

INTERIM REPORT
30 August–18 September 2024

20 September 2024

I. EXECUTIVE SUMMARY

- Local elections will be held in Bosnia and Herzegovina on 6 October. Voters are due to elect the mayors and members of municipal legislatures in the country's 143 municipalities.
- Local elections are primarily regulated by the Constitution and the Election Law. Although broader electoral and constitutional reform has been the subject of long-standing discussions, it stalled due to lack of political will and inability to reach agreement in parliament. On 26 March 2024, the Office of the High Representative (OHR), the United Nations body mandated to oversee the implementation of the Dayton Peace Agreement, imposed extensive amendments to the Election Law, pertaining to all aspects of the election process. While there was no public consultation process, bilateral consultative meetings with representatives of the main stakeholders took place and ODIHR Election Observation Mission (EOM) interlocutors expressed overall agreement with the amendments.
- Elections are administered by the Central Election Commission (CEC), 143 Municipal Election Commissions (MECs), and 5,400 Polling Stations Commissions (PSCs). The CEC holds regular sessions that are open to the public and live-streamed online. Under the 2024 amendments, PSC presidents and vice presidents are appointed by the CEC rather than by political parties. According to the CEC the recruitment of PSC presidents and deputy presidents who are not politically affiliated has proven to be very challenging and there is currently a shortfall for these posts. Technical preparations for the elections are ongoing, and so far, the CEC has issued key decisions on time. Many ODIHR EOM interlocutors opined that the range of new tasks imposed on the CEC tests the limits of its capacity, in particular given the timeframe and resources at its disposal. In line with the 2024 amendments, the CEC is implementing four Information and Communication Technology pilot projects on election day.
- Citizens who are at least 18 years old on election day have the right to vote, except those convicted of a serious crime and those who have been declared legally incapacitated by a court decision. Some 3.4 million voters are registered in the Central Voter Register (CVR). While the ODIHR EOM interlocutors in general did not question the inclusiveness of the CVR, some concerns were raised regarding its accuracy. According to the majority of ODIHR EOM interlocutors, voter lists were available for public scrutiny as required.
- The right to stand is granted to citizens with voting rights. 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 for election. Candidates for local elections may 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 are contesting these elections. For the first time, the submissions were done exclusively in electronic form, via a dedicated online platform.
- The law prescribes a 40 per cent gender quota for candidate lists, with specific placement requirements. The law also provides for a 40 per cent gender quota for CEC and MEC membership. Women remain under-represented; 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 of the 140 elected mayors were women, as were 19.6 per cent of the members elected to municipal legislatures.

- The official campaign period began on 6 September and will end in the morning of 5 October. The 2024 amendments prohibit any type of campaigning, including online, from the day the elections are called up until the start of the official campaign period and empower the CEC to sanction violations. The CEC has made extensive use of these new powers, imposing numerous fines for early campaigning. The amendments also further detail what constitutes misuse of administrative resources but in many cases the CEC has found insufficient evidence to establish such violations. With the start of the official campaign period, billboards, posters, and fliers promoting a wide range of contestants appeared around the country. Contestants are also addressing voters via social networks, including Facebook and X.
- Political parties represented in state and entity legislatures are entitled to annual public funding, which can be used to finance election campaigns. The law sets limits on donations and expenditures and prohibits certain funding sources; the 2024 amendments increased sanctions for exceeding expenditure limits. In line with a prior ODIHR recommendation, the 2024 amendments introduced interim campaign finance reporting, however, the CEC does not plan to publish the reports before election day. The CEC is mandated to oversee political party and campaign finance and may impose sanctions for violations. While ODIHR EOM interlocutors generally welcomed the recent amendments related to campaign finance, many raised concerns regarding the capacity of the CEC to conduct an effective and timely oversight, given its limited resources.
- While there is a pluralistic media environment with a large number of outlets, the media are divided along ethnic and political lines. ODIHR EOM interlocutors also highlighted verbal attacks and threats against journalists, the strategic use of defamation lawsuits by politicians, as well as the dire financial situation of the public service broadcasters, in particular at the state level. Broadcast media are required to respect the principles of balance and impartiality, in particular in news and other political programmes. Public broadcasters must provide free airtime to contestants, who may also purchase airtime on public and private media. The Communication Regulatory Authority is tasked with monitoring broadcasters' compliance with the legislation and in absence of a media monitoring program does so entirely based on complaints.
- Voters and electoral contestants may file complaints with the election administration. Appeals against most CEC decisions are subject to review by the Appellate Division of the Court of Bosnia and Herzegovina. In line with a prior ODIHR recommendation, the 2024 amendments extended some deadlines for filing complaints and appeals. The CEC has thus far handled most complaints in public sessions, but has not published decisions. Most complaints and *ex-officio* proceedings handled by the CEC up until now related to early campaigning, the misuse of administrative resources, and nominations of PSC presidents and deputy presidents. In many cases, the CEC found early campaigning violations but rejected many cases alleging misuse of administrative resources due to a lack of evidence.
- 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 be able to conduct effective observation. The main civil-society observer coalition, *Pod Lupom*, has deployed 55 long-term observers and plans to deploy some 1,000 short-term observers on election day.

II. INTRODUCTION

Following an invitation from the authorities of Bosnia and Herzegovina to observe the 6 October 2024 local elections and based on the recommendations of a Needs Assessment Mission conducted from 20 to 23 May, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 30 August.¹ The mission, led by Corien Jonker, consists of an 11-member core team based in Sarajevo and 20 long-term observers (LTOs) deployed on 6 September to 10 locations around the country. Mission members come from 18 OSCE participating States. ODIHR has requested participating States to second 300 short-term observers (STOs) to observe election-day proceedings.

III. BACKGROUND AND POLITICAL CONTEXT

On 8 May, in line with legal requirements, the Central Election Commission (CEC) announced local elections for 6 October. Voters are due 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.² At the state level, executive powers are exercised by the Presidency and the Council of Ministers, legislative powers by the Parliamentary Assembly, and judicial powers by the Court of Bosnia and Herzegovina and the Constitutional Court of Bosnia and Herzegovina. 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.³ The DPA also established the Office of the High Representative (OHR), charged with overseeing the implementation of civilian aspects of the peace settlement.⁴

Following repeated unsuccessful attempts by the political parties to agree on constitutional and electoral reforms, the High Representative imposed changes to the election law on 2 October 2022 (immediately after the close of polls in the general elections) and more extensive amendments on 26 March 2024. (See *Legal Framework*). On 21 March, the EU invited Bosnia and Herzegovina to membership negotiations, 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 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.⁵

¹ See previous [ODIHR election reports on Bosnia and Herzegovina](#).

² 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.

³ The state Law on the Protection of the Rights of Members of National Minorities officially recognizes 18 national minorities. According to the most recent census, conducted in 2013, 2.7 per cent of the population declared themselves as “others”. At the time, Roma were the largest national minority group, with 12,583 members.

⁴ Following its meeting in Bonn in December 1997, and based on Annex 10 of the Dayton Peace Agreement, the Peace Implementation Council empowered the High Representative to impose “binding decisions, as he judges necessary... when parties are unable to reach agreement”.

⁵ Including the adoption in April of a separate election law for Republika Srpska (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.

Most major political parties have traditionally targeted their appeals to a single constituent people, although several parties take a multi-ethnic “civic” approach to the electorate.⁶ At the state level, the current government is formed by the Social Democratic Party of Bosnia and Herzegovina (SDP BiH), People and Justice (NiP), Our Party (NS), the Croatian Democratic Union of Bosnia and Herzegovina (HDZ BiH), and the Alliance of Independent Social Democrats (SNSD).⁷

Women continue to be under-represented in public and political life. 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).

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Local elections are primarily regulated by the Constitution and the 2001 Election Law (last amended in 2024), as well as the 2012 Law on Financing of Political Parties.⁸ Bosnia and Herzegovina is party to major international and regional instruments on democratic elections.⁹ Since its adoption, the Election Law has been amended several times; ODIHR EOM interlocutors confirmed that a broader electoral and constitutional reform has been the subject of long-standing discussions involving national stakeholders and the international community but stalled due to lack of political will and inability to reach agreement in parliament.¹⁰ On 26 March 2024, the High Representative imposed the Law on Amendments to the Election Law (hereinafter the 2024 amendments).¹¹ There was no public consultation process on the imposed changes, however, the ODIHR EOM was informed that bilateral consultative meetings took place with representatives of the main stakeholders involved in the electoral process, including the CEC.¹²

The 2024 amendments are extensive and pertain to all aspects of the process: among others, they foresee public access to the voter register; introduce new rules for candidate eligibility and the termination of elected mandates; change the composition and appointment mechanism of Polling Station Commissions

⁶ 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.

⁷ The SDP, NiP and SNS are commonly referred to as ‘the Trojka’.

⁸ In addition, the laws of the entities contain, *inter alia*, details regulating their electoral systems as well as the registration and activities of political parties. The CEC issues regulations to supplement the legislation.

⁹ This includes the 1948 [Universal Declaration of Human Rights](#), 1965 [International Convention on the Elimination of All Forms of Racial Discrimination](#), 1966 [International Covenant on Civil and Political Rights](#), 1979 [Convention on the Elimination of All Forms of Discrimination against Women](#), 2003 [UN Convention against Corruption](#), 2006 UN [Convention on the Rights of Persons with Disabilities](#) (CRPD), 1950 [European Convention on Human Rights](#), and 1994 Council of Europe [Framework Convention for the Protection of National Minorities](#). The country is a member of the Council of Europe and the Council of Europe’s European Commission for Democracy through Law (Venice Commission) and Group of States against Corruption (GRECO).

¹⁰ For instance, ODIHR EOM interlocutors mentioned several instances of discussions of election reform, including in Neum in 2022, which did not bear legislative results. In December 2023, the High Representative called on local political stakeholders to collaboratively adopt the necessary changes to ensure the integrity of elections. While a number of discussions took place on various pieces of draft election legislation submitted by individual political actors to parliament at the end of 2023–2024, none were passed into law.

¹¹ The Law on Amendments to the Election Law was later supplemented by corrigenda (corrections) which *de facto* extend the mandates of some CEC members, enabling them to be in the positions for the 2026 general elections.

¹² Some ODIHR EOM interlocutors stated that they were bilaterally consulted by the OHR and provided with opportunities to comment on parts of the draft.

(PSCs); alter some voting procedures; update and detail campaign, campaign finance, and media provisions; amend certain aspects of election dispute resolution; and increase sanctions for campaign violations. The amendments also provide for the gradual introduction of Information and Communication Technologies (ICT) in the electoral process (see *Election Administration*). While ODIHR EOM interlocutors expressed overall agreement with the amendments, in particular the introduction of new technologies, changes to the composition of PSCs aimed at depoliticizing them, and more detailed campaign rules, some provisions were questioned as to their appropriateness in enhancing the integrity of the process and increasing voters' trust.¹³

On 19 April, shortly after the enactment of the amendments, the RSNA adopted its own election law introducing a new entity-level election commission that would have exclusive competence over the election process in Republika Srpska.¹⁴ The application of this law was subsequently suspended by the Constitutional Court of Bosnia and Herzegovina pending a final decision.¹⁵

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, or vote for the list without stating a preference for any candidate.¹⁷ 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. 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. All mandates are allocated 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.

V. ELECTION ADMINISTRATION

Elections are administered by a three-tiered structure, comprising the CEC, 143 Municipal Election Commissions (MECs), and 5,400 PSCs. The CEC is a permanent body with a broad mandate to oversee the implementation of electoral legislation.¹⁸ In accordance with the law, the CEC comprises two Bosniak, two Croat, two Serb, and one "other" member, elected for a term of seven years. The current

¹³ Including changes for voters with regard to preferential voting, rules on the termination of mandates, and the exemption of CEC decisions on the appointment of PSCs presidents and deputy presidents from judicial review.

¹⁴ Republika Srpska 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 of Bosnia and Herzegovina on the territory of Republika Srpska (and on the non-publication of decisions of the High Representative).

¹⁵ The Constitutional Court informed the ODIHR EOM that it will issue its decision on 19 September.

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.

¹⁸ The CEC is appointed by the Bosnia and Herzegovina House of Representatives upon nominations by the Special Commission for Selection and Nomination of the Parliamentary Assembly, comprising three members from the High Judicial and Prosecutorial Council, two members from the Joint Committee of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, and two CEC members.

president represents “others”.¹⁹ The CEC holds regular sessions that are open to the public and live-streamed online. MECs are permanent bodies appointed for a seven-year term by municipal councils and approved by the CEC. They are responsible for overseeing voting and counting in subordinate polling stations and the data entry of the preliminary election results. PSCs administer the voting and counting of ballots. The 2024 amendments decreased the representation of political parties in PSCs, requiring the CEC to appoint, train, and evaluate the PSC presidents and deputy presidents, who were previously party-nominated. The CEC informed the ODIHR EOM that the recruitment of PSC presidents and deputy presidents who are not politically affiliated has proven to be very challenging.

By law, the CEC and MECs must have at least 40 per cent representation of each gender. Two of the seven current CEC members, including the president, are women (28.5 per cent).²⁰ Of a total of 581 MEC members, 46 per cent are women.

Technical preparations for the elections are ongoing, and so far, the CEC has issued key decisions on time. For these elections, the CEC has adopted over 30 regulations and by-laws. The CEC regulations and by-laws have been published on the CEC website generally in a timely manner. In line with the 2024 amendments, the CEC is now authorized to submit a budget request without it being altered by the Ministry of Finance, which facilitates the funding of the elections.²¹ According to the CEC, the late enactment of the amendments led to subsequent delays in some procurement and recruitment processes. By the deadline of 22 August, the CEC was only able to confirm up to 9,000 PSC presidents and deputy presidents of some 10,800 needed. The training of PSCs is scheduled to be concluded by 26 September but may exceptionally run until 4 October. Many ODIHR EOM interlocutors opined that the range of new tasks imposed on the CEC tests the limits of its capacity, in particular given the timeframe and resources at its disposal.

In line with the 2024 amendments and with financial assistance from the donor community, the CEC is implementing four ICT pilot projects which will be tested on election day in about 10 per cent of polling stations.²²

The 2024 amendments stipulate that accessibility for voters with disabilities shall be taken into consideration when designating polling stations. The amendments also consider the adoption of specific rules for persons with disabilities in case of use of new technologies.

Voter education is being conducted through audio-visual means, focusing mainly on the different voting methods, including out-of-country voting. The CEC also started to organize campaigns targeting specific groups of voters, including Roma, persons with disabilities, as well as women and youth, and to raise awareness of the pilot projects in those municipalities where they will be implemented.

¹⁹ The president is elected by the CEC members from amongst themselves. The law provides that one Bosniak, one Croat, one Serb and one “other” member each serve a 21-month term as president.

²⁰ Of a total of 68 CEC employees, 51 per cent are women, including 2 of 6 managing directors, and 5 of 7 heads of departments.

²¹ The CEC Finance Department informed the ODIHR EOM that a total CEC budget of BAM 15,877,000 (around EUR 8.12 million) was approved for these elections, while cities and municipalities are to allocate the remaining necessary funds. The total cost for these elections is estimated at BAM 19 million (around EUR 9.71 million).

²² The pilots include fingerprint authentication and transfer of polling station election results directly to the CEC (to be 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, is funded by the Ministry of Finance of Bosnia and Herzegovina.

VI. VOTER REGISTRATION

Citizens aged 18 or older have the right to vote, 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.²³

In-country voter registration is passive; the CEC maintains the Central Voter Register (CVR), which is derived from the population register and based on the permanent and temporary residence of citizens.²⁴ The law also provides for out-of-country voting, for which voters are required to register electronically anew ahead of each election.²⁵ Voters can verify their records throughout the year and request correction of their data with the responsible municipal institutions. The voter lists were also available for public inspection from 8 June to 8 July.²⁶ Voters who are not found on the CVR but who can prove valid residency within the respective municipality can register at the polling station and vote by ‘tendered’ ballot on election day. Homebound voters and those in places of detention can vote via mobile ballot box, while Internally Displaced Persons can vote at absentee polling stations.

For these elections, the CVR was closed on 22 August, with 3,400,204 registered voters, including 44,789 registered to vote abroad.²⁷ While the majority of ODIHR EOM interlocutors did not question the inclusiveness of the CVR, some concerns have been raised regarding its accuracy, including outdated entries of persons who moved abroad, and deceased persons. The CEC indicated that citizens who left the country to live and work abroad often do not de-register their place of residence in Bosnia and Herzegovina and are thus still automatically included in the register.²⁸

VII. 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 humanity, or war crimes may stand as a candidate for elections or hold any elected, appointed or other public office.²⁹ 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.

Candidate registration is a two-step process. First, the CEC certifies the eligibility of political subjects.³⁰ During this stage, political subjects submit supporting signatures and electoral deposits, amongst other

²³ Paragraph 7.3 of the 1990 [OSCE Copenhagen Document](#) states that the participating States will “guarantee universal and equal suffrage to adult citizens”. See Articles 12 and 29 of the [CRPD](#). See also Paragraph 48 of [General Comment No. 1 to Article 12 of the CRPD](#), which states that “a person’s decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising [...] the right to vote [and] the right to stand for election”.

²⁴ Registration of permanent residence is mandatory for all citizens, while displaced citizens may have temporary residence until their return to the municipality of their prior permanent residence.

²⁵ Voters registered abroad can vote either at one of the 14 polling stations established in embassies and consular offices of Bosnia and Herzegovina or by mail.

²⁶ The majority of ODIHR EOM interlocutors confirmed that the lists were publicly displayed in line with legal requirements. Voters can also check their information at the CEC website online.

²⁷ Out of the total number of 3,400,204 registered voters, the CVR comprises 3,334,288 regular voters, 5,911 absentee voters, 15,216 mobile voters, 43,535 voters voting by postal ballot, and 1,254 voters voting at one of the 14 polling stations established abroad. A total of 1,705,896 voters are women (50.17 per cent of registered voters).

²⁸ For updates of the CVR, the CEC depends on the accuracy of the data provided by other institutions responsible for updating the population register, including municipalities, and cantonal and entity-level police.

²⁹ 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.

³⁰ A political subject is a party, a coalition of parties, an independent candidate or a list of independent candidates registered to participate in the elections.

documents.³¹ The certified political subjects can then submit candidate lists. In line with the 2024 amendments, the submissions were done exclusively in electronic form, via a dedicated online platform. The CEC informed the ODIHR EOM that 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 gender requirements.³²

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.³³ A total of 42 per cent of the candidates in these elections are women. ODIHR EOM interlocutors opined that the placement requirement is not sufficient to ensure equal representation of women. Only 29 of the 386 candidates running for mayor are women (8 per cent), including 4 of the 5 incumbent women mayors.

The candidate registration process 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 are contesting these elections.

VIII. CAMPAIGN ENVIRONMENT

The 30-day official campaign period began on 6 September and will end on 5 October.³⁴ 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 contestants from engaging in “hate speech”, 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, while increasing sanctions for any violations during the official campaign period. Furthermore, the 2024 amendments prohibit any type of campaigning, including paid political advertising, from the day the elections are called up until the start of the official campaign period (8 May to 6 September for these elections), and empower the CEC to sanction any early campaigning.³⁵ The existing campaign regulations also apply to social network platforms.

The CEC has made extensive use of these new powers, imposing numerous fines for early campaigning but in many cases has found insufficient evidence to establish the misuse of administrative resources (see *Election Dispute Resolution*). Interlocutors from civil society informed the ODIHR EOM that they had reported a substantial number of violations to the CEC, and they have also issued public reports alleging

³¹ Parties and independent candidates must submit 100 signatures from municipalities with less than 10,000 registered voters and 200 signatures for municipalities with more than 10,000 registered voters. Political parties with members holding a mandate in the municipal council or assembly are exempt from the signature collection.

³² Previously, due to limited resources, the CEC was able to verify only a 10 per cent sample of support signatures for each subject. The CEC informed the ODIHR EOM that this time, all signatures were checked.

³³ The Election Law stipulates that at least one candidate of the less represented gender be placed among the first two candidates, two among the first five candidates, and three among the first eight candidates on each list. The CEC can return a list for correction, register the part of the list that complies with the quota and the placement requirements, or deny registration. The CEC informed the ODIHR EOM that the online platform used for candidate registration does not allow political subjects to complete the registration unless the gender quota and placement requirements are met.

³⁴ A campaign silence period, which includes campaigning online, goes into effect at 07:00 hrs. on 5 October and continues through the close of polls on election day.

³⁵ 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.

large-scale misuse of administrative resources.³⁶ Bosnia and Herzegovina does not have a prohibition on increases in state expenditures during an election period.

The 2024 amendments also aim to promote gender equality during campaigning, by prompting political parties to ensure equal promotion of candidates of both genders in media appearances, at public gatherings, and in other forms of election campaigning.

With the start of the official campaign period on 6 September, billboards, posters, and fliers promoting a wide range of contestants appeared immediately around the country, as did campaign stalls. Contestants are also addressing voters via social networks, including Facebook and X.³⁷

IX. CAMPAIGN FINANCE

Campaign finance is primarily regulated by the Election Law and the Law on Financing of Political Parties.³⁸ Political parties represented in the respective legislatures are entitled to annual public funding, which can be used to finance election campaigns.³⁹ The law sets limits on donations from individuals as well as legal entities, and prohibits certain funding sources.⁴⁰ Spending limits are also in place: a political subject may spend up to BAM 0.30 (around EUR 0.15) for each registered voter. The 2024 amendments increased sanctions for exceeding the expenditure limits.⁴¹

In line with the 2024 amendments, electoral contestants are obliged to open a special bank account for campaign incomes and expenditures, no later than the day of application for participation in the elections.⁴² In line with a prior ODIHR recommendation, the 2024 amendments introduced interim campaign finance reporting. While contestants must submit interim reports to the CEC three days before election day, the CEC informed the ODIHR EOM that it will publish them only after election day.⁴³ Contestants are obliged to submit final reports within 30 days following the publication of final election results.⁴⁴ While the law does not prohibit cash payments and in-kind donations, the 2024 amendments oblige contestants to include in the final report all cash donations and transactions, as well as expenses

³⁶ 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). As of 16 September, TI BiH has [identified](#) another 667 government infrastructure projects initiated in the same period, totaling BAM 629,973,636 (around EUR 322.10 million). The citizen observer coalition *Pod Lupom* [reported](#) that it had noted 917 irregularities, including 263 cases of the misuse of administrative resources in the six weeks before the start of the official campaign.

³⁷ The ODIHR EOM is following the social network accounts of major contestants and the leaders of major parties. In addition, the ODIHR EOM is conducting a qualitative analysis of rhetoric and the presence of disinformation narratives in social networks.

³⁸ The laws on political parties of Republika Srpska and the Brčko District and CEC instructions also regulate aspects of campaign finance.

³⁹ Political parties are entitled to annual funding from state, entity, cantonal, and municipal budgets.

⁴⁰ 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.

⁴¹ Between BAM 3,000 and 30,000 (around EUR 1,534 to 15,337).

⁴² The SDS, being subject to US sanctions, was not able to open the special account. The party subsequently submitted its registration documents under the name “SDS–Will of the People” and was registered by the CEC under that name. The final decision of the registration of the SDS under its original name is pending at the Constitutional Court of Bosnia and Herzegovina.

⁴³ The CEC explained that given the timeframe for the submission of the reports and the 24-hour campaign silence period, the publication cannot be done before election day.

⁴⁴ The CEC shall publish campaign finance reports on its website within 30 days of receipt. Non-compliance with reporting requirements may result in de-registration or revocation of mandates.

for distributing campaign materials online. Some ODIHR EOM interlocutors voiced concerns about the potential for unaccounted transactions by political parties.

The CEC is mandated to oversee political party and campaign finance and may impose sanctions for violations, either *ex officio* or based on a complaint.⁴⁵ While ODIHR EOM interlocutors generally welcomed the recent amendments related to campaign finance, many raised concerns regarding the capacity of the CEC to conduct an effective and timely oversight, given its limited resources.

X. MEDIA

While there is a pluralistic media environment with a large number of outlets, the media are divided along ethnic and political lines. At the same time, media remain vulnerable to pressure from political or business interests, which in the view of many ODIHR EOM interlocutors compromises their ability to provide impartial coverage of political and social affairs. High Internet penetration contributes to the importance of online media, including social networks and particularly Facebook, which, alongside television, serve as primary sources of information.

The state and entity constitutions guarantee freedom of expression. Nevertheless, in July 2023, defamation was re-criminalized in Republika Srpska, causing both local and international concern.⁴⁶ ODIHR EOM interlocutors as well as numerous reports highlighted increased pressure on media, in particular referring to verbal attacks and threats against journalists,⁴⁷ the use of defamation lawsuits by politicians with the aim to silence media, non-transparent media ownership, as well as the dire financial situation of the public service broadcasters, in particular at the state level.⁴⁸

The public broadcasting service is provided by the Radio and Television of Bosnia and Herzegovina (BHRT) at the state level, as well as the Radio Television of the Federation of Bosnia and Herzegovina (FTV) and Radio Television of Republika Srpska (RTRS) at the entity level. Funding has been a longstanding issue, and ODIHR has previously recommended to introduce a stable system of funding for the public broadcaster.

Media election coverage is regulated by the Election Law, including its 2024 amendments,⁴⁹ and complemented by a CEC regulation from May 2024. Broadcast media are required to respect the principles of balance and impartiality, in particular in news and other political programmes.⁵⁰ Each public broadcaster must grant at least three minutes of free airtime to each political subject, during the timeslots with the highest viewership. Political subjects may also purchase a maximum of 30 minutes of paid airtime per week in the public media, and a maximum of 60 minutes per week in private media. While public broadcasters decided not to air any debates, mostly due to the decentralized nature of the elections

⁴⁵ 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.

⁴⁶ 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.

⁴⁷ See among others, the 2023 [statement](#) by the OSCE Representative on Freedom of the Media, the EU [Bosnia and Herzegovina Report 2023](#), as well as the August 2024 [statement](#) from local *BH Novinari* association in condemnation of the threats against *Slobodna Bosna* magazine.

⁴⁸ Reporters Without Borders recently significantly downgraded the country's press freedom status, see [Press Freedom Index 2024 – Bosnia and Herzegovina](#).

⁴⁹ The 2024 amendments among others extend transparency obligations to reveal ownership details also to online media and give the right to broadcasters to refuse to air advertisements that are discriminatory on a broad range of grounds or that incite hatred.

⁵⁰ The news coverage of officials who are also contestants is allowed, provided their candidacy is not mentioned. These officials must not enjoy a privileged position in media with respect to other election contestants.

and the high number of electoral subjects, the most popular national online outlet *Klix.ba*, as well as several local media, are hosting a series of debates.

Oversight of legal compliance by broadcasters, including the application of sanctions, is the responsibility of the media regulator, the Communication Regulatory Authority (CRA). The CRA informed the ODIHR EOM that due to a lack of technical and human resources, it would not conduct media monitoring during the campaign period, despite a previous ODIHR recommendation. Thus, it performs its oversight function exclusively based on complaints received from third parties; since 8 May, when the elections were called, it received four relevant complaints. Complaints related to print and online media fall under the mandate of the Press and Online Council, a self-regulatory body that issues non-binding decisions.

On 6 September, the ODIHR EOM commenced qualitative and quantitative media monitoring of six television channels, three online media outlets, and three newspapers.⁵¹

XI. ELECTION DISPUTE RESOLUTION

Voters and electoral contestants whose rights are violated may file election-related complaints with the election administration. The election law requires the CEC to initiate an *ex-officio* procedure upon receiving information concerning electoral violations. 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 misuse of administrative resources, as well as appeals against MEC decisions. While, as a rule, appeals against CEC decisions are dealt with by the Appellate Division of the Court of Bosnia and Herzegovina, whose decisions are final, the 2024 amendments preclude certain decisions from further revision.⁵²

In line with a prior ODIHR recommendation, the 2024 amendments extend the deadlines for filing a complaint with election commissions and submitting appeals to the CEC from 48 to 72 hours.⁵³ Appeals against CEC decisions must be resolved by the Court within three days. While public consideration of electoral disputes is still not required by the legislation, despite previous ODIHR recommendations, the CEC has thus far handled most complaints in public sessions.⁵⁴ The CEC maintains a database of complaints with basic information on issues under consideration and measures taken, but full decisions on complaints have not been published.

As of 13 September, the CEC had received about 1,500 complaints and initiated proceedings *ex officio*, mostly related to early campaigning, misuse of administrative resources, and nominations of PSC presidents and deputy presidents. The 2024 amendments *inter alia* detailed the definition of misuse of administrative resources and classified early campaigning as an electoral violation subject to sanctions ranging from BAM 3,000 to 30,000 (around EUR 1,534 to 15,337). The CEC upheld many complaints and found violations in *ex-officio* proceedings on early campaigning; it rejected many of those alleging

⁵¹ The ODIHR EOM monitors three public TV channels, *BHT-1* (state), *RTVFBiH* (Federation) and *RTRS* (Republika Srpska), and three private channels (*BN*, *Hayat*, and *NI*). The ODIHR EOM also monitors the websites *avaz.ba*, *klix.ba*, and *nezavisne.com*, as well as the daily newspapers *Glas Srpski*, *Oslobodjenje*, and *Večernji List*. TV channels are monitored during their prime-time programming (18:00–24:00 hrs.). For online media and newspapers, their daily political and election-related sections are monitored.

⁵² In particular, the 2024 amendments exempt from appeals CEC decisions on complaints lodged against the appointment of PSC presidents and deputy presidents.

⁵³ In highly complex cases, the deadline can be extended by 3 to 5 days.

⁵⁴ Corresponding to a prior ODIHR recommendation, new provisions further oblige the CEC and the Court to inform the public in a timely manner about complaints and appeals, as well as decisions.

misuse of administrative resources, due to insufficient evidence.⁵⁵ The CEC dismissed PSC presidents and deputy presidents who it found to be members of political parties.⁵⁶ Some ODIHR EOM interlocutors pointed out inconsistencies in the application of sanctions for campaign violations by the CEC and opined that the CEC did not consistently investigate campaign violations and party affiliations of PSC presidents and deputy presidents.⁵⁷

XII. 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 be able to conduct effective observation. The CEC accredits international observers and citizen observers observing at the national level (i.e. at the CEC and the Main Counting Center), while MECs accredit citizens observers for the respective municipality as well as observers nominated by political subjects and candidates in the respective municipalities. The accreditation of observers is ongoing.

Pod Lupom, a coalition of several civil society organizations, has deployed 55 long-term observers and is active in all 143 municipalities. *Pod Lupom* has informed the ODIHR EOM that it plans to deploy some 1,000 short-term observers to follow election-day proceedings, with 450 of them focusing primarily on polling stations where ICT pilots will be implemented.

XIII. ODIHR EOM ACTIVITIES

The ODIHR EOM opened in Sarajevo on 30 August. The Head of Mission has met with the Acting Assistant Minister for Foreign Affairs, the presidents and members of the Central Election Commission, the High Representative, the state public broadcaster, political parties, representatives of civil society, and members of the diplomatic community. The ODIHR EOM has established regular contacts with the election administration, governmental institutions involved in the electoral process, political parties, candidates, civil society, the media, and the diplomatic community. The Congress of Local and Regional Authorities of the Council of Europe and the European Parliament have announced that they will deploy observer delegations for election-day observation.

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

⁵⁵ Until the beginning of the official campaign period on 6 September, the CEC had received 582 complaints concerning early campaigning. In 62 of these cases, the CEC imposed fines of between BAM 3,000 and 12,000 (around EUR 1,534 to 6,135), sanctioning activities such as the announcement of candidatures with comments on Facebook to interviews and production of audio-visual materials. Out of 98 cases concerning misuse of administrative resources considered by 13 September, four sanctions were applied, while some 60 cases are pending.

⁵⁶ The determination of such membership was done largely on the basis of information from social networks.

⁵⁷ The 2024 amendments oblige authorities and institutions to co-operate with the CEC on election-related matters. ODIHR EOM interlocutors noted that the CEC does not always proactively investigate allegations and, at times, misinterprets evidence included in complaints and obtained in *ex-officio* proceedings.