



INTERNATIONAL ELECTION OBSERVATION MISSION Bosnia and Herzegovina– Local Elections, 6 October 2024

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

The 6 October local elections were competitive and efficiently managed, but there were insufficient efforts to generate public engagement. The elections took place in an environment lacking social and political cohesion. As long-lasting negotiations among political parties to introduce needed reforms failed, the High Representative imposed extensive amendments that enhanced the integrity of the process. The election administration worked professionally, but the short timeframe to implement the new tasks, coupled with inadequate resources, placed a significant burden on them and left some important provisions unfulfilled. Contestants were able to campaign freely and provided voters with distinct alternatives, albeit along ethnic lines. The limited media coverage negatively impacted voters' opportunity to make an informed choice. The media and journalists are increasingly targeted by political and legal pressures. Efforts to enhance women's active participation have not yielded tangible results, and women were underrepresented as candidates, in particular in mayoral races, and throughout the campaign. Voters' and contestants' right to effective remedy was not fully guaranteed, with a large number of cases unresolved by election day. Due to heavy flooding and landslides, elections were postponed in five municipalities, affecting some 63,000 voters. Election day was calm but impacted by concerns regarding the secrecy of the vote and procedural shortcomings.

Overall, the legal framework provides a solid basis for democratic elections. While preceded by a not fully consultative process, the 2024 amendments imposed by the High Representative introduced important integrity safeguards and confidence building measures and further strengthened some aspects of the electoral process addressing many long-standing ODIHR and Congress recommendations. Still needed electoral and constitutional reform has stalled due to lack of political will and inability to reach agreement in parliament. Further, several longstanding ODIHR recommendations remain outstanding, and certain provisions, including some of the newly introduced ones, require revision to eliminate inconsistencies, be fully implementable, and to be brought into compliance with international standards.

The Central and nearly all Municipal Election Commissions administered the technical aspects of the electoral preparations efficiently and professionally. However, the amendments introduced shortly before the electoral process placed a significant burden on the Central Election Commission (CEC) and tested the limits of its capacity, in particular the revised rules for appointment of Polling Station Commission (PSC) presidents and deputy presidents. The CEC held regular public sessions, but transparency of the decision-making process was reduced by the fact that most discussions took place outside the formal CEC sessions, and not all CEC decisions were published in full. In line with ODIHR recommendations to OSCE participating States, the use of Information and Communication Technologies was introduced gradually and with proper testing and piloting. Voter education efforts were inclusive but would have benefited from additional funding to have greater outreach.

Citizens who are at least 18 years old and have a permanent residence have the right to vote, except those convicted of a serious crime and those declared legally incapacitated by a court decision, including on the basis of intellectual and psychosocial disability; the latter is contrary to OSCE commitments and international standards. Some 3.4 million voters were eligible to vote. There was overall confidence in the inclusivity of the Central Voter Register, and the CEC made efforts to update entries, but questions about its accuracy remained, regarding deceased persons and citizens living abroad. Voters had

sufficient opportunities to verify their data. The proof of residency requirement impacts on the right to participation of the Roma minority.

Candidate registration was inclusive, and the process efficient and transparent. Following the 2024 amendments, no person convicted by an international or domestic court of the crime of genocide, crimes against humanity, or war crimes may stand. Candidates could stand on a party or coalition list, independently, or on a list of independent candidates. The CEC certified a total of 296 political subjects; overall, 26,089 candidates contested these elections. For the first time, the submissions were done exclusively in electronic form, which significantly facilitated the verification and registration process.

The campaign was low-key throughout. Contestants could campaign freely, and the fundamental freedoms of assembly and expression were respected. The 2024 amendments prohibit any type of early campaigning, including online, and the CEC imposed numerous fines in this regard. In many cases, the CEC found insufficient evidence to establish the misuse of administrative resources, which continued to persist, notwithstanding 2024 amendments aimed at tackling the problem. Despite the fact that some political parties identify as multi-ethnic or ‘civic’, in practice the campaign seemed to focus mainly on competing for intra-ethnic rather than inter-ethnic support. Some political leaders’ rhetoric dwelled on and aggravated wartime trauma and fears the country could once again be violently divided. Online, the tone of the campaign of monitored political actors largely ranged from neutral to positive and there were no indications these actors were involved in any systematic effort to spread disinformation and hate speech.

Efforts to achieve more balanced gender representation in elected and appointed bodies have not been sufficient as women continue to be under-represented in public and political life. Further, the need to address the barriers of the frequent use of misogynic language and gender-specific attacks and threats remains. While a total of 42 per cent of the candidates in these elections were women, not all candidate lists complied with the 40 per cent gender requirement and only 29 of the 386 (some 8 per cent) mayoral candidates were women. The legal requirements for the CEC and MECs to have at least 40 per cent representation of each gender were also not consistently met. The 2024 amendments also aim to promote gender equality during campaigning, including in the media; however, regrettably this reform did not have a tangible impact on women’s role in campaign events as observed by the ODIHR EOM.

The legislation prescribes limits for campaign donations and expenditures but prior ODIHR recommendations with regard to proportionate and dissuasive sanctions for violations and effective campaign finance oversight remain only partially addressed, limiting transparency and accountability. The 2024 amendments increased monetary sanctions for campaign finance violations to achieve a dissuasive effect. At the same time, spending limits, calculated on the basis of number of registered voters, are unrealistically low in some municipalities, leaving room for disproportionate sanctions. In line with a prior ODIHR recommendation, the 2024 amendments introduced interim campaign finance reporting; however, the CEC decided not to publish the reports before election day, due to lack of time and resources, adversely impacting transparency.

Campaign coverage on major media outlets was limited. Further, the media regulator failed to address evident bias by the Republika Srpska’s public broadcaster, as evidenced by the ODIHR EOM media monitoring. This combined with an increased vulnerability of media to political pressure and the division of media along ethnic lines, provided the voters with only partial information on the main contestants, reducing their opportunity to make an informed choice. While the media environment is pluralistic, verbal attacks and threats against journalists, and the strategic use of defamation lawsuits by politicians, have a chilling effect and undermine the media’s ability to operate freely. The state public broadcasters’ viability is jeopardized by severe underfunding. The broadcast media regulator did not conduct any media monitoring despite previous ODIHR recommendations, and a self-regulatory oversight body only has limited capacity to oversee online and print media content. In a welcome

development, some local media as well as the most popular national online portal organized debates, but not all invitees used the opportunity to participate.

While the law provides for administrative and judicial remedy of election disputes, the transparency and effectiveness of dispute resolution remained limited, and the exemption of CEC decisions on appointments of PSC presidents and their deputies from judicial review is not in line with OSCE commitments regarding right to effective remedy. Overall, the CEC considered 600 cases, mostly related to early campaigning, misuse of administrative resources, and the composition of PSCs. In line with a prior ODIHR recommendation, deadlines for considering complaints by election commissions were extended. However, the CEC did not manage to meet the extended deadlines in a majority of cases, with some 480 cases pending as of election day. A CEC complaints database partially addressed a prior ODIHR recommendation, but publication of decisions on complaints is not explicitly required by law, limiting transparency. The Court of Bosnia and Herzegovina did not hold public hearings on election-related disputes.

Election day was calm, and procedures were overall followed, but the secrecy of the vote was often compromised due to the inadequate layout of the voting premises and the placement of polling booths. IEOM observers assessed the voting process negatively in 7 per cent of polling stations observed and noted several instances of serious irregularities indicating pressure on voters and attempts to unduly influence them as to who to vote for, as well as procedural shortcomings such as group and proxy voting. In a relatively high number of polling stations observed where ICT projects were piloted, IEOM observers noted issues with the proper functioning of the technology or voters having difficulties using it, resulting in delays. Despite a legal requirement, more than one half of polling stations observed did not provide for independent access for voters with physical disabilities. The majority of counts observed by IEOM observers was assessed positively overall, with negative assessments mainly due to lack of adherence to prescribed procedures and procedural errors. The on-going tabulation was so far assessed positively at all but three MECs observed.

PRELIMINARY FINDINGS

Background and Political Context

On 8 May, in line with legal requirements, the Central Election Commission (CEC) announced local elections for 6 October. Voters were called upon to elect mayors and members of municipal legislatures in the country's 143 municipalities.

Under the Constitution, established by the 1995 General Framework Agreement for Peace, commonly known as the Dayton Peace Agreement (DPA), the country consists of two entities: the Federation of Bosnia and Herzegovina and Republika Srpska.¹ The Constitution grants the status of "constituent peoples" to Bosniaks, Croats, and Serbs. Citizens may also declare themselves as "Others", either by identifying with another ethnic group or by choosing not to affiliate with any group.² The DPA also established the Office of the High Representative (OHR), an international body charged with overseeing the implementation of civilian aspects of the peace settlement.

Following repeated unsuccessful attempts by the political parties to agree on constitutional and electoral reforms, the High Representative imposed extensive amendments on 26 March 2024 (see *Legal*

¹ In addition, the Brčko District holds special status as a unit of local self-government under direct state sovereignty. Each of the two entities has its own distinctive ethnic composition and a wide degree of autonomy, including its own constitution, political structure, governing institutions, administrative, and judicial bodies.

² The Law on the Protection of the Rights of Members of National Minorities recognizes 18 national minorities.

Framework).³ On 21 March, the European Council decided to green-light the start of accession negotiations with Bosnia and Herzegovina once all relevant steps set out in the Commission’s recommendations of 12 October 2022 have been taken, a significant step towards a longstanding foreign policy goal. On 23 May, the UN General Assembly adopted a resolution designating an annual commemoration of the genocide in Srebrenica; the day before, the Republika Srpska’s National Assembly (RSNA) demanded that the resolution be withdrawn. Reacting in particular to the High Representative’s March 2024 reforms, Republika Srpska President Milorad Dodik, who is on trial before the state Court of Bosnia and Herzegovina for failing to implement the High Representative’s decisions, took a series of steps challenging the constitutional order of Bosnia and Herzegovina.⁴

Most major political parties have traditionally targeted their appeals to a single constituent people, although several parties have professed to take a multi-ethnic ‘civic’ approach to the electorate.⁵ At the state level, governance has largely remained at an impasse, with the main political parties pursuing parochial interests at the expense of those of the broader public.⁶ The elections took place in a climate of public disillusionment with the process and the political situation more generally.⁷

Notwithstanding the requirements for temporary special measures from the 2003 Law on Gender Equality and electoral quota requirements, authorities’ efforts to address longstanding gender bias have been insufficient and women continue to be under-represented in public and political life. ODIHR Election Observation Mission (EOM) interlocutors noted that the prominence of misogynistic language and the volume of gender-specific attacks and threats in public discourse discouraged women from becoming politically active or prompted them to leave politics. In the current state and entity legislatures, women comprise between 17 and 28 per cent of the elected members. In the last local elections, only 5 women (in 140 directly elected contests) were elected mayors, and 618 were elected to municipal legislatures (19.6 per cent of total members).

Legal Framework and Electoral System

Local elections are primarily regulated by the Constitution and the 2001 Election Law (most recently amended in 2024), as well as the 2012 Law on Financing of Political Parties. Bosnia and Herzegovina is party to major international and regional instruments on democratic elections.

³ The High Representative had previously imposed a series of changes to the Election Law in June and July 2022 in the time leading up to the 2022 elections and on election day, 2 October 2022, itself (immediately after the close of polls in the general elections). Among these legal amendments was the introduction of a definition of intolerant and inciteful language that qualifies as hate speech (hereinafter when the report refers to hate speech it is in reference to this legal definition).

⁴ In April, Republika Srpska adopted a separate election law (see *Legal Framework*). On 23 May 2024, Republika Srpska authorities announced they would deliver a proposal for “peaceful dissociation” to the Federation by the end of June. On 8 June, Mr. Dodik attended an ‘All-Serb Assembly’ in Belgrade, which proposed a declaration on the “protection of ethnic and political rights and common future of the Serb people”, subsequently passed by the RSNA on 2 July. On 4 July, the RSNA adopted Serbia’s national anthem and coat of arms as its own.

⁵ In the Federation of Bosnia and Herzegovina, the major parties are the Alliance for a Better Future of Bosnia and Herzegovina (SBB BiH), the Croatian Democratic Union of Bosnia and Herzegovina (HDZ BiH), the Democratic Front (DF), Our Party (NS), Party for Democratic Action (SDA), People and Justice (NiP), and Social Democratic Party (SDP BiH). SDA largely focuses on voters who identify as Bosniak, while HDZ BiH, along with smaller parties, focuses on the Croat electorate. The remaining parties take a multi-ethnic approach. In Republika Srpska, the major parties are the Party for Democratic Progress (PDP), Serb Democratic Party (SDS), and Alliance of Independent Social Democrats (SNSD); all three focus on the Serb electorate.

⁶ Prior to the EU decision on accession, the country implemented the laws on conflict of interest and money laundering.

⁷ On 27 September, the citizen observer organization, the Coalition for Free and Fair Elections *Pod Lupom*, [published](#) a recent survey of the public which found that “seven out of ten citizens... believe that elections are not free and fair”.

The Election Law has been amended several times, most recently on 26 March 2024 through an imposition by the High Representative (hereinafter the 2024 amendments).⁸ Prior to the imposition, the High Representative and other domestic and international actors repeatedly called on local political stakeholders to collaboratively adopt the necessary changes to ensure the integrity of elections, but no consensus was reached on the overall electoral reform due to lack of political will.⁹ On 19 April, the RSNA adopted its own election law which was subsequently declared unconstitutional as, according to the Constitutional Court, it would take over responsibilities vested in state institutions.¹⁰

Overall, the legal framework provides a solid basis for democratic elections and the 2024 amendments introduced important integrity safeguards and further strengthened some aspects of the electoral process. The extensive recent changes that pertain to all aspects of the process addressed many long-standing ODIHR recommendations and were generally welcomed by ODIHR EOM interlocutors. In particular, in line with prior ODIHR recommendations, the amendments attended to the issue of allocation of funds to the election administration, revised the system of appointment of the lower-level election commissions, provided more time for the election administration to deal with complaints, detailed prohibitions against misuse of administrative resources, and made the sanctions for campaign violations more dissuasive. The gradual introduction of Information and Communication Technologies (ICT) in the electoral process is said to be intended to address ODIHR recommendations on enhancing of integrity of election-day procedures and to prevent election-day malpractices.

Certain changes only partially implement ODIHR recommendations, leaving room for further improvements.¹¹ At the same time, several other ODIHR recommendations remain unaddressed, including an outstanding priority recommendation based on international human rights standards and jurisprudence of the European Court of Human Rights (ECtHR) on lifting residency and ethnicity-based restrictions on passive and active suffrage rights for general elections, which would require constitutional changes.¹²

A number of amendments would have benefited from greater harmonization with existing regulations, in particular in cases involving responsibilities of different institutions. In the absence of a fully consultative process, bilateral consultative meetings took place with the main stakeholders, including the CEC.¹³ Nevertheless, some other actors, including the Appellate Division of the state Court of Bosnia and Herzegovina, and the Personal Data Protection Agency were not consulted, resulting in

⁸ The law was later supplemented by [Corrigenda](#) (corrections) which *de facto* extend the mandates of some CEC members, enabling them to remain in their positions for the 2026 general elections.

⁹ State institutions and other interlocutors met by the ODIHR EOM confirmed that continued political disagreements, in particular regarding representation of ‘constituent peoples’, have precluded law-making.

¹⁰ The Republika Srpska election law *inter alia* provided for a new entity-level election commission that would have had exclusive competence over the election process in the entity. The RSNA has been repeatedly introducing legislation challenging the authority of state institutions and the OHR. For instance, on 27 June 2023, the RSNA adopted a law on non-application of decisions of the Constitutional Court on the territory of the Republika Srpska (and on the non-publication of decisions of the High Representative in the entity’s Official Gazette).

¹¹ For example, while amendments aim to increase the participation of women in the campaign, a [recommendation](#) by ODIHR and the Council of Europe’s European Commission for Democracy through Law (Venice Commission) regarding a system which would ensure a minimal percentage of each gender in elected bodies remains unaddressed. See also paragraph 33 of the [1997 CEDAW General Recommendation No. 23](#). Similarly, while ODIHR previously recommended the publication of complaints and decisions, the 2024 amendments only require the CEC to disclose *information* about complaints and decisions, which resulted in limited transparency as the decisions themselves were not published (see also *Election Dispute Resolution*).

¹² See, among others, European Court of Human Rights (ECtHR) judgements in [Sejdić and Finci v. Bosnia and Herzegovina](#), [Zornić v. Bosnia and Herzegovina](#), [Pilav v. Bosnia and Herzegovina](#), [Šlaku v. Bosnia and Herzegovina](#) and [Kovačević v. Bosnia and Herzegovina](#). The latter case was referred to the ECtHR Grand Chamber on 14 December 2023.

¹³ Paragraph 5.8 of the 1990 OSCE Copenhagen Document provides that legislation is “adopted at the end of a public procedure”.

inconsistencies within the amended text or with existing legislation.¹⁴ The exemption of CEC decisions from judicial review is not in line with OSCE commitments (see *Election Dispute Resolution*). Several ODIHR EOM interlocutors were of the opinion that reasons for some changes, in particular, the introduction of a limitation on the number of preferences were not sufficiently explained and questioned whether they would indeed increase voters' trust and integrity of the process. Also, some perceived the rules on early termination of mandates of elected officials as targeted at certain individuals.

Furthermore, the introduction of the amendments close to the electoral process placed a significant burden on the CEC and the new range of tasks imposed on the CEC tested the limits of its capacity. While overall the amendments related to technical preparations for election day were implemented efficiently and in a timely manner ahead of these elections, other amendments, in particular those related to the campaign, misuse of administrative resources, participation of women, campaign finance, and election dispute resolution, were only partially implemented.¹⁵ This is mainly due to the need to put into practice a wide range of introduced novelties within a compressed timeframe, combined with limited resources, as well as, at times, lack of political will among some stakeholders.

Members of municipal councils (in the Federation) and municipal assemblies (in Republika Srpska) are elected through a proportional representation system, with preferential voting and a 3 per cent legal threshold for the allocation of mandates. The number of councillors varies depending on the number of registered voters.¹⁶ In line with the 2024 amendments, voters may indicate a preference for up to three candidates on the list of their choice as opposed to the previous unlimited preferential votes, or vote for the list without stating a preference for any candidate.¹⁷ Mayors are directly elected under a plurality system, with the candidate who receives the most votes being elected. The mayors of Sarajevo, Mostar, and Brčko District are indirectly elected by the respective municipal legislatures. Mayors and councillors are elected for four-year terms.

The Election Law regulates the election to municipal councils and assemblies of candidates who belong to the 18 legally recognized national minorities. In municipalities where the total number of people from these minorities represents at least 3 per cent of the total population, at least one seat must be reserved for a national minority representative.

Election Administration

Local elections are administered by a three-tiered structure, comprising the CEC, 143 Municipal Election Commissions (MECs), and 5,400 Polling Station Commissions (PSCs).¹⁸

¹⁴ For instance, the 2024 amendments provide the CEC with the opportunity to publish excerpts of the voter lists on its website; however, the CEC refrained from doing so due to concerns over personal data protection. While the deadlines for consideration of complaints were extended for the CEC, they remain unaltered for the courts, resulting in the court handling a high number of appeals within tight deadlines (see *Election Dispute Resolution*). Furthermore, the law increased sanctions for violations of expenditure limits but expenditure limits remain unaltered, resulting in disproportionality between financial violations and penalties (see *Campaign Finance*).

¹⁵ See individual sections of this report.

¹⁶ Municipalities with less than 8,000 registered voters elect between 11 and 17 members; municipalities having between 8,000 and 20,000 registered voters elect between 17 and 25 members, and municipalities with more than 20,000 voters elect between 25 and 31 members.

¹⁷ Previously, the number of preferential votes was not limited. Under the 2024 amendments, if more than three candidates are marked, the list is considered to have received a valid vote, but preferential votes are not counted. The first candidates to obtain seats are those with a number of preferential votes of at least 10 per cent of the votes cast for a given list; others are awarded mandates based on their order on the list.

¹⁸ The vote count is conducted by PSCs immediately after the closing of the polling stations. Results are subsequently tabulated at the MEC. The CEC set up a Main Counting Centre that received tabulated results from MECs and counted ballots cast by alternative voting methods (absentee, mobile voting, voting by tendered ballot, mail and out of country voting).

The CEC administered the technical aspects of the electoral preparations in a professional manner. It operated efficiently and met most legal deadlines.¹⁹ The CEC held regular sessions, which were open to the public and live-streamed on the internet. The CEC took decisions at sessions by at least a two-thirds majority of the total members, in accordance with the law, and in most cases by consensus. However, transparency was reduced by the fact that most of the merits of issues pending before the CEC were discussed among CEC members during informal meetings outside the formal CEC sessions.²⁰ Further, not all CEC decisions were published in full on the CEC website, which adversely impacted transparency (see *Election Dispute Resolution*).

MECs held sessions mainly on an as-needed basis, and only about 12 per cent of all MECs published the minutes of their meetings. While 79 per cent of all MECs published some electoral information, not all decisions were uniformly posted on municipality websites, which decreased the transparency of MECs' work. ODIHR EOM long-term observers (LTOs) overall evaluated the MECs as competent, familiar with relevant procedures, and well-resourced.²¹ The CEC and MECs generally enjoyed the confidence of electoral stakeholders.²²

The 2024 amendments with regards to the work of election administration, including the changes in the composition and nomination procedures of the PSCs, the delivery of all election materials to PSCs 12 hours before the opening of polling stations, and the implementation of the ICT pilot projects, provide a solid basis to enhance the effectiveness of the election administration. However, the additional tasks and short timeframe for making them implementable challenged the capacity of the CEC and resulted in some delays in implementation.

The new appointment procedures, which require PSC presidents and deputy presidents not to have any political affiliation, presented a significant challenge for the CEC, which had to appoint, train, and evaluate the PSC presidents and deputy presidents.²³ Nevertheless, in many cases, the CEC could not find appropriate candidates and MECs had to provide staff from their reserve list of trained candidates for PSC membership. Consequently, several ODIHR EOM interlocutors questioned whether the PSC presidents and deputies recruited under the new rules were indeed independent. The revision of the appointment mechanism for other PSC members took into consideration previous ODIHR recommendations, particularly the limitation of the right to nominate PSC members to parties represented in the respective municipal council or assembly. Despite the challenges, PSC trainings were mostly conducted on time. ODIHR EOM LTOs evaluated the observed trainings of PSC members as practical, clear, and concise.

The legal requirements for the CEC and MECs to have at least 40 per cent representation of each gender were not consistently met. The CEC only had two women of the seven current CEC members, including the president (28.5 per cent). While overall, 46 per cent of all MEC members are women, the gender

¹⁹ The ODIHR EOM noted delays in the appointment of the PSC presidents, their deputies, and members. The legal deadline for the recruitment of staff for the national-level and MEC-level tabulation centers (21 September) was not met due to challenges in recruiting the required number of people and shortage of available personnel.

²⁰ The observed sessions mainly focused on adopting decisions. According to the CEC, the details of individual agenda items were discussed prior to the public sessions at the CEC members' 'collegiums'.

²¹ Since the announcement of the elections, 9.1 per cent of MEC members were replaced, mainly due to the expiration of their mandate. The replacements did not seem to affect the institutional knowledge of the MECs.

²² Some stakeholders, however, raised concerns over MECs' impartiality, as they were appointed by municipal councils or assemblies and approved by the CEC.

²³ As of 22 August, the deadline for the PSC nominations, about 8,900 presidents and deputy presidents of some 10,800 needed were identified, while electoral complaints were still ongoing against the nominations. Among the main identified reasons for insufficient nominations were lack of interest, shortage of qualified persons without political affiliation, and low financial incentives, notwithstanding the recent increase in remuneration. The three-days long compulsory training also was a deterring factor for those with full-time jobs.

requirement was not met in 24 MECs (16.7 per cent), affecting both genders.²⁴ To address gender representation in elections, the CEC appointed two representatives to the Co-ordination Committee on the Implementation of the Gender Action Plan and reports annually to the state Agency for Gender Equality.²⁵ In line with international standards and OSCE commitments, the CEC collected gender-disaggregated data for different aspects of the electoral process and made aggregate figures publicly available.²⁶

In line with the 2024 amendments and with financial assistance from the donor community, the CEC implemented four ICT pilot projects.²⁷ The gradual introduction of the technology as well as the testing of the pilots ahead of the elections as a means to address challenges ahead of a full implementation are in line with ODIHR recommendations to OSCE participating States for the introduction of ICT in election processes. However, some challenges were observed by the ODIHR EOM during the testing phase of optical scanners. In several instances of ballots not being properly read by the optical ballot scanners and subsequently returned to the voter. Such cases if they occur on election day could jeopardize the secrecy of the vote and need to be addressed. The recruitment of technical operators for the pilot projects was only completed very close to election day, due to difficulties finding qualified personnel. All ODIHR EOM interlocutors welcomed the pilot projects as a means to enhance the transparency and credibility of the electoral process.

The 2024 amendments stipulate that accessibility for voters with disabilities shall be taken into consideration when designating polling stations.²⁸ The Election Law also provides for assisted voting and the possibility to vote by mobile ballot box. Some ODIHR EOM interlocutors reported that the early deadline (40 days before election day) to register for mobile voting and the need to provide medical documentation made the process onerous. A total of 17,465 voters registered for mobile voting, and on election day, the CEC deployed 376 mobile teams around the country.

Voter education was conducted mainly through audio-visual means in the local and national media. At the same time, opportunities to reach out to wider audiences through social networks were underutilized. The CEC and others engaged in voter education pointed to a lack of sufficient funding to conduct voter education activities on a more widespread level. Some voter education was also conducted by community leaders in villages or posted on municipality and MEC websites. The CEC, with support from the OSCE Mission to Bosnia and Herzegovina, organized inclusive campaigns targeting specific groups of voters, including Roma, persons with disabilities, as well as women and youth. However, the use of sign language would have made voter education more accessible to hearing-impaired voters.

²⁴ Women were under-represented in 13 MECs, and men in 11 MECs.

²⁵ In October 2023, the Council of Ministers of Bosnia and Herzegovina adopted the [Gender Action Plan](#) for the period 2023–2027. [The Committee for Monitoring the Implementation of the Gender Action Plan](#) was set up by the Council of Ministers in November 2023. The CEC further issued a [Statement of Commitment to Gender Equality](#).

²⁶ General Comment 23, paragraph 48 of the [CEDAW](#) notes that “State parties should include statistical data disaggregated by sex”. Paragraph 40.13 of the 1991 OSCE Moscow Document commits participating States to “ensure the collection and analysis of data to assess adequately, monitor and improve the situation of women”. The CEC collected gender-disaggregated data by municipality for registered voters, candidates, the election administration, and accredited observers.

²⁷ The pilots include fingerprint authentication and transfer of polling station election results directly to the CEC (implemented in 65 polling stations in 11 municipalities); optical ballot scanners for ballot counting (145 polling stations in 7 municipalities); and biometric identification of voters at 138 polling stations in Brčko District. The last project, a video surveillance system to be piloted at 10 polling stations in 5 municipalities, was funded by the Ministry of Finance.

²⁸ In case the polling station is not accessible for voters with disabilities, a special place with a voting booth is arranged for them outside the polling station.

Voter Registration

Citizens aged 18 or older have the right to vote, with permanent residency, except those convicted of a serious crime, including war crimes, and those who have been declared legally incapacitated by a court decision, including on the basis of intellectual or psychosocial disability. Suffrage restrictions based on mental disability are at odds with OSCE commitments and other international standards.²⁹

In-country voter registration is passive. The law also provides for out-of-country voting, for which voters are required to register electronically anew ahead of each election. The CEC has overall responsibility for the integrity and maintenance of the Central Voter Register (CVR), which is extracted from the civil register. The accuracy of the CVR, however, depends on the data provided by other institutions responsible for updating the civil register. Several ODIHR EOM interlocutors expressed concerns regarding the accuracy of the voter registration data. While the CEC made efforts to remove some outdated entries,³⁰ the mechanism for removing deceased citizens and persons who have left the country from local civil registration databases is dependent on the initiative of citizens in reporting civil-status changes and does not provide for a complete accuracy of the voter registration data.³¹

The CVR was closed on 22 August, with 3,400,204 registered voters, including 44,789 registered to vote abroad; 50.17 per cent of registered voters were women. While ODIHR EOM interlocutors did not raise concerns regarding the overall inclusiveness of the CVR, the ODIHR EOM noted that the proof of residency requirement impacts on the right to participation of the Roma minority.³²

Voters had sufficient opportunity to verify their records throughout the year and request correction of their data with the responsible municipal institutions. The 2024 amendments to the Election Law oblige the CEC to allow public access to the excerpts from the CVR via “its website or any other appropriate means,” while ensuring the protection of personal data.³³ The CEC opted for not making the complete excerpts available on its website citing, among other reasons, personal data protection and website overload concerns. Still, the CEC overall acted in line with the law, making the excerpts from the lists available for public scrutiny from 8 June to 8 July at the municipal level. Each voter also had direct access to her or his data through the CEC website.

Candidate Registration

The right to stand is granted to citizens with voting rights. Following the 2024 amendments, no person who has been convicted by an international or domestic court of the crime of genocide, crimes against

²⁹ See Articles 12 and 29 of the UN Convention on the Rights of Persons with Disabilities ([CRPD](#)). See also Paragraph 9.4 of the 2013 CRPD Committee’s Communication No. 4/2011 which states that “Article 29 does not provide for any reasonable restriction or exception for any group of persons with disabilities. Therefore, an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability”. See also the Congress publication on [Electoral lists and voters residing de facto abroad](#).

³⁰ After conducting checks of the proof of residence and citizenship, the CEC found irregularities in the records of 165 refugees registering for out-of-country voting. The CEC also took several decisions to remove persons from the CVR serving a court sentence, in line with the Election Law.

³¹ The institutions responsible for updating the population register include municipalities as well as cantonal and entity-level police. The responsibility to report the death of a citizen to the municipality lies with the family of the deceased person, who has to present a printed dead certificate to the relevant authorities. Under the Law on Permanent and Temporary Residence of Citizens of Bosnia and Herzegovina, the registration and deregistration of permanent residence is a responsibility of the citizens concerned.

³² A 2014 amendment to the residency law requires proof of residence. A significant number of members of the Roma community do not have proof of residence, therefore lack access to personal identification documents, and cannot be included in the CVR.

³³ According to the Agency for Personal Data Protection, the CEC has the right to determine in which form it will make the CVR accessible.

humanity, or war crimes may stand as a candidate for elections or hold any elected, appointed or other public office.³⁴ Candidates for local elections may stand on a party or coalition list, independently, or on a list of independent candidates. A candidate can only run in one constituency and on one list.

To be accepted by the CEC, candidate lists must include at least 40 per cent of candidates from the less represented gender, with specific placement requirements. A total of 42 per cent of the candidates in these elections were women. However, ODIHR EOM interlocutors opined that the placement requirements are not sufficient to ensure equal representation of women, as in their view preferential voting often works to the disadvantage of women. Only 29 of the 386 candidates running for mayor are women (8 per cent), including 4 of the 5 incumbent women mayors.

Candidate registration was inclusive, and the registration process was efficient and conducted in a transparent and timely manner; and overall, ODIHR EOM interlocutors did not express concerns about the process. Candidate registration started on 9 May and concluded on 22 August. A total of 296 political subjects were certified, including 110 political parties, 58 coalitions, 76 independent candidates, 43 independent candidates representing national minorities, and 9 lists of independent candidates. Overall, 26,089 candidates were contesting these elections. In 13 municipalities, only one candidate stood for election as mayor.

In line with the 2024 amendments, the submissions were done exclusively in electronic form, via a dedicated online platform.³⁵ This significantly facilitated the verification and registration process, as the platform enables automatic verification of all supporting signatures but also automatically checks the fulfilment of some other requirements, including those related to gender. Nevertheless, ODIHR EOM analysis revealed that contrary to the legislative measures, 61 lists, did not comply with the 40 per cent gender quota and were not rejected. The ODIHR EOM is aware of one appeal in relation to candidate registration.³⁶ The case was resolved within the prescribed deadlines.

Campaign Environment

The campaign was low-key throughout. Contestants could campaign freely, and the fundamental freedoms of peaceful assembly and expression were respected.³⁷ The 30-day official campaign period began on 6 September and ended on 5 October.³⁸ During the official campaign period, authorities are “obliged to ensure the equitable treatment of contestants” in their requests to use public spaces and facilities for campaigning. The law forbids the use of hate speech, broadly defined, as well as spreading disinformation, preventing journalists from performing their duties, and promising financial rewards to voters for their support, among other violations. The 2024 amendments also further detailed what constitutes misuse of administrative resources and prohibited any type of campaigning, from the day the elections are called (8 May) up until the start of the official campaign period, empowering the CEC to sanction contestants for either.³⁹

³⁴ The CEC informed the ODIHR EOM that the verification is difficult due to the absence of a database of convicted war criminals and that data has to be provided by individual courts and the Ministry of Justice.

³⁵ Political subjects also had to deliver hardcopies of their documentation to the CEC, within the same deadline as for online registration.

³⁶ The most high-profile case concerned the rejection of the SDS, whose bank account is blocked due to US sanctions and could therefore not be used for campaign purposes (see *Campaign Finance*).

³⁷ One party reported being denied access; HDZ 1990 informed the ODIHR EOM that they had requested access to a municipal space in Mostar but had been told that the space had already been reserved for other uses.

³⁸ A campaign silence period, which includes campaigning online, went into effect at 07:00 hrs. on 5 October and continued through the close of polls on election day.

³⁹ During this pre-campaign period, the media are allowed to inform the public about activities of officials, but without mentioning their party affiliation or that they are candidates in the elections.

The CEC did not hesitate to impose numerous fines for early campaigning, but applied sanctions for the misuse of administrative resources far more sparingly despite numerous reported cases (see *Election Dispute Resolution*). Interlocutors from civil society informed the ODIHR EOM that they had reported a substantial number of suspected violations to the CEC, and they also issued public reports alleging large-scale misuse of administrative resources.⁴⁰ Bosnia and Herzegovina does not have a prohibition on increases in state expenditures during an election period or the introduction of new infrastructure projects, contrary to good practice.⁴¹ Although the 2024 amendments are welcome as a means to enhance the level playing field, all ODIHR EOM political interlocutors acknowledged that the widespread and long-standing problem of misuse of administrative resources persists; the ODIHR EOM identified some specific and credible allegations in this regard.⁴²

The 2024 amendments also aim to promote gender equality during campaigning, by calling on political parties to make their best efforts to ensure equal promotion of candidates of both genders in media appearances, at public gatherings, and in other forms of election campaigning. This reform did not have a tangible impact on women's role in campaign events. There were no female speakers at 19 of the 43 campaign events observed by the ODIHR EOM LTOs, and only one single female speaker at another 11 events, although a majority of these events featured three or more speakers. ODIHR EOM LTOs observed only two campaign events in which speakers focused specifically on women's or gender issues more broadly.

With the start of the official campaign period on 6 September, billboards, posters, leaflets, and fliers promoting a wide range of contestants appeared immediately around the country, as did campaign stalls. Contestants also promoted themselves with wallet cards and a variety of branded paraphernalia, and in at least one municipality with the distribution of campaign newspapers. Advertisements for contestants also appeared on television, websites, and social networks, including Facebook and X, through which contestants also reached out to voters. Political party interlocutors consistently indicated that they considered direct contact with voters via street stands, door-to-door campaigning, and social media the most effective forms of outreach. While larger campaign events were limited, the ODIHR EOM observed 40 campaign events in various municipalities around the country, all of which proceeded without incident.⁴³ Following devastating flooding and landslides in several municipalities on the last

⁴⁰ Transparency International Bosnia and Herzegovina (TI BiH) [reported](#) that in the two months prior to the official start of the campaign, one-time payments to pensioners and other citizens amounted to approximately BAM 53 million (around EUR 27.1 million). Between 6 July and 4 October, TI BiH [identified](#) another 805 new government infrastructure projects, totaling BAM 601,840,622 (around EUR 307.7 million). The citizen observer coalition *Pod Lupom* [reported](#) that between 22 July and 29 September it had noted 1,367 irregularities, including 372 potential cases of the misuse of administrative resources.

⁴¹ See the ODIHR and Venice Commission's March 2016 [Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#), paragraph II.B.1.3: “the legal framework should state that no major announcements linked to or aimed at creating a favourable perception towards a given party or candidate should occur during campaigns”.

⁴² For example, on 13 September at an SNSD campaign rally in Banja Luka Milorad Dodik discussed the candidacy of the head of the party's list for the municipality, a cardiac surgeon at a local hospital, saying: “someone comes to the surgery and sees the head surgeon... and he voted against him. This is already less chance to stay alive”. Banja Luka Mayor Draško Stanivuković (PDP) provided free bus fare for retirees for the last six months and during the official campaign period also reportedly promised pensioners whose pension is less than BAM 400 per month (around EUR 205) a ‘friendship card’ which will secure discounts at designated shops. Multiple interlocutors raised concerns with the ODIHR EOM about HDZ misusing administrative resources, including official vehicles, and using public employment to pressure the electorate not to support its opposition.

⁴³ Twenty-two contestants organized these campaign events: the SNSD (11), SDA (4), and SDP (3), followed by the Democratic People's Alliance, NiP, NS, PDP, SDS, and the party For Justice and Order (2 each). Another 13 contestants each organized a single observed campaign event. Twenty-six of these events were held in Republika Srpska, 11 in the Federation, and 6 in Brčko District. These events took place in 16 municipalities. Twenty-seven of the events were conducted in Serbian, 12 in Bosnian, 2 in Croatian, and 2 others in multiple languages.

full day of the campaign, most major political parties based in the Federation ended their campaigns early.

The existing campaign regulations also apply to online social networks. During the official campaign period, the ODIHR EOM followed 63 political actors across Facebook and X, although only 49 of these were active.⁴⁴ Follower counts for these actors did not see major shifts during the official campaign period. The tone adopted by these actors throughout the official campaign period largely ranged from neutral to positive. Posts focused to a great extent on promoting contestants, as well as infrastructure and foreign and economic policy, broadly construed. SNSD posted far more frequently than any other actor observed by the ODIHR EOM, and actors based in the Republika Srpska posted with greater frequency than those based in the Federation. The ODIHR EOM did not detect any systematic effort to spread disinformation and hate speech via these monitored actors. A small number of posts used inflammatory rhetoric.

Overall, while campaign advertisements frequently gave no indication of what contestants would do if elected, campaign discourse focused more on local issues than national concerns. Some political leaders' rhetoric nevertheless dwelled on and aggravated wartime trauma and fears the country could again be violently divided.⁴⁵ Although all political party interlocutors identified hate speech as a serious concern in general, some thought the local character of these elections reduced its use, and a small number of isolated incidents were observed by the ODIHR EOM.⁴⁶ Despite the fact that some political parties identify as multi-ethnic or 'civic', in practice the vast majority of campaign activities seemed to focus on competing for intra-ethnic rather than inter-ethnic support. On 4 October, Serbian Prime Minister Miloš Vučević, Serbian Deputy Prime Minister Aleksandar Vulin, and Hungarian Foreign Minister Péter Szijjártó participated in the SNSD's closing rally in Banja Luka.

Campaign Finance

Campaign finance is primarily regulated by the Election Law and the Law on Financing of Political Parties.⁴⁷ The legislation provides for private and public financing of electoral campaigns.⁴⁸ The law sets limits on donations from individuals as well as legal entities, and prohibits funding from certain sources.⁴⁹ While the 2024 amendments pertaining to campaign finance aimed at increasing transparency

⁴⁴ The ODIHR EOM observed the Facebook and/or X accounts of 10 parliamentary political parties, eight political leaders, 34 candidates, 10 'influencers', and the CEC. Candidates were chosen by identifying significant contests and then tracking all candidates participating in a given contest. However, 14 of these 34 candidates did not maintain accounts that could be identified on either Facebook or X.

⁴⁵ On 16 September, Sarajevo Mayor Benjamina Karić (SDP), whose campaign fliers detailed her commitment to improving sewage, local sports stadiums, and medical training, among other matters, placed a tank in downtown Sarajevo, ostensibly to commemorate the state Special Forces, who did not use tanks. On 17 September, Federation of Bosnia and Herzegovina Minister of Internal Affairs Ramo Isak (People's Power; SN) claimed in a press conference to have "prevented a civil war" seven months ago. On 27 September, the official Facebook account of SDA published a set of pictures of party President Bakir Izetbegović admiring new drones purchased by the state from Türkiye, although Izetbegović had no direct involvement in the purchase.

⁴⁶ On 5 September, in an interview with BiR TV, Chairman of the Herzegovina-Neretva Cantonal Assembly Džafer Alić (SDA) referred to Croats and Serbs as "tenants". On 13 September, at an SNSD rally in the Banja Luka neighborhood of Starčevica, Republika Srpska President Milorad Dodik described Republika Srpska opposition party PDP using a homophobic slur.

⁴⁷ The laws on political parties of Republika Srpska and the Brčko District, and CEC instructions also regulate aspects of campaign finance.

⁴⁸ Political parties are entitled to annual funding from state, entity, cantonal, and municipal budgets, which can be used to finance campaigns. Many political parties represented in state and local legislatures informed the ODIHR EOM that they cover most of their campaign expenditures from the funds received from the respective budgets.

⁴⁹ An individual may donate to a party up to BAM 10,000 (EUR 5,112), a party member up to BAM 15,000 (EUR 7,669), and a legal entity up to BAM 50,000 (EUR 25,562) annually. Foreign, anonymous, and religious donations are prohibited, as are those from publicly funded sources, and from persons who have public procurement contracts exceeding BAM 10,000 in the current year.

and accountability in campaign financing, they did not fully and effectively address prior ODIHR recommendations and longstanding concerns, in particular with regard to proportionate and dissuasive sanctions for violations and effective campaign finance oversight.

For local elections, the spending limits are calculated based on the number of registered voters per municipality and vary widely, from BAM 59.4 (around EUR 30) to BAM 58,120 (around EUR 29,651).⁵⁰ Many municipalities have a small number of voters, and, consequently, unrealistically low spending limits.⁵¹ Several ODIHR EOM interlocutors opined that given the current inflation rate, it is difficult to respect the spending limits in some municipalities.⁵² According to ODIHR EOM interlocutors, the unrealistically low spending limits resulted in contestants looking for ways to circumvent them, including through unreported cash transactions. At the same time, the 2024 amendments significantly increased monetary sanctions for campaign finance violations, in order to achieve a dissuasive effect; however, the system of calculating the expenditure limits remained unchanged, leading to a disproportionality between violations and penalties in small municipalities, at odds with international standards and good practices.⁵³ In addition, some ODIHR EOM interlocutors were not aware of the recently increased sanctions and expected to pay ‘insignificant’ monetary penalties for exceeding expenditure limits.⁵⁴

In line with the 2024 amendments, electoral contestants are obliged to open a special bank account for campaign incomes and expenditures. The SDS, being subject to US sanctions, was not able to do so and had to register under a different name.⁵⁵ On 19 September, the Constitutional Court of Bosnia and Herzegovina in its final decision stated that the right to participate in elections and political activity must not be jeopardized by sanctions of an economic nature.⁵⁶

The CEC is mandated to oversee political and campaign finance and may impose sanctions for violations, either *ex officio* or based on a complaint.⁵⁷ Following the 2024 amendments and in line with a prior ODIHR recommendation, contestants must submit interim financial reports to the CEC three days before the elections, and final reports within 30 days following the publication of the final election results.⁵⁸ Nevertheless, the CEC informed the ODIHR EOM that it will publish interim reports only after election day given its technical abilities, the timeframe for the submission of the reports, and the 24-hour campaign silence period.⁵⁹ While the new provisions contribute to greater transparency and accountability, they further increased the responsibility and workload of the CEC whose capacity, as

⁵⁰ The Election Law limits campaign expenditures of a political subject to BAM 0.30 (around EUR 0.15) per voter. According to the CEC data, 198 voters are registered in the smallest municipality, and 193,734 in the biggest one.

⁵¹ For example, 198 voters are registered in Istočni Mostar, 226 in Istočni Drvar, and 319 in Kupres (Republika Srpska), which translates to campaign expenditure limits of BAM 59.40 (around EUR 30), BAM 67.80 (around EUR 34.60), and BAM 95.70 (around EUR 48.80), respectively.

⁵² For instance, ODIHR EOM interlocutors stated that the prices for billboards have doubled since the 2022 elections.
⁵³ [Council of Europe Recommendation Rec\(2003\)4 of the Committee of Ministers](#) requires sanctions for the breach of campaign finance rules to be proportional to the gravity of violations.

⁵⁴ The applicable sanctions were increased up to BAM 30,000 (around EUR 15,303). The CEC confirmed that low expenditure limits were previously exceeded as contestants considered the sanctions to be insignificant.

⁵⁵ The party subsequently submitted its registration documents under the name “SDS–Will of the People” and was registered by the CEC under that name.

⁵⁶ As a result of the Constitutional Court decision, the SDS also remained registered under its original name, without a special account, in one municipality. The Constitutional Court did not elaborate how the appellant would finance its election campaign in a manner consistent with the law.

⁵⁷ The 2024 amendments oblige all state, entity, cantonal, and municipal institutions to co-operate with the CEC to provide all data, information and documents required for the effective verification of data accuracy.

⁵⁸ The CEC shall publish final campaign finance reports on its website within 30 days of receipt. Non-compliance with reporting requirements may result in the de-registration or revocation of mandates.

⁵⁹ The deadlines for submission of campaign finance interim reports do not take into consideration the timing of electoral silence and do not provide the CEC with sufficient time to ensure their publication before election day. The CEC also stated that it only has 5 employees to process the interim and final reports of all 296 political subjects.

well as human and technical resources presented a challenge to conducting an effective and timely oversight of campaign finance.

Media

Limited campaign coverage on major national media outlets and the failure of the media regulator to address evident bias by the Republika Srpska public broadcaster RTRS, combined with an increased vulnerability of media to political pressure and the division of media outlets along ethnic lines, provided the voters with only partial information on the main contestants, thus limiting their opportunity to make an informed choice.

There is a pluralistic media environment with a large number of outlets, in particular in the Federation, with online media, including social networks and particularly Facebook, growing in importance. Nevertheless, most ODIHR EOM interlocutors alleged wide political influence over many media outlets, noting that the small and underdeveloped advertisement market, which is dominated by state-owned corporations, does not provide for financial sustainability. The legal framework, at odds with international good practice and previous ODIHR recommendations, does not sufficiently provide for transparency of media ownership, neither does it reflect the rapidly increasing significance of digital media content.⁶⁰

The state and entity constitutions guarantee freedom of expression. In July 2023, however, contrary to international standards, defamation was re-criminalized in Republika Srpska,⁶¹ causing both local and international concern and having a chilling effect on journalists and civil society, in particular in the entity.⁶² ODIHR EOM interlocutors as well as numerous reports have highlighted increased pressure on media and journalists, in particular referring to verbal attacks and threats,⁶³ the use of defamation lawsuits by politicians with the aim to silence media, as well as the dire financial situation of the public service broadcasters, in particular at the state level.⁶⁴

The public broadcasting service is provided by the Radio and Television of Bosnia and Herzegovina (BHRT) at the state level, as well as Radio Television of the Federation of Bosnia and Herzegovina (RTV) and Radio Television of Republika Srpska (RTRS) at the entity levels. Underfunding has been a longstanding issue, with past ODIHR recommendations not implemented, highlighting the need to introduce a stable financing system. The existing system of license fees and the subsequent internal redistribution of funds, including advertising revenues, between these three major broadcasters jeopardizes steady functioning of the BHRT, in particular. A mixture of engrained political influence and reluctance to address the public broadcasters' problems not only undermines their credibility and is

⁶⁰ Paragraph 4.1 of the [CoE Recommendation CM/Rec \(2018\)1](#) of the Committee of Minister's Guidelines on media pluralism and transparency of media ownership calls the member states to "promote a regime of transparency of media ownership that ensures the public availability and accessibility of accurate, up-to-date data concerning direct and beneficial ownership of the media".

⁶¹ Paragraph 47 of the [General Comment No. 34 to the ICCPR](#) calls States to "consider the decriminalization of defamation". According to local professional association *BH Novinari* in at least 100 criminal complaints for defamation have been filed since July 2023 when the amendments to the Republika Srpska Criminal Code were adopted, and in five cases journalists and editors have been sued.

⁶² See among others, the [statement](#) by OSCE Representative on Freedom of Media, the [reaction](#) by the Office of the UN High Commissioner on Human Rights, and the [joint statement](#) by the UN, the OSCE Mission, the Council of Europe and the EU Office in Bosnia and Herzegovina.

⁶³ See among others, the 2023 [statement](#) by the OSCE Representative on Freedom of the Media, the EU [Bosnia and Herzegovina Report 2023](#). *BH Novinari* disclosed 87 cases of threats and attacks in 2023, while there were some 40 such cases in first six months of 2024.

⁶⁴ Reporters Without Borders recently significantly downgraded the country's press freedom status, see [Press Freedom Index 2024 – Bosnia and Herzegovina](#).

detrimental to more comprehensive reporting, including on elections, but altogether poses an existential threat to the public service system *per se*.⁶⁵

Media election coverage is regulated by the Election Law, including its 2024 amendments, and complemented by the May 2024 CEC regulation. Broadcast media are required to respect the principles of balance and impartiality, in particular in news and other political programmes. Public broadcasters adhered to their legal obligation to provide contestants with a given amount of free airtime, and two of the public broadcasters overall complied with the requirement to air it during the timeslots with the highest viewership.⁶⁶ Public broadcasters decided not to air any debates, mostly due to the decentralized nature of the elections and the high number of electoral subjects. The most popular online outlet *Klix.ba*, as well as some 25 local media, almost exclusively from the Federation, hosted a series of debates, mostly with mayoral candidates. However, many contesting parties did not prominently feature their women candidates, either in these debates, or in the free addresses, at the detriment of a more balanced gender media representation.⁶⁷

ODIHR EOM monitoring of 14 media outlets revealed that both the state public television BHRT and the Federation public broadcaster RTV provided only very limited coverage of the election activities of the contestants. Their political and election news coverage was by and large focused on electoral preparations and the activities of the state, entity and local authorities, which received some 70 per cent combined on each broadcaster. The Republika Srpska public broadcaster RTRS gave clear preferential treatment to the entity authorities and SNSD, allotting 11 per cent of the coverage of political and election-related information to the President, 14 per cent to the government of Republika Srpska, and 13 per cent to the SNSD. The coverage was almost exclusively positive and neutral in tone. Such coverage blurred the distinction between official and campaign activities.⁶⁸

The Communication Regulatory Authority (CRA) is empowered to oversee the legal compliance by broadcasters and to apply sanctions. The CRA, despite repeated ODIHR recommendations, did not conduct media monitoring of the campaign, and it performed its oversight function exclusively based on complaints. Since 8 May, when the elections were called, the CRA received five relevant complaints, two of which were dismissed, while the remaining three were not adjudicated prior to election day. The CRA failed to address the misuse of advantages of incumbency, in particular, the evident bias in the political coverage of public RTRS.

The monitored private broadcasters *Nova BH*, *NI* and *Hayat TV* all only reported on the election contestants in a limited manner. Conversely, Republika Srpska-based *BN* showed intensive coverage of political events, mostly in a critical tone. While it focused on the entity authorities (the President and government), allocating them some 18 per cent combined, in a highly negative tone, it also reflected the campaign activities of major contestants. The most covered party was SNSD with 17 per cent, in a similarly negative manner, while some other parties were presented in a more balanced or positive manner, most notably SDS.

The print and online media monitored by the ODIHR EOM, in particular *Klix.ba* and *Radiosarajevo.ba*, provided a more diverse coverage of the campaign. However, some outlets also displayed partisan

⁶⁵ See the 2024 Media Freedom Rapid Response, [Bosnia and Herzegovina – Media freedom in survival mode](#).

⁶⁶ Public TV broadcasters (state BHTR, Republika Srpska RTRS) aired the free addresses around 18:00 hrs. (between 17:40 and 18:00 hrs.), considered the beginning of wider primetime. On the other hand, entity RTV broadcast its bloc of free addresses during the mid-day session (11:30–11:55 hrs.), outside what is considered primetime.

⁶⁷ While at least one woman participated in 32 out of 103 media debates organized during the campaign by the media, overall, women accounted for only 13 per cent of participants. Women represented parties in 15 per cent of their free addresses aired by the state and entity public media.

⁶⁸ Paragraph 5.4 of the 1990 [OSCE Copenhagen Document](#) provides for a “clear separation between the State and political parties; in particular, political parties will not be merged with the State”.

editorial policies. By law, complaints related to print and online media fall under the mandate of the Press and Online Council, which as a self-regulatory body is dependent on its own resources and capacity. In the course of the campaign period, it received 25 complaints. However, the Council opted to consider them only after the elections, which further reduced any tangible effect of its non-binding decisions.

Election Dispute Resolution

The law provides for administrative and judicial remedy of election disputes, but notwithstanding the 2024 amendments, the transparency and effectiveness of dispute resolution remained limited, and the exemption of important decisions from judicial review is not in line with OSCE commitments.⁶⁹ The legal framework provides for resolution of disputes by the election administration and judiciary, granting legal standing to voters and electoral contestants and requiring the CEC to initiate an *ex-officio* procedure upon receiving information concerning electoral violations.⁷⁰ As a rule, appeals against CEC decisions are dealt with by the Appellate Division of the Court of Bosnia and Herzegovina.

Partially addressing a prior ODIHR recommendation, the amendments introduced the requirement for the CEC to maintain a database of complaints, but not explicitly to publish decisions and the text of the complaints. At the same time, the reasoning for decisions on complaints and the determination of fines were not always clear from the database or from the brief discussions during CEC sessions. This along with the lack of publication of decisions on complaints, contrary to previous ODIHR recommendations, limited transparency.⁷¹

Overall, before election day, the CEC received complaints or initiated *ex officio* proceedings in about 1,940 cases, mainly related to early campaigning, the misuse of administrative resources, and PSC compositions. The 2024 amendments classified early campaigning as an electoral violation, with a broad definition of campaigning.⁷² As a result, the CEC handled some 600 cases including complaints and *ex-officio* proceedings on early campaigning, of which 422 were answered, and more than 200 were still pending before election day. In more than 100 cases, the CEC fined political subjects as well as their supporters, including for social media posts with factual information about candidates, publication of lists of prospective candidates on party's websites before their registration.⁷³

Before election day, the CEC received some 180 complaints on alleged misuse of administrative resources. The CEC applied 10 sanctions for misuse of administrative resources, and many ODIHR EOM interlocutors expressed the opinion that the CEC was reluctant to apply new provisions and increased fines. More than 90 cases on alleged misuse of administrative resources were pending before the CEC as of election day. According to the CEC, this was among other reasons due to insufficient guidance in the Election Law, including in drawing the line between the misuse of administrative resources for campaign purposes and the necessity to ensure the continued functioning of the public administration. The CEC received about 30 complaints alleging hate speech in the election campaign and pre-campaign period and applied sanctions in 4 of these cases, including the highest possible

⁶⁹ In particular, the 2024 amendments exempt from appeals CEC decisions on complaints lodged against the appointment of PSC presidents and deputy presidents, which is not in line with OSCE commitments. See paragraph 18 of the 1991 [OSCE Moscow Document](#).

⁷⁰ MECs are in charge of complaints related to voter registration and most campaign violations, while the CEC retains competences to handle at first instance certain campaign violations, including those defined by law as related to 'hate speech' and the misuse of administrative resources, as well as appeals against MEC decisions.

⁷¹ The decisions are delivered to the parties of the case, but not available to the public.

⁷² Subject to sanctions ranging from BAM 3,000 to 30,000 (around EUR 1,534 to 15,337).

⁷³ The Court upheld most of the CEC decisions on substance of early campaigning. For instance, social media posts with public messages such as "Let's move on" or "Some new winds are blowing in Zavidovići" were regarded as early campaigning and sanctioned. In some cases, citizens with complaints to the CEC requested application of sanctions for activities such as organizing memorials, or mentioning names of candidates in social media posts.

monetary sanction of BAM 30,000 in one case.⁷⁴ As of election day, at least 19 complaints related to the use of hate speech were still pending.

Most complaints handled by MECs were related to party affiliations of PSC presidents and deputy presidents. On the basis of this, as well as *ex-officio* proceedings and appeals to the CEC, 17 PSC presidents and deputy presidents were dismissed or replaced.⁷⁵ However, on 10 September, the CEC informed the ODIHR EOM that it had started dismissing information about alleged political affiliations as untimely and suspended *ex-officio* proceedings. While the CEC explained this by the need to ensure the functioning of the election administration, this left some alleged violations of the law without proper consideration and reduced the effectiveness of this remedy.⁷⁶

Implementing a prior ODIHR recommendation, the 2024 amendments extended the deadlines for considering complaints by election commissions from three to five days, without, however, coordinating them with the deadline for courts, which remained unchanged at three days. As a result, the maximum eight-day timeframe used by the CEC to consider complaints led to an overload of subsequent appeals in courts.⁷⁷ The CEC did not manage to meet the extended deadlines, with some 480 cases pending as of election day.

According to information compiled by the ODIHR EOM from the CEC and Court's websites, the Appellate Division of the Court of Bosnia and Herzegovina reviewed 66 appeals against CEC decisions on complaints, upholding most CEC decisions. The ODIHR EOM was informed that in 10 cases, the CEC decisions were returned to the CEC for reconsideration or were overruled. While the Court judgments are published, the search system on the Court's website is not user-friendly, and the Court confirmed the need to modify it to ensure transparency of justice. Contrary to previous recommendations, Court sessions on election-related disputes are not open to public. The judicial reform, including the law 'On courts', has been subject of longstanding discussions.⁷⁸ The Constitutional Court currently functions with six judges instead of nine due to refusal to appoint judges by the Republika Srpska.⁷⁹ Notwithstanding these institutional obstacles, a number of ODIHR EOM interlocutors expressed trust in the professionalism and in most of the cases independence of judges referring among others to the use of progressive European case-law by the courts at all levels.

Election Observation

The law provides for election observation of all stages of the electoral process by citizen and international observers, and observers appointed by political subjects. The 2024 amendments state explicitly that observers must have access to conduct effective observation. The CEC accredits international observers and all other observers observing at the national level (at the CEC and the Main Counting Center), while MECs accredit citizen observers for the respective municipality as well as observers nominated by political subjects and candidates in the respective municipalities. Accreditation of observers was inclusive.

⁷⁴ This fine was applied to HSP BiH - Croatian Party of Rights BiH for its billboard "Za dom spremni" ("For the homeland -ready), a salute used by the ustaša (a Croat fascist organization active during World War II).

⁷⁵ The determination of such membership was done largely on the basis of information from social networks. Some 200 candidates for PSC presidents and deputies were removed from the list already at the stage of nomination.

⁷⁶ In line with paragraph 5.10 of the OSCE Copenhagen Document everyone shall have "effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity".

⁷⁷ The 2024 amendments extended the deadlines for handling complaints by election commissions to 72 hours and allowed for a further extension of the deadline by up to 5 days in highly complex cases.

⁷⁸ The adoption of the law 'On courts' and other required steps will allow the European Commission to submit the negotiating framework to the Council.

⁷⁹ In March 2024, the Venice Commission issued [Opinion](#) on functioning of the Constitutional Court.

Pod Lupom, a coalition of 5 founding and 44 associated civil society organizations, deployed 55 long-term observers and some 1,000 short-term observers and was active in all 143 municipalities. In the pre-election period, *Pod Lupom* and *Transparency International Bosnia* monitored the implementation of the Election Law, including with respect to the formation of the PSCs, misuse of administrative resources, and irregularities in the election campaign. The two organizations submitted over 350 complaints to the CEC.

Election Day

Election day was generally calm and peaceful. Due to the devastating floods and landslides shortly before election day, the CEC postponed the elections in five municipalities in the Federation, affecting 63,180 registered voters.⁸⁰ Mostar held local elections concurrently with the rest of the country, for the first time since 2008.

Women were well represented among polling staff; they constituted 51 per cent of PSC members in polling stations observed and chaired 52 per cent of PSCs in these polling stations. The CEC announced that turnout was 47.7 per cent. It started posting preliminary election results from polling stations with ballot scanners at around 20:30 hrs., and from other polling stations at around 23:00, contributing to transparency.

Despite the legal requirement that polling stations be accessible for voters with disabilities, regrettably 51 per cent of polling stations where voting was observed did not provide for independent access for voters with physical disabilities, and in 21 per cent, the interior layout was not suitable for these voters.

The opening process was assessed positively in all 97 polling stations observed. Opening procedures were generally followed, but IEOM observers reported several instances of procedural errors, including 10 cases of not all PSC members signing the oath of office, and 5 cases of ballot boxes not being properly sealed. One in five polling stations did not open on time.

IEOM observers assessed the voting process negatively in 7 per cent of polling stations observed, a high number which is of concern. Negative assessments were attributed mainly to serious problems with the secrecy of the vote and procedural shortcomings. In one half of polling stations observed, not all voters marked their ballot in secrecy. The layout of the polling stations and the placement of polling booths did not provide for secrecy of the vote in 40 per cent of observed polling stations each. The polling station layout was not adequate for voting in 7 per cent of observations, and overcrowding was noted in 4 per cent of polling stations observed.

Serious procedural shortcomings noted by IEOM observers included group voting (5 per cent), proxy voting (2 per cent), and series of seemingly identical signatures on the voter list (1 per cent). In 5 per cent of polling stations observed, the ballot boxes were not properly sealed. IEOM observers also noted several instances of serious irregularities indicating pressure on voters and attempts to unduly influence them as to who to vote for. IEOM observers observed that people other than PSC members were keeping track of voters who had voted (13 per cent of polling stations), calling out loud names of voters (3 per cent of polling stations), and attempting to influence voters (2 per cent of polling stations). Eight cases of intimidation of voters or election officials were also observed. IEOM observers reported tension outside seven polling stations, and inside 2 per cent of observed polling stations. Voters were taking pictures of their ballots, in violation of the law in 2 per cent of polling station observed.

⁸⁰ These were Fojnica, Jablanica, Kiseljak, Konjic, and Kreševo; in total, 113 polling stations were affected. According to the law, the CEC should hold elections in these polling stations within 7 to 30 days of the initial date of elections, if the situation allows.

With very few exceptions, in the polling stations observed all voters' identity documents were checked, and all voters signed the voter list. Where one or more voters were turned away or redirected to a different polling station (in 14 per cent of polling stations observed), it was mostly because they were not on the voter list of that polling station.

IEOM observers observed voting in 186 polling stations which were included in one of the ICT pilot projects. They reported from 58 of these polling stations that the ICT was not functioning correctly, including incidents of ballot scanners not working intermittently or jamming, and problems with fingerprint scanners. IEOM observers reported from 50 polling stations that voters had difficulties using the technology, and from 60 polling stations that the use of ICT, including the slow speed of ballot scanners, resulted in delays or queues.

Party and candidate observers were present in 92 per cent of polling stations observed, however, in 3 per cent non-PSC member, mostly party/candidate observers, were interfering in the work of the PSC. Citizen observers were present in 24 per cent observed contributing to transparency.

The large majority of vote counts observed by IEOM was assessed positively overall. However, the vote count was assessed negatively in 13 out of the 85 polling stations observed, mainly due to lack of adherence to prescribed procedures and procedural errors or omissions. IEOM observers reported instances where PSCs did not perform the prescribed reconciliation procedures, such as counting and recording the number of unused ballots (6 cases each), or determine the number of voters who voted by counting the signatures on the voter list (2 cases). Election material was frequently not packed or put away as required before the ballot box was opened. The determination of ballot validity was not done in a reasonable manner in five cases. In 17 counts, ballots were not counted by at least two PSC members as required by law, and in 15 counts, not all PSC members participated in the determination of ballot validity.

In 24 counts, the PSCs had difficulties reconciling the results, 1 results protocol had been pre-signed, in 2 cases not all PSC members signed the protocol, and 14 PSCs did not post a copy of the protocol at the polling station, negatively impacting transparency. IEOM observers reported 2 cases of intimidation of PSC members, and 6 cases of tension.

The on-going tabulation process was observed at 62 MECs and assessed positively in all but three reports submitted by IEOM observers so far. However, conditions for processing of protocols were assessed as inadequate in 9 MEC premises observed by IEOM observers, and at 3 MECs, not everybody present had a clear view of the process. In two MECs, IEOM observers were not able to observe the electronic data entry. Some PSCs submitted results protocols that were incomplete or not signed by all PSC members, and in six MECs, not all protocols submitted reconciled.

The CEC reported that it had received 164 complaints on breaches of the campaign silence and that 72 complaints on election violations had been submitted to MECs. In addition, cases that require a criminal investigation, including one case of alleged vote buying, were referred to the Prosecutor's office and the police.

***The English version of this report is the only official document.
Unofficial translations are available in Bosnian, Croatian, and Serbian.***

MISSION INFORMATION & ACKNOWLEDGEMENTS

Sarajevo, 7 October 2024 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the Congress of Local and Regional Authorities of the Council of Europe (the Congress), and the European Parliament (EP). The assessment was made to determine whether the elections complied with OSCE commitments, Council of Europe standards, other international obligations and standards for democratic elections, and with national legislation. Each of the institutions involved in this International Election Observation Mission has endorsed the 2005 Declaration of Principles for International Election Observation.

Corien Jonker is the Head of the ODIHR EOM, deployed from 30 August. The Congress delegation was led by Carla Dejonghe. Lucia Annunziata headed the EP Election Observation Delegation.

This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some months after the completion of the electoral process. The Head of the Congress delegation will present recommendations during the Congress session in March 2025. The EP Head of Election Observation Delegation will present the report at the meeting of the Delegation for relations with Bosnia and Herzegovina, and Kosovo (DSEE).

The ODIHR EOM includes 13 experts in the capital and 20 long-term observers deployed throughout the country. On election day, 240 observers from 37 countries were deployed, including 202 observers deployed by ODIHR, a 25-member delegation from the Congress, as well as a 13-member delegation from the EP. There were 53 per cent of women among observers. Opening was observed in 97 polling stations, and voting was observed in more than 950 polling stations across the country. The vote count was observed in 85 polling station. The tabulation of results was observed at 62 MECs.

The IEOM wishes to thank the authorities of Bosnia and Herzegovina for the invitation to observe the elections, and the Central Election Commission for their assistance. The IEOM wishes to also express their appreciation to other state, entity and local institutions, political parties, media and civil society organizations, and international community representatives for their co-operation.

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