

DELIBERATIVE DEMOCRACY IN BOSNIA AND HERZEGOVINA

Bosnia and Herzegovina (BiH) is a representative democracy with multiple levels of autonomous subnational governance. The constitution is an integral part of the peace agreement that ended the Bosnian War of the 1990s.

There are no constitutional provisions for direct participation. The BiH constitution (Art. 1.2) mentions 'free and democratic elections' with no specific reference on modalities of voting. There is no reference to popular sovereignty, instead the term 'constituent peoples along with Others' is used.

The country consists of two subnational units ('entities'), the **Federation of Bosnia and Herzegovina** (FBiH) and **Republika Srpska** (RS) both with their own constitutions, and the autonomous District Brčko. The Federation is further divided into ten cantons, local governance units with significant autonomy.

Subnational units have their own constitutions and regulate possibilities of direct citizens' participation.

The constitution of FBiH does not contain any provisions on direct democratic participation of citizens or popular sovereignty.

The constitution of RS contains norms on two institutes of direct democracy: referendum and popular initiative. A referendum can be held on changes to the dividing lines between RS and FBiH (Art.2.2). The RS National Assembly is responsible for making decisions on referendums, without substantive restrictions on the subject of the referendum (Art. 70.5).

Both entity laws local self-government allow for direct participation of citizens in decision-making in local self-government units. Citizens can directly decide on matters within the competence of local self-governance through a referendum, local assembly of citizens and other forms of direct expression.

The procedures for direct decision-making of citizens from the self-governing scope of local self-government units are regulated by law and local statutes. Citizens can submit their proposals through a citizens 'initiative, citizens' associations, non-governmental organizations, and in other ways described and regulated by the statute. Local self-government units may introduce any other mechanisms of participatory democracy that are not otherwise prohibited by law.