

48th SESSION

Report
 CG(2025)48-16
 27 March 2025

Local elections in Bosnia and Herzegovina (6 October 2024)

Committee on the Monitoring of the implementation of the European Charter of Local Self-Government and on the respect of Human Rights and the Rule of Law at local and regional levels (Monitoring Committee)

Rapporteur:¹ Marcin GOLASZEWSKI, Poland (L, EPP/CCE)

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Summary

Following an invitation by the authorities of Bosnia and Herzegovina, the Congress deployed an observation mission to assess the local elections held throughout the country on 6 October 2024. On election day, 12 teams including 25 Congress observers visited some 115 polling stations to observe the election procedures, from opening to counting.

Overall, the Congress delegation found that the 2024 local elections were calm and orderly in spite of catastrophic floods affecting part of the country just before the election day. It noted that, while political consensus to complete negotiations on much-needed electoral reforms remained lacking, the extensive amendments to the Electoral Code adopted by decision of the High Representative in March 2024 significantly improved the integrity of the electoral process and contributed to a less hostile election campaign. At the same time, the limited resources of the Central Election Commission, combined with short timeframes to implement extensive amendments, placed a significant burden on all levels of administration and left some important legal provisions partially or fully unfulfilled. The campaign was competitive but was rather low-profile and marked by limited media coverage and persisting allegations of misuse of administrative resources. The election day was generally well-managed, including in polling stations equipped with pilot projects to introduce new technologies in electoral procedures which were perceived as an additional integrity safeguard.

The Congress delegation identified several areas where there is room for improvement, notably regarding the capacities of the election administration, election dispute resolution, media coverage of the campaign, accessibility and set up of polling stations, secrecy of the vote, participation of women and youth in local political life as mayors or heads of lists, transparency and oversight of campaign financing as well as the recurring issue of voters residing de facto abroad voting in local elections. The

1. L: Chamber of Local Authorities / R: Chamber of Regions.
 EPP/CCE: European People's Party Group in the Congress.
 SOC/G/PD: Group of Socialists, Greens and Progressive Democrats.
 ILDG: Independent Liberal and Democratic Group.
 ECR: European Conservatives and Reformists Group.
 NR: Members not belonging to a political group of the Congress.

delegation also encouraged the authorities to re-open broad and inclusive negotiations on comprehensive electoral and constitutional reform to address longstanding discriminatory provisions and tackle remaining shortcomings and to strengthen reliability and voter education related to future IT pilot projects.

RECOMMENDATION 530 (2025)²

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:

a. Article 1, paragraph 3 of the Committee of Ministers’ Statutory Resolution CM/Res (2020)1 on the Congress of Local and Regional Authorities of the Council of Europe;

b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122) ratified by Bosnia and Herzegovina on 12 July 2002;

c. Chapter XIX of the Rules and Procedures on the practical organisation of election observation missions;

d. the previous Congress Recommendation on local and regional elections in Bosnia and Herzegovina;

e. the invitation by the authorities of Bosnia and Herzegovina, dated 15 May 2024, to observe the local elections held in the country on 6 October 2024.

2. The Congress reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance and that observation of grassroots elections is a key element in the Congress’s role as guardian of democracy at local and regional level.

3. The Congress acknowledges that the legal framework provides a sound basis for organising local elections and that the 2024 amendments significantly improved the integrity of the process. The Congress regrets that such a decision had to be made only a few months before the election day by the High Representative due to the absence of locally owned consensus on electoral and constitutional reform.

4. The Congress notes with satisfaction that:

a. the 2024 amendments significantly improved the integrity of the electoral process and contributed to a less hostile election campaign with fewer instances of hate speech and disinformation;

b. the Central Electoral Commission (CEC) worked professionally, handled or initiated ex-officio over 2 000 proceedings on electoral violations, issued numerous complaints and strived to guarantee the overall integrity of the electoral process, despite facing challenges to implement the significant new tasks introduced in the 2024 amendments;

c. the introduction of CEC-appointed chairpersons and deputy-chairpersons of polling station commissions, while very sensitive to implement, significantly reduced the long-standing issue of trading of seats;

d. the election day was overall calm and organised in a professional manner and the four pilot projects deployed to introduce the use of new technologies in the electoral process were overall assessed positively and perceived as an additional safeguard to the integrity of the process;

e. the introduction of the electronic procedure for candidate registration, via a dedicated online platform, significantly facilitated the candidate verification and registration procedures;

f. the legal framework allows for the participation of national minorities in local elections, as voters, candidates and members of the election administration;

g. despite important societal obstacles to their participation, numerous young and female candidates stood in elections for local councils and to participated in the work of polling station commissions (PSC).

² Debated and adopted by the Congress on 27 March 2025 (see document CG(2025)48-16, explanatory memorandum), rapporteur: Marcin GOLASZEWSKI, Poland (L, EPP/CCE).

5. At the same time, the Congress expresses its concern with respect to the following issues:

a. in a context marked by social and political fragmentation, the lack of political will to complete negotiations on much-needed electoral reforms led the High Representative to adopt wide-ranging amendments shortly before the election period, undermining the stability of the electoral framework;

b. the inadequate human and financial resources of the CEC, combined with political pressure and tight timeframes to implement extensive amendments, placed a significant burden on all levels of administration and left some important legal provisions partially or fully unfulfilled, notably on the appointments of PSC chairpersons and deputies;

c. despite a more proactive approach to sanctioning campaign violations, the number of allegations of misuse of administrative resources and other violations by political subjects remained worryingly high in the weeks leading to the elections;

d. challenges to establish an accurate voters register persisted, due to the inclusion of a high number of deceased voters or voters living *de facto* abroad but registered to vote in local elections, which is not in line with Congress Recommendation 369 (2015) "Electoral lists and voters residing *de facto* abroad";

e. election dispute resolution was negatively affected by an increase in the number of disputes, important backlogs and insufficient transparency, notably on the publication of some decisions and the proportionality and justification of sanctions, which resulted in hundreds of proceedings pending on election day and limited the right to an effective remedy; the procedure for the appointment of PSC chairpersons and deputies lacked final judicial oversight;

f. while disillusionment with electoral processes is widespread in Bosnia and Herzegovina, voters were provided with insufficient information to make an informed choice, as media coverage was limited and political subjects often failed to appear in debates or to explain their plans if elected;

g. the media landscape was negatively affected by the worrying situation of the public broadcasters, the lack of transparency of media ownership and increasing political pressure and threats against journalists in Republika Srpska;

h. the election day was marked by some technical and procedural inconsistencies and irregularities and Congress teams observed significant breaches to the secrecy of the vote, some delays due to technical issues in stations piloting IT solutions and a relatively high number of important violations, while accessibility for voters with mobility impairments was not ensured in most polling stations;

i. campaign and party finance provisions still did not guarantee full transparency and accountability as reports were handled only after the election day and were marred by allegations of underreporting, while sanctions were perceived as not dissuasive, timely or proportional enough to counterbalance the financial benefits for political parties that circumvent legal provisions; at the same time, newly established spending limits were considered unrealistically low in some municipalities;

j. participation of women and youth in local democracy was limited, in particular in local leadership positions, and amendments to promote gender equality in the media and campaign events were broadly unsuccessful;

k. provisions on the right to be elected based on ethnic criteria have been repeatedly deemed in breach of the European Convention of Human Rights and were not addressed by the latest amendments;

l. due to its ethnic-based political structure, the political system of Bosnia and Herzegovina is still perceived as permeable to external influences, in particular during election campaigns.

6. In the light of the above, the Congress invites the authorities of Bosnia and Herzegovina to:

a. re-open, in view of the 2026 general elections, broad and inclusive negotiations on comprehensive electoral and constitutional reform to address longstanding discriminatory provisions and tackle remaining shortcomings;

b. urgently consider measures and funds to strengthen the capacities of the election administration and fully empower the CEC to investigate and sanction violations in a transparent, timely and proportional manner; raise awareness of political entities as regards the new provisions of the law and applicable sanctions, as a means to mainstream the fight against electoral corruption;

c. pursue efforts to clean up and make public the Central Voters Register and address the lack of residency requirement to vote in local elections;

d. take steps to enhance transparency and professionalism of the election administration in particular on election dispute resolution, increase capacity of the legal department of the CEC to handle all proceedings in a timely manner and introduce judicial review of PSC appointments;

e. fully implement existing media legislation in a timely manner including oversight and enforcement powers of bodies responsible for media monitoring, and promote programme-based and inclusive debates; in Republika Srpska specifically, refrain from further weakening freedom of expression in the entity and introduce measures to protect journalists from political pressure;

f. improve the accessibility and review the layout of polling stations, reinforce the training provided to lower-level commissioners in order to increase their knowledge of counting procedures and consider the introduction of more dissuasive sanctions in case of electoral violations;

g. on IT pilot projects specifically, strengthen the reliability of electronic systems by refining related procedures and organise well ahead of elections comprehensive training and information on deployed technologies, both for electoral officials and voters;

h. limit the use of cash transactions in campaigns, publish interim reports upon reception and introduce more proportional sanctions in cases of non-submission of reports and underreporting; in line with past GRECO recommendations, give the Central Electoral Commission a mandate to supervise the expenditures of political parties outside electoral campaigns;

i. review provisions aimed at increasing the participation of women and youth in decision-making positions, as mayors or heads of lists, and consider quotas in seat allocation and de-registration of lists not complying with gender quotas;

j. conduct an analysis of potential influence by foreign actors in local elections and identify steps to prevent violations related to voters lists, campaign events and campaign finance.

7. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation regarding the 2024 local elections in Bosnia and Herzegovina and the accompanying explanatory memorandum in their activities relating to this member State.

EXPLANATORY MEMORANDUM³

I. INTRODUCTION

1. Following an invitation by the Central Election Commission (CEC) of Bosnia and Herzegovina, received on 15 May 2024, the Congress of Local and Regional Authorities deployed an election observation mission to observe the local elections held on 6 October 2024 in Bosnia and Herzegovina. Ms Carla Dejonghe (Belgium, R, ILDG) led the delegation which involved 25 observers from 20 countries.⁴ The delegation participated in a joint international election observation mission with the OSCE/ODIHR, which deployed 20 long-term and 202 short-term observers, and 13 observers from the European Parliament.⁵

2. Election observation is allowed in Bosnia and Herzegovina, as the Electoral Code grants access to all stages of the process to domestic and international organisations (Article 17.1 of the Election Law). The CEC is responsible for accreditation of international observers and of all observers at national level, while lower levels of the election administration are in charge of accrediting local observers.

3. The Congress mission was carried out from 4 to 7 October 2024. Prior to the election day, the observers met various interlocutors including the Central Election Commission, members of the delegation of Bosnia and Herzegovina to the Congress, representatives of political parties running in the elections, as well as of NGOs and the media. In addition, the delegation held briefings with the delegations of the OSCE/ODIHR and the European Parliament as well as with the representatives of the diplomatic corps in Sarajevo. A joint press conference was organised the day following the election day, to present the preliminary findings of the international election observation mission (hereafter IEOM) comprising the Congress, OSCE/ODIHR and the European Parliament.

4. On election day, 12 teams of observers were deployed throughout the country, in the two entities and the Brčko district, in order to follow the electoral procedures in 115 polling stations, including the counting in 12 polling places.

5. The following report focuses specifically on issues arising out of exchanges during meetings held with various interlocutors in the context of the local elections held on 6 October 2024 in Bosnia and Herzegovina and on observations made on the election day. The Congress wishes to thank all of those who met with the delegation for their open and constructive dialogue.

II. POLITICAL CONTEXT

6. The political system of Bosnia and Herzegovina was outlined in the General Framework Agreement for Peace, known as the Dayton Agreement, which was signed in 1995 and marked the end of the war started in 1992.⁶ The conflict arose between Republika Srpska, the Croatian Community of Herzeg-Bosnia and the Republic of Bosnia and Herzegovina soon after the dissolution of former Yugoslavia. The Dayton Agreement includes as its Annex IV the Constitution of Bosnia and Herzegovina,⁷ provides that the country is divided into two entities, the Federation of Bosnia and Herzegovina (hereafter, the Federation) and Republika Srpska (Article 1.3). The Dayton Agreement with Annex II also set a special status for the Brčko district, an inter-entity territory first placed under international supervision, then recognised as autonomous district in 1999, with a constitutional status from 2009.⁸

³ Prepared with the contribution of Congress expert on electoral matters, Giammaria Milani, Italy.

⁴ At the time of the mission, Ms Dejonghe led the delegation as Head of delegation and corapporteur, alongside Mr Marcin Golaszewski as Deputy-Head. Ms Dejonghe was no longer a member of the Congress at the time of adoption of the present report.

⁵ An international election observation mission constituted of members of the Congress, the European Parliament and OSCE/ODIHR, was deployed to observe the 2024 general local elections. See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

⁶ The [General Framework Agreement for Peace in Bosnia and Herzegovina](#), initiated in Dayton on 21 November 1995 and signed in Paris on 14 December 1995 by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia.

⁷ [Dayton Agreement](#), Annex IV.

⁸ [Dayton Agreement](#), Annex II.

7. Under the motto “one State, two Entities and three Nations”, a complex political and institutional system was established as a bid to safeguard the integrity of the State while balancing different opposing interests. The Constitution of Bosnia and Herzegovina enshrined power sharing among three Constituent Peoples: Bosniaks, Croats, and Serbs. Citizens who do not wish to identify themselves with one of these three peoples or who belong to another ethnicity constitute the group of “Others”.⁹ All aspects of the administration of the country, including the distribution of positions and elected mandates, reflect the ethnically diverse composition of Bosnia and Herzegovina. Various restrictions based on ethnicity or residency criteria have repeatedly been deemed discriminatory by the European Court of Human Rights (see below).

8. At the national level, the Constitution of Bosnia and Herzegovina provides for the existence of a Parliamentary Assembly with legislative powers and a Presidency with executive powers. The Parliamentary Assembly is a bicameral legislature: the House of Representatives comprises 42 Members, directly elected by the people, two-thirds from the territory of the Federation and one-third from the territory of Republika Srpska; the House of Peoples comprises 15 Delegates selected by the parliaments of the entities, including five Croats and five Bosniaks from the Federation and five Serbs from Republika Srpska. The Presidency is a collegial one, consisting of three members: one Bosniak and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of Republika Srpska. The term of the Presidency is four years, and the Presidency Chairperson rotates every eight months; the presidency also nominates a Chair of the Council of Ministers, who, in turn, nominates the Ministers.¹⁰

9. In the Federation, the Parliament is composed of the House of Representatives (98 members, directly elected, with seats allocated for each constituent peoples) and the House of Peoples (58 members from the cantonal assemblies). The President is elected by the Parliament, which also elects two deputies representing the other constituent groups¹¹. In Republika Srpska, the National Assembly is the unicameral legislative body (83 members, directly elected, with each ethnic group receiving at least 4 seats). The President, Milorad DODIK (since 2022 and previously between 2010 and 2018) and the two Vice-Presidents, each representing a different constituent group, are directly elected by the people.¹²

10. Historically, the three major political parties have targeted a single constituent people, while other parties generally define themselves as multi-ethnic and civic approach-based forces. Serb and Croat parties of Bosnia and Herzegovina also keep strong ties with their counterparts in neighbouring Serbia and Croatia respectively, which was sometimes perceived by some Congress interlocutors as foreign influence in local politics in Bosnia and Herzegovina. The three ethnic-based parties are those with the broadest support at the national level, with the Party of Democratic Action (SDA), the Alliance of Independent Social Democrats (SNSD), and the Croat Democratic Union of Bosnia and Herzegovina (HDZ BiH) gaining respectively 17,23%, 16,34% and 8,75% of the votes in the 2022 elections of the House of Representatives of Bosnia and Herzegovina.¹³ Other parties are also relevant in the Federation and three of them (also called “the Troika”), the Social Democratic Party (SDP BiH, non-ethnic), the People and Justice party (split from SDA) and Our Party (social-liberal party, non-ethnic) have formed a ruling coalition at national level since the 2022 elections, with the support of the HDZ BiH and SNSD. Together, the Troika won 10 seats in the House of Representatives of Bosnia and Herzegovina. In the 2022 elections, through an agreement to support a common candidate, the Troika secured the Bosniak seat in the Bosnia and Herzegovina Presidency, a position that had been almost exclusively held by the SDA since 1996.

11. The last elections (national, entities and cantonal institutions) took place in 2022, while the last local elections were held in 2020. In the 2020 elections, held during the Covid-19 pandemic, the three ethnic-based parties secured the majority of mayoral seats: 44 were won by the SNSD (almost exclusively in Republika Srpska), 27 by the SDA, 22 by the HDZ BiH. Other parties that obtained mayoral seats were the Serb Democratic Party (SDS) with 16 seats, and the Social Democratic Party (SDP BiH) with 10, while 5 independent candidates and 19 candidates from smaller parties were elected

9 See the Preamble of the Constitution of Bosnia and Herzegovina.

10 Constitution of Bosnia and Herzegovina, Article IV: Parliamentary Assembly and Article V: Presidency.

11 Constitution of the Federation of Bosnia and Herzegovina, Part IV: Structure of the Federation Government.

12 Constitution of Republika Srpska, Part V: Organization of the Republic.

13 CEC of Bosnia and Herzegovina, [Database on the results of the 2022 Elections](#) ,

as mayors.¹⁴ Local councils were more fragmented with diverse sets of political parties reaching the electoral threshold.

12. The Dayton Agreement with Annex X also established a High Representative,¹⁵ in charge of overseeing the civilian implementation of the Dayton Agreement.¹⁶ The position is currently held by Mr Christian Schmidt, in office since 2021.¹⁷ The Office of the High Representative (OHR) holds extensive powers, which have been enlarged after the Bonn Conference of 1997. Accordingly, the so-called “Bonn powers” include the possibility to remove from office public officials who violate legal commitments and/or the Dayton Agreement, as well as to impose laws deemed to be necessary in order to further the development of Bosnia and Herzegovina when national institutions fail to do so.¹⁸ The Congress delegation was also informed that some interlocutors did not accept the mandate or current appointment procedure of the High Representative and therefore rejected his appointment and decisions as illegitimate.

13. The use of the “Bonn powers” to amend electoral legislations has been one of the most controversial political topics in the last years, with controversies re-igniting ahead of each election. Mr Schmidt adopted three decisions enacting laws on amendments to the Election Law of Bosnia and Herzegovina in 2022,¹⁹ in the shortly prior the national, entities and cantonal elections held that year and on election day. On 26 March 2024 a new decision was adopted to amend the national Election Law, regretting in the preamble that “despite a high level of agreement between them, political parties were unable to [...] reach agreement on the electoral reforms required by the European Commission’s Opinion on Bosnia and Herzegovina’s membership application and that these parties decided to use their disagreements on other needed reforms to prevent adoption of measures that could have, if adopted, helped restoring citizens’ confidence in the democratic process”²⁰.

14. The 2024 local elections were the first elections held following the High Representative’s decision to amend the Election Law and in a context of increased tensions and secessionist rhetoric as well as failed negotiations on constitutional and electoral law reforms. The 2024 amendments, the most extensive since the entry into force of the Election Law in 2001, were criticised for the lack of public debate before their adoption²¹ and the timing of the decision, though their content was generally considered a positive improvement for the integrity of the electoral process. At the same time, the Republika Srpska Government vehemently rejected the imposed changes and took steps to avoid implementing the amendments and to challenge the constitutional order (see below), in a move considered by many Congress interlocutors as a step towards further polarisation.²²

15. The elections also took place in the context of the ongoing process of accession of Bosnia and Herzegovina to the European Union. Bosnia and Herzegovina submitted its application to join the EU in February 2016 and was granted the candidate status in December 2022. On 21 March 2024, the European Commission assessed the reforms adopted by Bosnia and Herzegovina in various fields, including conflict of interest and anti-money laundering, and recommended accession negotiations to

14 CEC of Bosnia and Herzegovina, <https://www.izbori.ba/Default.aspx?CategoryID=1105&Lang=3>.

15 [Dayton Agreement](#), Annex X.

16 There is no UNSC resolution regulating the procedure for the appointment of the High Representative. The first High Representative, Mr Carl Bildt, has been appointed during the Peace Implementation Conference Held in London in 1995 (<https://www.ohr.int/pic-london-conclusions-6/>) and agreed by the [UN Security Council resolution 1031](#) (1995). The London Conference also created a Peace Implementation Council (PIC), “composed of all those states, international organisations and agencies attending the Conference” and Steering Board of the PIC, “composed of representatives of Canada, France, Germany, Italy, Japan, Russia, United Kingdom, United States, the Presidency of the European Union, the European Commission and the OIC”. Since then, according to the relevant practice, the High Representative is appointed by the Steering Board of the PIC; this practice is considered to be consistent with relevant United Nations Security Council resolutions. See for more information, website of the Office of the High Representative, “[Appointment of the High Representative](#)”.

17 [Statement by the PIC SB Concerning the Appointment of Christian Schmidt as the next High Representative](#), 27 May 2021.

18 PIC Bonn Conclusions, [Bosnia and Herzegovina 1998: Self-sustaining Structures](#), 1998.

19 OHR, [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#), 6 July 2022.

20 *Op.cit.*

21 Some Congress interlocutors criticised the fact that meetings of the High Representative were not more open and transparent.

22 “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. »See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

be opened.²³ It also acknowledged that, following the 2022 elections, some of the longstanding political deadlocks surrounding the appointments of key members of the administration were lifted and the parliaments at national and entity level have started working more efficiently. However, despite some improvements, disillusionment with parties and state capture by political actors remained highly problematic, contributing to high emigration figures, predominantly in the younger generations. Through official appointments and control over state enterprises, key political parties have managed to capture state institutions and to establish vast patronage networks.²⁴

16. Resultingly, trust in institutions and democratic processes is very low in Bosnia and Herzegovina as seen in various surveys. Recently, three quarters of respondents indicated not trusting political parties and found them overwhelmingly responsible for ethnic tensions.²⁵ In another survey, 71% of respondents agreed that elections were neither free or fair in Bosnia and Herzegovina and overwhelmingly supported the introduction of new technologies in electoral processes (84%).²⁶ Perceptions of corruption also appear to be worsening in Bosnia and Herzegovina.²⁷

17. On 8 May 2024, in line with the legislation, the CEC announced general local elections to be held on 6 October 2024.²⁸ Voters were called to elect mayors and members of assemblies in 143 municipalities and cities across the country. The last days of the election campaign were marked by disastrous floods, which occurred on 4 October. The natural disaster, which mostly affected the Cantons of Central Bosnia and Herzegovina-Narenta in the Federation, resulted into over 30 fatalities and caused serious disruption by damaging roads, railways, residential and commercial buildings.

III. ADMINISTRATIVE STRUCTURE OF LOCAL GOVERNANCE

18. Bosnia and Herzegovina is composed of two entities, the Federation of Bosnia and Herzegovina and Republika Srpska as well as the autonomous district of Brčko. The Constitution of Bosnia and Herzegovina enshrined this federal configuration, reserving to the State the competence in some fields and assigning to the entities the residual ones.²⁹ The national Constitution does not mention the principle of local self-government, nor provide for the existence of local authorities (except the Brčko district).

19. Different levels of government are intertwined, and their responsibilities sometimes overlap and nominations to the higher levels of government often depend on lower levels. The two entities have their own Constitutions and political systems and the entities' Constitutions regulate local self-government.³⁰ The Constitution of the Federation prescribes a two-tier system of decentralisation, establishing cantons at the regional level (title VI) and municipalities and cities at local levels, while recognising a special status to Sarajevo (title VI, VIa and VIb). The ten cantons are granted with constitutional and political autonomy. The Constitution of Republika Srpska only recognises one level of decentralisation, vested in municipalities and cities (title VI), while the regions have neither political autonomy nor constitutional foundations.

20. Therefore, while cantons only exist in the Federation, the whole country is organised in 143 municipalities and cities, including 58 municipalities and 21 cities in the Federation, 53 municipalities and 11 cities in Republika Srpska and one municipality covering the Brčko district. The largest city in the country is Sarajevo, with about 300 000 inhabitants. Banja Luka, the *de facto* capital of Republika Srpska, has around 150 000 inhabitants. Four other cities also have more than 110 000 inhabitants, Tuzla, Zenica and Mostar in the Federation and Bijeljina in Republika Srpska. In

23 Communication from the Commission to the Council and the European Parliament, [Report on progress in Bosnia and Herzegovina](#) – March 2024.

24 See Transparency International Report "[Post-conflict dystopia: captive state and society — the case of Bosnia and Herzegovina](#)", 5 February 2024.

25 See International Republican Institute, [Western Balkans Regional Poll: February –March 2024](#), 14 May 2024.

26 [Seven Out of Ten BiH Citizens Don't Believe Elections are Fair – A Vast Majority See the Solution in New Technologies!](#), Pod Lupom, 27 September 2024.

27 In 2024, Bosnia and Herzegovina was ranked 115/180 in the Corruption Perception Index by Transparency International, making it the worst ranked Balkan country and marking its worst score since 2012. See Stojanovic M. "[Public Perceptions of Corruption in Balkans Continue to Worsen: Report](#)", Balkan Insight, 11 February 2025.

28 CEC of Bosnia and Herzegovina, [Decision on announcing and conducting 2024 local elections](#), 8 May 2024

29 Constitution of Bosnia and Herzegovina, Article III: Responsibilities of and Relations Between the Institutions of Bosnia and Herzegovina and the Entities.

30 The Constitution of the Federation of Bosnia and Herzegovina and the Constitution of Republika Srpska, at: <https://www.ohr.int/laws-of-bih/constitutions-2/>

the Federation of Bosnia and Herzegovina the structure, power and functioning of municipalities and cities are further regulated by cantonal constitutions and laws, but an entity law sets common principles.³¹ Republika Srpska also adopted a law dedicated to local self-government in order to implement the Constitution.³² In addition, the Brčko District holds a special status as a unit of local self-government placed under direct state sovereignty.

21. Both in the Federation and Republika Srpska the basic units of local self-government can be municipalities and cities. From a substantial point of view, there is no difference between them. The collegial bodies of the municipalities/cities, i.e. the councils (in the Federation) or assemblies (in Republika Srpska), perform deliberative functions, while the mayors are the executive bodies. Both the councils and assemblies and the mayors are directly elected and enjoy popular legitimacy. The city of Sarajevo in the Federation and the city of East Sarajevo (Istočno Sarajevo) in Republika Srpska stand as exceptions, as both cities are composed of different municipalities (four and six) and their bodies are elected by representatives of the municipalities themselves, to the notable exception of the mayor of East Sarajevo who is directly elected since 2020.

22. The number of councillors varies between 11 to 31 depending on the number of voters registered in the Central Voters Register, except for the Brčko District Assembly (31 members), the City Council of Sarajevo (28 members, four per “district municipality”) and the Council of City of Mostar (35 members), which are established by law.³³

23. The Dayton Agreement establishes that “Sarajevo is the capital city of Bosnia and Herzegovina” (Article 1.5 of the Constitution of Bosnia and Herzegovina). The idea of a special status or of a metropolitan region has not been taken up by a serious reform initiative, while proposals to elevate Sarajevo to a special district re-unifying the 10 historical municipalities is not perceived as politically feasible, also because these municipalities are in different entities. Therefore, Sarajevo is considered as the capital city by both entities’ Constitutions. According to the Constitution of Republika Srpska, “The capital of the Republic shall be Sarajevo”. In practice, East Sarajevo, which includes the six municipalities located in the territory of Republika Srpska, lacks a true centre and the *de facto* capital of the republic is Banja Luka, where all the Republika Srpska institutions are concentrated. The Constitution of Federation affirms in Article 4 that “The capital of the Federation shall be Sarajevo”. In the Federation, the status of Sarajevo appears unclear by its institutional complexity and the overlap between the four district municipalities, the city and the canton of Sarajevo (which includes five additional municipalities).

24. An additional feature common to both entities’ legislation is the definition of local self-government duties. Municipalities and cities perform very important functions in the areas of housing, education, health, security, etc. Nonetheless, systemic problems persist regarding the lack of clarity and certainty of assignment of tasks and functions, in particular in the Federation of Bosnia and Herzegovina, given the role of cantons.

25. The delegation refers to Congress Recommendation 442 (2019) on the Monitoring of the application of the European Charter of Local Self-Government in Bosnia and Herzegovina and its explanatory memorandum, for a more in-depth analysis of local self-government in this country.³⁴ The Monitoring rapporteurs expressed concerns about the slow progress of constitutional reforms, the long absence of elections in Mostar (held in 2020 after a 12-year gap), unclear distribution of responsibilities among government levels, lack of subsidiarity, and insufficient consultation with local authorities. They noted that Bosnia and Herzegovina’s complex and fragmented local government system still limits municipal autonomy, hinders decision-making, and obstructs local development due to inefficient administration and weak coordination between cantons, entities, and the State.

³¹ Law on Principles of Local Self-Government in the Federation of Bosnia and Herzegovina of 2006.

³² Law on the Local Self-Government in Republika Srpska of 2017.

³³ The number of councillors is decided as follows: between 11 and 17 members for municipalities and cities having less than 8 000 voters registered; between 17 and 25 members for municipalities and cities having between 8 000 and 20 000 voters registered; and between 25 and 31 members for municipalities and cities having more than 20 000 voters registered.

³⁴ Congress (2019), [Recommendation 442 \(2019\) on the Monitoring of the application of the European Charter of Local Self-Government in Bosnia and Herzegovina](#), 2019.

IV. DOMESTIC AND INTERNATIONAL LEGAL FRAMEWORK

1. Domestic legal framework and electoral system

26. The legal framework regulating the organisations of local elections is constituted of the Constitution of Bosnia and Herzegovina³⁵ and the 2001 Election Law.³⁶ The 2001 Election Law is a comprehensive text setting the fundamental legal framework for elections throughout the country, detailing rules for the elections of the national Parliament and Presidency, and general principles and procedures which are applicable to other elections, including local ones. It regulates all aspects of the electoral procedure, including the election management bodies, voter and candidate registration, electoral operations, electoral dispute resolution, election campaign and electoral observation.

27. The Election Law dedicates specific provisions to the elections of municipal and city councils and assemblies (chapters 13 and 13A), setting special rules for the Brčko District and the City of Mostar (chapters 18 and 19). It sets some common principles concerning the elections of councils and assemblies but no rules are strictly established for the election of the mayors, which are selected according to the laws approved at entity and district levels, namely the Law on election, termination of mandate, recall and replacement of mayors of municipalities in the Federation of Bosnia and Herzegovina, the Election Law of Republika Srpska and the Election Law of the Brčko District of Bosnia and Herzegovina. Other relevant pieces of legislation are the Law on the Financing of Political Parties, the Law on Gender Equality, and the Law on Communications, as well as regulations adopted by the Central Election Commission (over 50 regulations for the 2024 local elections).

28. The last years have been marked by political deadlocks and unfruitful attempts made by political actors to comprehensively reform the electoral framework, in order to improve the integrity and fairness of the electoral process. These attempts, while supported by the High Representative Mr Schmidt and other external actors (UE, US, OSCE/ODIHR and Council of Europe), systematically failed. This situation led the High Representative to directly amend the Election Law during the 2022 and 2024 electoral processes. Three decisions amending the Election Law were adopted in 2022, including on election day, to define hate speech; reinforce the oversight role of the CEC; strengthen the integrity of the electoral process; increase fines in relation to campaign offenses; ban the abuse of public resources and the impersonation of political parties and clarify the release of funds to organise the elections.³⁷ In 2022, the Congress delegation welcomed the Office of the High Representative's amendments to improve the integrity of the electoral process and to define hate speech but deplored that these amendments were imposed in the absence of a national consensus on genuine constitutional and election reform and shortly before the Election Day and on Election Day, which is not in line with the Venice Commission Code of Good Practice on Electoral Matters.

29. A fourth decision, the most extensive set of amendments since adoption of the Election Law in 2001, was adopted in March 2024 by decision of the High Representative, a few months before the election day. It addressed many prior Congress, OSCE/ODIHR and domestic observers' recommendations³⁸ and modified many aspects of the electoral process (detailed throughout the explanatory memorandum), notably on the composition of the election administration. It included the public announcement of the names/political affiliations of polling station commission (PSC) members, the appointment of unaffiliated PSC chairpersons and deputies by the CEC, the enhanced training of PSCs and working towards the gender parity of the CEC. On the campaign environment, the decision prescribed the prohibition of early campaigning, the obligation to open a separate bank account for financing the campaign and extended the ban on misuse of public resources, as well as it expanded the definition of hate speech and media regulations. The amendments also entailed the public disclosure of voters list and register of complaints and appeals, the possibility for all citizens/voters to lodge complaints on election process, the automatic recounts of votes in case of significant deviations, the additional security mechanisms for postal voting, the revised incompatibility of functions for elected

35 According to the Constitution, "Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and with free and democratic elections" (Article 1.2)

36 [Law on the Conduct of Elections](#), as updated on 8 May 2024.

37 OHR, [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#), 6 July 2022.

OHR, [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#), 27 July 2022.

OHR, [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#), 10 February 2022.

38 For instance, domestic coalition Pod Lupom indicated that the amendments had addressed fully or partially 28 of their previous recommendations, including four out of five priority recommendations. See Pod Lupom (2024), [Final report on the citizen, non-partisan observation of the 2024 Local Elections in BiH](#).

representatives, the better accessibility for citizens with disabilities; and as well as the increasing sanctions for political subjects and/or individuals who were found to have violated election rules or procedures.³⁹ The High Representative also introduced the gradual introduction of information and communication technologies, including ballot scanners, video surveillance at polling stations and biometric identification of voters, a long-standing request by domestic observers (see below).

30. While both sets of amendments have been overall considered as a step forward in the integrity of electoral processes, concerns were raised by some interlocutors on the limited public debate before their adoption and the recourse to closed-door bilateral discussions as well as the timing of both decisions. The CEC disposed of very limited time and resources to implement the revised provisions assigning new and significant functions to the electoral body. The CEC thus adopted about 50 by-laws related to all aspects of the election process to urgently align processes with the amended law.⁴⁰

31. Moreover, the Government of Republika Srpska officially rejected the imposed changes and called on all election administration officials from Republika Srpska to resign across the country. President Milorad Dodik, who is currently prosecuted for refusing to implement Mr Schmidt's past decisions, took steps to challenge the constitutional order of Bosnia and Herzegovina.⁴¹ Notably, on 29 March 2024, the Republika Srpska National Assembly (RSNA) adopted a Draft Election Law with the aim to conduct the local elections under the entity law and under supervision of a new entity level election commission, that would have exclusive jurisdiction over all elections and referenda in the entity.⁴² Despite several public calls to boycott the elections, the ruling coalition in Republika Srpska eventually decided to participate in the upcoming elections based on the Bosnia and Herzegovina Election Law.⁴³ The Election Law of Republika Srpska has been then suspended on 24 July⁴⁴ and later annulled on 19 September by the Constitutional Court of Bosnia and Herzegovina.⁴⁵ Some interlocutors of the delegation noted with concern that the situation had increased polarisation and worsened relations between Republika Srpska, the national authorities and the international community.

32. Nearly all Congress interlocutors regretted the fact that political parties were not able to find a compromise on the electoral legislation⁴⁶ but also mentioned that the 2024 amendments had created, in addition to the short timeframe for implementation, unexpected ripple effects. For instance, due to limited consultations with the judiciary and the data protection agency, the amendments did not modify the deadlines for the judiciary to handle election-related cases (leading to a backlog of cases) or did not foresee data privacy issues related to publishing voters lists. Interlocutors of the delegation therefore pointed to the need for harmonisation of the legal framework, as some new provisions introduced by the 2024 amendments proved difficult to implement and led to inconsistencies.⁴⁷

33. Moreover, the amendments did not address the sensitive issue of ethnicity-based and residency-based restrictions to the right to vote, which have been declared unlawful by both the European Court of Human Rights and by the Constitutional Court of Bosnia and Herzegovina (see below). However, to the notable exception of Mostar, these issues mainly affected the national and entities elections, while

39 OHR, [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#), 26 March 2024.

40 CEC of Bosnia and Herzegovina, webpage "[By-laws](#)".

41 "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. "and "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)". See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

42 Kurtic A. "[Bosnian Serbs Adopt Election Law Draft, Hitting Back at High Representative](#)", *Balkan Insight*, 29 March 2024.

43 Turcala S. "[Bosnia's Electoral Law Crisis is Chance to Call Dodik's Bluff](#)", *Balkan Insight*, 17 April 2024.

44 Constitutional Court of Bosnia and Herzegovina, Case [U-12/24](#), Ruling on interim measure.

45 Constitutional Court of Bosnia and Herzegovina, Case [U-12/24](#), Decision on merits.

46 In 2023, many national and international actors worked to support finding a locally owned compromise on changes to the Election Law. In December 2023, the High Representative gave an ultimatum to political stakeholders to collaboratively adopt necessary, which he subsequently prolonged. See for instance, the [Statement](#) of the OSCE Mission to Bosnia and Herzegovina, released on 21 December 2023.

47 As mentioned by the CEC and also raised by the IEOM, the Appellate Division of the State Court of Bosnia and Herzegovina and the Personal Data Protection Agency were not consulted, despite important parts of the process being under their jurisdiction. See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

the Election Law contains a specific chapter aimed at guaranteeing the participation of members of national minorities in local elections.

34. The electoral system applicable to local elections in Bosnia and Herzegovina is established by the Election Law, which states that “Mandates for [...] Municipal Councils/Assemblies and City Councils/Assemblies shall be allocated under the proportional representation system”. The seats are allocated through the *Saint-Laguë* method among political subjects (political parties, coalitions, lists of independent candidates and independent candidates) getting at least the 3% of the total number of valid ballots in a constituency.

35. The mandates are allocated to candidates using open lists with preferential voting. Voters may indicate a preference for up to three candidates on their chosen list, or just vote for the whole list, without stating preference for any candidates. The 2024 amendments added the three candidates limit for preferential vote in order to facilitate the counting and minimise errors. Congress interlocutors mostly welcomed the limitation to three preferential votes, but some feared a potential negative impact of this measure on women’s representation. First candidates to obtain seats are those with 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.

36. A minimum of one seat shall be guaranteed to all national minorities which make up more than 3% of the total population of a specific constituency according to the last census.⁴⁸ A 40% gender quota applies and at least one candidate from the less-represented gender must be among the first two candidates, two among the first five candidates, three among the first eight candidates (Article 4.19 of the Election Law).

37. According to the Election Law, mayors shall each be elected in accordance with this Law, the Constitutions, the entity legislation, and municipal/city statutes respectively. The Election Law does not express a preference between direct or indirect election, even if, in practice, the almost totality of mayors are directly elected in both the Federation and Republika Srpska. Directly elected mayors are elected using a single-round simple majority system, with the candidate who receives the most votes being elected (“first past the post”). The mayors of the City of Mostar and the Brčko District are elected by their respective Council and Assembly. The mayor of Sarajevo is elected by the City Council, which in turn is indirectly elected by the councils of the district municipalities forming the city. Each district municipality elects among its members seven members of the City Council of Sarajevo. There are no quotas or requirements regarding gender for mayoral candidates.

2. Relevant international standards

38. The rights of citizens to vote – and to stand in elections – at periodic, genuine democratic elections are internationally recognised human rights, as stated in Article 21 of the Universal Declaration of Human Rights⁴⁹ and Article 25 of the United Nations Covenant on Civil and Political Rights⁵⁰. The right of all citizens to free elections is also guaranteed by Article 3 of the first Protocol⁵¹ to the European Convention on Human Rights (ECHR)⁵², which specifies that elections should be held at regular intervals, under conditions conducive to freedom of expression, and via secret ballot. Article 14 of the Convention asserts that this right must be enjoyed by all citizens, without discrimination.

39. Since 2009, the European Court of Human Rights took five decisions with regards to the elections in Bosnia and Herzegovina, four of which are still under supervision of the Committee of Ministers of the Council of Europe: *Sejdic and Finci* (2009), *Zornić* (2014), *Pilav* (2016), *Baralija* (2019) and *Pudarić* (2020)⁵³. The Court has ruled against Bosnia and Herzegovina, mainly on breaches of Article 14 of the ECHR and of Protocol No. 12 of the ECHR on the prohibition of discrimination, and ordered the Parliamentary Assembly of BiH to adopt amendments to the Electoral Law. These cases would require constitutional amendments to ensure political equality among all citizens, to the exception of *Baralija*.

48 These minorities are Albanians, Austrians, Montenegrins, Czechs, Italians, Jews, Hungarians, Macedonians, Germans, Poles, Romas, Romanians, Russians, Rusins, Slovaks, Slovenians, Turks, and Ukrainians.

49 [Universal Declaration of Human Rights](#) (1948).

50 United Nation General Assembly (1966), [The International Covenant on Civil and Political Rights](#).

51 Council of Europe (1952), [Protocol No. 1 to the European Convention on Human Rights](#) (CETS No 009)”.

52 Council of Europe 1950), [The European Convention on Human Rights](#) (CETS No 005)”.

53 European Court of Human Rights, [“Bosnia and Herzegovina Press Country Profile”](#) (last updated July 2024).

Indeed, in 2020, the Election Law was amended, in line with Congress, OSCE/ODIHR and Venice Commission recommendations, to enable local elections in Mostar. Party leaders met and agreed on the new electoral law, thus allowing local elections to be scheduled for 20 December 2020. At the same time, another case on active voting rights *Kovačević vs. Bosnia and Herzegovina* (2023) was referred to the Grand Chamber of the European Court of Human Rights in December 2023, following a first decision of the Court in favour of Mr Kovačević. Mr Kovačević, a non-affiliated resident of Sarajevo, alleges that the current ethnicity and residence criteria for the House of Peoples of Bosnia and Herzegovina and presidential elections (Serb members only elected by residents of Republika Srpska) have left him unable to vote for a candidate of his choice in the 2022 elections.⁵⁴

40. With respect to local and regional elections, Article 3.2 of the European Charter of Local Self-Government⁵⁵ sets out that local and regional representatives should be elected by secret ballot on the basis of direct, equal, universal suffrage. The citizens' right to exercise their democratic choice is the foundation of political participation at local and regional level. This principle is also enshrined in the preamble to the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority⁵⁶, which has not yet been ratified by Bosnia and Herzegovina.⁵⁷

41. The aim of Congress observation missions is to provide accurate and impartial assessments of electoral processes. These assessments are guided by Congress Resolutions 306 (2010)⁵⁸ and 274 (2008)⁵⁹ as well as the Venice Commission's Code of Good Practice in Electoral Matters.⁶⁰ These documents delineate the different elements by which an election can be evaluated and outline the approach to be chosen by the Congress in its missions.⁶¹

42. Genuine elections to establish democratic governance cannot be achieved without the prevailing of the rule of law and unless a wide range of other human rights and fundamental freedoms are guaranteed without discrimination. Consequently, the conclusions of observation reports are also informed by issue-specific resolutions, recommendations, and opinions adopted by the Congress and the Venice Commission which each address different aspects of the electoral process. It specifically addressed the following subjects through the adoption of transversal reports on electoral lists and voters residing *de facto* abroad, criteria for standing in elections, the misuse of administrative resources, local voting rights, elections during major crisis situations, and the situation of independent and opposition candidates.⁶² It also incorporates the thematic work of the Venice Commission into its reports, notably their standards concerning inter alia the use of technology, campaigns, dispute resolution, gender representation, persons with disabilities, national minorities, electoral systems, and the media.⁶³

3. Previous Congress recommendations

43. The last Congress election observations in Bosnia and Herzegovina took place on the occasion of local elections in 2020 and cantonal elections of 2022. For the 2020 elections, the Congress could not deploy an on-site mission due to COVID-19 restrictions and therefore, had only limited observations on election day procedures. It suggested to strengthen the secrecy of the ballot, to locate polling boxes in completely private spaces, to avoid possible pressure on voters through bad practices such as the public identification of voters before casting their ballot, to specify the opening and sealing of ballot boxes procedures and vote counting, to assess the role of political party observers and the composition

54 See ECtHR, *Case of Kovačević v. Bosnia and Herzegovina*, Judgment, Fourth Section, 14 December 2023.

55 Congress (1985), "[European Charter of Local Self-Government](#) (CETS No 122)".

56 Congress (2009), "[Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority](#)" (CETS No. 207)

57 The Congress worked closely with the authorities of Mostar to facilitate the organisation of elections in the city of Mostar, as no elections were held between 2009 and 2020, and the mayor had only a technical mandate without democratic legitimacy. See for more information, the European Court of Human Rights, Verdict on *Baralija vs. Bosnia and Herzegovina* (2019), which concluded to a violation of Article 1 of Protocol 12, and the Congress [webpage on cooperation activities in Bosnia and Herzegovina](#).

58 Congress (2010), [Resolution 306](#) "*Observation of local and regional elections – strategy and rules of the Congress*"

59 Congress (2008), [Resolution 274](#) "*Congress policy in observing local and regional elections*"

60 Venice Commission (2002), [Code of Good Practice in Electoral Matters](#).

61 This approach is in line with the OSCE Copenhagen Document and the UN Declaration of Principles for International Election Observation. OSCE/ODIHR (1990), [Copenhagen Document](#).

62 All Congress transversal reports, resolutions and recommendations in the field of elections are available at : <https://www.coe.int/en/web/congress/transversal-reports-local-and-regional-elections>

63 All Venice Commission standards are available at: https://www.venice.coe.int/WebForms/pages/?p=01_01_Coe_electoral_standards

and responsibilities of polling station commissions and last but not least, to prevent fraudulent registration. It also noted that while systemic, organisational and functional changes can be made to the current system, a cultural change among the ethnic divides also need to occur; without a cultural change and the instilling of a democratic spirit at all levels of political activity, any systemic change could be undermined.⁶⁴

44. During the 2022 mission, the Congress positively assessed that cantonal elections were managed in an orderly and satisfactorily manner by the electoral administration, improving integrity and transparency at all stages of the electoral process. It noted with concern that the campaign did not offer voters enough balanced debates and programmes to make a fully informed decision at cantonal level. Moreover, underrepresentation of women in local and regional politics was identified as a major problem. The delegation also recommended pursuing efforts in curbing additional outstanding issues, such as family/group voting, issues with assisted voting and inaccessibility of polling stations, and breaches of the secrecy of vote. It invited the authorities to consider reviewing the composition and appointment procedure of PSC members. Finally, the Congress delegation reiterated a special and very strong emphasis on its earlier recommendation that, contrary to the existing practices, the cantonal elections should be held at the same time as the local elections, or on different dates from the general elections, in order to avoid the campaign and elections being overshadowed by issues and topics of State and entity levels.⁶⁵

45. Overall, on the legal framework applicable to the 2024 local elections, the Congress delegation found that the legal framework provided a sound basis for organising local elections and that the 2024 amendments significantly improved the integrity of the process. In a context marked by social and political fragmentation, the lack of political will to complete negotiations on much-needed electoral reforms led the High Representative to adopt wide-ranging amendments shortly before the election period, a situation that the delegation highly regretted. It also noted that provisions on the right to be elected based on ethnic criteria, repeatedly deemed in breach of the European Convention of Human Rights, were not addressed by the latest amendments. It recommended, in view of the 2026 general elections, re-opening broad and inclusive negotiations on comprehensive electoral and constitutional reform to address longstanding discriminatory provisions and tackle remaining shortcomings.

V. ELECTION ADMINISTRATION

46. The structure and functioning of electoral administration in Bosnia Herzegovina are regulated by Chapter 2 of the Election Law. The electoral administration in Bosnia and Herzegovina has a three-tier structure, which is headed by the Central Election Commission of Bosnia and Herzegovina (CEC), 143 basic constituencies commissions, including municipal election commissions, city election commissions and the Election Commission of Brčko District of Bosnia and Herzegovina (MECs) and about 5 300 Polling Station Commissions (PSCs). All levels of the administration are required by law to be “independent and impartial in their work” and commissioners must step down in case of “personal or financial interest or other conflict of interest, which may raise doubt as to the ability of the member to act impartially” (Article 2.2 of the Election Law). Moreover, members of the electoral bodies must be eligible to vote and possess appropriate qualifications and experience in the conduct of the elections (Article 2.3 of the Election Law).

47. The CEC is a permanent body, with seven members appointed for a seven-year term (Article 2.4 of the Election Law). The members of CEC are appointed by the House of Representatives of Bosnia and Herzegovina upon a proposal made by a Commission for Selection and Nomination.⁶⁶ CEC members can be re-elected, and in fact most of the current members are now serving a second or third term.⁶⁷ The CEC shall consist of seven members: two Croats, two Bosniaks, two Serbs, and one member from among the group of Others (Article 2.5 of the Election Law). According to the Law on Gender Equality in Bosnia and Herzegovina, gender equality should be guaranteed through the presence in the CEC of at least 40 per cent of members of each gender, which is at least three members

64 Congress, [Information report on the local elections in Bosnia and Herzegovina \(15 November 2020\) and in Mostar \(20 December 2020\)](#), 9 February 2021.

65 Congress, [Cantonal elections in Bosnia and Herzegovina \(2 October 2022\)](#), 23 March 2021.

66 This body is a permanent Commission of the House of Representatives and consists of two members from the High Judicial and Prosecution Council, three from the administrative commission of the House of Representatives and two from the current CEC; two Bosniaks, two Serbs, two Croats and one from amongst the group of Others must be represented in the Commission for Selection and Nomination Article 2.5 of the Election Law.

67 CEC of Bosnia and Herzegovina, webpage [“Members of the CEC”](#).

out of seven. Nonetheless, in the current composition of the CEC only two commissioners are women, including the current chairperson, Ms Irena Hadžiabdić. One Croat, one Bosniak, one Serb and the “other” member of the CEC serve as chairperson for a 21-month rotation in a seven-year period (Article 2.6 of the Election Law).

48. The CEC is an independent body, which derives its authority from, and reports directly to, the Parliamentary Assembly of Bosnia and Herzegovina (Article 2.9 of the Election Law). The amendments to the Election Law adopted by the High Commissioner in 2022 and 2024 have strongly expanded the responsibilities of the CEC. It has normative functions, being responsible for the implementation of some parts of the electoral legislation through by-laws and regulations; administrative functions, as it calls elections, manages the voters and candidates registration, determines and verifies election results, solves electoral disputes, issues electoral certificates, annuls elections, and revokes mandates; and finally, control functions, through the coordination and oversight of the MECs and the PSCs.

49. As other institutions of Bosnia and Herzegovina, the CEC is not immune to political pressure. For instance, Republika Srpska President Milorad DODIK, long at odds with the CEC about inter alia the Election Law of Republika Srpska, the results of the 2022 elections and other open matters, openly called the two Serb members of the CEC to quit their positions in April 2024 in order to delegitimise the CEC and to create an entity-level CEC. Both members refused.⁶⁸ Following the 2024 amendments, the criteria for becoming a CEC member were reinforced and the current composition of the CEC was *de facto* protected from undue pressure until 2027 as members cannot be forced to resign for not fitting the criteria established by Article 2.5.6, if not applicable when they were nominated (transitional provision 20.16b).

50. The municipal election commissions, city election commissions and the Election Commission of Brčko District of Bosnia and Herzegovina (MECs) are permanent bodies. They consist of three, five or seven members depending on the number of registered voters in the municipality/city. Members are appointed for seven-year terms by the respective municipal/city councils/assemblies, which also elect the presidents of the commissions. The nominations of members and presidents are subject to the approval of the CEC. MECs are responsible for the appointment and training of PSC members, the safety of the election material and election technologies from the date of their receipt, the proper conduct of polling and counting as well as the compilation of the results. The MEC composition should reflect the ethnic composition of the given municipality and include at least 40% of members of each gender, or at least one member of each gender if it is composed of three members (Article 2.12-18 of the Election Law).⁶⁹ Observers pointed out some delays at MEC levels and lack of transparency on the publication of decisions, while noting that all MECs were generally resourced enough to fulfil their mandates.⁷⁰

51. The polling station commissions are non-permanent bodies appointed ahead of each election consisting of three or five members, proposed by political subjects represented in municipal and city councils for local elections. A 40% gender quota must be respected. Addressing a longstanding recommendation, the 2024 amendments modified the procedure to appoint PSC chairpersons and their deputies, previously nominated by the parties (Article 2.19 of the Election Law). Henceforth, PSC chairpersons and deputies must be unaffiliated and are appointed following a call for applicants by the CEC, also responsible for dismissing, training, certifying and evaluating them.⁷¹ This new provision was complex and extremely challenging as the CEC had to appoint and check political affiliation of over 10 000 PSC chairpersons and deputies in a limited time and insufficient staff to check the actual affiliation of these appointees.⁷² As the CEC was the only instance for handling complaints on these appointments, the CEC informed the Congress delegation on the eve of the electoral silence that it had received 488 complaints on this matter, had removed 800 appointees based on suspicions of political affiliation and had decided to stop accepting complaints on 10 September to be able to train

68 [BiH: Serb members of Central Election Commission reject Dodik's ultimatum](#), N1 Bosnia and Herzegovina, 8 April 2024.

69 Domestic coalition Pod Lupom noted that 12 MECs did not comply with the gender quota throughout the electoral period. See Pod Lupom (2024), [Final report on the citizen, non-partisan observation of the 2024 Local Elections in BiH](#), p 24.

70 Only 12% of MEC decisions were published online before the election day. See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

71 The CEC had to adopt an instruction to clarify the procedure for these appointments. See CEC of Bosnia and Herzegovina, [Instruction](#) on determining qualifications, number, appointment, training and dismissal of members of the election commission of basic constituency in Bosnia and Herzegovina, May 2024.

72 The CEC also informed the delegation that in the absence of a central register of political parties with updated lists of members, the task was very difficult to complete.

everyone on time.⁷³ The CEC also pointed out the lack of volunteers for these roles (despite a EUR 200 stipend and an extended application period) resulting in MECs having to provide staff from their reserve lists, the challenge to ascertain their neutrality and to train them. Potential last-minute resignations or replacements on election day were also a source of concern. The situation created a heavy administrative burden on the CEC and some uncertainty.

52. At the same time, the CEC pointed out that it had successfully eradicated the long-term issue of trading of seats in polling stations. Domestic coalition Pod Lupom noted that the many issues encountered with the CEC appointing non-affiliated members showed that political parties were not ready to let go of their nominating prerogatives and had tried - largely unsuccessfully - to circumvent the change.⁷⁴

53. Training of PSC chairpersons and deputies is compulsory and was managed in a timely manner, despite issues with appointment of PSC members. The CEC trained 300 trainers to deliver the trainings (two per MEC) with a dedicated section on counting procedures.

54. Another key issue was the lack of budget and human resources at all levels of the election administration to cope with the additional tasks, which put the administration under significant pressure. The CEC informed that both the central level and 14 MECs lacked budget to cover all costs and that only four persons staffed the CEC's legal department, in charge of handling hundreds of complaints. In addition, while generally welcomed, the introduction of four pilot projects using ICTs was considered as risky, due to the lack of experience, the number of polling stations (about 10%) and the need to quickly adopt by-laws, hire and train technical operators and handle the delivery of materials. In a welcome development, the long-observed uncertainty regarding funds to run elections was partly lifted by the 2024 amendments, with the CEC being tasked to establish the amount and time of release of the funds (Article 1.2a).⁷⁵ However, the CEC mentioned that money remained a key issue, as many of their requests for updated funding were not approved, and that major improvements had to be paid by international donors. Finally, the CEC deplored important challenges related to procurement and in particular, the tender for delivery of ballot papers which was unsuccessful and led to the CEC requesting support from the Ministry of Defence to ensure the secured transportation of electoral materials.⁷⁶ In total, the CEC had to launch 48 tenders starting at the end of July 2024 and to renew the call for printing ballot papers.

55. Overall, the Congress delegation noted with satisfaction that the CEC worked professionally, handled or initiated ex-officio over 2 000 proceedings on electoral violations, issued numerous complaints and strived to guarantee the overall integrity of the electoral process, despite facing challenges to implement the significant new tasks introduced in the 2024 amendments. It welcomed the introduction of CEC-appointed chairpersons and deputy-chairpersons of polling station commissions, while very sensitive to implement, which significantly reduced the long-standing issue of trading of seats. However, the delegation noted with preoccupation the inadequate human and financial resources of the CEC, combined with political pressure and tight timeframes to implement extensive amendments, which placed a significant burden on all levels of administration and left some important legal provisions partially or fully unfulfilled, notably on the appointments of PSC chairpersons and deputies. The delegation recommends urgently considering measures and funds to strengthen the capacities of the election administration and fully empowering the CEC to investigate and sanction violations in a transparent, timely and proportional manner. In addition, it invites the authorities to raise awareness of political entities on new provisions of the law and applicable sanctions, as a mean to mainstream the fight against electoral corruption.

VI. VOTER REGISTRATION

56. According to Article 1.4 of the Election Law, citizens of Bosnia and Herzegovina who have reached 18 years of age and have a registered residence in the country have the right to vote (and to

73 See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

74 See Pod Lupom (2024), *Op.cit.*

75 The Congress had noted in the 2022 elections the High Representative had used the "Bonn powers" to secure the late release of the funds for the elections, which had been blocked due to political obstruction. The OHR further amended the Electoral Law to avoid such blockages in the future. See Office of the High Representative, [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#), 27/07/2022.

76 In July 2024, the Parliament amended the Law on public procurement (and adopted eight bylaws) to improve efficiency of the legal protection mechanism in public procurement procedures.

be elected). In order to exercise this right, a citizen must be recorded in the Central Voters Register. People who are convicted of serious crimes, in particular serious violations of humanitarian law, cannot be registered as voters, as well as people whose full legal capacity has been withdrawn by a judicial decision.

57. The CEC manages and monitors the accuracy of the Central Voters Register, the national electronic database which is continuously updated with official residence records.⁷⁷ Voter registration is a passive process for in-country voters, but out-of-country voters must actively request registration. The CEC ensures the register's accuracy, correctness, and integrity. The register is public, allowing citizens to access an excerpt and request corrections to their data only. On 22 August, the CEC announced that 3 400 204 voters had registered, including 44 789 voters from abroad. In line with the 2024 amendments, the CEC had to make the register available to the public but did not publish the full register due to data privacy concerns and chose to make these lists available at MEC levels between 8 June and 8 July, which provided enough time for some public scrutiny. Domestic coalition Pod Lupom regretted this decision of the CEC which did not enough opportunities for citizens to be able to identify irregularities, such as deceased voters, multiple registrations or registrations by non-residents, issues that persistently affect the accuracy of the voters list.⁷⁸

58. Citizens of Bosnia and Herzegovina who are temporarily resident abroad or are refugees can vote in person in the municipality of their in-country residence or abroad, either at a diplomatic representation or by mail, following a special and active process of registration. The application for voting abroad could be submitted online on the website of the CEC, successfully preventing multiple registrations at the same address (as observed by the Congress in 2022) and 14 polling stations in eight countries were established for these elections. In the past, out-of-country voting was very challenging with fraudulent registrations being regularly spotted.

59. Special provisions are made for voters with internally displaced person status (IDPs), who can vote in person or in absentia for the municipality in which they had their permanent residence before being displaced. They can also change their permanent residence and vote in the municipality of their current residence. Voters who are confined to their homes or institutions due to old age, illness or disability, or because they are detained or prisoners, could vote via special mobile ballot boxes, managed by special mobile teams.

60. Overall, the interlocutors of the delegation did not express major concerns regarding voter registration. Some noted that the 2024 elections seemed to have been marked by less allegations of fraud related to out-of-country voting, but also attracted less interest from these voters. Some interlocutors noted that the number of voters registered remained higher than the number of inhabitants in the country, pointing out the high number of voters living *de facto* abroad on the registers, due to the absence of time-bound residence criteria. They also mentioned that some deceased voters could still be registered, as changes in civil status are often underreported by citizens abroad. On election day, allegations of voters residing in Serbia and voting in some municipalities were reported by the media and in particular in the municipality of Srebrenica.⁷⁹

61. While understanding the sensitivity of residency criteria in Bosnia and Herzegovina, the Congress delegation deplored that the challenges to establish an accurate voters register persisted, due to the inclusion of a high number of deceased voters or voters living *de facto* abroad but registered to vote in local elections, which is not in line with Congress Resolution 369(2015). It recommended pursuing efforts to clean up and render public the Central Voters Register and addressing the lack of residency requirement to vote in local elections.

77 In April 2024, Republika Srpska tried to adopt a law on referenda, alongside the Election Law, which envisaged establishing a separate voter register.

78 See Pod Lupom (2024), *Op.cit.* p33.

79 The registration of Serbian citizens in Srebrenica has been observed by the Congress in the past and is a highly sensitive issue but does not constitute per se a violation, as the law provides for the right to vote of dual nationals who therefore have the right to vote in both countries. The number of voters residing in Serbia and voting in the local elections in this municipality was however assessed as high enough to affect the result of the elections by some interlocutors, who raised concern that Serb leadership in the municipality could revive tensions between communities. The elected mayor, Milos Vucic, is a cousin of Serbian President Vucic. See Radio Slobodna Europa, "[Local elections are being held in BiH, voters from Serbia have also come to Srebrenica](#)" 6 October 2024 and Kurtic A. "[Bosnia's Big Parties Maintain Grip Outside Cities in Local Elections](#)", *Balkan Insight*, 7 October 2024.

VII. CANDIDATE REGISTRATION

62. As prescribed by the Election Law (Article 1.4), citizens of Bosnia and Herzegovina can stand in local elections, if 18 years of age and registered as voters in the municipality in which they want to stand for office, with the exception of people whose full legal capacity has been withdrawn by a judicial decision and people convicted of serious crimes such as serious violations of humanitarian law. In line with the 2024 amendments, the right to stand for elections was also limited in case of crime of genocide, crimes against humanity or war crimes. Cases of functional ineligibility and incompatibility are defined by Article 1.8 of the law.

63. The registration process is regulated by Chapter 4 of the Election Law and is processed in two steps: first the CEC certifies political subjects, then political subjects submit their lists of candidates. Candidacies may be presented by political parties, coalitions, independent candidates and lists of independent candidates. Support signatures are required, exception made for those political subjects having a mandate holder at local level (mayor or councillor).⁸⁰ Submission of an electoral deposit and opening of a dedicated bank account are required.⁸¹ The deposit can be refunded after the elections for mayoral candidates obtaining at least a third of the total number of votes obtained by the elected mayor and to councils/assemblies candidates obtaining more than 3% of the total number of valid votes in that constituency. For these elections, the CEC established that political parties had to pay once 2 000 KM (approximately EUR 1000) for running in the municipality of the party's headquarters and 200 KM for running in each new electoral unit. Independent candidates were charged 1 000 KM.⁸²

64. In line with Article 4.19 of the Election Law, a 40 per cent gender quota applied with specific placement requirements, according to which the so called "minority gender candidates" had to be distributed as follow: one candidate amongst the first two candidates, two amongst the first five candidates, three amongst the first eight candidates, et seq. While all lists complied with the quota, some interlocutors deplored that women were still too often placed on unwinnable positions on the lists.

65. Special rules, included in chapter 13A of the Election Law, are provided for the candidacy in local elections of members of national minorities, whom can be presented by political subjects but also by a registered association, or can run as independent candidates, if supported by a group of minimum 40 citizens who have the right to vote.

66. Overall, the candidate registration was processed in a timely, inclusive and transparent manner and Congress interlocutors did not express major concerns on the procedure. The CEC certified 26 089 candidates presented by 296 political subjects, including 110 political parties, 76 independent candidates, 43 independent candidates representing national minorities, 58 coalitions, and nine lists of independent candidates.⁸³ In line with the 40% gender quota, 42% of candidates on the lists were women, but only 8% of the 386 candidates running for mayor were women (29 women – none under the age of 30) and 13% of lists were led by women. Close to 5 500 young candidates (21% of all candidates, while they only represent 11% of the population) stood for elections, with slightly more women than men (55%), but only five candidates under 30, all men, stood for mayoral races.⁸⁴ In 13 municipalities, only one candidate registered for the mayoral elections, challenging the competitiveness of such elections. According to OSCE/ODIHR long-term observers' analysis, about 61 lists still did not comply with the gender quota but were nonetheless registered.⁸⁵

80 The number of signatures varies from 100 (for municipalities where the number of voters exceeds 10 000) to 200 (for municipalities in which number of voters exceeds 10 000), while five per cent of signatures of voters is required for municipalities in which the number of voters does not exceed 1 000).

81 One party, the SDS, could not open a bank account due to US sanctions, but on 19 September, the Constitutional Court stated that the right to participate should not be jeopardised by economic sanctions and allowed the party to register under a slightly different name. See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

82 See CEC of Bosnia and Herzegovina (2024), "[Election Indicators 2024](#)".

83 CEC of Bosnia and Herzegovina, "[CEC BiH Announces the Beginning of the 2024 Local Election Campaign](#)", 5 September 2024.

84 See CEC of Bosnia and Herzegovina (2024), "[Election Indicators 2024](#)".

85 See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024 and on issues regarding sentenced war criminals to participate in electoral rallies see Hebib A., "[Can war criminals be banned from speaking at election rallies](#)", *Detektor.Ba*, 11 October 2024 (in Bosnian).

67. New tools were also implemented by the CEC to facilitate candidate registration, and the procedure was held exclusively electronically, as prescribed by the 2024 amendments. Applications were made through a dedicated online platform from 9 May to 8 July, depending on the type of candidacy. The use of this software allowed the election administration to verify support signatures and compliance with the gender quota automatically.

68. The Congress delegation welcomed the introduction of the electronic procedure for the candidate registration, via a dedicated online platform, which significantly facilitated the verification and registration process and commended the participation of young and female candidates in the elections. It welcomed that the legal framework allowing for the participation of national minorities in local elections, as voters, candidates and members of the election administration. At the same time, it noted with preoccupation that the participation of women and youth in local leadership positions was limited. It recommended reviewing provisions aimed at increasing the participation of women and youth in decision-making positions, as mayors or heads of lists, and consider quotas in seat allocation and de-registration of lists not complying with gender quotas.

VIII. ELECTION CAMPAIGN

69. Article 1.1a of the Election Law defines, for all kinds of elections, the period of election campaign, which for these local elections started on 6 September and ended on 5 October. General provisions applicable to the campaign period have been reinforced by the 2022 and 2024 decisions of the High Representative and contributed to a less hostile campaign. Fundamental freedoms of movement, assembly and association are enshrined in the Constitution and candidates campaigned freely in a peaceful environment. Political subjects displayed numerous posters and billboards and distributed leaflets, mainly promoting candidates rather than their programmes, and in urban centres mostly. Public gatherings and campaign rallies were held in a majority of large municipalities and domestic observers witnessed cases of distribution of food, bussing of participants and inflammatory rhetoric.⁸⁶ The campaign was also active online, with candidates extensively resorting the social media to campaign. In the light of the devastating floods in Jablanica, Konjic and Fojnica on 4 October, all main political actors suspended their campaigning activities a day earlier than the official end of the campaign.

70. In a welcome step, the 2024 amendments introduced many provisions aimed at providing a more equal and inclusive campaigning environment. The 2024 changes clearly state that early campaigning is prohibited from the announcement of the elections and the official start of the election campaign are forbidden, including the use of electronic, print, online and social media, as well as any form of public advertising. The law also imposes limitations on the activity of political subjects during the official campaign period. As complemented by 2022 and 2024 amendments, Article 7.3 of the Election Law prohibits, among others, to use or foster hate speech, use children for campaigning purposes, carry or display weapons during election campaign, disturb gatherings of other political subjects, and promise financial rewards with the purpose of gaining support of voters. It also prevents disinformation campaigns, including on the electoral process itself, and threats against journalists. A general prohibition of the abuse of public resources for campaigning purposes is established by Article 7.2a of the Election Law. In an attempt to strengthen the effectiveness of this rule, the 2024 amendments further described the actions which could be considered as abuse in cases in which a public servant takes advantage of his/her position role, public funds, means or premises etc. to favour a political subject. At the same time, the law still does not prohibit the announcement or introduction of new infrastructure projects or state expenditures during an election period, which has been abused by incumbent administrations in the past.⁸⁷ Amendments also encouraged gender equality by requesting efforts to ensure visibility of female candidates in the media, at rallies and other events, but this provision is believed to have had no tangible impact.⁸⁸

71. Violations of these rules by political subjects can be sanctioned by the CEC. In the context of the 2024 elections, the CEC made extensive and a proactive use of its sanctioning power during the election campaign period. Interlocutors from NGOs and local observers highly welcomed the increase

⁸⁶ See Pod Lupom (2024), [Final report on the citizen, non-partisan observation of the 2024 Local Elections in BiH](#), p 58.

⁸⁷ See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

⁸⁸ *Ibid.*

in sanctioning of violations. In particular, 600 complaints were received and numerous fines issued to all key political subjects for cases of premature campaigning.⁸⁹

72. At the same time, as some Congress interlocutors deplored, certain complaints were rejected by the CEC for lack of evidence, in particular on the misuse of administrative resources, despite reports of credible and large-scale violations.⁹⁰ 200 complaints were submitted on this matter to the CEC and it issued 17 sanctions, for an amount of BAM 81 500 (approximately EUR 42 000).⁹¹ In particular, Transparency International BiH reported 2 500 potential cases of misuse of public resources months before the start of the official campaign and witnessed numerous one-time subsidies by cantonal authorities or the Presidency of Republika Srpska (amounting to an estimate of EUR 30 millions) and announcement or completion of road and infrastructure works (up to EUR 245 millions). The sanctions of the CEC were assessed as timid and insufficient, the sometimes-inconsistent reasoning of the decisions and the CEC's argument used to not sanction these abuses – that these expenditures had been planned in the regular budget.⁹²

73. Domestic Coalition Pod Lupom recorded 1 376 electoral irregularities during the electoral period; the largest number (372 cases) relates to the abuse or misuse of public funds and resources, while 279 related to the election campaign.⁹³ The coalition also reported 36 cases of children being used for campaigning purposes. The CEC received 42 complaints on this matter and sanctioned 26 parties and candidates on these irregularities.⁹⁴

74. The 2024 campaign was relatively low-key and peaceful, with no major incidents reported. While local issues were sometimes overshadowed, notably online, hotly contested races and electoral rallies still revolved on local priorities such as transport, pensions, healthcare and schools.⁹⁵ Nonetheless, limited attention was paid by political subjects on how to deliver their promises and commitments once elected. Competencies of the local government were mostly overshadowed by personalised politics. In comparison to past elections, most interlocutors highlighted the positive impact of the amendments on hate speech and disinformation resulting in a less hostile campaigning environment. The CEC received 57 complaints and sanctioned six cases of hate speech.⁹⁶ No systematic disinformation campaign was reported and only four complaints were submitted to the CEC.

75. As in previous local elections in Bosnia and Herzegovina, some interlocutors regretted the influence and involvement of foreign officials of neighbouring countries in local races to directly support some candidates or projects and influence the campaign. In particular, two events were reported in early September before the official start of the election campaign: the visit on the eve of the official campaign period of Croatian HDZ Prime minister Andrej PLENKOVIĆ to take part in the opening ceremony of a new bridge to facilitate travel from Bosnia and Herzegovina to Croatia⁹⁷ and the visit of President of Serbia Aleksandar VUCIĆ to inaugurate a new Health Centre in Stanari.⁹⁸ In addition, on

89 The CEC announced that the total amount of fines for premature election campaign activities was 268 000 Bosnian marks and that they requested the removal of 50 online posts. See CEC of Bosnia and Herzegovina, "[CEC BiH Announces the Beginning of the 2024 Local Election Campaign](#)", 5 September 2024.

90 "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." See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024. .

91. CEC of Bosnia and Herzegovina, "[Objections to the use of public resources for election purposes, Article 7.2a of the Law of Bosnia and Herzegovina](#)", as updated on 31 January 2025.

92 See [TI BiH: 10.8 million BAM was spent on the election campaign. Parties continue to misuse public resources with impunity](#), 3 October 2024. Another report of TI mentions "During election years, the total allocations for public procurements record growth of up to 40%, which can be interpreted as an attempt to influence the will of voters in such a manner", See Transparency International Report "[Post-conflict dystopia: captive state and society — the case of Bosnia and Herzegovina](#)", 5 February 2024.

93 See Pod Lupom (2024), *Op.cit.* p37.

94 See CEC of Bosnia and Herzegovina "[Child abuse complaints](#)", as updated on 31 January 2025.

95 On this matter, Pod Lupom noted in 89.9% of the 379 rallies they monitored, local issues were discussed, while online nearly 67% of the displayed content did not present local programmes. See See Pod Lupom (2024), *Op.cit.* p57.

96 CEC of Bosnia and Herzegovina, "[Objections to the use of public resources for election purposes, Article 7.2a of the Law of Bosnia and Herzegovina](#)" as updated on 31 January 2025.

97 Lozancic B. "[Plenković: Strong and continuous support for BiH on its path to European Union](#)", HRT, 4 September 2024

98 N1 Serbia, "[Dodik: We can also call Vučić Alexander the Unifier, Vučić says that he loves both Serbia and Srpska equally](#)", 2 September 2024.

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, one of the most competitive race in Republika Srpska.⁹⁹

76. The Congress delegation welcomed the overall improvement of the campaign environment, notably the reduction in cases of hate speech and disinformation and the less hostile and aggressive tone of political discourses. It pointed out that despite a more proactive approach to sanctioning campaign violations, the number of allegations of misuse of administrative resources and other violations by political subjects remained worryingly high in the weeks leading to the elections. It recommended urgently considering measures and funds to strengthen the capacities of the election administration and fully empowering the CEC to investigate and sanction violations in a transparent, timely and proportional manner; raise awareness of political entities on new provisions of the law and applicable sanctions, as a mean to mainstream the fight against electoral corruption. In parallel, the Congress delegation found that the amendments to promote gender equality in the media and campaign events were broadly unsuccessful and recommended reviewing provisions aimed at increasing the participation of women and youth in decision-making positions, as mayors or heads of lists. Due to its ethnic-based political structure, it pointed out that the political system of Bosnia and Herzegovina is still perceived as permeable to external influences, in particular during the election campaigns and recommended conducting an analysis of potential influence by foreign actors in local elections and identifying steps to prevent violations related to voters' lists, campaign events and campaign finance

IX. CAMPAIGN AND POLITICAL PARTY FINANCE

77. The financial aspects of election campaign are regulated by Chapter 15 of the Election Law and by the Law on Political Party Financing. This legislation sets rules concerning both revenues and expenditures during the election campaign. Accordingly, the CEC is responsible for the overall control of campaign financing, on its own initiative or in response to a complaint determines a ceiling of expenditures for campaign purposes and regulates donations. The CEC can assess civil penalties against any political subject or take appropriate administrative actions after seeking voluntary compliance from the subject found guilty of the violation.

78. Regarding funding, legislations provide for both public and private financial support to political subjects, which can be used for election campaign purposes. Public fundings derive from contributions by all levels of government, based on past electoral results. Private donations can be delivered by individuals, party members or legal entities, respecting different thresholds, while funding from foreign, anonymous and religious sources are forbidden. Both cash transactions and cash at hand are expressly admitted by the legislation and some interlocutors expected these to be heavily abused in the campaign and likely to undermine the transparency in campaign revenues (Article 15.1a of the Election Law).

79. For campaign expenses, spending limits are established by the CEC. As the multiplier is relatively low (BAM 0.30 per person, around EUR 0.15) and the size of some municipalities is quite small (200 voters), it was perceived by some Congress interlocutors as unrealistic for political subjects to be expected to respect spending limits, also due to the cost of services and inflation. As reported by some interlocutors, the difficulty to respect spending limits can lead political subjects to elude relevant legislation, mainly by underreporting cash expenditures. It also resulted in issues with the proportionality of sanctions, as sanctions were tripled by the 2024 amendments, but the spending cap was not modified. Some parties were perceived to have received relatively high sanctions for limited violations, while other more established actors were seen as managing to circumvent significant sanctions.

80. The 2024 amendments to the Election Law have introduced new rules aimed at improving transparency and accountability on the financial aspects of the election campaign, seemingly bringing the legislation more in line with past GRECO recommendations.¹⁰⁰ First, a special bank account must be open by political parties and independent candidates to collect all the revenues and pay all the expenses related to the election campaign, (Article 15.10 of the Election Law). Second, a person specifically responsible for the campaign finance and the tenure of the bank account must be identified by the political subjects (Article 15.3). Third, an interim report on the transactions completed through the special account for financing the election campaign must be submitted by political subjects

⁹⁹ The incumbent mayor of Banja Luka, Draško Stanivuković was from the Party of Democratic Progress, in the opposition.

¹⁰⁰ See GRECO (2023), [Second Compliance Report on the Third evaluation Round, Bosnia and Herzegovina](#).

three days before the election day, while a final report must be filed within 30 days following the date of publication of the election results. These reports must include all the transactions completed through the special account for the election campaign financing and must be submitted via a dedicated online platform.

81. While the request to submit an interim report was introduced in 2021, the CEC confirmed the overall compliance of political parties with the legal deadline.¹⁰¹ However, due to the lack of capacity and resources to handle them before the election day, it informed the delegation of its intention to publish them only after the election day, to respect the campaign silence period, constraining voters' capacity to make an informed decision. Moreover, the CEC reported to the delegation that some reports were incomplete or included mistakes on how to report revenues and expenditures. Close to 20% of all parties did not report any cost, as well as 116 independent candidates out of 157, which could point to either issues with the new interim report or to underreporting. The total spent amounted close to BAM 8.3 million (EUR 4.1 million) and consisted for 34% of posters and billboards, 31% of political advertising on print and electronic media and only 4% was dedicated to rallies.

82. Following the submission of final reports, the CEC noted that 11 parties did not submit reports, as well as 32 independent candidates. The overall amount spent amounted to BAM 9.7 million, over BAM 4 million more than in the 2020 local elections, but well under the national cap of expenses set at approximately BAM 15 million. In total, parties raised close to BAM 16 million in funding, mostly from their own members and contributions.¹⁰² SDA reported BAM 1.25 million, SDP BAM 1.1 million, SNSD close to BAM 950 000 and HDZ BiH BAM 765 000, while the two remaining members of the Troika, People and Justice and Our Party spent respectively BAM 660 000 and BAM 511 000.

83. Transparency International BiH repeated long-standing concerns related to underreporting of expenses and noted with concern that most parties did not have legal sources with which they could justify the millions used for campaigning purposes. They estimated the expenses of only the five key parties to amount to EUR 5 million, with the largest spenders being SNSD (far ahead with close to BAM 1.7 million), SDA, SDP BiH, Party of Democratic Progress and HDZ. As of finalisation of this report, it remains unclear if sanctions were addressed to political entities for underreporting or other finance-related violations.

84. Overall, the Congress delegation welcomed the legal and practical improvements made on campaign and party finance (see paragraph 79). However, as noted in 2022, it considered that campaign finance regulations still did not guarantee full transparency and accountability. Several political parties still manage to circumvent campaign and party finance regulations, as the sanctions are not dissuasive and timely enough to counter-balance the financial benefits for political parties. It recommends limiting the use of cash transactions, fully empowering the CEC to exercise its oversight and sanctioning functions, publishing interim reports upon reception and considering proportional sanctions in cases of non-submission of reports and underreporting. In line with past GRECO recommendations, it also recommends taking measures to prevent the rules on ceilings on expenses during election campaigns from being circumvented by effecting these expenses outside the campaign reporting period and to give the Central Electoral Commission a mandate to supervise the expenditure of political parties also outside election campaigns.

X. MEDIA

85. The Constitution of Bosnia and Herzegovina recognises freedom of expression. The Entities' Constitutions reiterate this right, namely recognising the free speech and press (Constitution of the Federation of Bosnia and Herzegovina) and the freedom of public expression of opinion, of press and other media of communication (Constitution of Republika Srpska). Nonetheless, according to Reporters Without Borders, the situation of the media in the country is worsening, as shown in the Global freedom of expression index rankings, moving from 61/180 in 2023 to 80/180 in 2024.¹⁰³

101 The CEC received on time 111 reports for 116 parties and 157 reports for 189 independent candidates. See CEC of Bosnia and Herzegovina (2024), "[Information on submitted reports on special account transactions for financing the election campaign for the 2024 local elections](#)".

102 See CEC of Bosnia and Herzegovina, "[Information for the local elections of 2024 on submitted post-election financial reports of political parties, independent candidates and election campaign financing](#)", 1 January 2025.

103 Reporters Without Borders (2024), Country webpage [Bosnia and Herzegovina](#).

86. The media landscape is plural, even if highly fragmented on political and ethnic grounds. Political and economic pressures, as well as the lack of transparency on the ownership of many outlets, undermine the credibility of the media and their ability to provide for a complete and fair political information to the citizens. According to Reporters Without Borders, the country has about 40 TV channels, 150 radio stations, several daily newspapers and news agencies, almost 200 magazines and about 600 news websites. The television still represents the main source of information for citizens of Bosnia and Herzegovina, especially during election campaign. The public broadcasting service includes one national outlet, the Radio and Television of Bosnia and Herzegovina (BHRT), and two entity-level broadcasters, the Radio Television of the Federation of Bosnia and Herzegovina (RTV) and the Radio Television of Republika Srpska (RTRS). BHRT has faced risks of closure for 10 years, due to longstanding disputes on the funding of BHRT by the entities,¹⁰⁴ undermining its ability to guarantee the right to information of the citizens.¹⁰⁵

87. In this context, additional reasons of concern on the media landscape could be found in Republika Srpska. A decision of July 2023 recriminalised defamation in Republika Srpska, sparking international and national criticism, as the new legislation seemed to introduce a possible limitation of the freedom of expression and especially of the freedom of press.¹⁰⁶ Defamation lawsuits by politicians and verbal attacks have had a chilling effect on the press in the entity. The RTRS also refused to contribute over the last years to the national public broadcasting service and showed political bias when reporting on the campaign. Finally, a draft law on foreign interference was put forward by the authorities of Republika Srpska in April 2024 and withdrawn on 28 May but raised preoccupations of the media and civil society on further crackdown on freedom of speech.¹⁰⁷

88. During the campaign, media are subjected to Chapter 16 of the Election Law, which was extensively amended in 2024. The amendments clarified provisions applicable to online media, grounds for refusing to broadcast political advertising (harmful content) and invited political subjects to ensure equal representation of men and women. All rules are equally applicable to social media, which were used extensively but in mostly neutral and positive tone.¹⁰⁸

89. Broadcasters are allowed to cover election campaign and must observe the principles of balance, equal access, fairness and impartiality, especially during information programs such as news, interviews, discussions, round tables and debates. Specific rules are established for paid political advertising of political subjects, ensuring that the principle of equal conditions is guaranteed, and that those forms of campaign are clearly distinguished from the rest of the programmes and subject to unified prices for all political subjects participating in the elections for a period of 30 days before the election day. Online and traditional media must clearly label political advertisement as such. As of 3 October, Transparency International estimated that advertisement in the largest media amounted to close to EUR 8 million and that EUR 125 000 had been spent on online ads on platforms of the company Meta (Facebook, Instagram, and WhatsApp). The use of print media for election campaign is self-regulated.

90. Coverage of the campaign in the media was limited, providing information on electoral preparations rather than programmes and therefore limiting possibility for voters to make a fully informed decision. Public broadcasters covered campaigning activities in a narrow but unbiased manner, to the exception of RTRS which covered extensively SNSD activities in a biased manner. No debate was organised on public TV but some online outlets, in particular the popular outlet Klix.ba and 25 other local media, organised many debates in the Federation.¹⁰⁹ Unfortunately, many contenders, including incumbent mayors of Sarajevo and Banja Luka, declined the invitations to participate, continuing the long-standing practice of avoiding direct confrontation between candidates on

104 *Ibid.*

105 The International Federation of Journalists noted that “the Law on the Public Broadcasting System has been violated since 2017 with the radio-television of Republika Srpska (RTRS), the Serb autonomous entity of Bosnia and Herzegovina, failing to transfer to BHRT the corresponding share of the tax. This had reduced available funding for the station by EUR 41 million. Radio-television of the Federation of Bosnia and Herzegovina, the public service of the second entity of Bosnia and Herzegovina, also owes the national public broadcaster almost €8 million. All these debts are the subject of court disputes.”, See IFJ, [Bosnia and Herzegovina: It must not become the only European country without a public service media](#), 31 January 2024.

106 European Commission, “[COMMISSION STAFF WORKING DOCUMENT Bosnia and Herzegovina 2024 Report](#)”, 30 October 2024.

107 See Article 19, “[Republika Srpska: The Georgian paradigm of Balkan foreign agents](#)”, 3 July 2024.

108 See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

109 *Ibid.*

programmatic issues.¹¹⁰ Women remained underrepresented in the campaign, to the exception of a few well-known figures. Interlocutors from the media informed the delegation that freedom of information was an issue during this campaign, as there were no debates and candidates and office holders often refused to be interviewed or questioned by journalists, notably members of the Troika.

91. Domestic Coalition Pod Lupom reported 115 irregularities in the work of the media during the campaign, of which 53 cases constituted politically biased reporting, 14 cases reporting on officials stating their candidacy or party affiliation and one case of broadcasting discriminatory political advertisements. Only five cases of fake news that could jeopardise the integrity of the elections were reported.¹¹¹

92. The Election Law provides for an articulated system of complaints on the misuse or abuse of media during the election campaign. For violations by a broadcaster, the competent authority is the Communication Regulatory Agency of Bosnia and Herzegovina,¹¹² while if a political subject is responsible for the violation, the competent authority is the CEC. Unfortunately, the Agency did not monitor the media in the context of the 2024 elections and only reacted to complaints¹¹³ and the CEC did not have capacity to fully monitor the social media leaving important sections of the campaign unmonitored. The CEC received 151 complaints for breaches of the electoral silence and sanctioned about 20 of these cases.¹¹⁴

93. Complaints against contents released both in the print and online media concerning the coverage of the election campaign are addressed by the self-regulatory Press and Online Media Council.¹¹⁵ It informed the delegation that it had received 35 complaints, which would be dealt with at a later stage as it had limited capacity (only three staff members) and the Council had monitored 88000 comments on online media and found that 7% of those contained harmful content. Interlocutors acknowledged that lack of time and financial and human resources are the main reasons for which media monitoring bodies only act on the basis of complaints, and it was not possible to launch *ex officio* investigations on possible violations of the Election Law.

94. The Congress delegation expressed preoccupation with the state of the media in Bosnia and Herzegovina. While disillusionment with electoral processes is widespread in Bosnia and Herzegovina, voters were provided with insufficient information to make an informed choice, as media coverage was limited and political subjects often failed to appear in debates or to explain their plans, if elected. It regretted that the media landscape was negatively affected by the worrying situation of the public broadcasters, the lack of transparency of media ownership and increasing political pressure and threats against journalists in Republika Srpska. It called on the authorities to fully implement existing media legislation in a timely manner including oversight and enforcement powers of bodies responsible for media monitoring, to promote programme-based and inclusive debates; and in Republika Srpska specifically, to refrain from further weakening freedom of expression in the entity and introduce measures to protect journalists from political pressure.

XI. PARTICIPATION OF WOMEN IN ELECTIONS

95. An important objective of the 2024 amendments to the Election Law was a more gender-balanced representation in political bodies, which remains limited in Bosnia and Herzegovina. Several soft

110 As of finalisation of the report, the law had been reintroduced in February 2025. Klix Vijesti, "[Why are most politicians in Bosnia and Herzegovina afraid of public debates before the elections?](#)", 11 September 2024 (in Bosnian).

111 See Pod Lupom (2024), *Op.cit.* p 51.

112 The Communications Regulatory Agency was established on 2 March 2001 combining the competences of the Independent Media Commission and the Telecommunications Regulatory Agency, which had previously operated separately. The Agency operates on the state level, and its mandate is defined by the Law on Communications of Bosnia and Herzegovina which was originally imposed by the Decision of the High Representative in October 2002 and then adopted by the Parliamentary Assembly in September 2003. The Agency is managed the Council, which consists of seven members nominated by the Council of Ministers on the basis of a list of candidates submitted by the Council of the Agency, and appointed by the Parliamentary Assembly; and the Director General, appointed by the Council of the Agency, and approved by the Council of Ministers. See <https://rak.ba/en/>

113 The CRA indicated to the Congress delegation that it had receive 9 complaints. One was on the organisation of a debate with only two competitors.

114 See CEC of Bosnia and Herzegovina, "[Objections to violation of electoral silence](#)", as updated on 31 January 2025.

115 The Press and Online Media Council is a self-regulatory body for print and online media that enables citizens to lodge complaints about unprofessional writing in print and online media, following the professional standards included in the Codex for Press and Online Media of Bosnia and Herzegovina. Association organs are the Assembly, the Board of Directors, the Executive Director and the Complaints Commission. See <https://vzs.ba/en/>

provisions have been introduced by the 2024 amendments to complement the 40% gender quota introduced in 2013 and strengthen the participation of women in elections, at different stages, from the candidate registration to the election campaign. In the 2020 elections, five women were elected mayors in the 140 mayoral races and out of the 30 384 registered candidates for the local elections, 42% were women. Per entity, the number of women local councillors rose to 17.3% in Republika Srpska, 13% in Brčko district and 21.4% in the Federation, meaning 19.6% nationally.¹¹⁶

96. According to Article 4.19 of the Election Law, candidates' lists for all levels of elections shall include candidates of male and female gender, who are equally represented; the law specifies that this requirement is met when one of the genders makes at least 40% of the total of candidates on the list. Moreover, the so-called minority gender candidates must be distributed on the candidates list as it follows: at least one amongst the first two candidates, two amongst the first five candidates, three amongst the first eight candidates. In compliance with these provisions, 42% of the candidates in these elections were women.¹¹⁷

97. Nonetheless, while the quota of candidates is applied nearly consistently, the number of women in local self-government bodies remains very low and stagnant, to some notable exception including the incumbent Mayor of Sarajevo, Ms Benjamina Karić. The gender quota on candidates list does not translate into specific provisions on the attribution of seats and no gender-related provisions exist for mayoral posts. As a consequence, 42% of candidates on the lists were women, but only 8% of the 386 candidates running for mayor were women (29 women – none under the age of 30), including 4 of the 5 incumbent women mayors running for re-election,¹¹⁸ and 13% of lists were led by women. Close to 5 500 young candidates (21% of all candidates, while they only represent 11% of the population) stood for elections, with slightly more women than men (55%), but only five candidates under 30, all men, stood for mayoral races. Following the 2024 local elections, only eight women were elected mayors and 723 councillors (including 116 under the age of 30) are women out of 3 177 councillors overall (23%).¹¹⁹

98. Therefore, the combination between these provisions, long-term hurdles for the participation of women and the electoral system does not ensure an equal representation of women and men in local decision-making positions.¹²⁰ Furthermore, according to some Congress interlocutors, the limitation to three preferential votes could make it harder for individual candidates to get the 10% threshold and thus indirectly jeopardise the equal representation of women and men. Introducing the obligation for the voters to express their preferences for candidates of different genders could instead represent a more direct way to pursue gender balance.

99. From a more general perspective, many interlocutors highlighted the insufficient representation of women in local politics, in a rather men-centred political landscape. According to the 2024 amendments, "during the election campaign, the political subjects shall make their best efforts to ensure equal representation to female and male candidates running in the elections for the presentation of their political program and the program of their respective political subjects, through both the public and the private electronic media". Also due to the lack of provisions establishing specific objectives and mechanisms to implement that principle, as well as related sanctions, women have remained underrepresented in the election campaign.

100. The Congress delegation positively assessed that, despite important societal obstacles to their participation, young and female candidates were numerous to stand in elections for local councils and to participate in the work of polling station commissions (PSC). However, such participation was limited, in local leadership positions and amendments to promote gender equality in the media and campaign events were broadly unsuccessful. The delegation recommended reviewing provisions aimed at increasing the participation of women and youth in decision-making positions, as mayors or heads of lists, and considering quotas in seat allocation and de-registration of lists not complying with gender quotas.

¹¹⁶ Westminster Foundation for Democracy, [Representation of women in local government in Bosnia and Herzegovina after the 2020 elections](#), April 2021.

¹¹⁷ According to the figures published by the CEC, 10 983 out of 26 089 certified candidates were women.

¹¹⁸ ABNAE, "[BiH Agency for Gender Equality: Number of elected female municipal mayors declining](#)", 8 October 2024.

¹¹⁹ See CEC of Bosnia and Herzegovina (2024), "[Election Indicators 2024](#)".

¹²⁰ Seats won by a list are first allocated amongst candidates on the list who individually received at least 10% of the total number of valid votes received by that list. Only if there are still mandates to be distributed to that list, the distribution is done according to the candidates' order on the list. Article 13.5 of the Election Law.

101. Many other solutions could be envisaged, such as a clause according to which the voter must chose candidates of different genders in case that more than one preference is expressed, financial incentives, seat allocation quotas reflecting and/or through specific rules for a gender-balanced candidacy for mayoral posts, for example requesting political actors at entity-level or country-wide scale, to present no more than 60% of mayoral candidates belonging to one gender.

XII. PARTICIPATION OF NATIONAL MINORITIES

102. As politics and administration in Bosnia and Herzegovina are strongly influenced by ethnicity, the participation of minorities to the elections has represented and still represents a crucial aspect of concern regarding the fairness of the electoral process. The most controversial rule is embodied in the ethnicity-residency-based restrictions applying to candidacies, in particular for the presidential elections: according to the Election Law, citizens who are not affiliated with one of the three constituent peoples or who fail to meet a combination of the requirements of ethnic origin and place of residence cannot be elected.

103. Notwithstanding the fact that legislation has been regularly found to be in breach of the ECHR (see above), such bias has never been addressed through electoral reforms, due to the lack of consensus between major political parties and their will to preserve the *status quo*, the exception being the local elections in Mostar. Congress interlocutors and many analysts have also criticised the fact that the amendments adopted by decision of the High Representative in 2022 and 2024 repeatedly failed to address this issue.

104. As for local elections, the legislation seems to take into greater consideration the need to represent individuals who are not affiliated to the three constituent peoples and, namely, national minorities. In this sense, it is worth mentioning that according to the Election Law, the applicable definition of “member of a national minority” is provided by the Law on the Protection of the Rights of National Minorities, which at Article 3 states that “A national minority, in terms of this Law, shall be a part of the population-citizens of Bosnia and Herzegovina that does not belong to any of three constituent peoples and it shall include people of the same or similar ethnic origin, same or similar tradition, customs, religion, language, culture, and spirituality and close or related history and other characteristics”. The same Article 3 directly recognises 18 national minorities and opens the possibility to recognise other minorities meeting the requirements established by the law.¹²¹ The largest group, the Roma community, suffer from long-term discrimination and marginalisation in society.¹²²

105. Article 13.a of Election Law is dedicated to the “Participation of members of national minorities in the elections for municipal level”. Local authorities are the only level of government for which specific electoral rules are in force to ensure the political representation of national minorities. The law affirms that if the members of all national minorities make up more than 3% of the total population of a particular constituency, a minimum of one seat must be granted to national minorities, provided that the exact number of seats is defined by the statute of the particular municipality or city. MECs should also be representative of the ethnic distribution within the municipality.

106. To fill the seats reserved to national minorities, political parties and coalitions, but also registered associations representing national minorities or groups consisting of at least 40 citizens, can nominate at most as many candidates as the total number of mandates reserved to national minorities in that constituency. The candidates are included in a special list to be placed at the end of the ballot paper and are elected by simple majority. In total, 43 independent candidates representing national minorities registered to run in the 2024 elections, including seven candidates in Tuzla, six in Brčko and four in Banja Luka. In addition, the CEC organised a voter education campaign targeting some of the national minorities to inform them of the changes in the law.

107. The Congress delegation welcomes that the legal framework allows for the participation of national minorities in local elections, as voters, candidates and members of the election administration,

121 These minorities are Albanians, Austrians, Montenegrins, Czechs, Italians, Jews, Hungarians, Macedonians, Germans, Poles, Romas, Romanians, Russians, Rusins, Slovaks, Slovenians, Turks, and Ukrainians.

122 The proof of address necessary to register as a voter was found to impact their right to vote, as many Roma community members lack the necessary documents. See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

but more could be done to ensure participation of Roma in local decision-making, including voter awareness and incentives.

XIII. NEW VOTING TECHNOLOGIES

108. One of the most important novelties introduced by the 2024 amendments of the Election Law is the implementation of pilot projects for the gradual introduction of ICTs into the electoral process, which was requested by many electoral stakeholders. According to a transitional provision of the law, it falls within the competence of the CEC to define the scope of the pilot projects and to identify the locations where these pilot projects shall be introduced. The CEC is also responsible for the distribution, installation, security and use of those technologies (Articles 20.16d-20.16e of the Election Law).

109. Four different pilot projects were introduced for the first time on fingerprint identification and automatic transmission of results to the CEC, the use of an optical scanner for the casting of the vote and the automatic counting of ballots, biometric identification and authentication of voters and the video surveillance at the polling stations.¹²³

110. The introduction of new technologies in the electoral process has been generally welcomed by the interlocutors of the delegation as a key instrument to enhance the transparency and integrity of the process itself. More specifically, video surveillance was perceived as a way to avoid cases of multiple voting or other misconducts in the vote casting and the use of the scanner to cast and automatically count votes could prevent frauds in the counting and collection of votes. However, the election day highlighted the need for a technological improvement before upscaling of these projects. A better training of PSC members and of the technical staff appointed to support the implementation of the new technologies was also deemed necessary.

111. On this last aspect, as the Congress teams observed during the mission that, even if the CEC had recruited trainers and technical operators for the implementation of the pilot projects, time constraints have limited the ability of the electoral administration to organise comprehensive voter and operator education on new technologies. Citizens were only limitedly aware about the concrete usage of ICT technologies, which led to some confusion and delays on election day (see below).

112. However, risks associated with the introduction of digital technologies remain to be addressed for further deployment of the system and, after finalisation of the elections, domestic observers should be invited to participate in the assessment of the process. Although most machines appeared to be operating smoothly, any digital service may be difficult to use for certain categories of voters, such as older members of society, resulting in needed assistance and sometimes jeopardising the secrecy of the vote (see below).

113. The Congress delegation noted with satisfaction that the four pilot projects were overall assessed positively with no major technical issues observed and were perceived as an additional safeguard to the integrity of the process. However, it noted with concern that the election day was marked by some technical and procedural issues including the malfunctioning of some electronic identification devices and breaches in the secrecy of the vote and recommended strengthening reliability and independent oversight of electronic systems (see below).

XIV. COMPLAINTS AND APPEALS

114. A comprehensive legal framework regulating the resolution of electoral disputes is included in Chapter 6 of the Election Law dedicated to the protection of electoral rights. Complaints can be filed by any voter and any political subject, either natural or legal persons. The complaint must be addressed to the competent electoral commission in written form and must include the name of the complainer and

¹²³ Pilot project 1 focused on the authentication of voters through fingerprints identification and the automatic transmission of results to the CEC. The project has been implemented in 165 polling stations in 11 municipalities and supported by the European Union Delegation. Pilot project 2 is about the use of an optical scanner for the casting of the vote and the automatic counting of ballots. This project has been supported and funded by the US Agency for International Development and refers to 145 polling stations in 7 different municipalities. Pilot project 3 is on biometric identification and authentication of voters. Its implementation has been supported by the OSCE Mission and has been limited to 138 polling stations in the Brčko District. Pilot project 4 is on the video surveillance at the polling stations and focuses on the introduction of the ballot in the ballot box. This project has been tested in 10 polling stations in 5 municipalities and is funded by the Ministry of Finance of Bosnia and Herzegovina. See CEC of Bosnia and Herzegovina, [Decision on pilot projects](#), 16 August 2024.

of the perpetrator of the violation, as well as contextual elements such as the date, place and content of the violation and the evidence confirming the allegations. Once received the information on a possible violation, the competent electoral commission must initiate a procedure in order to adjudicate the complaint (Articles 6.2-6.3 of the Election Law).

115. The legislation defines in a quite clear way the distribution of competence between electoral commissions for the adjudication of electoral disputes at first instance. Municipal Election Commissions are responsible for any violation of the election campaign rules, excluding complaints for abuse or misuse of administrative resources, interference in journalists' activities, hate speech, use of children, false impersonation of political subjects and violations of the campaign silence period (Articles 6.4 of the Election Law) for which the CEC is responsible. In addition, the CEC is also responsible at first instance for violations concerning media coverage of election campaign made by political parties as well as for any other violations of the electoral process. The CEC is the appellate body for the decisions delivered by the MECs, as well as the body of unique instance for cases concerning the appointment of presidents and deputies of the PSCs (Articles 6.5-6.6 of the Election Law).

116. Except for this last case where the CEC has exclusive jurisdiction, all decisions delivered by the CEC are appealable before the Appellate Division of the Court of Bosnia and Herzegovina (Article 6.9 of the Election Law). The exclusion of a single but relevant aspect of the electoral process from judicial remedies is contrary to international standards on electoral matters. Judicial remedies also include criminal actions against criminal acts concerning the electoral process, as such, if an election commission believes that such acts have been committed, it shall report them to the competent prosecutor's office.

117. The timeframe for filing and adjudicating complaints is quite tight but allows for a rapid definition of the electoral disputes. The 2024 amendments have extended the deadline to report violations from 48 to 72 hours, but all other deadlines remained unchanged. Congress interlocutors mentioned by many deadlines were too short, and that the accused have 24 hours to respond in writing and decisions have to be taken within the following 48 hours. When allowed, appeals must be filed to the upper commission within 72 hours and decided within the following 48 hours. Appeals to the Appellate Division of the Court of Bosnia and Herzegovina may be presented no later than two days after the contested decision of the CEC and decided within three days.

118. During the 2024 elections, the change in many provisions led to a backlog of cases in front of the CEC and the courts, with many cases not solved before election day. In particular, the CEC did not have the capacity to fully investigate all cases regarding to the appointments of PSC chairpersons and deputies, to ensure their proper training and organisation of the election day.

119. As a general rule, the competent bodies may order a hearing of the parties and decisions are immediately notified to the complainant and to the other parties. The 2024 amendments increased the transparency in procedures by stating that "the CEC of Bosnia and Herzegovina shall disclose to the public in a timely manner the information regarding the filed complaints and appeals including the decisions taken and shall keep a separate register of filed complaints, appeals and the decisions taken". However, some interlocutors regretted the manner used by the CEC to disclose information on the decisions, which did not provide enough justification for decisions, nor published the text of the complaints or the decisions in a timely manner. Even if many cases were debated by the CEC in public sessions, it did not provide for full transparency of the decision-making implied by the amendments.

120. In total, the CEC handled about 2 000 complaints as a first instance body and 90 complaints as a second instance. The great majority of cases decided by the electoral commissions before the election day concerned abuses or misuses of administrative resources, premature campaign activities (in part due to the new definition of early campaigning) and the appointments of PSC chairpersons and deputies.¹²⁴ 480 complaints were pending before the election day, including 200 on early campaigning, 90 on misuse of administrative resources and 19 on hate speech.¹²⁵ While the CEC complaints database was established, as per the 2024 amendments, not all decisions were clearly motivated.

124 Summary of all complaints submitted to the CEC can be found on the [dedicated webpage](#).

125 See IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

121. The Appellate Division of the Court of Bosnia and Herzegovina received 66 appeals before election day and upheld most CEC decisions. However, contrary to international recommendations, the Court sessions on electoral matters are not open to the public.

122. Overall, the CEC adhered to the provision of holding sessions in public (96 sessions were broadcasted live and then posted on the Youtube channel of the CEC), but domestic coalition Pod Lupom and the IEOM noted with concern that the discussions about the adopted decisions were conducted in informal meetings, not open to the public.¹²⁶

123. Overall, the Congress delegation pointed out that significant issues concerning the election dispute resolution remain outstanding and that election dispute resolution was negatively affected by an increase in the number of disputes, important backlogs and insufficient transparency, notably on the publication of some decisions and the proportionality and justification of sanctions, which resulted in hundreds of proceedings pending on election day and limited the right to an effective remedy. It recommended taking steps to enhance transparency and professionalism of the election administration in particular on election dispute resolution and increasing capacity of the legal department of the CEC to handle all proceedings in a timely manner. At the same time noted that the procedure for the appointment PSC chairpersons and deputies lacked final judicial oversight and invited the authorities to introduce such review.

XV. ELECTION DAY¹²⁷

124. On election day, 12 teams comprising a total of 25 Congress observers were deployed to observe voting procedures throughout the country in randomly selected polling stations from opening until closing and counting. The delegation took part in a joint international election observation mission (IEOM), alongside the OSCE/ODIHR, which deployed 20 long-term and 202 short-term and the European Parliament 13 observers on election day. Overall, the election day observed was calm and peaceful but suffered from some irregularities and some procedural inconsistencies.

125. The last days of the election campaign were marked by extreme floods, which occurred on 4 October, two days before the election day. The events, which mostly affected the cantons of Central Bosnia and Herzegovina-Narenta in the Federation, resulted in over 30 fatalities and caused serious disruption by damaging roads, railways, residential and commercial buildings. In response to these events, elections were postponed by the CEC in five municipalities, Kiseljak, Kresevo, Fojnica, and Konjic (20 October), and Jablanica (3 November), affecting approximately 60 000 registered voters. The floods also impacted the Congress deployment plan, with the team deployed to Mostar being redirected. Neither the Congress nor the OSCE/ODIHR observed the elections on 20 October and 3 November.

126. Overall, the election day was peaceful and calm, allowing for the fair conduct of the electoral process. Throughout the day, there was no evidence of campaign material inside or outside the polling stations and other forms of campaigning were not witnessed by observers nearby. No major episodes of unrest or violence were observed by the delegation or reported by the media. A limited and discreet presence of the police has been reported by the delegation nearby some polling stations, but undue interferences have not been observed in the premises.

127. Opening procedures were conducted in a timely manner in polling stations visited by the Congress teams. The opening process was assessed positively in all 97 polling stations observed by the IEOM teams. Opening procedures were generally well followed. Despite the practical conditions for opening being met, the Congress observers noted some instances of miscommunication between members, which led to some issues with sealing the boxes or setting up the polling stations. Some PSC members also made minor mistakes in checking the electoral material (especially the ballots), filling in the register, overall leading to short delays in the opening of the polls.

¹²⁶ See Pod Lupom (2024), [Final report on the citizen, non-partisan observation of the 2024 Local Elections in BiH](#), p 23.

¹²⁷ Congress delegation members assessed the conduct of elections based on a standardised election day questionnaire distributed by OSCE/ODIHR, which was filled out for every observation by Congress teams. The questionnaire covered all areas and aspects of the election day from the conduct of opening, voting, counting and closing procedures and include questions on the persons present in the polling station, the atmosphere outside and inside the polling station, election material, transparency, potential irregularities, official complaints and a general assessment. Observations in this section are based on field observations by Congress teams and aggregated results for the IEOM as presented in IEOM, [Statement of Preliminary Findings and Conclusions, Bosnia and Herzegovina, General Elections](#), 6 October 2024.

128. Overall, throughout the day, voting procedures observed by Congress teams were well organised and managed according to the procedures, with some notable exceptions in particular in Republika Srpska. Instructions on voting, samples of the ballot, lists of the members of the polling stations and prohibition signals were displayed and visible. IEOM observers assessed the voting process negatively in 7% of polling stations observed, mainly due to serious problems with the secrecy of the vote and procedural shortcomings, which is a concerningly high number. The main source of preoccupation of Congress observers was the lay-out of polling stations, which in most polling stations did not allow for voters to decide in secrecy (40% of the observations by the IEOM observers). PSC members were sometimes standing close to ballot booths and seats for observers were sometimes positioned in a way that did not allow for full secrecy. In some instances, polling stations were located in rooms which were not adapted to voters with disabilities, and/or too small to ensure a smooth flow of voters, causing congestion both inside and outside the polling station.

129. While polling stations must be arranged taking into consideration accessibility for voters with disabilities, observers reported that polling stations were only partly accessible or not accessible at all to people with disabilities.

130. Some issues were observed in 58/186 polling stations equipped with IT pilot projects observed by the IEOM, reflecting a level of unpreparedness. These problems created slowdowns in the electoral process and consequently, minor congestion. Specific issues concerning the secrecy of the vote were also observed in the polling stations using the scanners to cast and count the ballot papers. According to the established procedure, each ballot had to be placed by the voter in an envelope and pushed in the scanner using that envelope as a cover. However, several tries were usually needed to complete the procedure, with the scanners being jammed, and sometimes the envelopes were removed to facilitate the introduction of the ballot in the box, potentially leading to a disclosure of the vote. Minor discrepancies between the automatic counting through the scanner and the manual counting made by the PSCs were observed, as well as challenges in the automatic transmission of the provisional results to the Central Electoral Commission.

131. Other pilot projects were conducted in a broadly satisfactory manner. In a few cases, fingerprints and biometric identification of voters did not fully work, creating slowdowns and overcrowding. In line with the legislation, the interested voters were nonetheless allowed to vote after their identification through regular ID. No problems or complaints were observed concerning the video surveillance, but some observers questioned the need for the camera to record only the ballot box throughout the day. In general, in all concerned polling stations, the presence of trained technical staff ensured the correct usage of technologies and helped to rapidly solve minor technical issues. The CEC later assessed that the scanning devices worked effectively in 98.6% of the cases.¹²⁸

132. As indicated in the Statement of preliminary findings of the IEOM, "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".

133. The Congress delegation favourably acknowledged that many members of the Committees, including chairpersons, were young people, signalling a satisfactory participation of the youth in the electoral administration bodies. While highly welcomed, the youth participation shall be matched by adequate training, to avoid the risk of mistakes and interference by non-authorised citizens. Women were also well represented as polling station members and chairpersons (approximately 51%).

128 Klix Vijesti " [Scanners in BiH worked effectively at 98.62 percent of polling stations](#)", 18 October 2024 (in Bosnian).

134. Shortcomings were also noted during the closing and counting. For instance, mistakes were reported in fulfilling the different tasks of the counting procedure following the required steps, applying the electoral formula and sealing the electoral material (including packing unused ballot papers and pens before opening the ballot box). In 24 counts observed by the IEOM, teams had difficulties reconciling the results. However, good practices such as double checks of electoral results and proper and unanimous consideration of invalid ballots were largely followed. Overall, the presence of assistant staff mandated by MECs in some premises reduced the impact of these issues on the fairness of the electoral procedure. The reported shortcomings were seemingly generated by a lack of training and experience rather than attempts to unduly interfere with the process. In total, the number of invalid ballots throughout the country is quite high: 6.56% for mayoral races and 5.5% for local councils.

135. Importantly, international and national observers were allowed to monitor all the phases of the electoral process, even though in some cases PSC chairpersons were not fully aware of their rights and duties, especially for the international observers. The presence of national observers from political parties and civil society associations increased as the closing of the polls approached. The delegation was in some cases concerned by the behaviour of the party proxies, due to cases of voters tracking, overlapping and confusion between the roles of observers and members of the PSC. In some instances, party observers possessed a printed version of the voters list and PSC members informed them of the names of voters when signing the register. On election day, 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.

136. Domestic coalition Pod Lupom, which deployed observers in about 14% of all polling stations, assessed the election day as generally in line with the procedures. They evaluated the deployment of pilot projects as very positive and witnessed that violations had increased compared to past elections in polling stations where such technologies were not deployed. Domestic observers noted that most polling stations opened on time or with short delays, that about a quarter were not accessible to voters with mobility impairments and that “traditional” violations were witnessed at average or higher levels than in previous elections, including abuse of assisted voting, photographing ballots, pressure on voters, family voting, voters being turned down because not registered, breaches of the secrecy and transportation of voters.¹²⁹

137. The Congress delegation found that the election day was overall calm and organised in a professional manner and the four pilot projects deployed to introduce the use of new technologies in the electoral process were overall assessed positively and perceived as an additional safeguard to the integrity of the process. At the same time, it noted with preoccupation that the election day was marked by some technical and procedural inconsistencies and irregularities and teams observed significant breaches to the secrecy of the vote, some delays due to technical issues in stations piloting IT solutions and a relatively high number of important violations, while accessibility for voters with mobility impairments was not ensured in most polling stations. It recommended improving the accessibility and review the layout of polling stations, reinforcing the training provided to lower-level commissioners in order to increase their knowledge of counting procedures and considering the introduction of more dissuasive sanctions in case of electoral violations. On IT pilot projects specifically, it invited the authorities to strengthen reliability of electronic systems by refining related procedures and organise well-ahead of elections comprehensive training and information on deployed technologies, both for electoral officials and voters.

XVI. TURN-OUT, RESULTS AND POST-ELECTION DAY DEVELOPMENTS

138. Soon after closing, the Chairperson of the CEC indicated that the turnout was 47.72%, down from the last elections of 2022 (51.45%) but also from the local elections of 2020 (50.43%), which were held during the Covid-19 pandemic. Following the announcement of final results (which included the five municipalities affected by the floods), the turnout was revised to 48%. Nonetheless, while participation decreases overall in Bosnia and Herzegovina, it is worth noting that the effective turnout is higher than the official figures, as the voter register is based on outdated census which includes people who died or live abroad and, as Pod Lupom, noted the number of voters who actually cast their

129 See Pod Lupom (2024), [Final report on the citizen, non-partisan observation of the 2024 Local Elections in BiH](#), p 61.

ballots remains quite stable. According to some projections reported to the delegations concerning past elections, an official turnout of 50% could reflect a real turnout of closer to 70%.¹³⁰

139. After the election day, some violations and inconsistencies regarding protocols were reported by the media and complaints were submitted to the CEC. The CEC ordered recounts in cases of irregularities in 186 polling stations, including in Sarajevo, based on Article 5.30 of the Election Law, which states that recounts can be requested by a MEC, a political subject, an accredited observer, a group of 50 or more voters, or *ex officio* by the Central Election Commission. These recounts were held in the main counting centre with domestic observers attending. Coalition Pod Lupom observed some issues with stamping and signatures during the recounts but underlined the CEC's proactive approach to recounts and clear communication with observers.¹³¹ The CEC also ordered 33 manual recounts in cases of polling stations equipped with pilot projects. Final results were announced on 5 November 2024, within legally prescribed deadlines.

140. Following the announcement of preliminary results, the temporary results were contested in some municipalities as the races for mayor were sometimes decided by difference of only a handful of votes. Recounts clarified some situations where majorities were tight, including in Novo Sarajevo and Mostar. Two candidates submitted criminal complaints, as results allegedly showed that zero vote in their favour was recorded in the polling station where they voted.¹³² Other allegations and complaints revolved on electricity outage, manipulation of the counting and tabulation and vote buying and were reported by the media. In Brčko, a criminal investigation was opened on vote buying charges against a member of the Assembly of Brčko and several arrests were made.¹³³ In Bosanska Petrovac, the election results were corrected after a CEC recount, leading to the victory of the SDA by 34 votes, against the SNSD. This case was challenged in courts.

141. All contestants eventually accepted the final results. Strong continuity was observed in the local political orientations and all parties presented their results as a victory. The distribution of power remained roughly similar than following the 2020 elections, with only 27 changes in mayors.¹³⁴ Political majorities already governing their local authorities were confirmed while smaller parties, such as People and Justice and the People's European Union parties gained less votes than in 2020. Major ethnic-based parties (SDA, SNSD, HDZ) continued to dominate the local as well as the national political scenes.¹³⁵ Local councils/assemblies were established within 30 days of the publication of the final results in a timely manner but showed a high level of political fragmentation which could result in frictions between the mayor and the councils in some areas. Four independents were elected mayors, and many independent candidates scored very low, confirming the dominance of political parties in local politics.

142. In the Federation, the SDA, HDZ BiZ and Troika parties won the most mandates. The SDA, which had suffered a minor setback in the 2022 elections, increased its share of the votes. It won 32 mayors, including in four municipalities held by the SDP BiH, Građačac, Gračanica, Maglaj and Ključ and in Odžak, a town held by the HDZ BiH.¹³⁶ In Sarajevo, the district municipalities re-elected three out of four mayors and the fourth elected mayor was a candidate from the same party than the incumbent.¹³⁷ Ms Benjamina Karic, incumbent Mayor of Sarajevo, announced that she would resign as mayor. The slight increase of SDA councillors in Sarajevo districts made the election of a new mayor less predictable.¹³⁸ Mr Predrag Puharic (SDP) was elected mayor of Sarajevo on 29 November 2024.¹³⁹

130 Results are available on the [CEC interactive webpage](#). Pod Lupom noted the paradoxical situation that, while the number of voters who cast their votes remain stable (between 1.6 to 1.8 million citizens), the turnout tends to decline as the number of people on the CVR continues to grow. This situation questions once again the accuracy of the register of voters.

131 See Pod Lupom (2024), [Final report on the citizen, non-partisan observation of the 2024 Local Elections in BiH](#), p 87.

132 See Our Party candidate in Tuzla: Klix Vijesti "[Candidate from Tuzla received zero votes at the polling station where she lives, awaits reaction from the Tuzla Prosecutor's Office](#)"; 8 October 2024 (in Bosnian). Such complaint was also raised by SDP candidate for the Novo Sarajevo Municipal Council Aldin Krivan.

133 As of finalisation of this report, five people were still in custody in this case. Klix Vijesti "[How voters in Brčko were bribed: A parliamentary representative led the group](#)", 18 October 2024 (in Bosnian).

134 One Congress interlocutor noted with concern that the political continuity at local level was a sign that people did not connect election with public service delivery and accountability.

135 Sabanovic F. "[Local elections in BiH: no major surprises](#)", Deutsche Welle, 7 October 2024.

136 The HDZ filed a complaint on the result in this municipality, as it alleged votes were stolen in some polling stations and requested graphological examination. See Klix Vijesti "[Tensions in Odžak continue to rise: While waiting for the CEC's reaction, SNSD announces criminal charges](#)", 31 October 2024 (in Bosnian).

137 Klix Vijesti "[Sarajevo as Troika's mayoral fortress and the growth of the SDA in the rest of the FBiH](#)", 7 October 2024 (in Bosnian).

138 Sarajevo Times, "[Who will be the new mayor of Sarajevo?](#)", 17 November 2024.

139 Sarajevo Times, "[Predrag Puharic is the new Mayor of Sarajevo](#)", 29 November 2024.

143. In Mostar, the results for the municipal council were tight, as the seat distribution is quite complex due to the 2020 agreement that led to the first elections in the city since 2008.¹⁴⁰ The City Council of Mostar is constituted of 13 members elected throughout the city and in six constituencies. The SDA and HDZ won three districts each, but the HDZ won a majority of the 13 city-wide seats, therefore continuing their political dominance in the city. In total the HDZ won 15 seats, the necessary majority to elect a mayor. Bosnian parties scored relatively low in Mostar, in comparison to previous elections.

144. In Republika Srpska, the SNSD won in the overwhelming majority of local assemblies and 47 mayoral positions (including two in the Federation) to the notable exceptions of Banja Luka and Bijeljina. In total, the SNSD won over 332 000 votes, outpacing any other party in the entity and nationally.¹⁴¹ In Banja Luka, Draško Stanivuković of the Party of Democratic Progress, was re-elected with 49% of the votes, despite the SNSD focusing their efforts on winning the race to lead the *de facto* capital.¹⁴² In Vukosavlje, the SDP won the mayoral seat with seven votes more than the SNSD, after a recount. In Bijeljina, incumbent mayor Ljubiša Petrović of the Serbian Democratic Party (SDS) was also re-elected.

145. Due to the catastrophic floods on the eve of the election day, elections were postponed by the CEC in five municipalities, Kiseljak, Kresevo, Fojnica, and Konjic (20 October), and Jablanica (3 November), affecting approximately 60 000 registered voters. The turnout in these municipalities was slightly higher than nationally, especially in Jablanica (over 65%). Incumbent majorities were re-elected in all municipalities, except Jablanica where the SDA candidate won the mayoral contest against the incumbent SDP mayor.

146. Following the 2024 local elections, only eight women were elected mayors and 723 councillors – including 116 under the age of 30 – are women out of 3 177 local councillors (23%).¹⁴³ No mayor under 30 was elected but some progress was perceived in the age of candidates running in large cities. The Institute for Youth Development KULT noted on youth participation that “although the number of young candidates in the elections decreased from 7 398 in 2020 to 5 580 in 2024, their effectiveness has increased. In the 2020 elections, 425 young candidates won mandates (5.75% of the total number of candidates), while in 2024 this number was 340 (6.09%)”.¹⁴⁴

147. In the aftermaths of the election, political tensions between President Dodik and federal institutions erupted again, with Mr Dodik being the subject of a prosecution and not recognising the legitimacy of the Constitutional Court of Bosnia and Herzegovina. Furthermore, the Assembly of Republika Srpska, at the request of the entity government, reviewed the Law on the Budget System to review the allocation of funds to Banja Luka and Bijeljina. Mayors of both cities organised protests in December 2024, as they perceived the move as political.¹⁴⁵

148. The Congress delegation welcomed the proactive approach of the CEC to recounts and to work transparently but was preoccupied by the still high number of allegations of violations and irregularities which followed the announcement of preliminary results. The CEC ex-officio investigated and opted for recounts in the main counting centre, but political actors were quick to submit complaints when losing a race, alleging electoral malpractice.

XVII. CONCLUSIONS

149. The Congress delegation observed that the 2024 local elections in Bosnia and Herzegovina were competitive and efficiently managed by the electoral administration, despite being held in an

140 No constituent people can have more than 15 councillors, and at least four councillors from each constituent people and one councillor from the ranks of others are elected. See Klix Vijesti “[The most complicated local government system in BiH: Who has the advantage in Mostar's constituencies?](#)”, 7 October 2024 (in Bosnian).

141 The SDS won in 12 municipalities only. Klix Vijesti “[Dodik commented on the election results: SNSD surpassed all parties, we won 332,000 votes](#)”, 7 October 2024 (in Bosnian).

142 See European Western Balkans, [Local elections in BiH: Major national parties failed to achieve important electoral goals](#), 8 October 2024.

143 See CEC of Bosnia and Herzegovina (2024), “[Election Indicators 2024](#)”.

144 Kult Institute, “[Young people elect young people – Youth participation in local elections in 2024](#)”, 2 February 2025 (in Bosnian).

145 At the same time, representatives from competent institutions believed that Banja Luka and Bijeljina would not have less revenue while small municipalities would receive significant assistance. Radio Free Europe, “[The mayor of Banja Luka released a video of the conflict with the police](#)”, 9 December 2024.

environment marked by social and political fragmentation. Ahead of the elections, the lack of political will to complete negotiations on much-needed electoral reforms led the High Representative to adopt wide-ranging amendments six months before the election day. The delegation is of the opinion that these changes increased the integrity of the election process and established a more even playing field. The tight implementation timeline for the new provisions and limited financial and human resources strained the election administration, leaving some key provisions partly or fully unfulfilled.

150. The pre-election environment was generally calm and peaceful. Both the voters' and the candidates' registration were conducted in a fair and transparent way, guaranteeing the fundamental rights to vote and to stand for elections. Contestants were able to campaign freely and provided voters with distinct alternatives, albeit along ethnic lines and with different levels of focus on local issues and programmes. The limited media coverage negatively impacted voters' opportunity to make an informed choice. The Congress observers noted that the tone of the campaign seemed to have improved since the last elections and was less hostile. Efforts to enhance women's active participation have not been sufficient, underlining the need for targeted efforts to improve the representation of women in local leadership.

151. On election day, while procedures were largely followed, inaccuracies still persisted and issues with secrecy, accessibility, and technical equipment were noted. No disorders, episodes of unrest or violence were observed by the delegation. Severe floods two days before the election caused the postponement of voting in five municipalities, affecting around 60 000 voters. Some polling stations were not adapted for voters with disabilities, and pilot devices for ballot scanning faced technical challenges, leading to delays and occasional breaches of voting secrecy. Additionally, minor procedural mistakes and shortcomings during the opening, voting, and counting processes were attributed to a lack of training. Serious irregularities, such as voter intimidation, tracking of voters and attempts to influence voters, were observed in a small number of polling stations.

152. Based on the existing electoral standards and observations made on election day, some long standing matters of concern remain unaddressed, including on election dispute resolution, the accuracy of voter registers, party and campaign financing and capacities of the election administration.

153. The Congress delegation emphasised that local democracy is fundamentally about addressing the immediate needs and expectations of the community. Strengthening the democratic process also requires addressing media vulnerability and encouraging candidates to engage in policy-focused debates. Additionally, efforts to enhance inclusivity and public engagement and build trust are crucial, as disillusionment with electoral processes is widespread in Bosnia and Herzegovina. Promoting the participation of women, youth, and independent candidates is an important starting point, but genuine political commitment to electoral integrity and local democracy—across a broad range of parties—is essential to ensuring that the votes of Bosnia and Herzegovina's citizens are respected.

APPENDIX I

CONGRESS ELECTION OBSERVATION MISSION
Local elections in Bosnia and Herzegovina – 6 October 2024
(3-7 October 2024)
FINAL PROGRAMME

Thursday 3 October 2024

Various times **Arrival of the Congress Delegation in Sarajevo**

Various times **Transfers to the Hotel in Sarajevo**
(address: Hotel EUROPE, A: V. Skarića 5, 71000 Sarajevo, Bosnia and Herzegovina)

Friday 4 October 2024

**Venue for the morning meetings
(until 12:30)**

Hotel EUROPE (Conference Room 1)
Vladislava Skarića 5, Sarajevo 71000

**Simultaneous Interpretation Sarajevo
(EN/BOS)**

Ms Selma KAPETANOVIC
Mr Slaviša VRACAR

- 08:00 – 08:45 Briefing for the Delegation by
- **Ms Stephanie POIREL**, Head of the Protecting Local Democracy Department of the Congress
 - **Ms Carla DEJONGHE**, Head of Delegation
 - **Mr Giammaria MILANI**, Expert
- 08:45 – 09:15 Briefing with **Ms Bojana URUMOVA**, Head of the Council of Europe Office in Sarajevo
- 09:15 – 10:15 Briefing with representatives of the diplomatic corps/the international community of countries represented in the Congress Delegation
- **Mr Josef ZRZAVECKÝ**, Minister Counsellor, Czechia
 - **Mr Bernhard ABELS**, Deputy Head of Mission, Germany
 - **Mr Riccardo RIGHELLI**, First Secretary, Italy
 - **Mr Stefan Almehagen SANDSTAD**, Deputy-Head of Mission, Norway
 - **Ms Sara LINDEGREN**, Deputy Head of Mission, Sweden
 - **Mr Sadık BABÜR GİRGİN**, Ambassador, Türkiye
 - **Mr Julian REILLY**, Ambassador, United Kingdom
 - **Ms Elisabet TOMASINEC**, Head of Political Section, Delegation of the European Union to Bosnia and Herzegovina
- 10:15 – 10:45 *Coffee break*
- 10:45 – 11:00 Introduction by the Heads of Delegation of the International Election Observation Mission, with **Ms Corien JONKER**, Head of the OSCE/ODIHR Election Observation Mission, **Ms Carla DEJONGHE**, Head of Delegation of the Congress, and **Ms Lucia ANNUNZIATA**, Head of Delegation of the European Parliament

Venue: Conference Room 1, Europe Hotel, Vladislava Skarića 5, Sarajevo 71000

11:00 – 13:00 Joint briefing by the **Core Team of the OSCE/ODIHR Election Observation Mission to Bosnia and Herzegovina** for the Congress and European Parliament delegations

- Introduction, Corien Jonker, Head of Mission
- Legal framework, Svetlana Chetaikina, Legal Analyst
- Political Overview and the Campaign, Nicholas Jahr, Political Analyst
- Media Landscape and Campaign in the Media, Ivan Godársky, Media Analyst
- Election Administration, Lenka Homolková, Election Analyst
- Election Day Procedures, Lenka Homolková, Election Analyst
- Election Day Reporting, Anders Eriksson, Statistical Analyst,
- Security, Slaviša Kotlaja, Security Expert

Venue: Conference Room 1, Europe Hotel, Vladislava Skarića 5, Sarajevo 71000

13:00 – 13:45 Lunch break

13:30 – 14:00 Travel time – transfer to the Central Election Commission (CEC)

Consecutive Interpretation Sarajevo (EN/BOS)
Ms Sanja ONESCUK-TAHIROVIC

14:00 – 15:00 Meeting with members of the Central Election Commission (CEC) of Bosnia and Herzegovina

Venue

CEC, Danijela Ozme 7,
Sarajevo 71000
(CEC training center)

Ms Irena HADŽIABDIĆ, President
Mr. Suad ARNAUTOVIĆ, Member
Mr Željko BAKALAR, Member
Ms Vanja BJELICA-PRUTINA, Member
Mr Ahmet ŠANTIĆ, Member
Mr Vlado ROGIĆ, Member
Mr Jovan KALABA, Member

15:00 – 15:30 Travel time – transfer to the Hotel

16:00 – 17:30 Congress technical briefing with the Delegation's members

Venue

Conference Room 1, Europe
Hotel, Vladislava Skarića 5,
Sarajevo 71000

17:45 – 18:00 Congress technical meeting with **Mr Amir MEHINOVIC**, representing the drivers, and **Mr Amir LOKVANCIC**, representing the junior interpreters

Venue

Conference Room 1, Europe
Hotel, Vladislava Skarića 5,
Sarajevo 71000

Saturday 5 October 2024

Venue for the meetings

Hotel EUROPE (Conference Room 1)
Vladislava Skarića 5, Sarajevo 71000

**Simultaneous Interpretation Sarajevo
(EN/BOS)**

Ms Selma KAPETANOVIC
Mr Slaviša VRACAR

08:00 – 08:45 Briefing for the Delegation by

- **Ms Stephanie POIREL**, Head of the Protecting Local Democracy Department of the Congress
- **Ms Carla DEJONGHE**, Head of Delegation
- **Mr Giammaria MILANI**, Expert

09:00 -10:00 Panel Discussion with Media Representatives

- **Ms Amela ODOBAŠIĆ**, Director of Broadcasting, Regulatory Communication Agency of Bosnia and Herzegovina
- **Ms Maida Bahto KESTENDŽIĆ**, Project Coordinator, Press and Online Media Council of Bosnia and Herzegovina
- **Ms Borka RUDIC**, BH Novinari – Association of Journalists of Bosnia and Herzegovina
- **Ms Angela CVITANOVIC**, News Editor for BHRT and Director of the Radio information programme, Radio and Television of Bosnia and Herzegovina (*public*)

10:00 – 10:15 *Coffee Break*

10:15 – 11:15 Panel Discussion with NGOs

- **Ms Leila BIČAKČIĆ**, **Director**, Center for Investigative Reporting
- **Mr Edo KANLIĆ**, Advocacy and Public and Policy Manager Transparency International BiH

11:20 – 12:30 Panel discussion with INGOs

- **Mr Nenad SIMOVIĆ**, Senior Resident Director, National Democratic Institute
- **Mr Nermin NIŠIĆ**, Country Director, International Foundation for Electoral Systems (IFES)
- **Ms Amila KARACIC**, Director of Programmes, International Republican Institute

12:30 – 13:30 *Lunch break*

13.30 *Transfer to the regions for the **Team 4 / Team 8 / Team 9 / Team 10 / Team 11 / Team 12***

- **Team 4 (hotel Banja Luka)**
- **Team 8 (hotel Brčko)**
- **Team 9 (hotel Mostar)**
- **Team 10 (hotel Bihac)**
- **Team 11 (hotel Kupres)**
- **Team 12 (hotel Jajce)**

13:30 – 14:30 Meeting with **Mr Igor STOJANOVIC**, Substitute member of the delegation of Bosnia and Herzegovina to the Congress and two representatives of Congress members, **Mr Srđan MAZALICA** (for Ms Senka JUJIC) and **Mr Erdal SELMANOVIĆ** (for Mr Refik LENDO)

15:20 – 16:00 Meeting with representatives and candidates of political parties (SNSD)

- **Mr Srđan MAZALICA**, Vice-President of SNSD Caucus in the National Assembly of Republika Srpska and Vice-President of the Committee for European integration and regional cooperation.

15:30	First joint meeting of heads of delegations to discuss the preliminary statement with the Congress Delegation, the OSCE/ODIHR and the Delegation of the European Parliament <i>Venue: Meeting Room 1, Europe Hotel</i>
16:00 – 16:15	<i>Coffee Break</i>
16:15 – 16:45	Briefing with the OSCE/ODIHR Sarajevo long-term observers
16:50 – 17:30	Meeting with representatives and candidates of political parties of the Troika (Social Democratic Party of Bosnia and Herzegovina, Our Party, People and Justice) <ul style="list-style-type: none"> • Mr Tony VUKADIN, #3 on the list People and Justice for Novi Sarajevo • Mr Timur VILIĆ, Youth Delegate for Bosnia-Herzegovina and #4 on the list of Our Party in Old Town Sarajevo • Mr Igor STOJANOVIC, Vice-President of the Federation and Representative of SDP
Programme for teams deployed outside Sarajevo	
18:00 – 18:30	Briefing with the OSCE/ODIHR long-term observers in Mostar, Banja Luka and Brcko (Teams 4, 8 and 9) <i>Venue: lobby of the team's hotels</i>
19:00 – 19:30	Briefing with the OSCE/ODIHR long-term observers in Bihac (Team 10) <i>Venue: lobby of the Swiss Plus Hotel</i>

Sunday 6 October – Election Day

06:15	Departure from hotels Opening polling stations at 07.00 – closing at 19:00
22:30	Late night debriefing <i>Venue: Hotel Europe</i>

Monday 7 October 2024

Various times	Departure of the Congress Delegation
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09:00	Final joint meeting of heads of delegations to discuss the preliminary statement with the Congress Delegation, the OSCE/ODIHR and the Delegation of the European Parliament
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Venue
ODIHR EOM HQ
Radon Plaza Hotel, 11th floor Džemala
Bijedića 185

15:00	Joint Press Conference to present the preliminary conclusions of the International Election Observation Mission with Ms Carla DEJONGHE , Head of Delegation
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Venue
Hotel Europe
Vladislava Skarića 5,
Sarajevo 71000

Delegation

Congress members

Ms Carla DEJONGHE, Belgium, ILDG, R, Head of Delegation

Mr Marcin GOLASZEWSKI, Poland, EPP/CCE, L, Deputy Head of Delegation

Ms Kirsten Morild ANDERSEN, Denmark, SOC/G/PD, R

Mr Zdenek BROZ, Czechia, ILDG, L

Ms Christa CARPELAN, Finland, EPP/CCE, R

Mr Joao ESTEVES, Portugal, EPP/CCE, R

Ms Jana FISCHEROVA, Czechia, ECR, L

Ms Cecilia FRIDERICS, Hungary, ECR, L

Mr Truls GIHLEMOEN, Norway, NR, R

Mr Vents Armands KRAUKLIS, Latvia, ILDG, L

Mr Dominique LEVEQUE, France, SOC/G/PD, L

Mr Alberto MAZZOLENI, Italy, ECR, L

Ms Góbnait NI MHUIMNEACAIN, Ireland, ILDG, L

Ms Günes PEHLIVAN, Türkiye, SOC/G/PD, R

Mr Soeren SCHUMACHER, Germany, SOC/G/PD, R

Ms Amanda SERJEANT, United Kingdom, SOC/G/PD, L

Ms Ganimet SHALA, Slovenia, SOC/G/PD, L

Ms Irina TALVISTE, Estonia, ILDG, L

Ms Karin THOMASSON, Sweden, SOC/G/PD, R

Mr Hannes WENINGER, Austria, SOC/G/PD, L

Expert

Mr Giammaria MILANI, Professor, Congress expert on electoral matters

Congress Secretariat

Ms Stephanie POIREL, Head of the Protecting Local Democracy Department

Ms Mathilde GIRARDI, Election observation Officer

Ms Gratiela DUMITRESCU, Assistant, Local and Regional Election Observation

Ms Martine ROUDOLFF, Assistant, Local and Regional Election Observation

APPENDIX II

CONGRESS ELECTION OBSERVATION MISSION
6 October 2024 – Local Elections
Bosnia and Herzegovina
DEPLOYMENT PLAN

Congress teams	Composition of the Congress teams	Saturday-Sunday night	Area of Deployment
Team 1	Carla DEJONGHE Giammaria MILANI Stéphanie POIREL Interpreter: Maja ČVORO Driver : Ajdin AVDAGIĆ		Sarajevo
Team 2	Marcin GOLASZEWSKI Mathilde GIRARDI Interpreter: Emily ŠOLJIĆ Driver : Tarik SEREZLIC		Pale, Goražde, Foča, Trnovo, East Sarajevo
Team 3	Günes PEHLIVAN Martine ROUDOLFF Interpreter: Marijana BREZO-BALTA Driver: Armin MEHANOVIĆ		West Sarajevo, Ilidža, Krupac
Team 4	Zdenek BROZ Irina TALVISTE Interpreter: Haris JUGO Driver: Amir MEHINOVIĆ	Hotel Jelena Jovana Dučića 25 78000 BANJA LUKA Tel <u>+387 51 329-200</u>	Banja Luka, Prijedor, Kozarac, Ivanjska (3.30)
Team 5	Karin THOMASSON Gratiela DUMITRESCU Interpreter: Elvira BEGIC Driver : Amar SADZAK		Travnik (1.30), Gromiljak, Kačuni, Busovača, Vitez, Nova Bila, Novi Travnik et Turbe
Team 6	Truls GIHLEMOEN Kirsten Morild ANDERSEN Interpreter: Irma JAŠAREVIĆ Driver: Arnes ŠABIĆ		Zenica (1.30), Doboj (2.20)
Team 7	Alberto MAZZOLENI Jana FISCHEROVA Interpreter: Neira MULIĆ Driver: Mustafa JARAMAZ		Tuzla, Zvornik (2.30)
Team 8	Joao ESTEVES Ganimet SHALA Interpreter: Tamara MAYER Driver: Dženan BEČIĆ	Hotel Jelena ul. Bulevar mira, br. 3 76100 BRČKO Tel.: +387 49 232 850	Brčko, Bijeljina, Orasje

Congress teams	Composition of the Congress teams	Saturday-Sunday night	Area of Deployment
Team 9	Gobnait NI MHUIMNEACAIN Dominique LEVEQUE Interpreter: Enis DURIC Driver : Nasuf HIDOVIC	Hotel MEPAS Kneza Višeslava b.b., 88000 MOSTAR Tel: +387 (0) 36 382 096	Mostar, Siroki Brijeg
Team 10	Cecilia FRIDERICS Vents Armands KRAUKLIS Interpreter: Jasmina PAVICA Driver: Jusuf MEHINOVIĆ	Swiss Plus Hotel 502. Viteške brigade, 74, 77000 BIHAĆ Tel: +387 37/963-033 mob: +387 61/338-866	Bihac, Bosanski Petrovac
Team 11	Christa CARPELAN Hannes WENINGER Interpreter: Arnela VEJZOVIĆ Driver: Nusret PAŠIĆ	Hotel Kupres Hercegovačka bb, 80320 KUPRES +387 34 276-115	Kupres, Livno (3.00)
Team 12	Soeren SCHUMACHER Amanda SERJEANT Interpreter: Alma DŽANKOVIĆ Driver: Muamer SARAJKIĆ	Hotel Tourist 98 Kulina bana 1, 70101 JAJCE Tel./Fax: +387 30 658 151	Jajce, Sipovo (3.00)

APPENDIX III

PRESS RELEASE

Local elections in Bosnia and Herzegovina: Improved electoral process but lack of genuine public engagement

At the invitation of the authorities of Bosnia and Herzegovina, [the Congress of Local and Regional Authorities of the Council of Europe](#) deployed [a mission to observe the local elections](#) held on 6 October 2024 throughout the country. The Congress mission was led by Carla Dejonghe (Belgium, ILDG) and involved 25 Congress observers from 20 countries, including one expert and four members of the Secretariat.

The deployment on the ground on election day was preceded by preparatory meetings on 4 and 5 October in Sarajevo with the Central Election Commission, members of the diplomatic corps, media representatives, domestic and international NGOs, as well as representatives of various political parties. A briefing with the OSCE/ODIHR Election Observation Mission Core Team was organised together with the delegation from the European Parliament.

On election day, 12 Congress teams were deployed to different districts across the country. “We welcome the technical improvements resulting from the 2024 amendments on the Electoral Law, which aimed to ensure that some technical aspects of the electoral process are more in line with past Congress recommendations and provide for stronger integrity safeguards,” said Carla Dejonghe at the joint press conference with OSCE/ODIHR and the European Parliament on 7 October 2024.

The delegation regretted that the short timeframe to carry out the changes brought by the amendments and the lack of resources of the election administration did not provide sufficient time for practical implementation and training.

“For Bosnia and Herzegovina’s local democracy to continue to progress, efforts to increase public engagement and trust are needed, as yesterday’s low turnout indicates. In that regard, we particularly regret that the number of female candidates for mayoral positions remains very low, underlining the need for targeted efforts to improve the representation of women in local leadership,” stated Ms Dejonghe.

The Congress draft report and recommendation will be submitted for adoption at the 48th Congress session in March 2025.