

# Republic of Bosnia and Herzegovina

Capital: Sarajevo  
Population: 4.1 Million  
(2002 Est.)

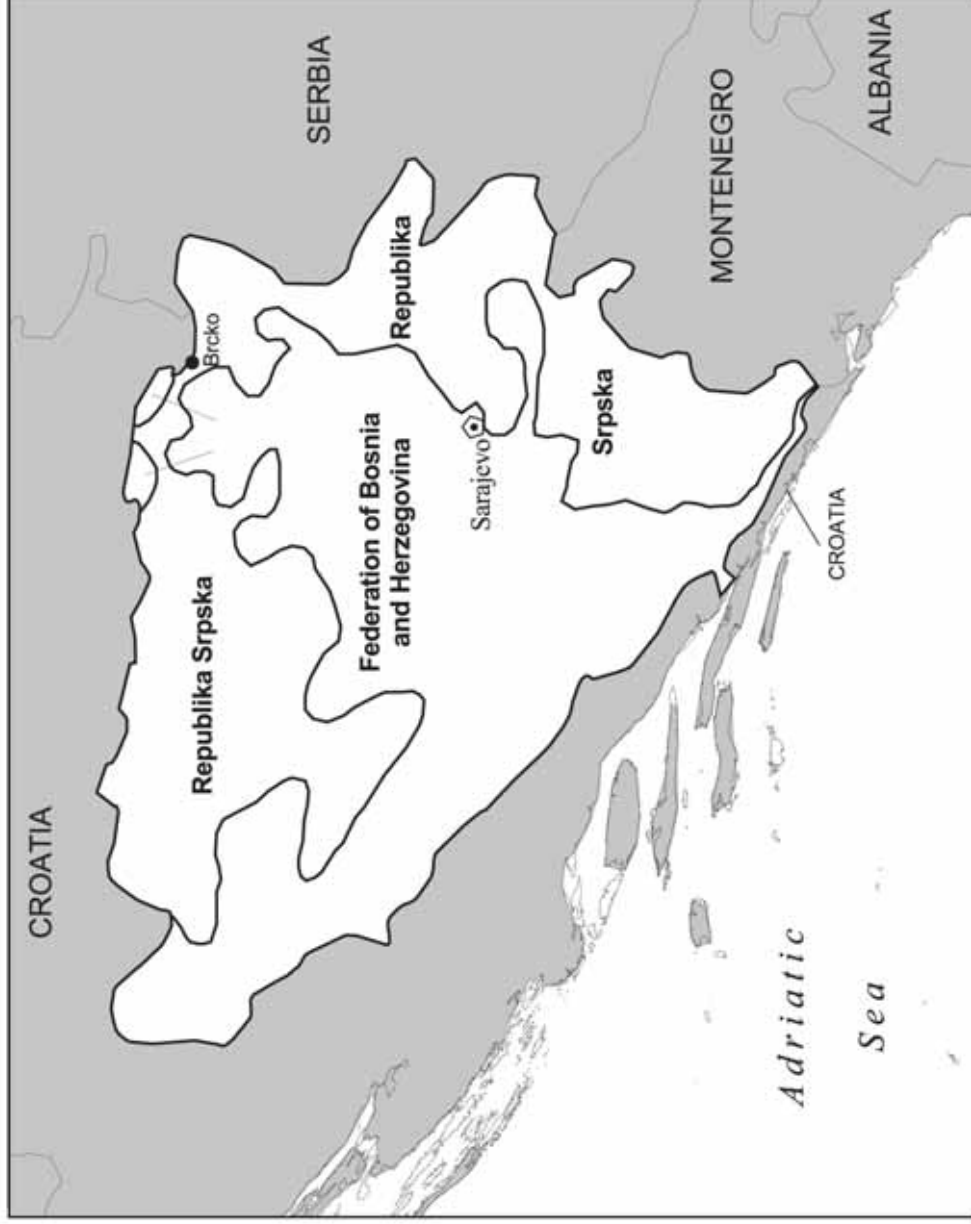
The Brcko District is a self-governing unit under the sovereignty of Bosnia and Herzegovina, and is neither part of the Federation of Bosnia and Herzegovina nor the Republika Srpska.



Internal boundaries are approximate, and are based upon the "Dayton Agreement" (1995); names and locations do not imply endorsement.



Sources: UN Cartographic Department, CIA World Factbook, ESRI Ltd. (2002); Office of the High Representative for Bosnia and Herzegovina.



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# Bosnia and Herzegovina

## (*The Republic of Bosnia and Herzegovina*)

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### 1 HISTORY AND DEVELOPMENT OF FEDERALISM

The Republic of Bosnia and Herzegovina (51,209 km<sup>2</sup>) is located in southeastern Europe. It borders Croatia, Serbia and Montenegro and has a very narrow (20 km) access to the Adriatic Sea. The territory of Bosnia and Herzegovina was the site of many conquests – Roman, Goth, Slav, Hungarian and Ottoman, among others. In the twelfth century, Bosnia became a Hungarian *banat* (province). In 1376 Ban Stephen Tvrtko proclaimed himself King of Serbia and Bosnia. After his death, the kingdom disintegrated and by 1463, the Ottoman Empire had conquered most of Bosnia. It would remain an Ottoman province for the next 400 years.

In 1878, the Congress of Berlin gave Austria-Hungary administrative rights over the area. By 1908, the Austro-Hungarian Empire had annexed Bosnia and Croatia. On 1 December 1918, following the overthrow of the dual monarchy, Bosnia and Herzegovina became part of the Kingdom of the Serbs, Croats and Slovenes under the rule of Prince Aleksandar I (1921–1934). In 1929, Aleksandar renamed the kingdom Yugoslavia (i.e., “Land of the South Slavs”).

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During World War II, the Axis powers invaded and dismembered Yugoslavia. With their support, a pro-fascist Croat puppet state was established on the territory of Croatia and Bosnia. At the end of the war, Josip Broz Tito, a Croatian communist and leader of the resistance movement known as the Partisans, created the Federal Socialist Republic of Yugoslavia. Bosnia and Herzegovina was one of the six republics that composed the federation.

Since Ottoman times, Bosnia has been home to a Slav Muslim population. The geographic and ethnic origins of the Muslim Slavs are the subject of scholarly disagreement. The Muslims, who speak Serbo-Croatian as their mother tongue, have consistently emphasized their unique identity. Since World War II, however, both Serbs and Croats have claimed ethnic ties with the Muslim Slavs in an attempt to gain political advantage. In 1971, Tito promoted the Slavic Muslims (also referred to as Bosniacs) to a fully-fledged constituent Yugoslav people.

The original constitution of Bosnia and Herzegovina was written in 1974 and modelled on the Yugoslav federal constitution of the same year, a charter that weakened federal institutions and decentralized Communist controls to the republican level. Under the 1974 constitution, Bosnia was endowed with a bicameral legislature: a 130-seat Chamber of Citizens and a 110-seat Chamber of Communes. The collective nine-member Presidency and the Prime Minister were to be chosen from among members of the legislature. Government officials served a standard four-year term, except the President of the Presidency, who was to be elected from among the nine members for a one-year term. This rotating Presidency and the proportional representation electoral system were designed to reflect the republic's ethnic diversity.

In January 1990, the League of Communists of Yugoslavia agreed to surrender its monopoly on political power. Bosnia held its first multi-party elections that same year. Three major nationalist parties dominated the political scene: the Stranka Demokratska Akcija ((SDA) led by Alija Izetbegovic), the Hrvatska Demokratska Zajednice Bosne-i-Hercegovine ((HDZ) led by Mate Boban) and the Srpska Demokratska Stranka ((SDS) led by Radovan Karadzic). Temporarily united against the Communist Party, a coalition of the three parties held the collective Bosnian Presidency. Strains would soon tear the coalition apart.

The dismemberment of the former Yugoslavia had already begun. In 1991, a 10-day war failed to prevent the secession of Slovenia. In September of the same year, Macedonia declared its independence. The war in Croatia lasted seven months (July 1991 to January 1992). Upon recognition of Croatia's independence by the European Community, Bosnia faced a stark choice: either remain in Serb-dominated Yugoslavia or declare independence too. In October 1991, Muslim and Croat members

of Parliament – but not Serb members – approved the holding of a referendum on sovereignty. The referendum, held in February 1992, was boycotted by Serbs but 64.4% of eligible voters cast their votes and 99.7% of those votes favoured independence. In March 1992, Bosnia proclaimed independence and descended into war.

In March 1994, under international pressure, Bosnia's Muslim and Croatian leaders signed an agreement in Washington, DC, that ended the conflict between the two groups and established a Muslim-Croat federation, officially called the Federation of Bosnia and Herzegovina. The federation became one of the two "entities" of Bosnia and Herzegovina.

On 21 November 1995, Serb, Croat and Muslim leaders initialled a peace agreement at Wright-Patterson Airbase in Dayton, Ohio. This ended almost four years of conflict in which 250,000 people were killed, two million became refugees, and terrible atrocities were committed. The General Framework Agreement for Peace (GFAP, also known as the Dayton Peace Agreement or DPA) was signed by all the parties in Paris (14 December 1995) and became the basis for peace in Bosnia and Herzegovina.

## 2 CONSTITUTIONAL PROVISIONS RELATING TO FEDERALISM

In Annex 4 of the Dayton Peace Agreement, the mediators and negotiating parties outlined a new national constitution for Bosnia and Herzegovina. Under its terms, Bosnia is a democracy consisting of two constituent "entities": the Federation of Bosnia and Herzegovina, which is also known as the Bosniac-Croat Federation (thus establishing a federation within a federation); and the Republika Srpska.

The federal structures reflect the complexity of the ethno-territorial arrangement reached at Dayton. The entities share a central legislature, the Parliamentary Assembly of Bosnia and Herzegovina (Article IV) – consisting of a House of Representatives and a House of Peoples (note that there is a "House of Representatives" and a "House of Peoples" at the federal level *and* in the Bosniac-Croat Federation) – and a three-member collective Presidency (Article V). This central government is two-thirds Muslim and Croat and one-third Serb.

The federal House of Peoples is comprised of 15 delegates – two-thirds come from the Bosniac-Croat Federation (five Croats and five Bosniacs), while the other third (five Serbs) comes from Republika Srpska (RS). Federal Croat and Bosniac delegates are elected respectively by the Croat and Bosniac delegates to the House of Peoples of the Federation of Bosnia and Herzegovina (the Bosniac-Croat entity).

The National Assembly of Republika Srpska selects the Serb delegates to the federal House of Peoples.

The federal House of Representatives comprises 42 members, two-thirds elected from the Bosniac-Croat Federation and one-third from the Republika Srpska (RS). The constitution does not specify how representatives are to be elected, only that they "shall be directly elected from their Entity in accordance with an election law to be adopted by the Parliamentary Assembly" (IV-2(a)). However, the two entities have adopted a proportional party list system according to which voters vote for a party rather than an individual.

All legislation requires the approval of both chambers and decisions are made by a majority of those present and voting (IV-3(c), IV-3(d)). However, the constitution also stipulates that members attempt to ensure that the majority includes at least one-third of votes of members from each entity.

Members of the Presidency (one representative from each group – Bosniac, Croat and Serb) are directly elected from the Bosniac-Croat Federation (Bosniac and Croat members) and from the RS (Serb member).

The constitution delineates the rights and duties of both entities. The division of power is as follows. The federal institutions are responsible for: foreign policy and trade; customs; monetary policy; finances of the institutions and international obligations of Bosnia and Herzegovina; immigration, refugee and asylum policy and regulation; international and inter-entity criminal law enforcement; the establishment and operation of common and international communications facilities; regulation of inter-entity transportation; and air traffic control (III-1). Additionally, the constitution allows the central institutions to take measures and create additional institutions as necessary in order to preserve the sovereignty, territorial integrity, political independence, and international personality of the country (III-5). The same provision opens the door for the eventual transfer of responsibilities temporarily entrusted to the institutions created under Annexes 5-8 of the General Framework Agreement for Peace (GFAP) back to the central authorities.

All governmental functions and powers not expressly assigned in the constitution to the central institutions fall immediately within the preserve of the entities (III-3(a)). The most important of these functions and powers must certainly be the power of taxation. The two entities are also responsible for civilian law enforcement, health care, agriculture and local affairs. However, in some cases, the entities may appear to intrude into the jurisdiction of the central government. Thus, although foreign policy is in the purview of the central government, the entities can establish relationships with neighbouring states, and enter

agreements with foreign states and international organizations with the consent of the federal Parliamentary Assembly. The entity and central governments are jointly entrusted with the regulation of citizenship (I-7), the protection of the human rights enshrined in the European Convention on Human Rights and 15 other similar international instruments listed in Annex 1 of the constitution (II).

The constitution does not specifically outline federal financial arrangements. It does, however, give the power of taxation to the entities, and provide general guidelines regarding the financial responsibilities of the entities vis-à-vis the federal institutions. Article IV-4(b) states that the federal Parliamentary Assembly has responsibility for “deciding upon the sources and amounts of revenues for the operations of the institutions ... and international obligations of Bosnia and Herzegovina.” Under Article VIII-1, each year the Parliamentary Assembly adopts a budget covering these expenditures. The Bosniac-Croat Federation provides two-thirds and the RS one-third of the revenues required by the federal budget, “except insofar as revenues are raised as specified by the Parliamentary Assembly” (VIII-3). Under Article III-2(b) the entities are also expected to provide “all necessary assistance” to the central government in order to enable it to honour its international obligations.

Article VI sets out procedures for the resolution of constitutional disputes. This article provides for the establishment of a Constitutional Court consisting of nine members. The Court has exclusive jurisdiction to resolve disputes between the entities, between Bosnia and Herzegovina and an entity or entities, or between institutions of the central government (VI-3(a)). The Court also has appellate jurisdiction over issues under the constitution arising out of the judgement of any other Bosnian court. The Bosniac-Croat House of Representatives selects four members of the Constitutional Court and the Assembly of the Republika Srpska selects two members. The remaining three members are non-Bosnians selected by the President of the European Court of Human Rights after consultation with the Presidency (VI-1). The unusual appointment of foreigners to the Constitutional Court reflects international concerns about the fragility of the Dayton scheme and the heavy international involvement to bring about its implementation.

Article X provides for amendments to the constitution to be based on a decision of the Parliamentary Assembly, including a two-thirds majority of those present and voting in the federal House of Representatives. It is important to note, however, that Article X specifically states that no amendment may eliminate or diminish any of the rights and freedoms listed in Article II of the constitution. This refers to the fact

that the constitution includes a number of special provisions relating to human rights, refugee rights and the “vital interests” of the three constituent peoples of the country. These special provisions are a function of the circumstances surrounding the drafting of the constitution and its inclusion in the General Framework Agreement that ended the war in Bosnia.

Article II-1 provides for the establishment of a Human Rights Commission for the country. This commission is comprised of an Ombudsman appointed by the chairman of the Organization for Security and Cooperation in Europe (OSCE) and 14 members, six Bosnians (four members from the Bosniac-Croat Federation and two members from Republika Srpska) and eight non-Bosnians appointed by the Committee of Ministers of the Council of Europe, after consultation with the parties. Article II also states that the rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols have priority over all other law (II-2), and contains a lengthy statement about the rights of refugees and displaced persons to return to their places of origin and have property lost in the hostilities restored to them (II-5).

The constitution also requires that all competent authorities in Bosnia cooperate with and provide unrestricted access to international human rights monitoring mechanisms, the supervisory bodies established by the international agreements listed in Annex I to the constitution, the International Criminal Tribunal for the Former Yugoslavia, as well as any other organization authorized by the UN Security Council with a mandate concerning human rights and humanitarian law (II-8).

Finally, a proposed decision of the Parliamentary Assembly may be declared “destructive to a vital interest of the Bosniac, Croat, or Serb people” (IV-3(e)). This provision allows members of the ethnic groups to block the enactment of contested legislation (IV-3(e)). In such instances, a joint committee including three members of each ethnic group reviews the legislation; if it fails to reach agreement, the matter is forwarded to the Constitutional Court (IV-3(f)). A similar veto exists within the Presidency (V-2(d)).

It is important to note that, although symmetrical in their relation to one another and to the federal institutions, the two entities are organized according to different principles. As its name indicates, the Federation of Bosnia and Herzegovina, or Bosniac-Croat Federation, is organized according to federal principles. It consists of eight cantons (territorial subdivisions) ruled by a strong central government. The Presidency, Vice-Presidency, and the office of the Prime Minister rotate between the two ethnic groups. The Federation has a bicameral legislature comprised of the House of Representatives and the House

of Peoples (also referred to as House of Nations), in addition to canton-level assemblies. Federation voters directly elect the 140 members of the entity's House of Representatives. The 74 members of the entity's House of Peoples (30 Bosniac, 30 Croat and a number of "others" as outlined in the constitution at IV-A2(6)) are elected from members of the cantonal legislatures – themselves elected directly by the voters in the entity.

The Republika Srpska (RS) is a highly centralized structure. The entity government directly oversees the municipalities, and cantons do not exist. The RS has a single legislative chamber or National Assembly (sometimes referred to as the House of Representatives), and a President. Members of the RS National Assembly are elected for a four-year term by simple proportional representation

### 3 RECENT POLITICAL DYNAMICS

The complexity of the government structure established at Dayton, as well as attempts by nationalist parties to use it to entrench themselves at the entity level have prompted repeated intervention by the Office of the United Nations High Representative to ward off the threat of paralysis.<sup>1</sup> In February 2002, then-High Representative Wolfgang Petritsch declared Bosnia's excessively devolved system of government partly responsible for undermining the rule of law. According to him, reform of the government had to be addressed urgently. His successor, Paddy Ashdown, who took office on 27 May 2002, agrees that reform is essential but has set slightly different priorities, in particular justice and judicial reform.

Since 2000, reform efforts in Bosnia and Herzegovina have sought to reinforce central state institutions at the expense of the entities. Such endeavours continue to involve considerable effort and intervention by the international community. For example, in the course of his mandate as High Representative, Wolfgang Petritsch passed a total of 246 decisions using the Bonn powers. In the three days before his departure, "Petritsch imposed a total of 43 laws, amendments, or regulations that

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1 Under Annex 10 of the GFAP, the High Representative is mandated to "facilitate, as [he/she] judges necessary, the resolution of any difficulties arising in connection with civilian implementation" (Article II-1 (d)). In 1997, the Peace Implementation Council, which represents all the donor countries, endowed the High Representative with the authority to make binding decisions including the right to remove "obstructionist" officials. This became known as the "Bonn powers."



had failed to receive approval in the state and entity legislatures, compared with only 19 made in the previous five months.”<sup>2</sup> High Representative Ashdown has followed suit. Thus, for example, in October 2002 he passed a total of 24 decisions clarifying the rules and regulations governing the approval of ministerial appointments by the office of the High Representative (OHR). The decisions aimed to clarify the rules providing grounds for the dismissal of elected officials guilty of crimes or responsible for mismanagement and the obstruction of reforms.

Notable developments in the reform agenda target three files: implementation of the Constitutional Court’s Constituent Peoples’ ruling; reform of the armed forces; and streamlining of the judiciary.

In 2000, a Constitutional Court ruling declared Bosniacs, Serbs and Croats as Constituent Peoples of Bosnia and Herzegovina and entitled them, as such, to proportional representation at all levels of government in both entities. Initially, the ruling met with stiff resistance. In 2001, the High Representative established two entity-level constitutional commissions to bring the entity constitutions in line with the ruling. Faced with foot-dragging, Petritsch called a meeting of the country’s main political forces resulting, on 27 March 2002, in an agreement on the implementation of the Constituent Peoples’ decision. The agreement was rejected by the chief Croatian nationalist party, the Croatian Democratic Union. It also triggered reservations by four of the main Republika Srpska parties. Moreover, it failed to produce results: in Republika Srpska, the National Assembly voted constitutional amendments at odds with the broad lines of the Sarajevo agreement; in the Federation, proposed amendments respected the spirit of the agreement but they were voted down in the Bosniac-Croat House of Representatives.

On 19 April 2002 High Representative Petritsch forced the issue by taking a decision that forced both entities to amend their constitutions in line with the ruling of the court.<sup>3</sup> This resulted notably in the creation of a Council of Peoples in the Republika Srpska (eight members representing each of the constituent peoples, plus four “Others”); in

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2 “Constitutional Watch: Bosnia and Herzegovina,” *East European Constitutional Review*, Vol. 11, No. 3 (Summer 2002), available online at <http://www.law.nyu.edu/eecr>.

3 For more detail see Office of the High Representative, “Decision Amending the Constitution of the Federation of Bosnia and Herzegovina,” April 2002, available online at <http://www.o-hr.int/decisions/statemattersdec/>; see also, “Constitutional Watch: Bosnia and Herzegovina,” *East European Constitutional Review*, Vol. 11, No. 3 (Summer 2002).

the Federation, Serb representatives were added to the Bosniac and Croat members of the House of Representatives while the composition of the House of the Peoples was changed to 58 members – 17 each for the three Constituent Peoples and 4 “Others”; finally, the constitutions of both entities were modified to include quotas securing the proportional representation of all three Constituent Peoples in the executive, legislature and judiciary.

The urgency of calls for reform has increased following 11 September 2001 as pressures on the international community to leave Bosnia have intensified in the wake of the wars in Afghanistan and Iraq. The United Nations mission in Bosnia and Herzegovina ended in December 2002. As of January 2003 the European Community has taken over the tasks of the International Police Training Force. The forces of NATO, deployed in the country under the banner of the Stabilization Force, were downsized to 12,000 with further reductions in the numbers of troops scheduled for the end of 2003. In this context, two developments – the discovery and dismantling in Sarajevo of a terrorist cell assumed to be connected to Al-Qaida, and revelations concerning Republika Srpska arms sales to Iraq – contributed to putting changes to the armed forces on top of the reform agenda. In reaction to the news of Republika Srpska’s blatant transgression of the UN-imposed embargo on Iraq, High Representative Paddy Ashdown forced the resignation of the RS army’s top generals as well as that of Mirko Sarovic, Serbian member of the tripartite Presidency (2 April 2003).

Ashdown also took advantage of the crisis to amend the constitution of Republika Srpska and that of the Federation of Bosnia and Herzegovina to put the armed forces under civilian oversight. This reform of the armed forces paved the way for Bosnia’s integration into European and NATO political and military structures. On 22 January 2003, the Parliamentary Assembly of the Council of Europe approved Bosnia’s membership in that body, but the Council also made several recommendations notably on reform of the armed forces with an eye to strengthening their cooperation based on a common defence policy and to restructuring the military in line with international standards and procedures regarding democratic control of the armed forces as well as transparency in defence planning and budgeting.

For reform to take hold, the independence of the judiciary from political forces is paramount. The Institute for War and Peace Reporting recently issued a report stating that “justice in Bosnia is delivered according to an inconsistent, mismatched, and ill-fitting corpus of laws.” The report further drew attention to the “bloated and unproductive

structure of the courts and the near feudal fragmentation of Bosnia's judicial landscape."<sup>4</sup> This concern underlies the efforts exerted by both Petritsch and Ashdown in this respect.

Petritsch established High Judicial and Prosecutorial Councils at the central-state level and in both entities, nominated their members, and promulgated a state law on inter-entity cooperation in judicial matters. The Councils are entrusted with direct and independent appointments of all judges and prosecutors with the exception of members of the Constitutional Court. They are also responsible for taking disciplinary action against judges and prosecutors if and when needed. The Councils readvertised all judicial and prosecutorial posts as of September 2002 and all candidates require certification based on merit to be reinstated in office.

For his part, Ashdown passed a number of decisions to reform the criminal justice system in August 2002. He established a Prosecutor's office at the state and entity levels, amended the Law on the Court to create special judicial panels for organized crime, economic crime, and corruption, and finetuned the law governing the High Judicial and Prosecutorial Council at the central-state level. His objectives remain the establishment of a comprehensive legal framework to bring criminals to justice and to provide checks on abuses of power in the public sector. Indeed, Ashdown's first decisions in office targeted corruption and fraud. He removed the Federation's Minister of Finance, amidst a customs fraud scandal (14 June 2002), and also forced the resignation of several Republika Srpska officials, namely the Finance Minister and Customs Services' Director, for a customs' scam which is reported to have cost the RS as much as 15 million euros.

On 5 October 2002, general elections yielded a complete turnaround from the previous elections two years earlier. Nationalist parties were victorious at all levels forcing out the coalition of multi-ethnic parties that had ruled together under the banner of the Alliance for Change. The main winners were the Bosniac Party of Democratic Action, the Croat Democratic Union and the Serbian Democratic Party.<sup>5</sup>

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4 See "Constitutional Watch: Bosnia and Herzegovina," *East European Constitutional Review*, Vol. 11, No. 3 (Summer 2002).

5 For detailed elections results see "Constitutional Watch: Bosnia and Herzegovina," *East European Constitutional Review*, Vol. 11/12, No. 4/1 (Winter 2002/Spring 2003); see also Nikola Guljevatej, "Bosnie-Herzégovine," in *L'État du monde 2004. Annuaire économique et géopolitique mondial* (Paris : La Découverte/Boréale, 2003), p. 520.

The victorious parties unanimously expressed opposition to the electoral law's provision of compensatory seats to political parties that fail to pass the three per cent threshold. This resulted in delays in the formation of central state and entity level governments. While the interpretation of election results differed widely according to the source – with the international community downplaying the victory of ethnically-based parties – the High Representative rapidly extended his powers of oversight in the wake of this electoral exercise. On 7 October, Ashdown gave the OHR more say over ministerial appointments extending his office's reach to the state-level Ministers of Treasury and Foreign Trade and Economic Relations, entity-level Finance and Education Ministers, and Refugee Ministers at state and entity levels. The HR also clarified the rules for dismissal of elected officials naming the following as legitimate reasons: indictment by the International Tribunal (ICTY); a criminal record; a record of “obstructing Peace Implementation”; and a record of “serious incompetence or mismanagement.”

To date, Ashdown's record makes clear his intention to streamline government and strengthen central state-level institutions as evidenced, for example, by the establishment in November 2002 of the “Bulldozer Committee,”<sup>6</sup> but mostly by the sweeping reform of the Council of Ministers enacted in December 2002. The reform ends the rotation principle for the chair of the Council, strips the chair of additional portfolios, enlarges the government by creating two new ministries – justice and security – and most importantly modifies the decision-making process in the ministries whereby decisions referred to Parliament for a vote are now made by a majority rather than by consensus.

While these developments are by no means exhaustive of the changes in Bosnia and Herzegovina in the past few years, they are however testament to the continued pull and push of centrifugal and centripetal forces that have characterized the country since the Dayton Peace Agreement. Whether the international community's interventionist agenda will succeed in bringing about sustainable reform of the system and a more prosperous and stable Bosnia and Herzegovina remains to be seen.

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6 This committee will, according to the OHR “identify the worst job-destroying bureaucratic obstacles at state, entity, canton, and municipal levels ... The intention is to remove job-destroying legislation and regulations from the statute books and simplify the whole process of setting up private business.” “Constitutional Watch: Bosnia and Herzegovina,” *East European Constitutional Review*, Vol. 11/12, No. 4/1 (Winter 2002/Spring 2003).

4 SOURCES FOR FURTHER INFORMATION

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Table I  
Political and Geographic Indicators

Capital city	Sarajevo
Number and type of constituent units	<i>2 Entities:</i> Federation of Bosnia and Herzegovina (Bosniac-Croat Federation) and Republika Srpska (RS) <i>1 District:</i> Brko
Official language(s)	Bosnian, Croatian, Serbian
Area	51 209 km <sup>2</sup>
Area – largest constituent unit	Bosniac-Croat Federation – 26 076 km <sup>2</sup>
Area – smallest constituent unit	Republika Srpska – 25 053 km <sup>2</sup>
Total population	4 121 000 (2002)
Population by constituent unit (% of total population)	Bosniac-Croat Federation 61%, Republika Srpska 39%
Political system – federal	Democratic Republic – Parliamentary System
Head of state – federal	President Dragan Čović (27 June 2003). The presidency of the republic rotates (every 8 months) between a Serb, a Bosnian Muslim and a Croat: Borislav Paravac (Serb Democratic Party), Sulejman Tihic (Muslim Party of Democratic Action) and Dragan Čović (Croatian Democratic Union). The members of the presidency are elected for a 4-year term by the 3 ethnic groups. Election last held 5 October 2002 (next to be held 2006).
Head of government – federal	Prime Minister/Chairman of the Council of Ministers Adnan Terzic (2002). The Prime Minister/Chairman of the Council of Ministers is appointed by the presidency and confirmed by the National House of Representatives. The Cabinet (Council of Ministers) is appointed by the National House of Representatives on the recommendation of the Council chairman.
Government structure – federal	Bicameral: Parliament (Skupstina)  <i>Upper House</i> – House of the Peoples (Dom Naroda), 15 members. Bosniac and Croat members are elected by the Bosniac-Croat Federation's House of Representatives (5 each). The National Assembly of the Republika Srpska selects the 5 Serb members. Members serve 4-year terms.  <i>Lower House</i> – House of Representatives (Predstavnički Dom), 42 Members. Two-thirds are elected from the Bosniac-Croat Federation, one-third from the Republika Srpska. Members are elected by popular vote to serve 4-year terms.

Table I (continued)

Number of representatives in lower house of federal government of most populated constituent unit	Federation of Bosnia and Herzegovina: 28 members (14 Bosniac and 14 Croats)
Number of representatives in lower house of federal government for least populated constituent unit	Republika Srpska – 14 members (Serbs)
Distribution of representation in upper house of federal government	Two-thirds of the delegates are from the Bosniac-Croat Federation (including 5 Croats and 5 Bosniacs) and one-third from the Republika Srpska (5 Serbs).
Distribution of powers	The constitution assigns 10 powers to the federal government including foreign policy, trade, customs, monetary policy, refugees and immigration, international and inter-Entity criminal law, air traffic control, and the payment of international liabilities. The Entities have the control of borders and in practice the federal government does not have fiscal authority to determine taxes, customs and other revenues.
Residual powers	Residual powers belong to the Entities.
Constitutional court (highest court dealing with constitutional matters)	Constitutional Court. Nine members: 4 are selected by the House of Representatives of the Bosniac-Croat Federation, and 2 by the Assembly of the Republika Srpska. The remaining 3 members are selected by the President of the European Court of Human Rights after consultation with the presidency.
Political system of constituent units	The Bosniac-Croat Federation has a bicameral Parliamentary Assembly consisting of a House of Representatives and a House of Peoples. The members of the House of Representatives (140 seats) are elected by popular vote for 4-year terms. The last elections were held in 2002. The members of the House of Peoples (72 seats – 30 Bosniac, 30 Croat, and 12 others) are elected to serve 2-year terms. The National Assembly of the Republika Srpska is unicameral and has 83 members elected by popular vote to serve 4-year terms.
Head of government – constituent units	President of the Federation of Bosnia and Herzegovina. The President and Vice-President rotate every year. President of the Republika Srpska.

Table II  
Economic and Social Indicators

GDP	US\$22.8 billion at PPP (2002)
GDP per capita	US\$5 537 at PPP (2002)
National debt (external)	US\$2.26 billion (2001)
Sub-national debt	N/A
National unemployment rate	41.4% (December 2002)
Constituent unit with highest unemployment rate	Bosniac-Croat Federation – 40.4%
Constituent unit with lowest unemployment rate	Republika Srpska – 40.2%
Adult literacy rate	93% <sup>1</sup>
National expenditures on education as % of GDP	5.2
Life expectancy in years	73.8
Federal government revenues – from taxes and related sources	US\$19.7 million (2002 proj.)
Constituent unit revenues – from taxes and related sources	US\$822.4 million (2002 proj.)
Transfers to constituent units	The Bosniac-Croat Federation provides two-thirds and the Republika Srpska one-third of the revenues required by the federal budget.
Equalization mechanisms	The fiscal budget is highly decentralized among Entities, cantons and municipalities.

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*Note*

- 1 Age 15 and above.