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Citizens' Assemblies in Bosnia and Herzegovina

Democratic legitimation remains an imperfect and incomplete endeavour influenced by an increasing trend of democratic deficiencies. Deep societal divisions reinforce democratic deficiencies and undermine public trust in democracy as a form of governance. Citizens feel disengaged from decision-making while societal polarisation is rising due to a lack of open deliberation across groups in society. As a result, the legitimacy of representative politics is brought into question.

Deliberative democracy emphasises discussion and debate in decision-making. It is different from representative democracy which relies heavily on voting. Decisions are not formulated, discussed, and adopted by a small number of representatives, but by a broad and inclusive group of citizens, residents, and affected individuals.

Definition of citizen's assemblies. Various forms of citizens' consultations have been part of policymaking for a while now, but forms of deliberative democracy are rather new. Citizens' assemblies are one of the most innovative forms of deliberative democracy. They do not aim to replace decision-making in representative institutions, but rather to serve as a formal way to include citizens' views and voices in public policy and decision-making. In doing so, citizens' assemblies can be tied to a specific topic, or they can be permanent and institutionalised. Three primary roles are (1) to allow citizens the opportunity to recommend political decisions, (2) to increase the legitimacy of political institutions, and (3) to introduce discussion and debate with citizens in decision-making.

Citizen's assemblies in Bosnia and Herzegovina. As a very new form of deliberative democracy, citizens' assemblies have only recently become more common. In Bosnia and Herzegovina (BiH), the first citizens' assembly was held in the *City of Mostar in 2021* on the issue of city cleanliness and public spaces. Because Mostar had been without a functioning government for eight years prior, the role of the assembly was to address unresolved policy issues and strengthen the legitimacy of the government. The second citizens' assembly was held at *national level in 2022* on the issue of constitutional and electoral reform, two issues that have frustrated policymaking for more than a decade. The citizens' assemblies of Mostar and BiH did not intend to replace decision-making in the Mostar City Assembly or the BiH Parliament. They do not have that kind of mandate. Instead, their role was to broaden policy debates to include citizens' views and help introduce new ideas to address difficult policy issues. The aim of both assemblies was to ultimately re-engage citizens in democratic processes.

Establishing citizen's assemblies. Citizens' assemblies are usually formed on the initiative of a governing institution that aims to engage more substantially with its citizens on a difficult

or controversial policy topic. But they can also be initiated by civil society organisations, international organisations, or groups of citizens. As they are a resource-intensive form of citizen engagement, it is necessary to think about the suitability of the mechanism as the best way to address a particular policy issue. The policy issue is usually formulated as a question for deliberation, called the remit of the assembly.

Assembly participants are usually composed of a diverse group of people who are representative of the broader population. Letters of invitation, often several thousand, are sent out to random individuals or households in the city or country. From the respondents who express interest in participating, a group that is representative of the polity is selected through random sampling or other methods to ensure a diverse and balanced group. The idea is to have a city in a room, or a country in an auditorium, where the demographics of the participant group match the demographics of the polity.

The guiding principles of inclusiveness and transparency are important from the start and all to increase the legitimacy of debate and recommendations. The entire selection process, therefore, needs to be as transparent as possible. Additionally, compensation for participation is often included to ensure that most people are motivated to take part, and meetings are scheduled on weekends to facilitate working schedules.

Establishing citizen's assemblies in BiH. The Mostar Citizens' Assembly was jointly initiated by the City of Mostar and the Council of Europe (CoE). It consisted of 48 randomly selected residents of Mostar. They received one of 5000 letters sent to households in the city, expressed their interest in participating, and were selected by random sortition as part of a representative sample of the city's population. The BiH Citizens' Assembly was initiated by the European Union (EU) Delegation to BiH. It consisted of 57 participants, randomly selected from those that expressed interest, after 4000 letters had been sent to households throughout the country. Both assemblies were highly representative of the demographics of the city or country with respect to gender, age, ethnicity, education, employment status, and residency.

Principles of citizen's assemblies. There are four main elements to how citizens' assemblies work. The first is *facilitation* by trained moderators who help to guide the discussions and ensure that they are conducted in an inclusive and respectful manner. The second is the *presentation of information and evidence* to participants in an unbiased and open way by experts and stakeholders. Effectively all participants should be able to have access to the same knowledge and the same ability to participate in the process. The third element is *deliberation* itself where participants discuss the issue of the citizens' assembly and consider different perspectives and options. A discussion takes place both in plenary sessions with all participants present, as well as in smaller groups that can have specific tasks to discuss parts of the remit. The back and forth between group and plenary discussions allows for all voices to be heard. Deliberation is usually structured and facilitated to ensure equal opportunity as well as productive and respectful discussion. The fourth element is the *drafting of recommendations*, a report, and sometimes decisions on the issue being discussed. It is common

practice to put all recommendations up for a vote and adopt those that receive majority support or fulfil stricter criteria.

Principles of the BiH citizen's assemblies. Participants of the Mostar assembly met for six days over four consecutive weekends. Each day was specifically designed with an agenda to focus on one of the elements listed above. Participants could learn from experts and stakeholders and best practices elsewhere. They also learned about the current systems in place in Mostar and plans to reform them. They could subsequently deliberate what solutions might work in the context of Mostar and how existing plans can be improved. Finally, they had the chance to engage directly with City officials. The assembly produced 32 recommendations, some of which were very practical and others that were more substantive.

The BiH Citizens' Assembly met for two consecutive weekends and a total of four days in two different locations. Each day, the participants had a precisely designed agenda that was divided into learning and deliberation segments, with very strong facilitation to guide the process. This was required due to the complexity of the topic and the limited time available. Participants heard from experts and political stakeholders but could not engage with policymakers. They formulated and adopted 17 recommendations that demonstrated a way forward in resolving some of the most persistent political issues in BiH.

The potential of citizen's assemblies. The potential for citizen-driven decision-making is a key attribute of citizens' assemblies. The initiating body, whether a government or organisation, usually decides beforehand what output they want from citizens and what they want to do with it. Most assemblies are just consultative, where recommendations are discussed in the legislature in an open session. Sometimes decision-makers can commit to implementing all or the main citizens' recommendations before they call the assembly. As participants cannot make binding policy decisions themselves, any recommendation needs to be adopted in legislature or implemented through executive decisions. The purpose of citizens' assemblies is multifold: they can help to identify preferred policy solutions and to legitimise decision-making on difficult issues. This may be an important goal, but their real value is much greater. Assemblies can foster a new form of engagement between politicians and citizens that relies on dialogue, cooperation, and trust, rather than voting, governance, and disdain. The outcome of assemblies is legislatures and executive that are much more transparent and communicative towards their constituents, and citizens that are much more active and engaged in their communities.

The potential of the citizen's assemblies held in BiH. All recommendations from the Mostar Citizens' Assembly were adopted by the City Council a few months later and a plan to implement them was drafted. Some have already been implemented, while other more complex recommendations are being addressed. The implementation is being tracked and a second citizens' assembly is planned for 2023. The BiH Citizens' Assembly recommendations were presented before members of the BiH parliament but were not further discussed or followed up on. This is a missed opportunity as BiH Parliament did not engage with citizens,

and the EU Delegation as the convener did not follow the recommendations. In both cases, assembly members openly deliberated on relevant issues for their city and country showing a high level of respect for different and divergent opinions. In the survey conducted with participants, all expressed great satisfaction with the process and that it helped them better understand the issue and build trust towards fellow citizens. The two divergent experiences in implementation show the importance of political commitment from policymakers. Despite a successful deliberative process in both cases, only Mostar had a strong political will to implement citizens' recommendations.

Citizens' assemblies cannot replace decision-making in representative institutions in BiH, but rather provide an avenue for citizens and policymakers to engage in constructive dialogue. As long as all sides approach each other with respect and as equals, citizens' assemblies have the potential to significantly improve democracy in BiH.

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