal governments had been formed.

In only one canton, West Herzegovina, did one party, the HDZ BiH, form a government without a coalition partner.¹⁷ In Posavina canton, the HDZ BiH could have formed a one-party government but chose to go into a coalition with the SDP.¹⁸ In all other eight cantons, coalitions are required. In three of them, these have yet to be formed: in Central Bosnia, Herzegovina-Neretva and Canton 10.

¹⁴ Central Electoral Commission of Bosnia and Herzegovina (CIK), [“Opći izbori 2022. godine – Potvrđeni rezultati 02.11.2022. godine”](#), 2 November 2022.

¹⁵ The new government was elected with 23 votes from SNSD (6 votes), SDP (5), HDZ BiH (4), NiP (3), Nasa stranka (2), US (1) and BHi (1). See Radio Slobodna Evropa, [“Potvrđeno imenovanje novog saziva Vijeća ministara BiH”](#), 25 January 2023.

¹⁶ Council of Ministers, [“Saopćenje sa sjednice Vijeća ministara BiH”](#), 24 April 2023.

¹⁷ Jabuka, [“ZZH konacno dobila novu Vladu”](#), 27 March 2023.

¹⁸ Dnevni, [“HDZ BiH i SDP u novoj Vladi Zupanije Posavske”](#), 7 February 2023.

Already formed cantonal governments (24 April 2023)¹⁹

| | Elected | Governing coalition |
|------------------|------------------|---|
| Gorazde | 7 December 2022 | 8: NiP, SDP, NP, NPI, NES, SzBiH, NGL, BHd |
| Zenica-Doboj | 23 December 2022 | 6: BHi, NES, DF, SDP, HDZ BiH, Nasa stranka |
| Posavina | 7 February 2023 | 2: HDZ BiH, SDP |
| Una-Sana | 15 March 2023 | 4: SDA, NES, DF and SzBiH |
| Tuzla | 22 March 2023 | 4: SDA, DF and part of SzBiH and SD |
| Sarajevo | 24 March 2023 | 4: NiP, SDP, Nasa stranka and SzBiH |
| West Herzegovina | 27 March 2023 | 1: HDZ BiH |

Note that one party, the SDA, came first in five of the seven cantonal assemblies where governments have already been formed. However, it is part of the new ruling coalition in only two cantons: Tuzla and Una-Sana.

In Herzegovina-Neretva canton, the required two-thirds majority to elect a government is impossible without the HDZ, which controls 11 of 30 seats. In Central Bosnia canton, it is impossible without the SDA, which controls 11 of 30 seats. In Canton 10 talks are ongoing.

Republika Srpska

On 15 November 2022, Milorad Dodik was inaugurated as the new President of Republika Srpska.²⁰

Republika Srpska assembly, 2022²¹

| | Party | Seats |
|----|--|--------------|
| 1 | <i>SNSD – Alliance of Independent Social Democrats</i> | 29 |
| 2 | <i>SDS – Serb Democratic Party</i> | 13 |
| 3 | <i>PDP – Party of Democratic Progress</i> | 8 |
| 4 | <i>SP – Socialist Party Petar Djokic</i> | 5 |
| 5 | <i>MfS – Movement for State</i> | 5 |
| 6 | <i>DEMOS – Democratic Alliance</i> | 5 |
| 7 | <i>US – United Srpska</i> | 4 |
| 8 | <i>ZPiR – For Justice and Order</i> | 4 |
| 9 | <i>DNS – Democratic Peoples’ Alliance</i> | 4 |
| 10 | <i>NPS – Peoples’ Party Srpska</i> | 3 |
| 11 | <i>SPS RS – Socialist Party of Republika Srpska</i> | 3 |
| | <i>Ruling coalition</i> | 53 |
| | Total | 83 |

On 23 November 2022, president Dodik gave a mandate to Radovan Viskovic (SNSD) to form a new government.²² On 21 December 2022, following coalitions talks, a new government was

¹⁹ Faktor, “[Imenovana nova Vlada u Gorazdu, ko je u njoj od starih ministara i stranaka](#)”, 7 December 2022; Kliz, “[Izabrana nova Vlada Zenicko-dobojskog kantona, ministre imaju i DF i HDZ](#)”, 23 December 2022; Slobodna Bosna, “[Od sest Bosnjaka u Skupstini, podrzao je samo SDP-ov Damir Hamidovic zbog jedne ministarske pozicije](#)”, 8 February 2023; Vijesti 7, “[USK dobio novu Vladu!](#)”, 15 March 2023; Politicki, “[Izabrana nova Vlada Tuzlanskog kantona. Denis Becirovic medju ministrima](#)”, 22 March 2023; N1, “[Imenovana Vlada KS: Ovo su ministri, predvodi ih do sada najmladji premijer](#)”, 24 March 2023; Vijesti, “[Predrag Covic novi je premijer Zapadnohercegovačkog kantona](#)”, 27 March 2023.

²⁰ Mondo, “[Završena primopredaja funkcije predsjednika Republike Srpske](#)”, 15 November 2022.

²¹ Central Electoral Commission of Bosnia and Herzegovina (CIK), “[Opci izbori 2022. godine – Potvrđeni rezultati 02.11.2022. godine](#)”, 2 November 2022.

²² Viskovic has been RS prime minister since November 2018. See Radio Slobodna Evropa, “[Dodik dao Viskovicu novi mandat za sastav Vlade Republike Srpske](#)”, 23 November 2023.

elected with the votes of seven political parties, controlling 53 out of 83 seats in the RS assembly. In the four months since, the new Republika Srpska government held 17 sessions.²³

Stalemate in the Federation

Forming a governing coalition has been more difficult in the other entity: the Federation.

The Federation has a bicameral legislature, with one directly elected lower house (The House of Representatives) and one indirectly elected upper house (The House of Peoples). The lower house has 98 members who were elected directly by 1.1 million voters.

Federation lower house, 2022²⁴

| | Party | Seats |
|----|--|--------------|
| 1 | SDA – Party of Democratic Actions | 26 |
| 2 | SDP BiH – Socialdemocratic Party | 15 |
| 3 | HDZ BiH – Croat Democratic Union | 15 |
| 4 | DF – Democratic Front | 12 |
| 5 | NiP – People and Justice | 7 |
| 6 | NS – Our Party | 6 |
| 7 | NES – Peoples’ European Alliance | 5 |
| 8 | SzBiH – Party for Bosnia and Herzegovina | 4 |
| 9 | HDZ 1990 – Croat Democratic Union 1990 | 3 |
| 10 | PDA – Movement of Democratic Action | 1 |
| 11 | BHi – Bosnian and Herzegovinian Initiative | 1 |
| 12 | HRS – Croat Republican Party | 1 |
| 13 | HNP – Croat National Advancement | 1 |
| 14 | POMAK – Movement for a Modern and Active Krajina | 1 |
| | HDZ BiH + SDP-led Osmorka | 55 |
| | Total | 98 |

The upper house has 80 delegates (23 Bosniaks, 23 Croats, 23 Serbs and 11 Others) who are elected from among the 289 members of the ten cantonal assemblies.

The election law, adopted by the state parliament in 2001 and modified by a decree imposed by the High Representative Christian Schmidt on election day in October 2022, regulates how many of the 80 members are elected by each canton. It also defines how many of the 23 Bosniaks, Croats and Serbs, and how many of the 11 Others come from which canton.

The Federation president and the two vice-presidents are nominated by the upper house and then approved by both or, in a repeated procedure, by at least one house.²⁵

The government of the Federation is appointed – unanimously – by the president and the two vice-presidents. Their proposal requires the majority approval of the lower house. This is where the negotiations are currently stuck.

On 29 November 2022, the leaders of two parties, HDZ BiH and SDP, Dragan Covic and Nermin Niksic, signed an agreement announcing their intention to form a Federation

²³ Government of Republika Srpska, [“Dnevni red sjednica Vlade Republike Srpske”](#), 24 April 2023.

²⁴ Central Electoral Commission of Bosnia and Herzegovina (CIK), [“Opci izbori 2022. godine – Potvrđeni rezultati 02.11.2022. godine”](#), 2 November 2022.

²⁵ See the [Federation constitution](#) and the [OHR imposition](#) from 2 October 2022.

government without the SDA.²⁶ Dragan Covic, HDZ BiH leader since 2005, declared that the SDA is no longer a desirable coalition partner “because of deep mistrust that developed over last four years.”²⁷

To reach a majority in the lower house, HDZ BiH and SDP put together a coalition of nine political parties – HDZ BiH and an SDP-led group of eight parties, the so-called Osmorka (*osam* means eight). Four of the eight Osmorka parties were established by leaders who broke away from the SDA in recent years.²⁸ They hoped to form a Federation government without the SDA. However, forming a Federation government without the SDA has so far proven elusive.

The ten cantonal assemblies chose the 80 delegates for the Federation upper house by December 2022. Candidates for the President and the two vice-presidents of the Federation, one Bosniak, one Croat, and one Serb, must be put forward by at least 11 out of 23 delegates in the respective ethnic caucuses in the upper house.

In the Croat caucus, HDZ BiH has 15 of 23 delegates, and was thus the only party able to put forward a Croat candidate.

In the Serb caucus, no party has 11 delegates. However, the SDP managed to put together 13 votes to put forward a Serb candidate.²⁹

In the Bosniak caucus, the SDA, due to its strong results in a number of cantons, accounts for 11 of the 23 delegates in the Bosniak caucus of the upper house. In addition, the SDA and the DF agreed to cooperate. Together, they have 13 of 23 delegates. They were the only coalition able to put forward a Bosniak candidate.³⁰

Following votes in both houses, on 16 February 2023, the Federation thus got an HDZ BiH president (Lidija Bradara), an SDP vice-president (Igor Stojanovic) and an SDA vice-president (Refik Lendo).³¹

So far, these three cannot agree on a government.

Federation president Lidija Bradara (HDZ BiH) and vice-president Igor Stojanovic (SDP), as well as their parties and coalition partners, were trying to form a Federation government without the SDA. Vice-president Refik Lendo (SDA), his party and its coalition partner (DF), however, insisted that “without SDA there will be no Federation government.”³²

²⁶ Radio Sarajevo, [“Procitajte sta pise u sporazumu koji su danas potpisali Dragan Covic i Nermin Niksic”](#), 29 November 2022.

²⁷ Bljesak, [“Covic: HDZ BiH je suradnju sa SDA prekinuo zbog dubokog nepovjerenja”](#), 22 November 2022.

²⁸ NiP – People and Justice (established in 2018, Elmedin Konakovic); PDA – Party of Democratic Actions (established in 2018, Elzina Piric); NES – Peoples’ European Alliance (established in 2021, Nermin Ogresevic); BHi – Bosnian and Herzegovinian Initiative (established in 2022, Fuad Kasumovic).

²⁹ Federalna, [“Stojanovic: Dovoljno potpisa za kandidaturu za potpredsjednika FBiH iz reda Srba”](#), 27 January 2023.

³⁰ Central Electoral Commission (CEC), [“Odluka o potvrđivanju rezultata posrednih izbora i dodjeli mandata za Dom Naroda Parlamenta Federacije Bosne i Hercegovine”](#), 30 December 2022.

³¹ Federalna, [“Dom naroda Federacije BiH potvrdio novo entitetsko rukovodstvo”](#), 16 February 2023.

³² Radio Sarajevo, [“Refik Lendo kategorican: ‘Bez SDA nema Vlade FBiH, poslao sam pismo Niksicu, Covicu i Izetbegovicu’”](#), 17 February 2023.

Both positions are legitimate. This is politics. And none of it is particularly worrying. Some governments formed in Bosnia since October 2022 do include the SDA. Others do not. In the case of the Federation, there are three ways forward:

One option is for the SDA vice-president to agree to appoint a new Federation government without SDA participation.

A second option is for a Federation government to be based on a coalition that includes the SDA.

A third option is not to appoint a new Federation government for now. In this case, the current Federation government, led by an SDA (!) prime minister, Fadil Novalic, will continue.

This third option would not be uncharted territory. Following the October 2018 general elections no new Federation government was appointed either. In fact, the last time a Federation government was appointed was in March 2015, and this remains the present government.

How long can this continue? It is obvious: not forever. Since October 2018, three of the 16 positions in the current Federation government have become vacant.³³ In January 2020, Elvira Dilberovic, minister for education and science, a Bosniak and SDA member, left her post to become Bosnia's ambassador to Sweden. In July 2020, Salko Bukvarevic, minister for war veterans, a Bosniak and SDA member, passed away. In October 2021, Vjekoslav Mandic, minister of health, a Croat and HDZ BiH member, also passed away. At government sessions, the three missing ministers are represented by assistant ministers (who have no voting rights).

How bad is this, though?

In 2022, the Federation government held 54 sessions, during which 930 decisions, 169 appointments and 35 regulations were adopted.³⁴ By comparison, in 2022, the government of Republika Srpska, with many more competences than the Federation government, held 51 sessions.

The two houses of the Federation parliament adopted 40 laws in 2022, including one on the financial consolidation and restructuring of health institutions, and another on social protection institution, as well as changes to laws such as the law on electric energy and the labour law.³⁵ The Republika Srpska assembly adopted 65 laws.

To replace the three missing ministers requires unanimity of the three members of the Federation presidency. It requires a simple political compromise.

In short, this is not a governance crisis; it is a crisis of coalition building. There *is* a Federation government in place. Also, many policy areas that matter most to citizens in the Federation are a responsibility of cantonal governments. Most public spending in Bosnia is done by other levels of government, where new governments have already been formed. The Federation's share in overall public expenditure is limited to about ten percent of the total.

³³ Government of the Federation, "[Sastav Vlade Federacije Bosne i Hercegovine](#)", last checked on 13 February 2023.

³⁴ Government of Republika Srpska, "[Dnevni red sjednica Vlade Republike Srpske](#)"; Assembly of Republika Srpska, "[Usvojeni zakoni](#)", 24 April 2023.

³⁵ Vlada Federacije BiH, "[Arhiva sjednica](#)" and "[Propisi](#)", accessed 21 April 2023.

*Share of government expenditure in Bosnia and Herzegovina (2019)*³⁶

| Level | Percentage |
|------------------|-------------------|
| Cantonal | 42.7 |
| Republika Srpska | 26.4 |
| Federation | 12.7 |
| Municipalities | 9.3 |
| State | 7.1 |
| Brcko | 1.8 |
| Total | 100 |

When will coalition talks at the Federation level lead to a new government? It depends on the many parties which were elected.

Will OHR impose a Federation government in 2023?

Clearly, the difficulty of forming a Federation government is not an emergency. This crisis has nothing whatsoever to do with “peace implementation”. Thus, nothing in this situation justifies foreign intervention. And yet, for some of the international representatives in Bosnia, this crisis seems to call for another autocratic intervention.

In Bosnia today, one foreigner, the High Representative, can get up any morning and claim the right to impose any law, including changes to constitutions, without any checks, simply by declaring that this is needed in the interest of “peace implementation.” What these interests are is entirely up to him to define. This puts the High Representative, currently the former German minister of agriculture Christian Schmidt, above all elected assemblies and parties in the country.

One result of this bizarre reality is a political system where foreign ambassadors as well as Bosnian leaders exert constant pressure on OHR, in public and behind closed doors, to impose what they consider is good for them.

Thus, on 20 April 2023, US ambassador Michael Murphy suggested in an interview that he took a particular interest in the composition of the coalition at the Federation level:

“There were recently elections in this country. It is no secret that some political leaders and some political parties did not fare as well as they hoped. We also know that some political parties are not preferred partners by other parties in this country.

My suggestion would be that those leaders and political parties look at the mirror and ask themselves why did citizens vote as they have and why other parties do not want them as partners? They should focus on building their own credibility and their own future instead of attacking others.”³⁷

One might ask why a US ambassador is getting involved in the formation of a particular coalition for *one of thirteen governments* in the country. One might also wonder about news and rumours in political circles in Sarajevo, that behind closed doors the US ambassador

³⁶ Central Bank of Bosnia and Herzegovina, [“Annual statement of general government operations BH \(in million KM\)”](#), 2020; Federal Ministry of Finances, [“Dokument Okvirnog Budzeta Federacije BiH za period 2021. – 2023. godina”](#), September 2020; [“Financijski plan Federalnog zavoda za zaposljavanje za 2020. godinu i procjena plana za 2021. i 2022. godinu”](#), 2020; “Finansijski plan Zavoda zdravstvenog osiguranja i reosiguranja Federacije Bosne i Hercegovine za 2019. godinu”, 2020.

³⁷ N1, [“Ambasador Murphy za N1: Nista od secesije, BiH nema veceg prijatelja od SAD-a”](#), 20 April 2023.

appears to be pushing for a quick resolution of this coalition-building-crisis through an OHR imposition by taking away the right of the SDA Federation vice president to be involved in the decision.

This is a throw-back to the political reality in Bosnia two decades ago, when foreigners, some in the OHR, some in embassies, regularly intervened in the formation of Bosnian governments in the name of “preserving the peace.” What is remarkable is that OHR continues to assert its right to do so in a country that long ago joined the Council of Europe and is a candidate for EU accession. A country that has regularly held free and fair elections and has two decades of experience in forming government coalitions.

As was the case in the past, some politicians in Bosnia have called for the High Representative to intervene for reasons of convenience. Nermin Niksic, leader of the SDP, has repeatedly called for an “urgent reaction of the High Representative.”³⁸ The rationale is obvious: it would help his party, and would allow him to become prime minister.³⁹ Niksic is unhappy that the elected SDA Federation vice-president wants “SDA to be part of the government”, using a constitutional mechanism “to prevent a parliamentary majority from forming a [*different*] government.” Niksic stressed that unless OHR imposes a solution his party’s preferred parliamentary majority in the Federation might not come about.⁴⁰

This is a legitimate political position. But so is the insistence of SDA to be included in the Federation government. SDA is part of a coalition government in Una-Sana Canton and in Tuzla Canton. No government can be formed in Central Bosnia canton without the SDA either.

On 16 January 2023, Dragan Covic, HDZ BiH leader, said that “there were enough imposed solutions and decisions. We have enough space to establish executive and legislative power at the level of the Federation based on the election results.”⁴¹ On 14 April 2023, Covic noted that he opposed in particular any intervention that would enable the appointment of Federation governments with only two votes among President and vice-presidents also in the future.⁴² However, he would welcome an OHR intervention that would be applicable for overcoming Lendo’s objections in this one case in this one year. At the same time, however, other partners of the SDP, such as the Party for Bosnia and Herzegovina (SzBiH) and the People’s European Alliance (NES), have publicly threatened to leave the agreed coalition if High Representative Schmidt, as suggested by Covic, would intervene on a one-time basis with an ad hoc solution.⁴³ Without them, HDZ BiH and SDP would not have the majority needed to confirm a Federation government in the lower house, either.⁴⁴

³⁸ Dnevnik, [“Nermin Niksic: ‘Lendo presao crvenu liniju, Schmidt mora reagirati’”](#), 14 March 2023.

³⁹ Refik Lendo, SDA’s Federation vice president said repeatedly that he “will not support a government in which (Nermin) Niksic would be prime minister.” See Politicki, [“Lendo: Cestitam Bradari. Niksic nece proci”](#), 28 February 2023.

⁴⁰ Dnevnik, [“Nermin Niksic: ‘Lendo presao crvenu liniju, Schmidt mora reagirati’”](#), 14 March 2023.

⁴¹ Politicki, [“Covic: Schmidt ne treba intervenirati”](#), 16 January 2023.

⁴² Tportal, [“Covic: Schmidt treba donijeti jednodratnu odluku o deblokadi uspostave vlade”](#), 4 April 2023.

⁴³ Oslobodjenje, [“NES i SBiH protiv Schmidtove ‘jednodratne’ intervencije: To bi dodatno destabilizovalo proces”](#), 28 February 2023.

⁴⁴ Without the SzBiH and NES votes, HDZ BiH and SDP-led group of six parties would have 46 votes (of 49 needed to confirm appointment). In theory, these three votes could also come from three smaller Croat parties: Croat Democratic Union 1990 (3 votes), Croat Republican Party (1 vote), Croat National Advancement (1 vote). Slobodna Bosna, [“NES i SBiH u utorak u OHR-u, Murphy zaduzen za ‘Devedesetku’...”](#), 17 April 2023.

Against this background, on 7 April 2023 High Representative Christian Schmidt made a remarkable statement, considering that the war in Bosnia ended 28 years ago. Schmidt warned Bosnia's elected leaders and parliamentarians that he was about to pounce into action again:

“I expect politicians to come to a resolution of this blockade and proceed with forming a government backed by Parliamentary majorities as soon as possible. This is their obligation to the voters.

If they abdicate this responsibility, I am committed to ensuring that the will of the voters is respected and that citizens benefit from a government that works on their behalf, regardless of their ethnicity, religion, or even their political party.

To whom it may concern: be clear – this is the final call to reason!

I expect them to start working soon and with success. There will be no further final calls.”⁴⁵

In fact, it is plainly obvious what OHR should do: nothing at all, except to announce that it will not get involved.

⁴⁵ Office of the High Representative, [“Statement by HR Christian Schmidt regarding the FBiH Government formation deadlock”](#), 7 April 2023.