



**CONFERENCE "2018 GENERAL ELECTIONS -
CHALLENGES OF THE ELECTORAL PROCESS IN BOSNIA AND HERZEGOVINA"**



2018 General Elections - Challenges of the Electoral Process in Bosnia and Herzegovina

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Preface

On 8 May 2018 the BiH Central Election Commission issued a Decision on Calling and Holding the General Elections in Bosnia and Herzegovina in 2018. The elections that took place on Sunday, 7 October 2018 were called for:

- » Presidency of Bosnia and Herzegovina,
- » House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina,
- » House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina,
- » National Assembly of the Republika Srpska,
- » President and Vice-Presidents of the Republika Srpska and
- » Assemblies of cantons in the Federation of Bosnia and Herzegovina.

After the elections, both local and general, members of election administration in Bosnia and Herzegovina traditionally gather at a conference to, through joint work and exchange of experience, analyse all aspects of the electoral process and conduct of the elections.

A two-day conference entitled “2018 General Elections -Challenges of the Electoral Process in Bosnia and Herzegovina”, organized by the Central Election Commission of Bosnia and Herzegovina with the financial support of the OSCE Mission to BiH and the Council of Europe, took place in Sarajevo on 15 and 16 April 2019.

During the ceremony of opening the conference, Ambassador Bruce Berton, Head of the OSCE Mission to BiH, and Ambassador Drahoslav Štefanek, Head of the Council of Europe Office in BiH, delivered opening remarks.

This was the eighth time for the BiH Central Election Commission to organize a post-election conference, which was an international event and the main participants in the conference were members of municipal/city election commissions. Representatives of the State Election Commission of Slovenia and North Macedonia, representatives of the OSCE, the Council of Europe, the EU Delegation to BiH, ODIHR, USAID, IFES, the Embassies of Turkey, Norway and the United Kingdom of Great Britain and Northern Ireland in BiH attended the conference.

During this two-day post-election conference, very important thematic topics were discussed:

- » Context and issues in the conduct of 2018 General Elections
- » Reports on work of municipal/city election commissions in 2018
- » OSCE/ODIHR observation mission report,
- » Assessment of the 2018 General Elections, Council of Europe
- » Integrity of Voters' Register,
- » Polling station committees,
- » Entry and checking of election results, and
- » Issues facing election commissions in the conduct of 2018 General Elections

The objective of the conference is to analyse the 2018 General Elections in Bosnia and Herzegovina, and to sum up the conclusions and formulate proposals to improve the overall electoral process in Bosnia and Herzegovina.

This publication was created as an overall outcome of the Conference, where the final document was adopted in the form of conclusions that could serve as guidelines to the Parliamentary Assembly of Bosnia and Herzegovina when considering possible solutions, and the drafting and adoption of legal standards for the improvement of election legislation. They are formulated fully in accordance with international standards and international obligations of Bosnia and Herzegovina, and are also aimed at strengthening the credibility of elections and public confidence in elections and elected representatives, which is in line with the Copenhagen Document of the 1990 Conference on Human Dimension, as one of the most important international agreements that supports, protects and promotes good governance and a wide range of basic human rights, including those necessary for the implementation of a genuine democratic electoral process.

The publication was prepared thanks to the assistance of the OSCE Mission to Bosnia and Herzegovina, which, as well as the Council of Europe, gave its full support to the organization of the Conference, and we are grateful to them for this.

Branko Petrić, President
of the Central Election Commission of BiH

Opening remarks

*Branko Petrić, President of the
Central Election Commission of BiH*

Ladies and Gentlemen,

Your Excellencies Ambassador Berton, Ambassador Štefanek, Mr. Friedrich, colleagues from the State Election Commissions of Slovenia and North Macedonia, colleagues from the International Foundation for Electoral Systems (IFES), distinguished guests from the EU Delegation to BiH, USAID Mission to Bosnia and Herzegovina, ODIHR, the Embassies of Turkey, Great Britain and Northern Ireland and the Embassy of Norway, respected colleagues from municipal and city election commissions,



Good day and welcome,

It is my honour to open the most important expert conference dedicated to the elections and electoral system in Bosnia and Herzegovina.

This is the eighth post-election conference we are organizing and generally they all have had an international character and so has this year's conference titled "2018 General Elections -Challenges of the Election Process in Bosnia and Herzegovina". And have witnessed a lot of challenges. We will talk about them and strive to find high quality responses.

I would like to emphasize that during the conference we will have the opportunity to hear the most important details of the Report of the OSCE/ODIHR Monitoring Mission (OSCE Office for Democratic Institutions and Human Rights), as well as an opinion of the Council of Europe.

We have dedicated significant time of this conference to discussions and I urge you from the municipal and city election commissions to make good use of this and together to come up with the best recommendations on how to improve the electoral process in Bosnia and Herzegovina.

We have organized this conference thanks to the financial support of the OSCE Mission to BiH and the Council of Europe and on this occasion I especially thank them.

They're always there when we need their support.

I wish this two-day conference to be a pleasure and a success.

And thank you for having accepted our invitations.

Once again I greet and welcome you all.

Opening remarks

*H. E. Ambassador Bruce Berton,
OSCE Mission to BiH*



Dear members of the Central Election Commission, members of Municipal Election Commissions, election professionals, colleagues and friends,

Since handing over the responsibility for organizing elections in Bosnia and Herzegovina to the Central Election Commission in 2002, the OSCE Mission to BiH has remained a close partner of the CEC.

This partnership takes many forms, but is always focused on strengthening the electoral process in BiH. It is worth repeating every day: free and fair elections are essential to any healthy democracy.

In June, 1990, OSCE Participating States declared that “the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government.” As an OSCE participating state, BiH has committed itself to this declaration.

As you will all appreciate, election administration is a complex and sensitive process. It requires election administration bodies, political parties, the judiciary, law enforcement and the media to act with professionalism and integrity - before, during and after Election Day. And of course, it also requires citizens to play their part in not accepting or engaging in behaviour which undermines their right to free and fair elections.

From the perspective of the OSCE Mission, the 2018 General elections were conducted under difficult political circumstances. First of all, there were repeated attempts to attack the credibility of the CEC as well as verbal attacks against individual CEC members.

Moreover, the failure of political parties to amend the election law in relation to the FBiH House of Peoples led to significant uncertainty about how the authorities would be formed. Moreover, it blocked the work of the Inter-Agency Working Group, which in years prior, at least provided a space for dialogue and some minor progress on technical aspects. While some political actors made proposals to improve election administration and the integrity of the elections, no legislative improvements were made as a result

of legislative paralysis. The CEC's own constructive proposals were not considered by parliament.

The OSCE Office of Democratic Institutions and Human Rights, which has monitored all general elections in Bosnia and Herzegovina, will present its findings and recommendations from the monitoring of the 2018 general elections, and ODIHR election experts will take a part in selected panel discussions. Indeed one of ODIHR's main conclusions is that significant legal and systemic shortcomings remain. Recognizing that there was no support for legislative improvements, the Mission, with financial support from the British, Norwegian and United States governments, provided targeted technical support to the CEC at their request. This included:

- The donation of translucent ballot boxes and security seals
- An update of software for communicating election results by municipal election commissions
- The development of a uniform training methodology for MEC members
- The production of a training video on vote counting procedures and results verification
- A training for MEC members and the supervision of a training for polling station committee members
- And the donation of live-streaming equipment to broadcast CEC BIH sessions.

Though it is clear that these activities have not radically altered the electoral process, they are nonetheless steps in the direction towards restoring trust in the integrity of the election process. We will keep pursuing similar initiatives, because continued effort is required. We know that we have a like-minded partner in the CEC, which has done a lot to implement ODIHR recommendations through its own work.

Again, though, such initiatives cannot make up for sorely needed electoral reform, in order to address systemic and legal shortcomings. This is a responsibility for political parties.

In conclusion, let me please underline that election administration bodies at all levels play a crucial role in building, maintaining, and restoring trust in the electoral process. That is why your conference is so important.

From our perspective, the broad public distrust in the electoral process, both in the run up to and after the elections, is a reason for concern. Trust in elections is a cornerstone of democracy. When this trust erodes, participation diminishes. When participation diminishes, the government becomes less representative, opening the space for discontent. Allow me to be clear: I am not saying whether the distrust is justified, but as the saying goes: perception can equal reality.

I invite all participants here to be outspoken about the aspects of the election administration that worked well, but also to be honest and critical about those aspects which can be strengthened. Only through self-criticism can there also be a credible path toward practical improvements.

Thank you for your attention and I wish you well in your deliberations. As always, the OSCE Mission to BiH stands ready to support positive changes that improve the integrity of the elections and restore trust in the electoral process.

Opening remarks

*H. E. Ambassador Drahoslav Štefánek,
Head of the Office of Council of Europe
in Sarajevo*

Dear President of the of the Central Election Commission, Excellences, ladies and gentlemen,

It has become a good tradition to hold the conference to evaluate the elections, whether general or municipal, and it has also become a tradition that I am addressing these foras, these conferences. I thank the Central Election Commission for a kind invitation.

I am pleased that my colleagues from the Council of Europe Strasbourg secretariat are also with us today and Mr. Francois Friederich, Head of Electoral Assistance Division will address you later this morning and will provide you more details than me in my statement.



General elections are the most important event in the democratic life of society. They are held usually only once in four years, and set direction for the life a particular country and its citizens for the next period. Free and fair elections are the cornerstone of each democratic society.

As we all know, the BiH 2018 General Elections took place on 7 October, in accordance with Article 1.14 of the BiH Election Law.

October elections were observed by the delegation of the Parliamentary Assembly of the Council Europe and also the Congress of Local and Regional Authorities. Recently, on 3 April, The rapporteur for BiH, Stewart Dickson (UK) presented the report of the Congress and I would like to highlight one interesting and important conclusion from that report - the Congress concludes with a recommendation that the elections of the Cantonal Assemblies in the Federation should be held together with the local elections – and not with general elections, given the importance of the Cantons in the Federation of Bosnia and Herzegovina.

It was clear that in the absence of the implementation of the Ljubic case, the responsibility, attention and let me say also the pressure would be with the Central Election Commission to decide how to distribute mandates in the Federation House

of Peoples. The respective instruction of BiH CEC from December 2018 has sparked heated political debate, and also a number of judicial challenges. It is difficult, and even possible, to make a decision which would please all sides in BiH. Therefore, I would like to personally thank the BiH CEC for fulfilling its duties in a very professional and courageous manner. As far as I know, none of the legal challenges have been successful, which proved the correctness and legal soundness of the BiH CEC December Instruction.

Quite often, ODIHR and GRECO recommendations are being referred to. I would like to take this opportunity to recall the GRECO, which is a monitoring body of the Council of Europe fighting against the corruption. **GRECO published recently (22 February 2019) a compliance report relating to incriminations and transparency of political party funding.** Unfortunately, very little progress was made since the last report of June 2017, with only one further recommendation being partly implemented. **Transparency of party funding:** GRECO was disappointed that no progress has occurred since the Fourth Interim Compliance Report of 2017. Much more needs to be done, inter alia, to harmonise the complex legal framework, promote the use of the banking system for contributions to political parties and increase the financial and personnel resources allocated to the Central Election Commission for the supervision of political financing.

Of course, I cannot avoid the topic of non-implementation of judgments of the European Court of Human Rights in Sejdic-Finci, Zornic and Pilav cases. As it was also mentioned in the PACE report, the 2018 elections were yet another elections held in discriminatory manner where not all citizens of BiH were able to stand in the direct elections for the members of the BiH Presidency, or to become members of the House of Peoples of the Parliamentary Assembly of BiH.

All parliamentary bodies have been set up in BiH, all mandates have been distributed and confirmed by BiH CEC, at state, entity and cantonal levels.

I would like once again to express my appreciation to BiH CEC and its members for a very professional way of handling various difficult issues in connection with 2018 elections. I appreciate also a very transparent manner, the webpage of BiH CEC, in all 3 official languages and English belongs to the best in BiH and it is regularly updated. I think our cooperation has been outstanding.

I would also like to refer to the Council of Europe Action Plan for Bosnia and Herzegovina for years 2018-2021. The Action Plan, as a basic strategic document for the cooperation with BiH deals also with the pre-election assistance. It is expected that until 2021 the capacity of election administration to conduct credible elections is improved, as well as the increase of the participation and media visibility of women in political processes. This means that the Council of Europe should stay, in cooperation with partners, in particular Central Election Commission, in the electoral assistance field at least for couple of following years.

I thank you for your attention.

Context and issues in the conduct of 2018 General Elections

Branko Petrić,
President of BiH CEC

I will try to look at the context before the elections were called, during the elections and the present and the basic characteristics of the electoral process that was completed.

The election year 2018 came with a large constitutional, legal and legislative deficit. Not only did the passage of planned amendments to the election legislation that would improve the legal framework for holding such complex elections fail, but we also welcomed the election year with the non-enforced decisions of the European Court of Human Rights (Sejdić-Finci and other decisions of that court related to the violations of human rights under the Constitution of BiH and the Constitutions of the Entities), as well as the non-enforced judgments of our, Constitutional Court of BiH, so legal provisions for the conduct of local elections in Mostar continue to lack and with the termination of validity of legal provisions under *Ljubić* judgment and the failure to pass these or other provisions in the parliament, we came into the situation that we could not implement the election results, so some argued that the elections cannot be held.



And this story exhausted a lot of energy and effort and time was spent, and what was needed was not done.

So time for calling the elections came. And then the most serious question was “Will there be elections or not?” The BiH Central Election Commission was simply not expected to call the elections because there was no legislation to govern the conduct of elections and if they were conducted it would not be possible to implement them properly.

This story did not meet a positive echo in the BiH Central Election Commission. And when it turned out that we would call the elections, unfortunately, some other extremely bad things started to happen.

Over the past four years I have been the chairman of the Inter-Agency Working Group for the Amendments to the Election Law of BiH, on which representatives of the government and my colleagues were sitting, and we from the BiH Central Election

Commission could not make them consider the issue of necessary amending of the Election Law of BiH, including the implementation of the judgments I have mentioned, which were necessary. There was simply nothing to do with it.

And instead of resolving these issues and creating the conditions for regular elections, somehow, in the parliamentary procedure, some kind of a draft law emerged to be passed in an urgent procedure and it was passed in one house of parliament. If it had been passed the law would have completely devastated the legislative framework and made the elections impossible. In the parliament, in the media and in the public, this draft law was also presented by the proponents as a noble idea that would enable free and fair elections and anyone who dared to say anything to the contrary or pointed to deficiencies would be labeled with attributes that are not decent to quote here, and the lynch law was implied.

Fortunately, this draft and the subsequent conclusion of the parliament that were in fully contrary to the law were not passed. The truth is that it almost hapened, and if it had been passed...simply elections would have not been conducted, and what would have been, there is no one to answer the question now nor was there at the time. For example, the proposal "that the CEC must prescribe that at polling stations where there are more than 5% of invalid ballot papers, the elections shall be repeated".....and imagine now...we would have declared almost all elections invalid, i.e. elections on 97 % of polling stations, and no one would be able to conduct or finish elections. In our election legislation, unfilled ballot papers are also considered to be invalid ballot papers, which are in fact a political position in some areas, especially in the election of members of the BiH Presidency, for example, in the Federation of BiH in the areas where the Serbian population is virtually a majority, because they cannot vote for a member of the Presidency from the Serbian people, and in such communities there are about 70% of invalid blank ballot papers. Or, for example, in the Republika Srpska, the situation is similar, because the other two members of the Presidency cannot be voted from the Bosniak and Croat people.

Or, e.g. "the CEC is obliged to prescribe in its by-law that counting of ballot papers shall only take place in those places where there is video surveillance". At about 5,500 polling stations? We did not implement that provision, we could not implement. The conclusions were grounds for complaints at the Court of Bosnia and Herzegovina by political entities. And these coplaints were of course dismissed.

When they were not passed, then the Parliamentary Assembly of BiH questioned the legitimacy of the Central Election Commission and there were attempts to delegitimize it and eliminate it from the electoral process before the elections.

At the same time, all previous elections, which hhave been regularly completed, have been retroactively proclaimed to be rigged and invalid very often also by those who have won the elections. The BiH Central Election Commission as a body, and more often its former president and "some prominent members" of the CEC, as some of us have been referred to, have been incriminated. Scandals have been created and fabricated,

many things have been counterfieted and they have been repeatedly published by the media. Unfortunately, such foolishness, partly backed up even inside the CEC, have been created and fabricated that even Baron Minhauzen could not have been able to fabricate (35 million kg of ballot papers...heavy as 7 Eiffel towers...stolen from the CEC warehouse and then they were distributed to some parties in trunks and sold at the market in Gračanica....).

The very discussion in the CEC about the adoption of by-laws on the filling of the House of Peoples of the FBiHP in accordance with Article 10.12 of the Election Law has provoked such a hysteria that we, again prominent members, have been accused of destroying the constitutional order, provoking a coup, proclaimed "ethnic cleansers" and to support war crimes and joint criminal enterprise. The CEC and its independence have been attacked in the most brutal manner with serious threats, attempts at dismissal, arrest requests...and further...whatever happened. We received requests, were subjected to pressures and threats from one cantonal assembly that was convened only for CEC, from two persons who purported to act as vice-president of FBiH, from the Director of the FBiH Agency for Statistics....

Even the Russians were attacked and our president who was allegedly making a deal with them to do something, I do not know, capitulation, occupation, electoral fraud, they really need our elections...and voices...to become happier.

At one point, the Central Voters' Register was attacked.

You know everything about our Voters' Register, you do not need to be told about it. It is concluded 45 days before elections and excerpts are compiled for about 5,500 polling stations. In these 45 days, according to statistics, about 5,000 people die in BiH, which is one person by one excerpt or polling station. And if we fail to update the excerpts on the day CVR is concluded, then it is many persons more...and that was never a problem to anyone. To allow a person to vote instead of a deceased person...it would be hard for anyone to dare, as the effects are small and very risky, easy to detect and punish... No fabrication of a story about thousands and thousands of alleged centenarians has shaken the trust in the Voters' Register because the story was officially denounced by the competent authority and it is a very obvious lie...

And then one big lie was fabricated: that the Voters' Register had 200,000 voters more than the issued identity cards, which are the basis for entering someone in the Voters' Register. And of course, this was followed by a fire from all weapons and instruments, alleging of crimes, calling for arrests, requests to postpone the elections until a genuine Voters' Register was made. This hunting party in pursuit of the CEC and the Voters' Register was unfortunately joined by some people who should have not done it...let's somehow swallow individuals on duty for this who call themselves "non-governmental sector" but how to understand interferences with this issue, and in this way, by the Director of the Agency for Personal Data Protection, that's not good...(not his responsibility, incompetent...a lack of elementary knowledge in this field or surplus of malicious intentions...and the media...!!!!). Explanations of the competent authority of IDEEA was in vain.

And Article 2.1 (3) of the Election Law reads: "All authorities at all levels and all officials in Bosnia and Herzegovina and the BiH diplomatic and consular missions, are obliged to assist the bodies for the conduct of elections."

And sometimes this help manifests itself as above.

And now about city and municipal election commissions. All activities envisioned by law, by-laws and calendar of actions until the approach of election day were conducted, with fewer or greater difficulties, and you know them best (poor financial support, a lack of interest in training and work in polling station committees...and so on), until a day or two before the elections, when the turn came to you, members of the City/ Municipal Election Commissions.

In the period of 36-24 hours prior to the Election Day, there was massive withdrawing of members and chairpersons from polling station committees, in some municipalities they almost collapsed. There are serious indications, and they are being investigated, and that is where you are going to help, that it was synchronized by some, with some goal...and it can be guessed to be...Namely, while you have invested superhuman efforts, for which we here give you public credit, to save the situation, taking the measures prescribed for such situations (but no one expected it to this extent), you were accused by some political entities, publicly, at press conferences, that you, together with us, and in agreement and for the benefit of some political entities, removed their members from the polling station committees and appointed those who would rig the elections. That is why they asked first from the embassies and the media, and then from us, in writing, and officially, to postpone elections.

I must point out that this situation was one of the most critical in the entire election period and that you, with your courage, dedication, honesty, and some; to say honestly, with their health, have largely saved and preserved the integrity of the electoral process. I would specifically mention Mostar, Čapljina, Travnik and Banja Luka.

The Election Day was peaceful, to the extent that it was unusual. Everything that goes beyond this assessment is so negligible that it does not deserve any attention in comparison with what I have just discussed or earlier election cycles. Even the fictitious tossing of tear gas in the immediate vicinity of a polling station near Doboje, the news was also distributed by the media and panically widely disseminated by high officials of a non-governmental organization accredited to monitor elections, and repeated as the most important news throughout the election day, cannot change this impression and this assessment.

And, on the Election Day, in addition to all other actors, parties, candidates, voters, polling station committees, election commissions, another notable player appears: election observers. They were to play or should have played a significant role in the electoral process, primarily as deterrent of election irregularities, and then, if they occurred, they were supposed to credibly identify and document them. And whether everything was just as expected, we will try to illustrate:

The observation mission is divided into three segments in our legislation and practice:

- firstly, political party observers, 58,083 of them were accredited for these elections, therefore, more than 11 observers for each polling station on average, and they were accredited by City/Municipal Election Commissions. The general impression is that they either have nothing to work on or slept in these elections, mainly their objections were not in the minutes, either they were negligible or insignificant in content, so they were not beneficial to the political parties making certain requests or complaints afterwards and neither to us nor to the Court of BiH when we dealt with these requests or complaints.

- next come observers of domestic NGOs and associations, which were accredited by BiH CEC, namely 5,384 from 14 associations, therefore, an average of one observer per polling station in BiH. Except for the false information about tear gas, most of what I have said about political party observers goes for them as well. Therefore, these observers generally did not use their possibilities within the role legally prescribed in Articles 5.30 and 17.9 of the BiH Election Law (as evidenced by only 388 irrelevant objections in the minutes), but some of their reports, in accordance with some of their rules and procedures, were submitted to their NGO directors who nominated and paid them and who all consolidated all these reports and some 15 days after the election day compiled a document/pamphlet of some 250 pages, where practically all the polling stations in BiH and all statutory and voting procedures prescribed by law were practically mentioned and all were declared as "critical areas" or "critical situation." They submitted this to the CEC, for information and action and made a media campaign on the "threatened credibility and integrity of BiH CEC". They made this pamphlet available at least to some political parties, who used it as a "legal and factual" indisputable truth in their demands for recounting and annulling elections in almost all polling stations in BiH. As the CEC refused 17 requests for recounting as massive, unproven and arbitrary (but accepted specific, reasoned requests and ordered counting ex officio), and rejected all requests for annulment of the elections, the Court of BiH confirmed all decisions of the BiH CEC, that is, rejected all complaints from candidates and political parties, and this group of NGOs, probably counting on their huge authority and infallibility, did something ... something inconceivable. In their own name, and probably for the account of those political entities whose requests were rejected, they repeated the requests and submitted to the CEC a request for re-counting at all polling stations in the Republika Srpska, as well as a request for annulment of elections in one constituency.

And this is something that is forbidden by the Election Law and all other laws regulating their work, and it also counters all standards of neutral activity of observers.

- but for that reason, we also had international observers, untouched by our internal problems and worries, who made their own report, some sections of which will be presented today. They were accredited by CEC, 689 observers from 44 international organizations. The ODIHR report will be enclosed among other enclosures with our report on the conduct of the elections that we will be soon submitted to the BiH Parliament for consideration.

During the process of verification of the results of direct elections, 1,073 appeals were filed against CEC decisions, of which 1,069 appeals were rejected or dismissed by the Court of BiH, 4 appeals were upheld and our decisions was modified or remanded. This is a figure that illustrates expertise and lawfulness in the work of the CEC.

The CEC resolved all the proceedings, complaints, appeals and requests within statutory deadlines, verified the results, published them in official gazettes, delivered certificates, Certificates of Ascertainment and created conditions for entering the second phase - the phase of indirect elections.

The BiH Central Election Commission is responsible for all direct and indirect elections prescribed by this Law. That is determined in one provision of Article 2.9 of the BiH Election Law. As, among other elections, the Election Law governs an election of members of the House of Peoples of the FBiH Parliament by cantonal assemblies, then an election of five Bosniaks and Croats to the House of Peoples of the BiHHA by the House of Peoples of the FBiH Parliament, we all, absolutely all of us in this country, have faced an unsolvable problem, standing on the edge of an abyss...what now...?????? and how to complete the elections?

Then the CEC, the one who they say has been destroying the constitutional order, took on his shoulder a burden to save...literally to save...and to solve what others had massed before, and then, literally balancing on a razor's edge, regulated by a by-law that filled seats of the House of Peoples of the FBiH Parliament, and not only partially as it was provided for by the current law, but it completely filled up all the caucuses. And, of course, this was challenged by three different authorities by filing appeals at the Constitutional Court of BiH: by the House of Representatives of the Federation of BiH, by the House of Representatives of BiH and by the Court of BiH!!!!

And of course, the CEC had not violated the Constitution, had not denied anyone's human rights in its decisions and by-laws and the Constitutional Court of BiH confirmed it, including one previously filed appeal against the refusal of certification of a candidate for member of the BiH Presidency, which was dismissed/rejected, so our all decisions were practically confirmed.

Now the conditions have been created for the full functioning of the authorities in Bosnia and Herzegovina, so they were elected, they can change everything that they do not like, the Constitution, the laws, and us, do not let them touch you, you are good, you have put with everything, often without support or credit...and only if one of you had drawn back...this would have not ended...or who knows when and how this would have ended. In the upcoming panels, and in the discussions planned after some of the presentations, you, of course not all of you - we are high in numbers and when we would finish, will have the opportunity to present your observations, suggestions, requests, to make it all in recommendations and suggestions and deliver together to the right address - the lawmakers.

And I should not omit this: let us all together say thank you for helping and giving immense support to our friends from the international organizations, the Council of Europe and the OSCE, who are here to help us, but will not stay here forever.

Thank you for your attention.

ODIHR EOM Final Report - Overview of Recommendations related to Election Administration

Alexey Gromov,
Election Adviser, ODIHR

PRIORITY RECOMMENDATIONS

(relevant recommendations related to election administration)¹

...

2. A comprehensive review of the legal framework should be undertaken to eliminate the shortcomings identified in this and prior ODIHR reports and to prevent the abuse of public resources for campaign purposes.

3. Political subjects should follow the law and refrain from exercising pressure on voters. Cases of alleged pressure on voters should be examined promptly, thoroughly and effectively, and perpetrators held accountable in a timely manner by the prosecutors and the CEC.

4. The state should take effective measures to protect the voters' right to a free and secret choice. The voting procedures should be reviewed to ensure the secrecy of the vote and protection against undue influence on voters. The importance of ballot secrecy should be emphasized during the training of election commissions and in voter education materials.

5. The practice of announcing voters' names in the polling stations should be reconsidered. Consideration should be given to a ban on keeping track of voters who voted on Election Day by political subjects, including by using Voters' Registers in the polling stations.

6. Serious efforts should be made to ensure the impartiality of election administration. Consideration could be given to revising the method of formation of the PSCs, for example, by limiting eligibility to nominate PSC members only to the parties represented in the state and entity parliaments. Alternative mechanisms for the appointment of PSC members could also be considered, such as open calls, when political parties fail to make timely nominations.



¹ Bosnia and Herzegovina, General Elections 7 October 2018, ODIHR EOM Final Report, IV. LEGAL FRAMEWORK pp. 25-29.

OTHER RECOMMENDATIONS

Election Administration

10. Authorities should enhance voter education programmes, including on preventing family voting and irregular assisted voting. The CEC should further intensify its efforts to provide accessible voter education and information to all groups of voters, particularly to persons with disabilities, in close consultation with the organizations representing them.

11. Additional efforts should be undertaken by the authorities to ensure barrier-free access to polling stations.

13. The accuracy of vote counting should be improved. Training for PSC members should be strengthened, with a special focus on the vote count and the completion of results protocols. Possibility of random recounts of the PSC voting results for all races and across all constituencies could be considered. Should technical solutions for automatic counting be introduced, a comprehensive feasibility study and piloting should be undertaken, with procurement, security and other pertinent issues discussed sufficiently in advance of the elections and in an inclusive manner.

Voter Registration

14. Further efforts should be undertaken to improve the accuracy of voter registration. To this end, consideration should be given to revising the mechanism of reporting and registration of deaths to ensure timely data exchange and correction of citizens' records. The authorities could create an effective electronic notification system between the institutions involved, with clearly defined responsibilities and timelines. The duty to report death to the population registries could be transferred to the respective medical institutions.

15. In order to increase public trust in the integrity of the voter registration process, various stakeholders, including political parties and civil society organizations, could be invited to participate in audits of voter lists, initiated and overseen by the CEC.

Candidate Registration and Campaign

16. A gender quota that ensures parity of male and female candidates on candidate lists should be considered, and dissuasive sanctions for not complying with the quota should be applied. Political parties should facilitate women's political advancement, increase visibility of female candidates during election campaigns, and integrate gender issues into their platforms. To encourage this, consideration could be given to increases in state funding for parties that promote gender equality, additional free access to public media for women candidates, and annual party subsidies to fund women's wings of political parties.

Campaign Finance

17. The law should be amended to prescribe proportionate and dissuasive sanctions for violations. A reasonable deadline for auditing and publishing all campaign finance reports and the audit conclusions should be established by the law or set by the CEC.

Complaints and Appeals

20. In view of providing for effective protection of electoral rights, the deadline for filing complaints could be extended, particularly for complaints about ongoing violations. The CEC should be proactive in reviewing possible irregularities ex officio, including upon notifications received from observers. Judicial review of CEC decisions on complaints and appeals should be made possible.

21. To enhance transparency and accountability, the CEC and the courts should publish information on election-related complaints and decisions in a timely manner.

Election Administration in international standards and good practice



Integrity

Achievements	Challenges
<ul style="list-style-type: none"> ● Opening and voting assessed overwhelmingly positively ● Development of guidelines to supplement, clarify legal provisions ● Focus on enfranchisement and efforts to accommodate special needs groups. 	<ul style="list-style-type: none"> ● Need for greater balance in composition ● Lack of collegiality ● Formalistic approach to complaints, poorly justified decisions ● Failures to provide timely and effective legal redress ● Counting and tabulation assessed considerably more negatively.

3. Parties should follow the law and refrain from exercising pressure on voters. Cases of alleged pressure on voters should be examined promptly, thoroughly and effectively by the prosecutors and the CEC.

4. The state should take effective measures to protect the voters' right to a free and secret choice. The importance of ballot secrecy should be emphasized during the training of election commissions and in voter education materials.

6. Serious efforts should be made to ensure the **impartiality of election administration**. Consideration could be given to **revising the method** of formation of the PSCs, for example, by limiting eligibility to nominate PSC members only to the parties represented in the state and entity parliaments. Alternative mechanisms for the appointment of PSC members could also be considered, such as open calls, when political parties fail to make timely nominations.

Integrity of Voter Registration

Achievements	Challenges
<ul style="list-style-type: none"> ● Moving towards or established centralized voter registration ● More opportunities for verification of voter registration data ● Additional measures to facilitate access of voters with specific needs to election procedures. 	<ul style="list-style-type: none"> ● Mechanisms for cross-checking the voter registry with the aim to exclude duplicate record in countries without centralised Voter Registers ● National address system ● Registration of voters abroad ● Lack of public trust ● Interagency communications and effective data exchange.

14. Further efforts should be undertaken to improve the accuracy of voter registration. To this end, consideration should be given to revising the mechanism of reporting and registration of deaths to ensure timely data exchange and correction of citizens' records. The authorities could create an effective electronic notification system between the institutions involved, with clearly defined responsibilities and timelines. The duty to report death to the population registries could be transferred to the respective medical institutions.

15. In order to increase public trust in the integrity of the voter registration process, various stakeholders, including political parties and civil society organizations, could be invited to participate in audits of voter lists, initiated and overseen by the CEC.

Candidate Registration

5. The legislator should address the ECtHR judgments with regards to discriminatory ethnicity and residency-based restrictions to stand for elections²

16. A gender quota that ensures parity of male and female candidates on candidate lists should be considered, and dissuasive sanctions for not complying with the quota should be applied.

Improving Legal Framework

2. A comprehensive review of the legal framework should be undertaken to eliminate the shortcomings identified in this and prior ODIHR reports and to prevent the abuse of public resources for campaign purposes.

17. The law should be amended to prescribe proportionate and dissuasive sanctions for violations. A reasonable deadline for auditing and publishing all campaign finance reports and the audit conclusions should be established by the law or by the CEC.

Efficiency: Self-Organization, Service Provider

Achievements	Challenges
<ul style="list-style-type: none"> • Elections technically well administered, within deadlines • Greater focus on training, using innovative approaches • Greater use of technologies for administering elections • Work between elections, including on the basis of comprehensive action plans and lessons learnt • Greater focus on voter education, with use of interactive formats. 	<ul style="list-style-type: none"> • Resources (human, financial) incompatible with duties • Insufficient co-ordination with lower level EMBs and other institutions • Adoption of last-minute decisions • Need of better training on counting, tabulation and completion of protocols • Last-minute replacement of staff challenging stability, undermining training.

2 Bosnia and Herzegovina, General Elections, October 7, 2018, Final Report of the ODIHR Election Observation Mission, IV. LEGAL FRAMEWORK p. 5

Effective Election Administration

13. The accuracy of vote counting should be improved. Training for PSC members should be strengthened, with a special focus on the vote count and the completion of results protocols. Possibility of random recounts of the PSC voting results for all races and across all constituencies could be considered.
20. The CEC should be proactive in reviewing possible irregularities ex officio, including upon notifications received from observers. Judicial review of CEC decisions on complaints and appeals should be made possible.

Effective Service-Provider

5. The practice of announcing voters’ names in the polling stations should be reconsidered. Consideration should be given to a ban on keeping track of voters who voted on Election Day by political subjects, including by using voter lists in the polling stations.
11. Additional efforts should be undertaken by the authorities to ensure barrier-free access to polling stations.
10. Authorities should enhance voter education programmes, including on preventing family voting and irregular assisted voting. The CEC should further intensify its efforts to provide accessible voter education and information to all groups of voters, particularly to persons with disabilities, in close consultation with the organizations representing them.

Transparency

Achievements	Challenges
<ul style="list-style-type: none">● Efforts to publish results by polling stations, post and distribute to observers protocols;● Greater trend of sessions open to observers, media, parties;● Greater engagement with civil society	<ul style="list-style-type: none">● Greater efforts needed to publish EMB decisions, meeting agendas and minutes in a timely manner;● Reduced transparency of count and tabulation processes● Lack of provisions for observation.

Transparency of Electoral Process

21. To enhance transparency and accountability, the CEC and the courts should publish information on election-related complaints and decisions in a timely manner.

13. Should technical solutions for automatic counting be introduced, a comprehensive feasibility study and piloting should be undertaken, with procurement, security and other pertinent issues discussed sufficiently in advance of the elections and in an inclusive manner.

Conclusions and Ways Ahead

- ▶▶ Certain common trends, both with regard to achievements and challenges
- ▶▶ Principles of administering elections
- ▶▶ Lessons learnt
- ▶▶ Technical targeted advice and assistance by the ODIHR.

Assessment of the 2018 General Elections

François Friederich,
Head of Electoral Assistance Division,
Council of Europe



1. Electoral Assistance Program in Bosnia and Herzegovina

The Council of Europe developed a program prior to the 2018 General Elections with different partners to ensure a wide coverage of our electoral assistance program on Bosnia and Herzegovina.

Since years now, the Council of Europe works closely with the Central Election Commission of Bosnia and Herzegovina and this conference is part of our cooperation with the CEC. Let me come back to our activities in 2018 related to the 2018 General Elections.

The Pre-election Conference on “Obligations of the Municipal/City election commissions in preparations of the 2018 direct elections”, which were held in June 2018. This activity was closely related to the publishing of the Practicum for the municipal/city election commissions that has been used during the Conference. The conference brought together all members of the Municipal election commissions.

Under the support of the Council of Europe, the CEC of BiH also published and distributed many publications related to electoral process, such as:

- Manual for the Polling station committee;
- Practicum for municipality election commissions;
- Publication on the election reform in BiH;
- Handbook on election observation;
- Practicum for election campaign and financing of political parties.

All those documents were essentials for voter education for different election stakeholders of all kind (political parties, election commissions at all levels, observers and citizens themselves).

• *Media campaign and regional conference on promoting the gender equality:*

In partnership with Bonaventura Sarajevo, a Media campaign to promote women participation and representation has been developed. The Agency for Gender Equality

has appealed to all the political parties registered for the 2018 General Elections to select the names of the female candidates to be represented in the media campaign. Most political parties answered positively to this request. As a result, the campaign covered 65 candidates for cantonal levels, 8 for the Parliament of the Federation of BiH, 5 for the National Assembly of Republika Srpska, 12 for the state parliament and 2 candidates for the Presidency of BiH.

The 14 September 2018, a Regional conference on promoting the gender equality during the electoral process was held and was the occasion to present the media campaign on gender equality for the upcoming General Elections. The conference gave also the opportunity for the gender equality experts of the region (Bosnia and Herzegovina, Croatia, Montenegro, North Macedonia and Serbia) to meet and explain the perception of gender equality issues as well as share experiences of their countries. It was a fruitful experience of competencies and experiences. All the experts from the different countries delivered their visions of the gender equality.

- *Increasing access to electoral process for persons with disabilities:*

In partnership with the Association of the Blind of Canton Sarajevo implemented the project "Making audio versions of the laws". They provided the Election Law of BiH and the Law on Political party financing in audio form in Bosnian, Croatian and Serbian language. The audio versions of laws have also been published on the internet. The purpose of the project was to provide more equal conditions for participation in the electoral process for blind people in Bosnia and Herzegovina. The design of the CDs has been done by "Intrag" d.o.o. Company, which employs persons with disabilities.

2. Presentation of the European Election Performance Index

Presentation of the conclusions of the International Election Observation Mission of (see document no. 14668) the Parliamentary Assembly of the Council of Europe (page 7 to 8).

3. Presentation of the European Election Performance Index

In 2017 and 2018, the Council of Europe has developed the European Election Performance Index (EEPI), which measures the quality of the electoral process. Unlike indices that aim to evaluate the level of advancement and quality of the democratic system and process, the EEPI focuses on this major democratic event, elections.

The aim is to define criteria for measuring the degree of compliance of Member States with international and European standards for elections. This Index is based on the electoral cycle, which is made up of three phases:

- ▶▶ pre-election period;
- ▶▶ election period and
- ▶▶ post-election period.

Every period is divided into specific sections, such as the pre-election period has 4 sections, which are: the legal framework, the training, education and awareness-raising, the media and the voter/candidate's registration.

In total there are 81 criteria, including 31 supra-criteria (more important criteria than others are overweight and attribute 3 points instead of 1 point).

The Index is determined by cumulating all criteria from different periods of the electoral cycle and is based on a satisfaction scale ranging from 0% to 100%.

With this method, it is also possible to isolate the percentages of satisfaction for each period of the electoral cycle.

4. Results of the pilot test of the European Election Performance Index

Our division compared the 2014 and the 2018 General Elections in Bosnia and Herzegovina, in order to know precisely the dynamic of the election performance.

Here are two examples of good and bad dynamics:

» Positive outcomes:

- In comparison to the previous elections, the campaign financing irregularities were better defined, which ensures more equality in the election debate
- The opening and closing time of the polling stations were better assessed than in 2014. Less polling stations opened and closed with delays, according to European electoral standards.

» Negative outcomes:

- The secrecy of the vote was less secured than for the previous General Elections.
- The election administrations should better ensure the access to the polling stations for the persons with disabilities.

As I mentioned earlier, we are still in a pilot phase of our European Electoral Performance Index. You will be able to find next week, on our website the different information and criteria of our new tool, if we would have measured the performance of the post-election period, the result would not be positive on regard to the implementation of the result of the election. Voting is the process by which people elected their representatives that should start their mandate from the moment the voting procedures are over. In this regard, we were missing the participation of BiH Members of Parliament last week at the Parliamentary Assembly of the Council of Europe.

Finally, I would like to congratulate the CEC for this work in a difficult context.

For the future we shall continue our cooperation of course.

Thank you for your attention.

Reports on work of municipal/city election commissions in 2018

Vlado Rogić,

Member of the BiH Central Election Commission

Marijana Žuljević, Head of the Election Department

The competence of the Central Election Commission of Bosnia and Herzegovina in coordinating, overseeing and regulating the legality of the work of all election commissions and polling station committees in accordance with the Election Law of Bosnia and Herzegovina is laid down in Article 2.9, paragraph 1, point 1 of the BiH Election Law. The Central Election Commission of Bosnia and Herzegovina, through the Instructions on the manner of operation and reporting of the election commission of the basic constituency in Bosnia and Herzegovina, established, inter alia, an obligation for the election commissions of the basic constituencies to submit an activity report for the previous year to the BiH Central Election Commission by 31 January of the current year. Accordingly, all Election Commissions (143 of them) submitted a 2018 activity report (we have to mention that some election commissions submitted reports after several remainders, while some election commissions submitted only the accompanying tables, without a written report). On the basis of the submitted data and information, a consolidated 2018 activity report of election commissions was prepared.



1. Composition of Municipal/City Election Commissions

The election commissions conducted the 2018 General Elections with the entire membership (561 members in 143 election commissions). Given a number of municipal/city councils or municipal/city assemblies, despite several reminders, did not fill in seats in election commissions, the Central Election Commission of Bosnia and Herzegovina appointed replacement members in accordance with Article 2.15 paragraph (2) of the BiH Election Law before the 2018 General Elections were called, and a number of replacement members in the election period have been appointed by the municipal/city councils or by the assemblies of municipalities/cities. Accordingly, 16 election commissions (Bileća, Jezero, Kupres, Berkovići, Gorazde, Živinice, Krupa na Uni, Kupres (RS), Pale (FBiH), Srebrenica, Velika Kladuša, Istočni Mostar, Istočno Novo Sarajevo, Gradačac, Bosanska Krupa and Tuzla) consisted of deputy presidents and/or members (25 replacement members and one replacement president from among already appointed members - Krupa na Uni).

The structure and composition of the election commission (representation of constituent peoples and others and gender representation in accordance with the BiH Law on Gender Equality) is prescribed by Article 2.14 of the BiH Election Law. According to the current state as of 18 March 2019, the structure and composition of election commissions is as follows:

Ethnic Composition of Municipal/City Election Commissions

TOTAL	CROATS		BOSNIAKS		SERBS		OTHERS	
546	105	19,23%	201	36,81%	214	39,19%	26	4,76%

Gender Composition of Municipal/City Election Commissions

TOTAL	MEN		WOMEN	
546	287	52,56%	259	47,44%

Educational Composition of Municipal/City Election Commissions

TOTAL	4-years university		2-years university		Secondary school	
546	490	89,74%	43	7,88%	13	2,38%

Age Composition of Municipal/City Election Commissions

TOTAL	Under 30		30 - 40		40 - 50		50 +	
546	210	38,46%	106	19,41%	126	23,08%	104	19,05%

2. Work Conditions of Municipal/City Election Commissions in 2018

Meetings and decisions. Bearing in mind that 2018 was an election year, due to the preparation and holding of the 2018 General Elections, the election commissions held intense meetings and their number ranged from 3 to 91 meetings (Srbac) and they had twenty meetings on average. The meetings adopted from 3 to 606 decisions (most of the decisions adopted were in the report by the City Election Commission of Banja Luka).

Working space. Most election commissions indicated that they had adequate space for work, and the following election commissions (21) stated that they did not have it: Čitluk, Vukosavlje, Ribnik, Jezero, Istočni Mostar, Novo Goražde, Grude, Čajniče, Olovo, Sanski Most, Kotor Varoš, Živinice, Teočak, Bratunac, Krupa na Uni, Višegrad, Istočna Ilidža, Laktaši, Šekovići, Kupres (RS) and Teslić, while the City Election Commission of Banja Luka noted that they had partly adequate space.

Equipment. Most of the election commissions indicated that they had adequate equipment for the work of the election commission, and 20 election commissions

had inadequate equipment: Istočni Drvar, Ljubinje, Maglaj, Drvar, Fojnica, Kupres, Vukosavlje, Ribnik, Novo Goražde, Čajniče, Olovo, Sanski Mostar, Bratunac, Krupa na Uni, Višegrad, Istočna Ilidža, Laktaši, Teslić, Kupres (RS) and Šekovići, while the City Election Commission of Banja Luka stated that it has partially adequate equipment for work.

Financial and technical support was not provided by the city/municipality to election commissions in Ugljevik and Kupres.

All election commissions had the *necessary resources* to implement the 2018 General Elections. *The remuneration* for the work was paid to 106 election commissions regularly and to 33 election commissions occasionally and the election commissions of Brod, Olovo and Kupres did not receive remuneration for work.

3. Preparation and Conduct of 2018 General Election

In accordance with its competencies established by Article 2.13 of the BiH Election Law, during the preparation and implementation of the 2018 General Elections, the election commissions carried out the following jobs and activities:

3.1. Monitoring and overseeing the work of the Centre for Voters' Register (Article 2.13 paragraph (1) point 1 of the BiH Election Law). The obligation to establish a polling station in each municipality, as well as the competencies of the Centre, are determined in Article 3.8 of the BiH Election Law. According to the data provided by election commissions in relation to the Voters' Register Centres, the following can be noted:

Establishing a Voters' Registration Centre. All municipalities/cities, with the exception of the Municipality of Krupa on Uni, established a polling station, which was a significant improvement comparing to the 2016 Local Elections, when five municipalities did not have a polling station.

Space. In 11 municipalities (Donji Žabar, Srebrenik, Jezero, Olovo, Kupres (RS), Prozor-Rama, Trnovo (FBiH), Grude, Čajniče, Ljubinje and Ravno) the Voters' Register Centre did not have adequate space.

Equipment. In 18 municipalities (Donji Žabar, Srebrenik, Drvar, Ribnik, Kotor Varoš, Kalesija, Olovo, Šekovići, Kupres, Kupres (RS), Prozor-Rama, Foča (FBiH), Novo Goražde, Čajniče, Rudo, Čapljina, Ravno and Brčko District of BiH), the polling stations did not have adequate equipment.

Staff of Voters' Register Centre. The Municipality of Novo Sarajevo did not have staff to work in the Voters' Register Centres. In 97 municipalities, one person was employed in the Voters' Register Centres; in 36 municipalities, two persons were hired to work in the Voters' Register Centres, and in 4 municipalities there were more than two people employed in the Voters' Register Centres. Out of the above-mentioned staff, 89 municipalities had permanently hired staff, and 51 municipalities have staff engaged only in the election year or as needed.

Training of staff of Voters' Register Centre. Compulsory education, organized by the BiH Central Election Commission in 2018, was not attended by 11 staff members of the Voters' Register Centres from 10 municipalities: Velika Kladuša, Cazin, Kozarska Dubica, Domaljevac-Šamac, Orašje, Bosansko Grahovo, Kupres (FBiH), Pale (FBiH), Široki Brijeg and Ljubinje.

Reporting by Voters' Register Centre. In accordance with the Rulebook on the Use and Production of Excerpts from the Central Voters' Register, regular reporting to the BiH Central Election Commission was carried out by 61 Voters' Register Centres and 10 Voters' Register Centres did not submit any report (Bosansko Grahovo, Istočni Stari Grad, Kupres (RS), Olovo, Pale (FBiH), Petrovo, Prozor-Rama, Srbac, Srebrenica and Srebrenik).

The main activity of election commissions and staff of Voters' Register Centres in 2018 was the verification and updating of the Central Voters' Register data relating to deceased persons.

3.2. Polling stations – designation of polling stations in the municipality, responsibility for arranging polling stations and other technical preparations for Election Day (Article 2.13 paragraph (1) points 2 and 6 of the BiH Election Law)

All election commissions designated particular premises as polling stations for the 2018 General Elections, the designated polling stations fulfilled the requirements (space, equipment, access, etc.) for the undisturbed conduct of the electoral process. In co-operation with the bodies of the administration, a number of election commissions made additional efforts in arranging polling stations (renting more adequate space, providing access, securing power supply etc.).

3.3. Polling station committees - implementation of the nomination procedure, appointment and training of members of polling station committees and security and delivery of the election material to polling station committees (Article 2.13 paragraph (1) points 3 and 4 of the BiH Election Law)

Despite the difficulties encountered in the implementation of this legal obligation (insufficient number of nominees for membership in polling station committees, non-fulfilment of requirements by nominees, absence of nominees from training and testing, members' withdrawing before and after training and on election day, inability to appoint deputies etc.) election commissions appointed and trained polling station committees in the conduct of the 2018 General Elections. The majority of comments, problems, suggestions and proposals related to the conducted elections in the reports of election commissions concerned the segment of appointment, training and the work of polling station committees. The BiH Central Election Commission conducted an analysis based on the data and information provided from all election commissions regarding the appointment of polling station committees, as well as the difficulties which election commissions faced; however, only a brief review of the above issue was presented here, bearing in mind that, due to its significance, a separate topic was dedicated to the mentioned issue in the Conference.

Furthermore, all polling station committees were provided in a timely manner with sensitive and non-sensitive election material, with the polling station committees being entrusted with responsibility for their security from the time of taking them from the election commission until its delivery to the seat of the election commission.

3.4. Notifying voters of all information necessary for the conduct of elections in accordance with the regulations of the BiH Central Election Commission (Article 2.13 paragraph (1) point 5 of the Election Law of BiH)

All election commissions indicated that voters were regularly informed about the course of election activities (publishing and displaying of excerpts from the Central Voters' Register, the location of polling stations etc.), most often through the media, the official site of the municipality/city, the announcement boards of the administration body and the presidents of the local communities.

3.5. Correct counting of ballot papers at polling stations and consolidation of election results from all polling stations in the municipality, separately for each body for which members were elected, and delivery to the BiH Central Election Commission (Article 2.13 paragraph (1) points 7 and 8 of the BiH Election Law)

All election commissions stated that they consolidated results and entered them into the application for input and processing of election results in a timely manner. The Municipal Election Commission of Istočni Drvar stated that it had consolidated the results in a timely manner, but due to a lack of necessary connection, they were not included in the application.

Furthermore, all election commissions stated that they submitted original forms from the polling stations within the deadline, but by inspecting the Main Counting Centre, out of 143 election commissions, a total of 128 election commissions submitted forms within the prescribed deadline of 24 hours after closing of polling stations.

Proper consolidation of results at polling stations. The proper consolidation of election results was carried out in 82 election commissions at 773 polling stations. The most re-opening of bags was registered in the following election commissions:

Mostar	85	Banja Luka	26
Brčko District of BiH	66	Teslić	26
Tuzla	47	Gračanica	24
Novi Grad Sarajevo	42	Centar Sarajevo	22
Bijeljina	34	Foča	22
Ilidža	29	Travnik	21
Novo Sarajevo	28	Bosanska Krupa	21
Stari Grad Sarajevo	27		

A separate topic of the conference was dedicated to the issues of proper consolidation and checking of election results and only general indicators from this activity of election commissions are presented here.

3.6. Complaints Filed with Election Commissions

During the election process, 305 complaints were made in 69 election commissions. The most complaints lodged were recorded in the following election commissions:

Centar Sarajevo	26	Novi Grad Sarajevo	14
Banja Luka	22	Ilidža	13
Gradiška	16	Bugojno	11
Travnik	16	Brčko distrikt BiH	10
Tuzla	15		

The largest number of complaints alleged violations of Articles 5.13, 7.3 and 7.4 of the Election Law of BiH.

Cooperation between the BiH Central Election Commission and election commissions.

All election commissions indicated that they had the necessary support from the expert services of the BiH Central Election Commission during the election process and especially during the election day (coordinators, call centre, controllers of entry and processing of results, IT support etc.), except for the City Election Commission of Banja Luka, which evaluated the cooperation with the BiH Central Election Commission as positive, but believes that it needs to be much more effective. They pointed out a lack of officers in the Secretariat of the BiH Central Election Commission that made it difficult to communicate between the two bodies and timely exchange of information, as well as the delay in materials for the training of polling station committees.

The most commonly identified issues in polling station committees and other observations related to the electoral process relate to:

- » counting of ballot papers
- » filling out forms at polling stations
- » packing of election material
- » withdrawing by members of polling station committees.

The most common suggestions for improving and advancing the electoral process relate to:

- » increase remuneration for work in the polling station committee
- » enabling election commissions to appoint members or at least chairpersons of polling station committees
- » simplifying the way of packing electoral material from polling stations
- » introduction of electronic voting and counting of ballot papers.

Based on the information, experiences, suggestions and comments provided in the reports of the election commissions for 2018, as well as on the basis of discussions and suggestions made during the conference, recommendations were made to improve the operational, technical and normative segment of the electoral process in Bosnia and Herzegovina.

PANEL I.

Challenges of the Electoral Process
Integrity of the Central Voters' Register

Integrity of the Central Voters' Register – a Review and Recommendations

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INTRODUCTION

Although this may not be the case, given the valid method of automatic or passive registration in BiH based on the civil register of BiH citizens, it is undoubted fact that voter registration or the creation of the Central Voters' Register, is one of the most complex election operations in the entire electoral process in Bosnia and Herzegovina. When on the basis of constitutional and legal requirements a decision is taken on who can be registered in the Central Voters' Register and it is formed (including all of its copies), then de facto and de jure, there will be numerous activities of election administration bodies in order to ensure that only those who are entered in CVR can vote (and only once on an election day, at one polling station).



There are three statutory requirements for entry in CVR: citizenship of BiH, age 18 or fulfilment of that requirement on Election Day and residence.

Relevant regulations that create the legal basis for production of CVR are:

- » Chapter 3 of the Election Law of BiH³
- » Rulebook on the Use and Production of Excerpts from the Central Voters' Register⁴
- » Entity laws on civil registers⁵
- » Entity guidelines (instructions) on keeping records⁶

3 BiH Election Law (BiH Official Gazette 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14, 31/16)

4 Rulebook on the Use and Production of Excerpts from the Central Voters' Register (BiH Official Gazette 29/18)

5 Law on Civil Registers (Republika Srpska Official Gazette 18/99, 111/09, 43/13) and (FBiH Official Gazette 37/12, 80/14)

6 Instructions on Keeping Civil Registers (Republika Srpska Official Gazette 55/10) and (FBiH Official Gazette 51/13, 55/13, 82/13, 6/15)

Pursuant to the BiH Election Law, the BiH Central Election Commission:

- is responsible for accuracy, update and general integrity of the Central Voters' Register,
- informs competent authorities about the established deficiencies,
- draw up the excerpts from the Central Voters' Register for some groups of voters and
- keep special records on the persons whose right to vote was withdrawn in accordance with the Law.⁷

The Central Voters' Register is a record of citizens of Bosnia and Herzegovina who have the right to vote in accordance with this Law and shall be maintained for the purposes of conducting elections, referendums, recalling elected officials and electing bodies of the local self-governance.⁸

When we combine these concepts we can conclude that the BiH Central Election Commission is responsible for the integrity, indivisibility, punctuality and completeness of the CVR and that the Law defines the CVR as an oversight, overview or census of BiH citizens who have the right to vote in accordance with the Law.

Entry of Voters in the Central Voters' Register

The following BiH citizens are recorded in the Central Voters' Register:

- a) those of age (18) or older;
- b) those who will become eighteen (18) years of age on the election day;
- c) those who have the right to vote in accordance with this Law, but are temporarily residing abroad; and
- d) citizens of Bosnia and Herzegovina having the status of displaced persons and refugees.⁹

The Central Voters' Register does not contain the following:

- the names of citizens of Bosnia and Herzegovina who have been deprived of their full legal capacity by the final decision of the competent authority, and
- the names of persons serving the sentence imposed by the International War Crimes Tribunal for the former Yugoslavia, the Court of Bosnia and Herzegovina, the Republika Srpska Court, or the Court of the Federation of Bosnia and Herzegovina and the Brčko District Court of Bosnia and Herzegovina. These

7 Article 3.6 of the BiH Election Law

8 Chapter 3 of the BiH Election Law

9 Article 20.8 of the BiH Election Law

persons can neither be candidates nor have any appointed, electoral or other public office in the territory of Bosnia and Herzegovina.

No person, who is serving a sentence imposed by a Court of BiH, a Court of the Republika Srpska or a Court of the Federation of BiH and the Court of the District of Brčko or who has failed to comply with an order to appear before a Court of BiH, a Court of the Republika Srpska or a Court of the Federation of BiH and the Court of the District of Brčko for serious violations of humanitarian law where the International Criminal Tribunal for the Former Yugoslavia has reviewed the file prior to arrest and found that it meets international legal standards, may be recorded in the Central Voters Register or stand as a candidate or hold any appointed, elected or other public office on the territory of BiH. Further, no person who is serving a sentence imposed by a court of a foreign country or has failed to comply with an order to appear before a court of a foreign country for serious violations of humanitarian law where the International Criminal Tribunal for the Former Yugoslavia has reviewed his or her case file prior to arrest and found that it meets international legal standards, may be recorded in the Central Voters' Register or stand as a candidate or hold any appointive, elective or other public office on the territory of BiH.

The Central Voters' Register is compiled and kept on the basis of data from official records on permanent and temporary residence of citizens of Bosnia and Herzegovina, which is kept by the competent state body, other public documents and official records of citizens of Bosnia and Herzegovina kept by the BiH Central Election Commission and other competent authorities; based on public documents and data obtained directly from citizens.

The Central Voters' Register is kept ex officio and processed in electronic form, based on the records of the competent state authority that keeps the register of citizens of BiH using computer data processing, according to a unique methodology and program whose content and method of use is established between the competent authority of Bosnia and Herzegovina and the BiH Central Election Commission.¹⁰

The competent authority that keeps the records on citizens of BiH pursuant to the Law on Citizens' Single Identification Number, the Law on Permanent and Temporary Residence of the BiH Citizens and the Law on Identification Card of BiH Citizens receives the data from¹¹:

- a) the competent Registry Office on death of all citizens over eighteen (18) years of age; and
- b) the competent Ministry of BiH on deregistration of BiH citizenship.

10 The Uniform Methodology and Program for Processing and Keeping Records of the Central Voters' Register, our No. 05-1-02-2-2798/08 of 4 February 2009 and the Decision on Amendments to Uniform Methodology and Program for Processing and Keeping Records of the Central Voters' Register, our No. 05-1-02-2-334-6/18 of 20 December 2018.

11 Article 3.5 of the Election Law of BiH

The body that maintains records of the Central Voters' Register (IDDEEA) in accordance with the Law on Central Records and Data Exchange¹² as well as the Law on Citizens' Single Identification Number¹³, the Law on Temporary and Permanent Residence of BiH Citizens¹⁴ and the Law on Identity Card of BiH Citizens¹⁵ receives data from the competent authority that keeps records of changes in permanent and temporary residence, as well as

- a) Municipal Election Commissions on polling stations and
- b) BiH Central Election Commission and Municipal Election Commissions on changes in the voting option.

The body responsible for keeping official records of the data necessary for the creation of the Central Voters' Register is also responsible for accuracy and update of the data necessary for the creation of the Central Voters' Register.

The competent registry offices are obliged to submit to the competent authority that keeps official records on the single identification number, permanent and temporary residence of citizens of Bosnia and Herzegovina all changes affecting the updating of the Central Voters' Register in writing no later than seven days after the change occurred.

From the abovementioned legal provisions, it is clear that the responsibility for the accuracy, update and overall integrity of the CVR is shared between the "owner" of the data that affects the accuracy and update of the data required for the creation of the Central Voters' Register and the BiH Central Election Commission. The BiH Central Election Commission is nominally responsible for accuracy, update and overall integrity of the Central Voters' Register, but only if the information supplied by more than one competent authority is indeed such: accurate and up-to-date. Otherwise, the full responsibility for incorrect and inaccurate data lies with the original owners of these official data (records).

Entry of Deaths

Any death is recorded in the register of deaths on the basis of oral or written report by family members, i.e. members of the household of the deceased, and if there is none, on the basis of a report of other persons who found out about the death, when a minutes of reporting the death are made. Any death is recorded in the Death Register on the basis of the above-cited Laws on Civil Registers.

On the basis of the instructions on keeping registers, the registrar is obliged to inform about a death the competent authority (the competent Ministry of the Interior, that

12 The Law on Central Records and Data Interchange (BiH Official Gazette 32/01, 16/02, 32/07, 44/07)

13 The Law on Citizens' Single Identification Number (BiH Official Gazette 32/01, 63/08, 103/11, 87/13)

14 The Law on Temporary and Permanent Residence of BiH Citizens (BiH Official Gazette 32/01, 56/08, 58/15)

15 The Law on Identity Card of BiH Citizens (BiH Official Gazette 32/01, 16/02, 32/07, 53/07, 56/08, 18/12)

is, the Public Security Centre or the police station) in the area where the deceased person was residing for the purpose of entering it in the records of identity cards and permanent residence of citizens. In the letter, the registrar will provide the following information about the deceased person: name and surname, name of a parent, day, month and year of birth, place of birth, SIN, municipality, place of residence and address of the apartment, date of death, name of the Death Register in which the death has been entered, as well as the ordinal number of registration and the page of the register. Based on this letter, the deceased person is removed from all records, even from the Voters' Register.

In practice, in cases where the deceased person has not been removed from the citizen's records and entered into the register of deaths, it may occur that there has been an omission or that the competent authority could not access the data when received the registrar's letter because there was a disagreement in the deceased's personal data (name and surname, date and year of birth etc.).

There are persons who died and their relatives or bodies and institutions where death occurred (hospitals, old people's homes, correctional homes, prisons etc.) have not reported to the competent registrar the death, and these persons are still kept alive in all records.

In 2016, the Central Election Commission of Bosnia and Herzegovina requested the competent authorities to continuously update the records relevant for the formation of CVR and the deletion of the deceased persons from CVR in particular.

PREPARATIONS FOR 2018 GENERAL ELECTIONS

Although in May 2018 the Central Election Commission of Bosnia and Herzegovina (BiH) adopted a Decision on Calling the 2018 General Elections in BiH¹⁶, preparations for the 2018 General Elections began much earlier. We especially emphasize **activities of the Central Election Commission of BiH regarding updating of the Central Voters' Register:**

Removal of Deceased Persons

In the process of verifying the accuracy of the Central Electoral Register, the BiH Central Election Commission found that a significant number of deceased persons, some of whom had died several years ago, were still recorded in the Central Voters' Register. In order to update the Central Voters' Register, a number of actions were undertaken in order to establish the accurate records in the Central Voters' Register:

- a number of letters, pursuant to the provisions of Article 2.1, paragraph (3) of the Election Law of BiH, were sent to all competent bodies in BiH, and in particular

¹⁶ Decision on Calling and Holding the 2018 General Elections in Bosnia and Herzegovina (BiH Official Gazette 29/18)

to mayors, registry offices, election commissions of the basic constituencies and polling stations, which stressed the need for everyone to intensify the work within their competences on checking and undertaking all statutory actions in order to remove deceased persons from the Central Voters' Register.

Thus, the BiH Central Election Commission adopted the document number 06-1-07-1-680-20/16 of 11 August 2016, launching activities to remove deceased persons.¹⁷ A number of requests¹⁸, reminders¹⁹ and urgent request for action.²⁰

- The RS Ministry of the Interior, the FBiH Ministry of the Interior, all cantonal ministries of the interior in the FBiH, the Public Register of the Brčko District of BiH and IDDEEA were sent a Request²¹ for Update of Data of Deceased Persons, recalling the relevant provisions of the Election Law of BiH.
- The Rulebook on the Use and Production of Excerpts from the Central Voters' Register²² was adopted and Article 23 of the Rulebook provides that mark "X" will be put in the box for voter's signature for all voters for whom Voters' Register Centre, in cooperation with the competent registry offices, has determined that their names are on the concluded excerpt from the Central Voters' Register and it has been confirmed that they are deceased persons for whom the competent registry office issued a death certificate.

In this regard, on 25 September 2018, the BiH Central Election Commission sent a notification of the marking of persons in the Central Voters' Register²³ to all Election Commissions of basic constituencies in BiH.

17 The BiH Central Election Commission sent a Request for Update of Data of Deceased Persons to all cantonal MoIs in the FBiH, RS MoI, IDDEEA, the Public Register of the Brčko District of BiH, to all mayors, registry offices, municipal/city election commissions in BiH and Voters' Register Centers. Attachment 1

18 Request No. 06-1-07-2-221-4/18 of 13 March 2018 for undertaking all actions envisaged by the law in order to remove all deceased persons from the Central Voters' Register was sent to all mayors and municipal/city election commissions in BiH and they were requested to give feedback on actions undertaken by 28 March 2018. Also Request No. 06-1-07-2-75-212/18 of 12 June 2018 for Update of Data of Deceased Persons.

19 Reminder No. 06-1-07-2-75-1/18 of 25 January 2018 was sent to all mayors and municipal/city election commissions in BiH, stressing the need for registry offices, Voters' Register Centers and municipal/city election commissions to intensify work to verify and undertake competent actions to update data, so that the names of deceased persons would not be on the Voters' Register Centers. They were requested to submit a table on the names of the deceased, which were verified to still be on the Central Voters' Register by 28 February 2018.

20 Reminder No. 06-1-07-2-221-2/18 of 13 March 2018 was sent to all mayors and municipal/city election commissions that have not submit a table on the names of the deceased, which were verified to still be on the Central Voters' Register, to do it by 28 March 2018.

21 Request No. 06-1-07-2-75-211/18 of 12 June 2018 was sent and Request No. 06-1-07-2-48-2/19 of 16 January 2019 in the process of conducting election activities for holding early elections for mayors of the City of Doboj and the City of Trebinje and mayors of municipalities of Bosansko Grahovo, Bosanski Petrovac, Bužim, Domaljevac-Šamac, Drvar, Kakanj and Ribnik to all competent bodies.

22 Article 23 of the Rulebook on the Use and Production of Excerpts from the Central Voters' Register (BiH Official Gazette 29/18)

23 BiH Central Election Commission's notification No. 06-1-02-3-932-2/18 of 25 September 2018.

Case Study – Repeated Elections in the Municipality of Stolac:

Due to the well-known events in October 2016 during the 2016 Local Elections on the Election Day in Stolac Municipality, the Central Election Commission of Bosnia and Herzegovina adopted the Decision on Calling and Holding Repeated Election in the Basic Constituency of Stolac.²⁴

In the process of preparing for conducting of repeated election in the basic constituency of Stolac, the BiH Central Election Commission issued an Instruction on the Procedure of Conducting Repeated Election of Mayor and Municipal Council in the Basic Constituency of Stolac.²⁵ According to Article 2 of the Instruction, the Municipal Election Commission of Stolac was obliged to mark the names of deceased persons in the excerpt from the Central Voters' Register on the basis of obtained death certificates. On that occasion, 130 deceased persons were marked on the excerpt from the Central Voters' Register for the basic constituency of Stolac.

Activities Related to Updating of Other Categories of Voters

Voters Without an Assigned Polling Station

For the purpose of a more accurate and up-to-date Voters' Register, employees of Voters' Register Centre distributed voters without an assigned polling station²⁶ to an appropriate polling station and made the Provisional Voters' Register as up-to-date as possible.

Displaced Persons

In 2017, on the basis of the conclusion of the BiH Council of Ministers, an ad hoc working group was formed for the preparation of recommendations and a proposal for measures to establish an accurate and up-to-date Voters' Register for Displaced Persons, whereby the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, in cooperation with the BiH Central Election Commission and entity ministries responsible for issues of displaced persons and refugees (FBiH Ministry of Displaced Persons and Refugees and RS Ministry of Refugees and Displaced Persons) and the Department for the Public Register of the Brčko District of BiH were tasked to undertake all necessary measures for the creation of correct Central Voters' Register and in particular measures for the preparation of excerpts from the Central Voters' Register for voting of displaced persons, in cooperation with other bodies.

24 Decision on Calling and Holding Repeated Election in the Basic Constituency of Stolac (BiH Official Gazette 09/17)

25 Instruction on the Procedure of Conducting Repeated Election of Mayor and Municipal Council in the Basic Constituency of Stolac No. 05-1-02-02-300-1/17 of 5 February 2017.

26 Voters without an assigned polling station are those who have registered residence in new streets or numbers.

Following a series of activities and on the basis of data provided by the BiH Ministry of Human Rights and Refugees, there were 14,475 mismatched voters for the 2018 General Elections, which was 5,737 voters less than before.²⁷

Citizenship

Deregistration of citizenship: The decisions on deregistration and changes in decisions on citizenship of Bosnia and Herzegovina are regularly sent to the BiH Central Election Commission by the BiH Ministry of Civil Affairs Citizenship Sector. In 2018, 3,670 decisions were sent.

Entity citizenship: According to data as of 4 May 2018, there were 60,423 persons in Brčko District with one of entity citizenship (34,864 persons with FBiH citizenship and 25,559 persons with RS citizenship), while 26,774 persons were without entity citizenship.²⁸

According to data as of 23 August 2018, i.e. since the conclusion of the final Voters' Register for the 2018 General Elections, in the Brčko District of BiH there were 65,097 persons with one of entity citizenship (38,352 persons with FBiH citizenship and 26,745 persons with RS citizenship), while 22,486 persons were without entity citizenship, which was 4,288 voters without entity citizenship less than before.

Deprivation/Restoration of Legal Capacity

The BiH Central Election Commission keeps special records of persons whose right to vote has been revoked pursuant to the Law and update the right to vote in the Central Voters' Register for persons who have been deprived of/restored their legal capacity by a final decision of the competent authority.²⁹

27 Of 20,212 **mismatched** refugees and displaced persons in all municipalities of Bosnia and Herzegovina:

- 10,292 persons in the Federation of BiH - FBiH Ministry of Displaced Persons and Refugees recorded deficiencies in data and submitted to the Cantonal Ministries lists for verification and supplementation of data,
- 9,862 persons in the RS - RS Ministry of Refugees and Displaced Persons verified that 135 persons had lost the status of displaced person. The data were submitted to the BiH Ministry of Human Rights and Refugees,
- 58 persons in the Brčko District of BiH - Department for Displaced Persons, Refugees and Housing Issues of the Government of Brčko District of BiH corrected data for 26 persons. The data were submitted to the Ministry of Human Rights and Refugees of BiH.

28 The Public Register of the Brčko District of BiH agreed with the IDDEEA representatives on activities related to the updating of the Voters' Register, as well as the manner of submission of data for recording:

- from the last 2014 cross-section to date, they would provide data on entity citizenship from the civil registers and submit to IDDEEA for registration. The same to be repeated on 24 July 2018.
- in parallel, the Voters' Register would receive requests (enclosing certificates) for recording entity citizenship of those citizens who have a valid ID and their entity citizenship was registered in other municipalities. The data on submitted requests would be submitted to IDDEEA for recording.

In addition to the aforementioned activities, they produced an "Invitation" to citizens that contained important information on registering change or acquiring entity citizenship. Distribution of "Invitations" was carried out through the Department for Public Register (departmental desks and regional registry offices) and it was posted on the portals of the Government of Brčko, the Assembly and the Public Register Department.

29 Article 3.2 paragraph (3) and Article 3.6 paragraph (2) point d) of the BiH Election Law

Decisions on deprivation/restoration of legal capacity, for the purpose of timely updating of the Central Voters' Register, are transmitted by the courts of the Federation of Bosnia and Herzegovina and the Republika Srpska. All decisions received in 2018, 108 of them, were processed in a timely manner.

Voters Outside BiH

For the 2018 General Elections, the BiH Central Election Commission received over 100,000 applications for entry in the excerpt from the Central Voters' Register for voting outside of Bosnia and Herzegovina, of which about 13,000 applications were received repeatedly after delivered by one person (by facsimile, different e-mail addresses etc.).

Upon completion of the processing of applications for entry in the Central Voters' Register for voting outside of Bosnia and Herzegovina, the BiH Central Election Commission:

- **approved the entry** into the excerpt from the Central Voters' Register for voting outside of Bosnia and Herzegovina for 77.814 voters,³⁰ of which 47 persons re-registered for voting via a mobile team.³¹ Of that number, 1.085 voters were registered for voting in BiH diplomatic and consular missions.
- **rejected the entry** into the excerpt from the Central Voters' Register for voting outside of Bosnia and Herzegovina³² for 9.098 voters for the following reasons:

UNDERAGE PERSON	4
APPLICATIONS FILED BY MORE PERSONS WITH THE SAME ADDRESS	1.358
THERE IS NO EVIDENCE OF PERMANENT RESIDENCE IN BiH	2.349
THERE IS NO ADDRESS OUTSIDE BIH	51
REQUEST FOR REGISTRATION IN BiH WAS FILED	8
SIGNATURES ON PRP1/2 AND THE DOCUMENT ARE NOT IDENTICAL	55
MORE DEFICIENCIES	407
THERE IS NO VALID EVIDENCE ON IDENTITY	3.490
THE PERSON DOES NOT HAVE THE RIGHT TO VOTE	186
THE FORM IS MISSING	550
THERE IS NO EVIDENCE OF ENTITY CITIZENSHIP (BRČKO DISTRICT)	62
THE FORM HAS NOT BEEN SIGNED	301
THERE IS NO VALID EVIDENCE ON CITIZENSHIP	142
ILLEGIBLE APPLICATION	135
TOTAL	9.098

30 Decision to amend the decision on determining and publishing the number of voters registered in the excerpt from the Central Voters' Register for voting outside Bosnia and Herzegovina in the 2018 General Elections No. 05-1-07-1-767-6/18 of 30 August 2018.

31 Decision to amend the decision on determining the excerpt from the Central Voters' register for voters who will vote through the mobile team in the 2018 General Elections No.06-1-07-2-932-3/18 of 28 September 2018.

32 Decision to amend the decision to refuse the entry in the excerpt from the Central Voters' Register for voting outside Bosnia and Herzegovina in the 2018 General Elections: 05-1-07-1-321/18 of 30 August 2018.

Training:

The training for the newly appointed members of election commissions was held on 20 November 2017 with the aim of familiarizing new members of election commissions of basic constituencies with regulations in the field of election legislation, as well as with their competencies and obligations. From the contents of the training, we especially emphasize the thematic areas related to the Central Voters' Register: the Voters' Register Centre, the Temporary Voters' Register, the Central Voters' Register, displaced persons, mobile teams, voters outside BiH, polling stations.

Also, the education of new staff of the Voters' Register Centres was held on 11 and 12 April 2018, in order to familiarize them with valid by-laws and obligations of the staff of Voters' Register Centres. On that occasion, the new staff of Centres also practiced using the passive voters' registration application and exchanging of e-mails.

For the purpose of marking deceased persons³³ which were on the concluded excerpt from the Central Voters' Register (*), on 26 July 2018, a new application titled *Maintaining and Using of the Central Voters' Register* was presented, to which presentation the staff of Voters' Register Centres or staff who would work on the mentioned application from all over Bosnia and Herzegovina were invited.³⁴

A learning campaign for voters outside Bosnia and Herzegovina was conducted on the basis of the Decision on Training and Awareness Raising of Voters Outside Bosnia and Herzegovina.³⁵ In the period from 10 May to 2 July 2018, the BiH Central Election Commission organized and conducted training and awareness raising of voters outside of BiH for the 2018 General Elections in countries in which there was a significant number of BiH citizens, that is, refugees and persons temporarily staying outside BiH. On that occasion, 23 sites were visited, namely the BiH diplomatic and consular missions and the citizens' associations of Bosnia and Herzegovina in 8 countries: Slovenia, Switzerland, Italy, Germany, France, the United States, Austria, Australia, after which a decision was made to determine polling stations for voting in diplomatic and consular missions of Bosnia and Herzegovina.³⁶

33 Article 23 of the Rulebook on Use and Production of Excerpt from the Central Voters' Register

34 The final Voters' Register for the 2018 General Elections had 1.703 persons marked with “*”.

35 Decision on Training and Awareness Raising of Voters Outside Bosnia and Herzegovina No. 6-1-50-4-478-1/18 of 3 May 2018 and Decision on Amending the Decision on Training and Awareness Raising of Voters Outside Bosnia and Herzegovina No. 06-1-50-4-478-3/18 of 10 May 2018.

36 Decision on Designation of Polling Stations in BiH Diplomatic and Consular Missions No. 05-1-02-2-219-4/18 of 16 August 2018.

Meetings

The BiH Central Election Commission held a number of meetings, among which they were:

- on 23 October 2017, a meeting was held with the representatives of the Brčko District of BiH to discuss entity citizenship, updating the Central Voters' Register, deleting deceased persons from the Central Voters' Register and other issues related to the conduct of elections in the Brčko District of BiH.
- on 21 September 2018, a meeting was held with the Director of the Agency for Identification Documents, Registers and Data Exchange - IDDEEA, with the aim of clarifying the ambiguities created in public in relation to the number of persons registered in CVR.

THE COURSE OF ELECTORAL PROCESS – 2018 GENERAL ELECTIONS

In order to update the data on displaced persons in the Central Voters' Register, the BiH Central Election Commission sent to the BiH Ministry of Human Rights and Refugees³⁷ a request³⁸ for delivery of updated data for displaced persons for the purpose of holding the 2018 General Elections. The Ministry of Human Rights and Refugees of BiH submitted the requested data after a few reminders,³⁹ more precisely on 11 June 2018.

Analysing the submitted data, it was noted that data for 14,475 persons were incomplete in terms of incorrect SINS (incorrectly entered, only zeros entered, not entered at all etc.), while data for 77,338 persons were correct in terms of SINS, but there were differences in other data (name of parents, name of municipality etc.), which made the identification of displaced persons in the Central Voters' Register difficult and therefore the exercise of the right to change voting options.⁴⁰

Given the issue of continuity of delivery of decisions depriving/ restoring legal capacity by some competent courts was repeated for years and that reminders for continuous delivery of the decisions had to be sent every year, an operational plan⁴¹ was designed in order to solve this issue.

Nevertheless, the issue of continuity of delivery of decisions by competent courts of the Federation of Bosnia and Herzegovina and the Republika Srpska was still present. Of 51 Basic/Municipal Court in BiH, only 12 or 23.5% of the courts regularly delivered decisions on revocation/restitution of legal capacity.

37 Article 3 of the Rulebook on the use and preparation of the excerpt from the CVR

38 Request for delivery of updated data No. 06-1-07-2-420-1/18 of 17 April 2018.

39 Reminders for delivery of updated data No. 06-1-07-2-420-2/18 of 10 May 2018 and No. 06-1-07-2-420-3/18 of 7 June 2018.

40 Article 20.8 of the Election Law

41 Decision on the Adoption of the Operational Plan for Updating the Central Voters' Register No. 06-1-07-1-680-17/16 of 14 July 2016.

In the Main Counting Centre, a check was made for 631 persons who submitted an objection/complaint to the BiH Central Election Commission that there was an abuse of the right to vote when registering for voting by mail. After checking the verified ballot paper sets, **373 persons** from the list were identified and the following was found:

- voting material was not delivered for 103 persons;
- 192 persons voted on tendered ballots (ballot paper sets were received by post in the Main Counting Centre);
- 16 people voted via a mobile team (ballot sets were received by post in the Main Counting Centre) and
- 62 people did not vote on tendered ballots, but after the verification was carried out, it was found that the ballot paper sets with the data of the persons who reported the abuse were delivered to the Main Counting Centre.

The Central Election Commission of Bosnia and Herzegovina informed the competent prosecutor's office about the above-described state of affairs.

RECOMMENDATIONS:

- ▶▶ Due to the identified shortcomings in the application of Chapter 3 of the BiH Election Law, it is necessary to analyse this chapter thoroughly and propose measures that will require constant analysis and refinement of the data used for the needs of the Central Voters' Register, or more clearly define obligations of all competent authorities in the creation of the correct Central Voters' Register. It is especially important to strengthen the level of responsibility of the competent authorities that determine the data in case of incorrect data.
- ▶▶ In municipalities/cities where the competent municipal authority only formally formed a Voters' Register Centre by issuing an act on the establishment of the Centre and designating a certain person or some of the municipal services to work in the Centre, which in practice cannot fully dedicate to the work in Centre, such as, for example, registrars, it is necessary that, in accordance with their competence prescribed by Article 2.13 paragraph (1) of the Election Law of BiH⁴², the election commissions monitor and control the work of Voters' Register Centres in non-election years and, in relation to the established situation, inform the BiH Central Election Commission and the competent administrative body or mayor thereof.
- ▶▶ It is necessary that election authorities at all levels pay special attention to the removal of deceased persons from the Central Voters' Register and that they carry out that activity continuously, with the obligatory of monthly notification of the BiH Central Election Commission on the measures taken.

42 "supervise and control the work of the Voters' Register Centers referred to in Article 3.8 of the Law".

- ▶▶ It is proposed that the BiH Central Election Commission should organize regular quarterly coordinating meetings with the competent ministries of the Interior, the Public Register of the Brčko District of BiH, state and entity ministries of human rights and refugees, IDDEEA and other competent bodies, regarding the regular updating of the Central Voters' Register, in order to fulfil the obligation stipulated in Article 2.9, paragraph (1), point 4 of the Election Law of BiH⁴³.
- ▶▶ It is recommended to hold meetings of the BiH Central Election Commission and IDDEEA with the aim of upgrading and improving the data processing software used to record data in the Central Voters' Register, and improving the unique methodology⁴⁴ and programs whose contents and method of use are determined together by IDDEEA and the BiH Central Election Commission.
- ▶▶ It is recommended to improve and precise technical communication and coordination of competent bodies by improving the **Rulebook on the Content and Manner of Keeping Records**⁴⁵, adopted by the BiH Council of Ministers on the proposal of the Director of IDDEEA, in order to make full use of the resources necessary for creation of correct Central Voters' Register.
- ▶▶ Special attention should be paid to the operability of the software programs of the competent authorities, IDDEEA and the BiH Central Election Commission. In this respect, it is necessary to compare the records of citizens of BiH with the right to vote kept by tax administrations in the Entities and the Brčko District of BiH, as a control mechanism for data that is used to create the Central Voters' Register.
- ▶▶ The competent decision-makers point out the issue of double residence of BiH citizens with the right to vote, who have dual citizenship and dual documents. Namely, the constitutional provision from the second sentence of Article I 7. d) of the BiH Constitution⁴⁶ is increasingly being abused in such a way that persons with dual citizenship are allowed to vote and have a registered residence in both BiH and the country of the other nationality, i.e. both in their own country and in BiH, and thus vote in BiH and in the country of the other nationality, i.e. both in their own country and BiH.

43 "The BiH Central Election Commission shall be responsible for accuracy, update and overall integrity of the Central Voters' Register for the territory of BiH".

44 The Uniform Methodology and Program for Processing and Keeping Records of the Central Voters' Register, our No. 05-1-02-2-2798/08 of 4 February 2009 and the Decision on Amendments to Uniform Methodology and Program for Processing and Keeping Records of the Central Voters' Register, our No. 05-1-02-2-334-6/18 of 20 December 2018.

45 Rulebook on Contents and Manner of Keeping Records (BiH Official Gazette 55/15)

46 "d) Citizens of Bosnia and Herzegovina may hold the citizenship of another state, provided that there is a bilateral agreement, approved by the Parliamentary Assembly in accordance with Article IV(4)(d), between Bosnia and Herzegovina and that state governing this matter. Persons with dual citizenship may vote in Bosnia and Herzegovina and the Entities only if Bosnia and Herzegovina is their country of residence."



Number: 07-37-1-4041-3/17

Date: 24 April 2019

- Mayors - All
- Public Registry of Brčko District of BiH
- Registry Offices -All
- Central Voters' Register - All

VIA: Election Commissions of Basic Constituencies - All

SUBJECT: Request for updating the data on deceased persons is being sent

The Central Election Commission of Bosnia and Herzegovina has received more information that a significant number of deceased persons, some of which died several years ago, are still recorded in the Central Voters' Register. Bearing in mind that Article 2.9, point 4 of the Election Law of BiH (BiH Official Gazette 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 37/08, 32/10, 18/13 7/14, 31/16) provides that the BiH Central Election Commission is responsible for the accuracy, integrity and overall integrity of the Central Voters' Register for the territory of BiH, and that Article 3.6 paragraph (2) point a) of the Law provides that, while keeping the Central Voters' Register, the Central Election Commission of BiH informs competent authorities about the established deficiencies and take the appropriate measures and actions towards removing the irregularities and establishing the accurate and updated Central Voters' Register, s it is necessary to take all the actions prescribed by the law to remove the deceased persons from the Central Voters' Register.

In connection with the above, we remind of the following:

Article 2.1, paragraph (3) of the Law provides that all authorities at all levels and officials in Bosnia and Herzegovina and diplomatic and consular offices of BiH are obliged to assist the authorities responsible for the conduct of elections.

Article 3.5 of the Law provides that the competent state authority that keeps the register of citizens of BiH in accordance with the Law on Central Records and Data Exchange maintains and is responsible for the overall technical processing of all data relevant to the records of the Central Voters' Register.

Article 3.5 paragraph (4) point a) of the Law provides that competent registry offices transmits data on the death of citizens older than 18 years old to the competent authority that keeps records of citizens of BiH in accordance with the Law on Citizens' Single Identification Number, the Law on Permanent and Temporary Residence of BiH Citizens and the Law on Identity Card of BiH Citizens.

Pursuant to Article 3.5, paragraph (8) of the BiH Election Law, the competent Registry Offices, which register a death in the Death Register on the basis of death report, i.e. which enforces the Law on Registers, are obliged to provide to the authority responsible for keeping official records concerning the Citizens' Single Identification Number, Permanent and Temporary Residence of the Citizens of BiH with the data on all changes that affect the accuracy of the Central Voters' Register, in writing, not later than seven (7) days from the date the change occurred.

Regarding the above, and in accordance with Article 3.6, paragraph (2) of the BiH Election Law, we remind that it is necessary that everyone take necessary measures within its competence in order to remove the names of deceased persons from records of the Central Voters' Register.

According to the timetable for the conduct of election of the BiH Election Commission, the Central Voters' Register for the 2016 Local Elections will be concluded on 18 August 2016.

However, the removal of deceased persons from the Central Voters' Register is necessary to do until Election Day on 2 October 2016 and on, as it is still a continuous process.

Sincerely yours,

 *Imenjuje predsjednika*
Dr. Ilija Kadum Arnavotovic član

c/c:
-Addressee,
- Files

Case Study

Integrity of the Central Voters' Register

Municipal Election Commission of Ilidža

Dino Mulaosmanović, President of the
Municipal Election Commission of Ilidža



Background

The Municipal Election Commission of Ilidža has 7 members. In the 2018 General Elections, there were 95 regular polling stations in the Ilidža Municipality and one polling station for out-of-country voting.

As of 9 March 2019, 64,804 voters were registered in the territory of Ilidža Municipality. There is one registry office in the territory of Ilidža Municipality.

Procedures of the Voters' Register Centre

After registration of death in the Death Register, a death report is submitted to the Mol by the registry office. The Mol enters the death in the database and in the first synchronization the deceased person is marked in the Central Voters' Register that he/she has not the right to vote. With the passing of the Law on Amendments to the Law on Registers of the FBiH (FBiH Official Gazette 80/14) deaths are recorded according to the place of residence of the deceased, so the Voters' Register Centre could inspect entries in the Death Register and check whether the persons are on the Voters' Register. The registry office of Ilidža Municipality once a month provides the Voters' Register with an overview of entries in the Death Register. Through passive registration of voters, the Voters' Register Centre checks whether a deceased person is registered as such and if not, informs thereof the competent authorities (the registry office and the Ministry of the Interior) that immediately undertake actions within their competence.

Statistics

An average of 500 to 600 entries are made in the Death Register of the Municipality of Ilidža annually.

In terms of deaths, CVR has been regularly updated since 2015.

According to the information from the field (Election Day) that there were deceased persons on the Voters' Register, the Voters' Register Centre checked entries in the Death

Register through the passive voter registration application in the period from 2003 to 2015. On that occasion, it was established that there were 5 to 7 deceased persons on the Voters' Register for those years.

Reasons and possible solutions

Reasons:

- The report from the registry office was not forwarded to the competent Ministry of the Interior,
- The death report was transmitted to the Mol, but the Mol did not enter the death in its database,
- The procedure of entering a death in the Death Register is complicated when the death occurs abroad (incomplete data and full details are being waited for; for example, only the name and surname of the deceased person without SIN were sent and then additional details should be waited for),
- Data of deceased persons in the Death Register and in the Central Register of Citizens differs (e.g. one data is in the Birth Register and other data is on the ID card).

Possible solution:

- An employee of the Voters' Register Centre took documents from the archives of registry office and on the basis of the data from the case file proved that it was the same person.

Proposals

- » In addition to the Mol, the registry office should provide the Voters' Register Centres with data on the deceased persons who are entered in civil registers.
- » All centres should check the Voters' Register from 2003 to the present (extensive work).
- » The registry offices should be connected with the Mol electronically (when the registry office enters a death in the database of the Death Register, the Mol automatically sees and enters the death in its database)
- » The registry offices must have better and more frequent communication with the Voters' Register Centres in order to register changes in Voters' Register in time.

Assessment of Voter Registration in Bosnia and Herzegovina

Project financed by United States Agency for International Development (USAID)

Dr. Beata Martin-Rozumiłowicz, Director for Europe and Eurasia
at the International Foundation for Electoral Systems (IFES)



Voter registration – Bosnia and Herzegovina

Intended Objectives:

- ▶ *Assess the status and issues regarding voter registration in Bosnia and Herzegovina post-2018*
- ▶ *Provide step-by-step recommendations for improving the voter registration process*

Initial Consultations

March 18-28, 2019

1. USAID BiH
2. Central Election Commission
3. OSCE Mission in BiH
4. Agency for Identification Documents, Registers & Data Exchange (IDDEEA)
5. Transparency International
6. Pod lupom
7. Istocni Stari Grad Municipality
8. Ilidza Voter Reg. Center
9. Diaspora Association BiH
10. Union for Sustainable Return & Integration

Voter Registration Stakeholders

Central Election Commission (CEC)

- Legally responsible for the accuracy, correctness, and general integrity of the Central Voter Register.
- The Voter Register is maintained ex-officio based on the Central Register of Permanent and Temporary Residence maintained by State authorities.
- CEC is required to inform competent authorities regarding deficiencies in supplied data.
- CEC is required to draw up excerpts of the Voter Register for displaced persons.
- CEC is required to draw up excerpts of the Voter Register for out-of-country voting.
- CEC is required to keep records of persons whose right to vote was withdrawn.
- CEC is required to complete and verify the final excerpts to be used for elections.

Agency for Identification Documents, Registers & Data Exchange (IDDEEA)

- Technical agency within the Ministry of Civil Affairs.
- Manages registers including the Central Register of Permanent and Temporary Residence under provisions of the Law on Central Registers and Data Exchange.
- Only the "Originating Authority" of the data on the registers can alter or delete the data.
- Originating Authorities retain full responsibility for ensuring the accuracy of information on the registers.
- IDDEEA provide daily updates to the CEC for all changes to the Register of Permanent and Temporary Residence for citizens 18 years and above.
- IDDEEA provides to CEC monthly a full extract of all citizens 18 years and above to allow verification against the Central Voter Register.

Municipality Registrar Offices

- Are the focal point for citizens to report civil events (birth, citizenship, marriage, death) and to receive or verify civil documents.
- Registrars verify civil documents for MIA document issuance (passport, ID card, etc.).
- Municipality registers are linked within the Federation of Bosnia and Herzegovina, and within the Republic Srpska, but not across State entities.
- In the event of deceased citizens, Registrars provide written notifications to municipalities that issued the related civil documents (birth, citizenship, marriage) to enable cancellation, and to the MIA office that issued the latest ID card to the deceased citizen. Notification includes name, birth certificate details, and ID details.

Ministry of Internal Affairs (MIA)

- Conduct registration and de-registration of citizen's permanent and temporary residence.
- Implemented by Police Administrations in the Federation of Bosnia and Herzegovina, and Public Security Stations within the Republic Srpska.
- MIA is the only institution in the Voter Registration process that can update the Central Register of Permanent and Temporary Residence.
- MIA conducts the de-registration of citizens from the Central Register of Permanent and Temporary Residence based on the death notifications received from Registrar Offices.

Municipality Voter Registration Centre

- Established in each municipality under the provisions of Article 3.8 of the Election Law.
- Provides a public interface to voters and other stakeholders.
- Provides access to excerpts of the Voter Register for public verification.
- Assigns Polling Stations, and allocates voter to Polling Stations by street and street segment.
- On request updates the voting option for displaced voters.
- Has the facility to mark deceased voters remaining on the voter register with the notation "*" based on reported deaths at the Registrar Office.

Challenges for Voter Registration

Deceased Voters on the Register

Instances reported by observers, media, and stakeholders of deceased citizens remaining on the Voter Register.

Only MIAs have access to update citizens as deceased on the Central Register of Permanent and Temporary Residence. Marking as deceased requires:

- Active reporting of death to the Registrar Office (including for deaths in the diaspora).
- Verification of civil documents across municipality registries, and potentially across State entities to confirm citizen details and place of document issuance.
- Notification of death prepared by Registrar Office and sent to place of issuance of documents including the MIA office where the latest ID card issued.

MIA office removes the deceased citizen from the Central Register of Permanent and Temporary Residence.

MIA are unable to update citizens as deceased if any details on the Registrar Office notification do not match the citizen's record on the Central Register of Permanent and Temporary Residence.

No systematic process exists for the reporting of deaths for citizens in the diaspora. This relies on the active in-country reporting by family members.

No routine follow-up procedures are in place to ensure that deaths recorded on municipality registers are reflected in the Central Register of Permanent and Temporary Residence and Central Voter Register.

Out of Country Voters

Citizens with a registered permanent address in Bosnia and Herzegovina but temporarily resident abroad represent a sizable percentage of the Voter Register.

There are low levels of registration for out-of-country voting, only 77,000 in 2018.

Applications for out-of-country voting must be submitted for every election, and may be lodged at diplomatic missions, by mail, facsimile, or electronically.

The period for applications opens 150 days before the election, and closes 75 days before election to enable the processing, verification, and the mailing of voting packages.

The CEC faces challenges to meet the processing timeline while conducting a thorough verification process.

There are widely held perceptions of the abuse of the out-of-country registration process through manipulation and identity theft.

CEC Technical Resources

CEC faces significant challenges to recruit, train, and retain technical staff to support, maintain, and improve the ICT systems.

Current ICT systems are built across two different technical platforms (Oracle and Microsoft) which increases the ICT capacity challenges of CEC.

The Voter Registration Centre application requires additional functionality and development, but is at end-of-life and CEC does not have the capacity to further develop the system.

Due to capacity restrictions the CEC cannot currently implement further efficiency and integrity procedures into the Voter Registration system.

Voter Awareness

The CEC has limited resources to implement voter awareness.

The vacuum of voter awareness for Voter Registration provides stakeholders with the potential opportunity to fill the void with inaccurate or misleading information.

Specific targeted awareness is required for voters subject to passive registration (in-country voters with permanent residence), and voters subject to active registration (out-of-country voters including refugees, and displaced voters in-country).

The current lack of awareness disproportionately affects vulnerable groups who must utilize active registration to ensure that they have access to their preferred voting option and to voting.

RECOMMENDATIONS TO THE CEC

Deceased Voters on the Register

- » CEC should develop instructions with supporting data capture and reporting tools to facilitate the monitoring and follow-up of the removal of deceased citizens.
- » The Voter Registration Centre application should be expanded to enable:
 - VRC to (monthly/fortnightly) receive from the Registrar Offices copies of the death notifications as sent to MIA and to enter the name and ID number into the VRC system.

- ▶ The verification process will check if the voter is still registered, and mark them with "*" if they are still on the register.

The VRC system will store an audit log of the names/ID entered and the result of the verification.

The system will generate a monthly/fortnightly reports to the VRC and CEC to provide statistical reporting of the process and follow-up.

The audit log and reporting of the reported deceased citizens will ensure that the CEC can effectively monitor the process to ensure regularity and consistency across VRC, and will enable the CEC to provide support to VRC that do not conduct the process effectively or who have a high number of deceased voters.

The CEC will be better positioned to answer questions on the possible number of deceased voters on the Voter Register, how long the voters have been on the register, and the geographic and demographic distribution of the deceased voters.

Out of Country Registration

- ▶▶ The CEC could consider the establishment of a web-based portal to allow eligible voters temporarily resident abroad to develop a complete application for out-of-country voting.
- ▶▶ The web portal could be linked to the CEC website, the websites of other stakeholders, and be linked to voter awareness campaigns including social media.

The portal will ensure that all required information is included in the application, that data is in the correct format and can be used for automated database verification, and will ensure that proof of identity and residence is attached electronically.

When voters confirm their application for signature, the portal will save the application details into the CVR to be ready for processing.

Signed/scanned applications could be uploaded through the portal or e-mailed to CEC.

For any application processed through the portal no data processing will be required by CEC. This will save significant processing time for the CEC and allow resources to be concentrated on the verification process.

Receiving applications in digital format will enable automated verification to save time and improve integrity.

- ▶▶ CEC will be able to utilize identity and device confirmation tools to improve voter identity, address, and device verification.

Under the Law applications may still be submitted at diplomatic missions, by mail, or by facsimile.

- » Where possible, CEC should encourage most applications to be generated through the portal, even if they are then printed, mailed, faxed, or lodged at diplomatic missions.

CEC ICT Systems

- » To improve sustainability and to allow the CEC to maintain and improve ICT systems the Voter Registration systems should be integrated onto a common technical architecture including standard operating system, hardware, database, network, and application platforms.
- » The Voter Registration Centre application should be improved to facilitate the follow-up and reporting of death notifications, to produce local extracts of the Voter Register, and to improve qualitative and procedural reporting.
- » Further systems development will be required to meet the recommendations for out-of-country registration and voter awareness.

Voter Awareness

- » CEC should develop a specific and targeted voter awareness strategy and program using creative and modern approaches and media.
- » Specific strategies and programs should be developed to target passive registration groups (in-country with permanent residence, and active registration groups (out-of-country, refugees, and in-country displaced voters).
- » Particular focus should be placed on vulnerable groups required to utilize active registration.
- » CEC should develop a comprehensive strategy, and then develop details of resource and implementation requirements to implement the strategy.

RECOMMENDATIONS RELATING TO OTHER AGENCIES

Integration of Civil Registers

Voter Registration would benefit from further technical integration of the feeder registers such as the civil registers of the FBiH, RS, and the IDDEEA central register of permanent and temporary residence.

Further technical integration would ensure more timely and accurate verification between the civil registers of the entities, enhance the ability of MIA offices to verify the accuracy of death notifications, and facilitate communication between MIA and registrar offices on the removal of deceased citizens from the central register and therefore the CVR.

Ministry of Foreign Affairs Consular Cooperation

- ▶▶ CEC/MFA should discuss coordination between consular registration in BiH diplomatic missions and the registration process for out-of-country voters, including the provision of awareness material at the time of consular registration or other consular services, and potentially the use of electronic (e-mail, phone) notification to citizens at the time of opening active out-of-country voter registration.
- ▶▶ CEC/MFA should discuss cooperation for the notification of deceased citizens in the diaspora. This could include the periodic notification of deaths reported to BiH diplomatic missions to municipality registrar offices and/or the CEC for the pre-recording of deaths by registrar offices pending official reporting, and the notation of deceased voters from the diaspora with “*” on the CVR.

Stakeholder Consultative Working Group

- ▶▶ CEC should engage relevant stakeholders in a CEC-led consultative working group mechanism, aiming to jointly work to address voter registration challenges.

Stakeholders’ understanding of roles and functions of various institutions involved in development of CVR is critical.

Stakeholders, including political parties, civil society and media, can play an important role in raising awareness of voters about voter registration and this could be achieved through regular CEC-facilitated meetings with stakeholders, coordination and information sharing on relevant activities, and collaboration during election and non-election periods.

PANEL II.

Challenges of the Electoral Process
Polling Station Committees

Polling Station Committees

Dr. Ahmet Šantić, Member of BiH CEC
Veljko Petrović, Coordinator of
election commissions

In the public and political space in Bosnia and Herzegovina, the appointment and the work of polling station committees has been for many years in the focus of all participants in the electoral process, primarily political entities, the Central Election Commission of Bosnia and Herzegovina, the non-governmental sector, and are often the topic of political analysis by experts from these areas, including the unavoidable role of the media.

A review within “2018 General Elections - Challenges of the Electoral Process in BiH - Polling Station Committees” Panel was basically made on the basis of data provided by election commissions of the basic constituencies in Bosnia and Herzegovina, that is, “An Analysis of the Appointment of Presidents and Members of Polling Station Committees As Well As Their Deputies for the 2018 General Elections” and “The 2018 Report on the Work of Election Commissions of Basic Constituencies in BiH”.



Regarding the polling station committees, we can again recall that the polling station committees are one of the most important links in the electoral process, the place where the elections are directly taking place, and it is of great importance to see all the relevant facts that are related to them.

For these reasons, the topic of polling station committees is analysed in relation to the following thematic units:

- the appointment of polling station committees
- withdrawal from polling station committee
- greatest difficulties and challenges in the work of polling station committees
- most common irregularities in the work of polling station committees
- improving the work of polling station committees.

Election commissions of the basic constituencies in Bosnia and Herzegovina primarily needed to appoint polling station committees, which, in accordance with legal

regulations and procedures, are appointed on the proposal of political entities that are certified for participation in the elections.

For the 2018 General Elections in Bosnia and Herzegovina, it was envisaged the appointment of a total of 54,428 members and deputy members of the polling station committees, assuming that the number included duties of the president and deputy president of polling station committees on all types of polling stations in BiH (regular polling stations, polling stations for out-of-country voting, polling stations for voting with tendered/enveloped and polling stations for personal voting if they were independent polling stations), as well as in mobile teams.

Political entities submitted nominations for a total of 42,184 candidates (the number included candidates who met legal requirements for appointment to polling station committees). One of the most common reasons why certain proposals of political entities were not accepted is the fact that the proposed persons were candidates at the previous, 2016 Local Elections.

Based on the data above, it is evident that the number of nominations by political entities was not nearly enough to fill all the positions in the polling station committees, for which reason the election commissions should find out in their records and nominate a total of 12,064 members of the polling station committees or a percentage of 22.3 % of total number of positions.

From the outset, it could be seen that, with certain exceptions, the election commissions had difficulty completing seats in the polling station committees for the 2018 General Elections. The Election Commission appointed in all polling stations in Bosnia and Herzegovina a total of 52,931 members and deputy members of the polling station committees, including the positions of president and deputy president of the polling station committees. Bearing in mind that 54,428 members and deputy members of the polling station committees should be appointed for the 2018 General Elections, including the positions of president and deputy president of the polling station committees, it can be noted that a total of 1,317 positions in the polling station committees were not filled out from the envisaged number.

It was also visible that the total number of deputy presidents and deputy members is lower than the total number of appointed presidents and members of polling station committees, which implies that all polling station committees were not fully filled with deputy members.

Furthermore, issues faced in the appointment of polling station committees got a new dimension that manifested itself in withdrawing by a large number of appointed members and deputy members of polling station committees. From the initial appointment of the polling station committees until Election Day, a total of 10,641 or 20.10% of the total number of withdrawal occurred, which represented a new challenge for election commissions in filling the polling station committees.

In the following tabular overview, statistics on withdrawing by presidents and deputy presidents, i.e. members and deputy members of polling station committees, are presented.

Withdrawals by categories		Total number of withdrawals	
Presidents and deputy presidents	Members and deputy member	Of 52,931 nominees, the total of withdrawals	Percentage
2,180	8,458	10,641	20.10%

Furthermore, in the following table, it can be seen in what period and in what extent were the absences from the work of the polling station committees:

Number om members withdrawing before training or testing			
President	Member	Deputy president	Deputy member
431	1,678	590	2,422

Number of members withdrawing after training or testing			
President	Member	Deputy president	Deputy member
438	1,437	585	2,311

Number om members withdrawing on the eve of or on election day			
President	Member	Deputy president	Deputy member
75	327	61	286

Summing up the statistics above, it can be noted that the largest number of withdrawals by members of polling station committees occurred during the period from appointment to the beginning of training and testing of members of polling station committees (5,121 withdrawals in total); then the period after training and testing (a total of 4,771 withdrawals) and finally, on the eve of or on election day (a total of 749 withdrawals). The sum of these numbers gives the aforementioned number of a total of 10,641 members and deputy members of polling station committees or 20.10% of the total number of nominees.

The following polling station committees had the largest number of withdrawals:

1. Stari Grad Sarajevo, 414 or 81.50 % withdrawals
2. Travnik, 413 or 55.96 % withdrawals
3. Kalesija, 281 or 54.04 % withdrawals
4. Zavidovići, 319 or 53.70 % withdrawals
5. Mostar, 739 or 50.69 % withdrawals.

In addition to the aforementioned polling station committees in which the percentage of withdrawals by members of polling station committees is extremely high, it should be noted that in another 36 polling station committees, the number of withdrawals was above the determined average of 20.10% for Bosnia and Herzegovina.

The most common reasons why the appointed members withdrew of polling station committees are:

- non-attendance of training for members of polling station committees
- illness of a family member
- the amount of remuneration for work
- personal reasons
- business obligations etc.
- failure to take the test/test failed
- going abroad
- death of a family member
- inability to work all day without deputy
- unknown

Total number of seats envisaged in the polling station committees for the 2018 General Elections	Total number of candidates nominated by political entities for the 2018 General Elections	Number of Missing nominations by political entities	Number of appointed members of polling stations withdrawing
54,248	42,184	12,064	10,641

Election commissions should have appointed from their records a total of 22,705 members and deputy members of polling station committees or 41.84% of the total envisaged seats in polling station committees for the 2018 General Elections.

These indicators show that election commissions faced big challenges in nominating members of polling station committees, but the successful conducted 2018 General Elections also indicate that the election commissions successfully overcame such challenges.

The Central Election Commission of Bosnia and Herzegovina received two complaints concerning appointments of polling station committees. Acting on appeals, the BiH Central Election Commission issued two decisions rejecting one appeal as unfounded and one as untimely lodged. No appeals were filed to the Court of Bosnia and Herzegovina.

The most commonly encountered difficulties and challenges in the work of polling station committees were the following:

- filling out forms at the polling station;
- procedure of packing of the election material;
- heavy workload due to the complexity and the large number of activities carried out at the polling station, which leads to exhaustion and concentration problems of members of the polling station committees;
- insufficiently serious understanding of the responsibility entailed by sitting on polling station committees.

If the stated statements are carefully considered, it can be concluded inter alia that the difficulties that arise in the work of polling station committees are in some way interconnected, or that they partially affect each other.

By analysing the data received from election commissions, it is evident that the most common irregularities in the work of polling station committees were:

- incorrectly recorded election results for political entities in the cumulative results (CR) forms;
- incorrectly registered election results for candidates within the candidate list in the CR forms;
- disagreement in the number of signatures on the excerpt from the Central Voters' Register and the number of ballot papers in the ballot box;
- accuracy tests in the CR forms do not contain correct values;
- incorrect packing of the election material.

We will also look at the training of polling station committees, which was conducted according to the adopted curriculum and methodology established by the BiH Central Election Commission. The same curriculum and training methodology were followed in training of all election commissions of basic constituencies in BiH within a project funded by the OSCE. For the training of polling station committees, as well as for all previous elections, 30,000 copies of the Handbook for the Work of Polling Station Committees in BiH were prepared and printed with financial support by the Council of Europe. All this contributed to the training of election commissions and eventually of polling station committees being conducted in an efficient and high quality manner.

We started this text with the statement that, in the public and political space in Bosnia and Herzegovina, the appointment and the work of polling station committees has been for many years in the focus of all participants in the electoral process. *The weakest or most important link, the trade in polling station committees, persons who manipulate*

at polling stations, politically affiliated people etc. are unfortunately the most common phrases associated with polling station committees, so it was logical and worthwhile to point out once again the aspects of their appointment, the consequences that arise in practice in their work and withdrawing by members as a trend that has come to light in the last two election cycles.

The statistics outlined in this article concern, warn and at the same time oblige all relevant participants in the electoral process to act promptly. Institutions adopting acts on the method of appointing polling station committees, political entities nominating candidates for members in polling station committees, electoral commissions, as well as competent city and municipal authorities, each within their competence, must express a special interest, knowledge and will in order to resolve these issues in the non-election period. Any delay in resolving, with this withdrawal trend, can seriously jeopardize the election processes that follow, including the question of holding the elections themselves.

Case Study 2018 General Elections, Experiences City Election Commission of Zenica

Selver Keleštura, President of the
City Election Commission of Zenica

I

The determination and the role of the **polling station committee** in the electoral process is regulated by the Election Law and by-laws adopted by the Central Election Commission, one of the key bodies/actors.

It is appointed by **the city/municipal election commission** on the basis of nominations by certified political entities in accordance with the procedure prescribed by the Rulebook on Determining Qualifications and the Procedure of Appointment of Members of Polling Station Committees. It consists of the president and four members (if more than **350** voters are registered in the excerpt from **the Central Voters' Register (CVR)** or of the president and two members (if up to **350** voters are included in the **CVR** excerpt).



The president and members have deputies.

II

The 2018 General Elections could have been characterized by “developments” surrounding polling station committees. Why?

One of the central themes that the municipal/city election commissions were involved and which, in a certain sense, influenced the preparations for the 2018 General Elections was the new provision of Article 5 of the Rulebook on Determining Qualifications and the Procedure of Appointment of Members of Polling Station Committees of 8 May 2018 (BiH Official Gazette 29/18) which reads:

“The deputy president or a deputy member of the polling station committee shall participate in the work of the polling station committee only if the president or a member of the polling station committee is prevented from arriving at the polling station on election day or if, for justified reasons, they have to leave the polling station during election day.”

Election commissions reacted vigorously to the change of the previously-established mechanism to call the deputy president and deputy members of polling station committee for ballot counting at the polling stations where more than **500** voters were registered in the **CBS** excerpt, indicating that this would significantly slow down the ballot counting procedures and result in irregularities and delays in determining election results.

This fear was confirmed as justified.

This provision turned out to have influenced the very process of nomination and appointing of polling station committees.

Namely, the interest for nominating candidates for deputy president and deputy members of polling station committees has been significantly reduced.

Thus, in Zenica, **15** political entities did not nominate the determined number of candidates for members or deputy members to polling station committees (the number of members was determined on the basis of drawing lots).

According to the data from the record of decisions on appointment of polling station committees of Zenica **City Election Commission**, **644** nominations for members of polling station committees and **578** nominations for deputy members were received for **697** seats in **141** regular polling station, one polling station for out-of-country voting and four mobile teams.

City Election Commission appointed **32** presidents, **143** members and **221** deputy members of polling station committees from its reserve records.

The following can be noted from data analysis:

- A small number of appointed members and deputies withdrew before training or testing. These were the cases caused by personal commitments of the candidates and this did not significantly affect the procedures of filling the polling station committees.
- The highest number of withdrawals occurred after training or testing was conducted, and on principle, one week or two to three days before Election Day.

IV

A frequently asked question was “Can it be decided from which political entities the most withdrawals occurred?”

An analysis of the withdrawals cannot bring about a relevant conclusion. The reason is that, already in the procedures for nominating members and deputy members of polling station committees, so-called “*trade in polling station committee seats*” was mentioned. Apart from certain indicia of transfers of and replacements in seats in polling station committees among political entities, there is no direct evidence.

V

The next question asked was “Were withdrawals by members of polling station committees and their deputies organized or were they part of the election engineering by political entities?”

In addition to sporadic statements that presidents and members of polling station committees were offered or given money to withdraw or were threatened, there was no evidence for or reference to specific cases.

VI

One of the factors behind the withdrawals by presidents and members of polling station committees after training or testing was the obligations in the polling station committees and the amount of remuneration for work in the polling station committees. *Namely, the presidents of polling station committees were obliged to attend the training, to take the test, to attend a special meeting to get instructions for taking over election materials, to take over the materials and to arrange the polling station and, finally, after working day on election day, to count ballot papers and hand over the election materials.*

Deputy members of polling station committees were obliged to attend the training, take the test and accept the fact that, in principle, they would not be engaged in the counting of ballot papers. This was certainly one of the motives for submitting a smaller number of nominations for deputy members of polling station committees.

VII

In spite of the quality prepared training of election commissions, and then high quality training of members and deputy members of polling station committees (according to the new Methodology prepared in cooperation with the CEC and the OSCE), withdrawals by a relatively large number of presidents and members of polling station committees (**over 18%**) caused for the Election Commission a problem of seeking candidates for members of polling station committees and their training and testing at the last moment. This also affected the quality of work of POLLING STATION COMMITTEES on Election Day, in particular the process of counting ballot papers and determining election results.

VIII

City Election Commission's experience in the 2018 General Elections of the implementation of the procedures of nomination, appointment and training of members of polling station committees shows a rather high degree of lack of interest among young people for work and taking responsibility in polling station committees.

The City Election Commission had a good institutional support from the city administration, especially having the possibility of appointing to polling station committees volunteers with university degree who had been working as interns in state administration, as well as the possibility of vacant seats of members of polling station committees with employees and civil servants.

The fact was that the general atmosphere in the pre-election period and voting abstention of a part of the constituency significantly reflected in the interest of people to sit on polling station committees.

Using these experiences, it is necessary to decisively opt for different regulation and organization of the conduct of elections in the next election cycle.

IX

One of the reasons for withdrawals, in general, may be the absence of any sanction for members of polling station committees and for the political entities that nominated them.

There is a reflection that *de lege ferenda* can go in the following direction:

- the introduction of sanctions for political entities,
- the introducing of sanctions for members of polling station committees withdrawing,
- amendments to the regulations on procedures for counting ballot papers. Instead of the current solution contained in the Rulebook on the Conduct of Elections in Bosnia and Herzegovina, according to which, after the closure of polling station, the polling station committee starts counting of votes and the determination of election results, it is necessary to prescribe the procedures for packing and delivering the election material to the counting centre. The counting centre should be organized in such a way as to ensure that ballot papers are scanned using modern technologies used in the electoral processes of other countries, which will eliminate existing irregularities in the work of polling station committees and the process of counting ballot papers and determining election results will speed up and simplify.

This, of course, can be a transient solution to create material assumptions for scanning of ballot papers already in the voting process at polling stations.

The next 2020 local elections are an opportunity to apply these solutions in practice.

Case Study – 2018 General Elections

Experiences

Municipal Election Commission of Stari Grad Sarajevo

Meliha Olovčić,
Member of Stari Grad Sarajevo MEC

The Municipal Election Commission of Stari Grad Sarajevo did not record as bad response by both political entities and candidates to the formation of polling station committees as in the October 2018 General Elections. The reasons were not the fact that the Municipal Election Commission of Stari Grad Sarajevo did not have conditions for conducting the training, on the contrary, there was full support, both by the mayor and the municipal council in both material and financial terms, as well as in human resources.



We think that there are three main reasons for this situation:

- 1) Changing the rules in the formation of polling station committees;
- 2) A large number of political parties running for elections in the Municipality of Stari Grad Sarajevo, which have neither their candidates nor voters in its territory; and
- 3) The amount of remuneration for the president and members of polling station committees or the deputy president and deputy members of polling station committees.

The fact is that, for these elections, **the rules for the formation of polling station committees were changed**, where Articles 3 to 5 of the Rulebook on Determining Qualifications and the Procedure of Appointment of Members of Polling Station Committees, instead of the previous practice where the polling station committee consisted of the president and members and their deputies engaged in their full capacity, introduced a system that the deputy president or deputy members of polling station committees participated in the work of polling station committee only if the president or a member of polling station committee were prevented from arriving at the polling station on election day or if, for justified reasons, they left the polling station during election day.

For this purpose, political entities mainly nominated presidents and members, while deputy presidents and members were a “collateral” for them. After the completion of the electoral process, it turned out, in fact, that the so- small political parties did not even have candidates for polling station committees, because all nominated candidates withdrew at the stage of invitation for training mainly because they did not want to work in the elections for that political party (for which they did not even fill in the form).

When establishing polling station committees it was noted that some candidates were nominated on behalf of several political entities to several different polling station committees, which was not a negligible occurrence, given that the Municipal Election Commission struggled for each and every member.

In addition to the above, despite the warning by the Municipal Election Commission about conditions and difficulty of the electoral process itself, the candidates were aged over 65 to 75, who were mostly long-standing members and sympathizers of political parties, and who, in view of their physical and health condition could not have been able to cope with this process, as well as candidates who had permanent residence in other municipalities.

It also happened that candidates, after having passed training for polling station committees were hired as observers at polling stations, explaining that they were needed there because they would not be presidents or members, but “some deputies who will sit at home and wait for someone to call them.”

As for the **training and testing itself**, although the training terms were adapted to all candidates, both employed persons and students, the attendance was average, and the candidates were not interested. All their attention was focused on the amount of remuneration and the length of the election process. Most of the questions they asked related to this matter.

Changing the rules in the formation of polling station committees caused problems on election day as very few deputies responded in order to participate in the work and replace the president or a member during their temporary absence, not to mention that, during the day or night after closing the polling stations, none of deputy presidents or members wanted to answer phone, let alone to come to a polling station and to take office instead of the president or a member who, for justified reasons, had to leave the polling station.

The amount of remuneration paid to the president and members of polling station committees or deputy members, which we mentioned earlier, was eventually one of the crucial causes of withdrawals by a large number of candidates for training/already trained candidates for the president and members of polling station committees, as well as their deputies according to their statements after warning of the penal provisions set forth in Chapter 8 of the Handbook for the Work of Polling Station Committees in BiH - 2018 General Elections.

On the basis of all of the above, we can briefly identify difficulties that the Municipal Election Commission of Stari Grad Sarajevo had during the formation of polling station committees as well as their work on Election Day:

- political entities nominated exclusively candidates for members, they did not bother about deputies,
- some candidates were nominated on behalf of several political entities to several different polling station committees,
- the age of nominated members was neglected given the duration of activities of member of polling station committee during election day,
- some political entities confused terms “observer” and “member of polling station committee”,
- poor attendance by nominated candidates at training and testing was observed,
- failure of deputy members of polling station committees to appear on election day, during absence of the president and members in the course of work,
- the amount of remuneration paid to members of polling station committees or deputy members.

Thanks to the citizens of the Municipality of Stari Grad Sarajevo, who have been supporting the polling station committees and are popularly called “gold reserves” for years, by re-counting of ballot papers for 31 levels (Sarajevo Canton Assembly, Federation of BiH Parliament, Parliamentary Assembly of BiH and Presidency), the Municipal Election Commission of Stari Grad Sarajevo successfully completed the 2018 General Elections.

Trends in the Appointment of Polling Station Committees in Various European Countries

Siniša Bencun, Incoming Ambassador of Bosnia and Herzegovina to the OSCE and UN in Vienna



Introduction

Various domestic and international election actors consider polling station committees one of the most sensitive elements of the electoral system in Bosnia and Herzegovina. This text aims to present different approaches to the formation of polling station committees in other countries and their connection with general election management bodies (EMB) and the principles of their formation. This text also provides a basic overview of the formation, composition, competence, training and some other features of the polling station committees. In the end, the text compares the trends in the formation of election bodies (primary polling station committees) that exist in Western democracies, in relation to developing democracies.

General Models and Principles of Forming Election Management Bodies (EMBs)

According to IDEA⁴⁷, Election Management Bodies (EMBs) are defined as structures whose essential purpose of existence and legal responsibility are to manage all or some of the processes necessary to hold elections and other democratic instruments such as referenda, recalls and so on. These necessary processes include the determination of the right to vote, registration and certification of political entities, conduct of voting, counting of votes and formulation of results. Different EMBs can be exclusively responsible for conducting elections at different levels, different election races or for different types of citizens' will (for example, one body can be responsible for elections and another for holding a referendum).

The IDEA distinguishes three model bodies and thereby three model polling station committees: independent, state and mixed model⁴⁸.

⁴⁷ Institute for Democracy and Electoral Assistance, <https://www.idea.int>

⁴⁸ A detailed classification of countries around the world according to these three models can be found at www.idea.int/elections/emd/electoral-management-design-database.cfm

Independent model is used by countries⁴⁹ where elections are conducted by bodies that are institutionally independent and autonomous from the executive, that is, members of those bodies are not part of the executive neither are they responsible to them, but may be accountable to the legislative or judicial authorities or the head of state.

State model is used by countries⁵⁰ where elections are conducted by executive authorities through some ministries or authorities at the local level. In countries where bodies are formed on this model at the national level, usually a minister or a civil servant is in charge of the minister's cabinet, and usually these bodies do not have classical members, and their budget is located within one of the ministries or local self-government.

*Mixed model*⁵¹ usually includes two-component election and dual structure bodies:

- a) a body that is responsible for the rules of the game and supervision, and which is independent of the executive (as in independent model), and
- b) the body responsible for the implementation and which is usually located within the state apparatus at a higher or local level (as in state model)

These general models of election administration bodies can be crossed with the principles of the formation or composition of polling station committees, which can be professional, party, civic and mixed.

The professional principle implies that civil servants, employees of the state, public or local administration, and others whose professional position is attached to the state apparatus or public practice are appointed as members of polling station committees.

The party principle implies that members of polling station committees are nominated by persons designated by political parties represented in the parliament, who compete in certain elections, and/or the candidates themselves who participate in the election race.

The civic principle implies that citizens as individuals can apply to the election bodies for the work in polling station committees, or be appointed directly by these bodies, randomly selected, even without the right to refuse without a convincing reasoning.

The mixed principle implies one of the combinations mentioned above.

49 Some of the countries are BiH, Estonia, Georgia, Armenia, Poland

50 E.g. Denmark, Switzerland, United Kingdom, Sweden.

51 Spain, Japan, France and its colonies.

Examples of Appointment of Polling Station Committees in Some European Countries

UKRAINE

General model of EMB: INDEPENDENT

Principle of formation of PSC: PARTY

Polling station committees in Ukraine are formed by district (local) election commissions based on nominations of political parties, depending on the election race being observed. For example, for parliamentary elections, members of polling station committees are nominated by political parties represented in the parliament, then by political parties entering the election race through a proportional system, and candidates who have registered for a race in certain areas in the majority voting system⁵².

The number of PSC members per polling station varies depending on the number of voters, and can range from 10 to 24 members.

The problems that arise in the appointment of polling station committees are as follows: filing documents for nominating PSC members collected for previous elections, false signatures and copies of personal documents without approval of nominees, filing the same names on behalf of more than one political entity, a large number of withdrawals from nominations.

Recommendations: revise the PSC forming methods, strengthen the methods of nominating, selecting and training PSC members in a way that ensures their impartiality and professionalism.

NORTHERN MACEDONIA

General model of EMB: INDEPENDENT

Principle of formation of PSC: PROFESSIONAL + PARTY

Polling station committees in Northern Macedonia are formed by municipal election commissions. The polling station committees have five members and the appointment process involves random selection of three civil servants (employees of municipal, state or public administration), one member is appointed by the ruling parties, one member by the opposition party, for a term of 4 years.

Other general criteria are common, and relate to citizenship, residence, education, conviction and conflict of interest.

Training of polling station committees is conducted by municipal election commissions, but it is not always best rated by international observers. Additionally, separate training

⁵² Half of the parliament is elected through a proportional system, and the other half through the majority system of constituencies.

for the presidents of polling station committees is held, in order to further clarify all aspects of the electoral process.

Recommendations: improvement of training by the State Election Commission, which would be delivered to all lower election commissions, and focused on Election Day procedures.

GEORGIA

General model of EMB: INDEPENDENT

Principle of formation of PSC: PARTY + CIVIC

Polling station committees consist of a total of 12 members. Six members are appointed by political entities in the proportion they are represented in parliament, and six independent members are nominated by regional (local) election commissions. However, the method of selecting the so-called independent members of polling station committees are not clearly defined, and the methodology is heterogeneous and often non-transparent. In the last presidential election in 2018, the Central Election Commission issued a non-binding recommendation to local election commissions to take into account members with previous experience who participated in training for membership in polling station committees, and not include persons with disciplinary sanctions imposed in the last two years. In practice, in most cases, independent members were elected for the presidents of polling station committees, while in approximately 300 polling stations the presidents were party people and they all were from the ruling party⁵³.

Recommendations: the law and/or by-laws should regulate the way of selecting members of polling station committees as well as more time for selection in a more open and inclusive process. Further, the number of members of polling station committees should be adjusted to the needs of a particular polling station. In addition, the basic rule of party representation in relation to the power of the parliament should be supplemented by an additional formula that would ensure greater balance and more current party representation.

BULGARIA

General model of EMB: INDEPENDENT

Principle of formation of PSC: PARTY

Polling station committees consist of five to nine members, depending on the number of registered voters. Political parties represented in the parliament (both state and European) have the right to nominate persons for members of polling station committees. During the last early parliamentary elections in 2017, a large number of changes were made to the composition of polling station committees just before the election day, which affected the quality of work, as there was no time for the training of

⁵³ The last report of the ODIHR monitoring mission

substitute members. The reasons for withdrawing from membership in polling station committees were various, from party nominations without the knowledge and consent of the people themselves, to low remuneration.

Recommendations: A reasonable deadline for changes in the composition of polling station committees to have enough time for training and preparation.

ALBANIA

General model of EMB: INDEPENDENT

Principle of formation of PSC: PARTY

Polling station committees in Albania are appointed by regional (local) election commissions. Nominations for polling station committees are submitted by political parties, and the system allows for balance between the parties in power and the opposition. However, the law does not allow political parties to withdraw or replace nominations, nor has the local election commission a mechanism to fill membership in polling station committees if political parties for any reason do not nominate members within the time limit. This situation leads to the complete dependence of timely filling of polling station committees on good will of political parties. For example, in the 2017 parliamentary elections, none of the 90 local election commissions did timely appointments to polling station committees, due to the delay in nominations by political parties. The delay in nominations was also used to circumvent the legal obstacle banning the replacement of members of polling station committees, which is a clear indication of systemic weaknesses within a highly-politicized election administration⁵⁴. The same problems arise when appointing counting teams.⁵⁵ These problems also cause training problems because it happens that the Central Election Commission organizes training at a time when polling station committees, due to the delay in nominations, have not yet been formed.

Recommendations: Enable the appointment of non-party members of polling station committees, and introduce a mechanism that will allow appointing members of polling station committees when political parties do not submit nomination in a timely manner.

SWITZERLAND

General model of EMB: INDEPENDENT

Principle of formation of PSC: PARTY + CIVIC

Polling station committees consists of five or more members, depending on the number of voters and the needs of the polling station itself. Members of polling station committees can be nominated on behalf of political parties, and may also be randomly

54 ODIHR, 2017 Parliamentary Elections in Albania, Final Report, <https://www.osce.org/odihr/elections/albania/346661>

55 In Albania, votes are not counted in polling stations, but in special counting centres

selected citizens, depending on the rules defined at the cantonal level. The general rule that choosing to be a member of the polling station committee is a form of honour and obligation, and cannot be refused without a clear justification, or years of age and illness. There are also general rules of exclusion from appointment, such as the inability to appoint more than one member of the immediate family to the polling station committee.

THE NETHERLANDS

General model of EMB: INDEPENDENT

Principle of formation of PSC: PARTY + CIVIC

According to general models of election bodies, the Netherlands uses so-called mixed system. Unlike the election commission at the national level, which has 7 independent members selected by open competition for a four-year term, polling station committees in the Netherlands are provisional bodies appointed by municipalities to conduct voting and counting processes. They consist of the president and two to six members. Among them in the hierarchy there are five-member municipal election commissions chaired by the mayor.

ITALY

General model of EMB: INDEPENDENT

Principle of formation of PSC: PROFESSIONAL + CIVIC

The election administration system in Italy is complex and involves a number of state institutions and services within the judicial and public administration structures at the state and local levels, with the Ministry of the Interior having primary responsibility for administering and overseeing the elections.

Municipal Election Commissions perform the appointment of polling station committees that have previously been nominated by municipal election offices⁵⁶. Although formally independent, municipal election offices receive instructions from the Ministry of the Interior.

Polling station committees are interim bodies with a president appointed by the appellate court, and five members from among citizens/voters who have expressed willingness to perform this role are nominated by the municipal election offices. There are no clear criteria for selecting members of polling station committees and municipal election commissions use different methods, such as random selection by software or voting of the municipal election office on a list of candidates and the main principles that apply are professionalism and reputation of candidates, their place of residence and earlier experience⁵⁷.

⁵⁶ permanent bodies in municipalities, which are responsible for a number of processes such as supplementing the voters' register, distribution of election material, receiving preliminary results on election day etc.

⁵⁷ ODIHR Final Report on 2018 Parliamentary Elections, <https://www.osce.org/odihr/elections/383589>

BELGIUM

General model of EMB: INDEPENDENT

Principle of formation of PSC: PROFESSIONAL + CIVIC

Polling station committees in Belgium consist of 10 members: a president appointed from the ranks of judges, lawyers or state and public officials, four members, four deputies, and a secretary having an advisory role. Members of polling station committees are selected randomly from the list of voters with the right to vote, about which the selected ones are informed in a timely manner. Refusal to participate in the election administration is punishable if it is not clearly justified. All of the above principles for polling station committees also apply to counting centres. According to ODIHR reports, there is a high level of trust in the professional and effective management of elections at all levels, including polling station committees.

FRANCE

General model of EMB: INDEPENDENT

Principle of formation of PBS: PROFESSIONAL + PARTY

The management of elections in France is decentralized and various institutions, predominantly state, but also independent, share responsibility in the conduct of elections, with the Ministry of the Interior as the body responsible for technical preparations.

Polling station committees are formed for more than 68,000 polling stations and have at least three members, three deputies and one secretary. Their composition is divided between professionals who are employed in public services and representatives of political parties⁵⁸. Of the general criteria in the available literature, it is stated that it is necessary that a member of the polling station committee also has the right to vote in the department where the polling station committee is located⁵⁹.

Conclusion

Three different general models in forming a body to conduct elections have their own advantages and disadvantages, and none of them can be characterized as equally successful in any environment.

What is visible is that the state model is dominantly used in developed Western democracies, that is, the state and its executive bodies such as ministries and local governments are the dominant factor in the organization and conduct of elections. Membership in polling station committees in these countries is quite diverse, with

⁵⁸ "An overview of election legislation and segments of the electoral process in 40 OSCE participating States", Pod Lupom, 2015.

⁵⁹ "An overview of election legislation and segments of the electoral process in 40 OSCE participating States", Pod Lupom, 2015.

the involvement of all stakeholders, such as professionals, representatives of political parties, and citizens as such. On the other hand, in the countries with a developing democracy such as the former Soviet republics, the countries of the former communist bloc and the Western Balkan countries, they have largely implemented so-called independent general model for forming a body for the conduct of elections or to a lesser extent mixed model. It means that these countries have formed the bodies for carrying out elections that are in a formal hierarchy outside the executive authorities, and report to the assemblies or judicial organs. When it comes to membership in polling station committees in countries with dominantly independent models, it is dominantly party-based or to a lesser extent combined with professional model and citizens as such are not represented in the polling station committees. This is also a point of confidence in the conduct of elections and in countries with a long democratic tradition there are fewer instruments of mutual and independent overseeing of election actors, while in countries with developing democracy there is greater distrust and greater degree of mutual overseeing of election actors, i.e. participants in election race.

Tabular overview of general models of EMB and the principle of the composition of polling station committees

GENERAL MODELS OF EMB According to International IDEA Database			PRINCIPLES FOR COMPOSITION OF PSCs	
Austria	GOVERNMENTAL		PARTY'S	
Belgium	GOVERNMENTAL		PROFESS.	CIVIC
The United Kingdom	GOVERNMENTAL		PROFESS.	
Germany	GOVERNMENTAL		PROFESS.	
Greece	GOVERNMENTAL		PROFESS.	CIVIC
Denmark	GOVERNMENTAL		PARTY'S	
Ireland	GOVERNMENTAL		CIVIC	
Iceland	GOVERNMENTAL		no criteria	
Spain	MIXED		CIVIC	
Italy	GOVERNMENTAL		PROFESS.	CIVIC
Norway	GOVERNMENTAL		PARTY'S	
Portugal	MIXED		PARTY'S	CIVIC
Finland	GOVERNMENTAL		PARTY'S	
France	MIXED		PROFESS.	
Netherlands	MIXED		PARTY'S	CIVIC
Switzerland	GOVERNMENTAL		PARTY'S	CIVIC
Sweden	GOVERNMENTAL		no criteria	

GENERAL MODELS EMB
As per International IDEA Database

Albania	INDEPENDENT	
BiH	INDEPENDENT	
Bulgaria	INDEPENDENT	
Estonia	INDEPENDENT	
Kosovo	INDEPENDENT	
Latvia	INDEPENDENT	
Lithuania	INDEPENDENT	
Northern Macedonia	INDEPENDENT	
Poland	INDEPENDENT	
Romania	INDEPENDENT	
Russian Federation	INDEPENDENT	
Slovakia	MIXED	
Slovenia	INDEPENDENT	
Serbia	INDEPENDENT	
Hungaria	MIXED	
Croatia	INDEPENDENT	
Montenegro	INDEPENDENT	
Czech Republic	GOVERNMENTAL	
Ukraine	INDEPENDENT	
Georgia	INDEPENDENT	

PRINCIPLES FOR
COMPOSITION OF PSCs

PARTY'S	
PARTY'S	
PARTY'S	
PARTY'S	no information
PARTY'S	
PARTY'S	
PARTY'S	
PROFESS.	PARTY'S
PROFESS.	
PROFESS.	PARTY'S
PROFESS.	PARTY'S
PARTY'S	
PARTY'S	
PARTY'S	
PROFESS.	PARTY'S
PROFESS.	PARTY'S
PARTY'S	
PARTY'S	PROFESS.
PARTY'S	
PARTY'S	CIVIC

PANEL III.

Challenges of Electoral Process

Entry and Checking of Election Results

**Issues Facing Election Commissions in
the Conduct of 2018 General Elections**

Entry and Checking of Election Results

Senad Kadrović,
IT Expert

With a focus on controllers of the election commissions of the basic constituencies and the computer application for entering and checking the election results within the CEC's Single Election Information System of BiH.

The Election Law of BiH stipulates that the election commission of the basic constituency will consolidate election results from all regular polling stations separately for each electoral level. The consolidation of election results is done in all fields of the given form: from statistical data (number of signatures, number of ballot papers in the box, number of invalid ballots, number of valid ballots) and number of votes for all political entities and all candidates who participated in the elections for the given level.



The procedure of consolidation of election results by the election commission is prescribed in Articles 60 to 64 of the Rulebook on the Conduct of Elections in Bosnia and Herzegovina. In order for the Election Commission to accomplish the consolidation of election results from regular polling stations, after counting the given level at the polling station, green copies of the given form should be taken and submitted to the seat of the election commission. For the purpose of accurate and quick consolidation of election results by election commissions, the BiH Central Election Commission has developed an application for entry, processing and checking of election results within the JIIS BiH which is available to all election commissions in basic constituencies. The Election Commission is responsible for organizing the entry of election results into the application. In addition to the persons responsible for entering the election results from green copies, the election commission supervises the accuracy of data entry and checks election results. In case of re-counting, upon receipt of an order, the election commission organizes a team that is obliged to open the bag and correctly determine the election results. After re-determining the correct election results, the election commission enters new results for the given polling station and given level. After entering new results, the election commission gets a report in the application that contains consolidated data from all regular polling stations.

The application for entry and checking of election results has three layers: administrative, operational for the CEC and operational for the MEC. The latter is intended for the work of MEC members and is structured to monitor the processes of entering and checking selected results. Within one layer, the application is structured into six units. The administration refers to application user's records, their credentials and roles. The administrator has the task of logging in to the system all participants in the process and assigning them the roles they have. Both entry clerks and other users can be one or more, depending on the technical and organizational structure of the election commissions. The roles are divided so as to reduce the possibility of intentional or unintentional errors when entering election results. The number of registered users should correspond to the number of physical persons in the entry and checking process who are working on the application. This can be departed from only if the election commission does not have a sufficient number of staff for individual roles. The entry of the election results is a set of related forms for entering data in a predefined sequence. The entry clerk has no other responsibilities than data entry. Checking is a key segment that, through various reports, gives the controller an insight in the status and possible entry errors. The application automatically checks the accuracy of mathematical operations and reports it to the controller that takes certain steps for correcting or submitting a re-counting request. Editing of election results is a novelty that gives the supervisor the authority to change entered data which, of course, is only the correction of incorrectly copied data from the form. This shortens the time of corrections caused by faults in the operation of the clerk. The submission of a request is automated, and is filed in precisely defined cases, when the controller has no possibility of correction. Reports are operational or statistical and, depending on the type of report, are displayed only on screen or in printed form.

All activities of election results controllers refer to the application, entry and checking of election results. After logging in the application, any election results controller in election commission verifies whether there are polling stations that are not valid and all polling stations that are not valid will be displayed and he has the ability to access the data for each invalid polling station and check reasons for invalidity. The application executes all mathematical checks and displays them to the election results controller if they are not correct (e.g. mathematical operations have not been done correctly, comparison of certain data is not logical). In the invalid polling station, the election results controller first checks whether the election results are correctly entered into the application. He then corrects all irregular sums and entries into the application, and gets irregularities for accuracy tests: TEST 1- the number of signatures equal to the number of ballot papers in the ballot box and TEST 2 - the sum of valid and invalid ballots is equal to the number of ballots in the ballot box. For polling stations where TEST 2 is different from 0 or where the sum of valid and invalid ballots is not equal to the total number of ballot papers in voting box and for polling stations where TEST 2 is different from 0 or where the sum of valid and invalid ballots is not equal to the total number of ballot papers in the box and for polling stations where the candidate of political entity received more votes than the political entity, he generates from the

application a request for opening bags in order to properly integrate election results, which he submits to the election commission. After the process of opening the bag, correctly determining the election results and entering them, the election results controller checks whether the particular polling station is valid now. The supervisor has the ability to change incorrectly entered data and is responsible for the compliance of this data with the forms.

Based on the application, the Central Election Commission of Bosnia and Herzegovina has information on all changes in the application, as well as information on who even entered the data. The BiH Central Election Commission found that opening of 872 bags was approved for 642 polling stations (bags were opened for several levels at certain polling stations). In addition, it has been found that 107 election commissions in 714 polling stations have corrected entries for public officials elected in the majority voting system, while 113 election commissions in 988 polling stations corrected for entries for public officials elected in the open list system.

After the adoption of general order, by which the election commissions got the possibility of faster consolidating election results at the level of their basic constituency, enabling them, after the notification for which polling station and level bags should be opened, to start immediately this activity, the BiH Central Election Commission found that 65 election commissions made corrections in 435 polling stations. We must state that one of the reasons for adoption of general order was the poor quality of work done by the controllers in individual constituencies who did not correct the mathematical irregularities and reduced the validation to "TEST 2" and "the candidate received more votes than the political party", after which they should have printed a request for opening of the bags in order to properly consolidate the election results.

For the sake of as good a discussion about the checking of election results as possible we propose certain topics that can be discussed but, of course, this is not the final list of issues. We expect your observations on the topic of checking of election results, so that we can improve this segment of electoral process based on your experience on the ground.

The following are interesting questions:

- Was a sufficient number of people designated as election results controllers in your basic constituency?
- Were the election results controllers sufficiently trained to carry out their tasks, or did the training organized by the BiH Central Election Commission in cooperation with the OSCE give the desired results in terms of the level of competence of the election results controller?
- Did the election results controller have some special qualifications and knowledge?
- Should a controller be appointed for a period of several election cycles?

Case Study – Checking of Election Results

Election Commission of the Brčko District of BiH

Ljiljana Orendi, Member of EC
of the Brčko District of BiH



Election Day from 7.00 – 19.00 (General Elections in BiH, 7 October 2018)

Activities of controllers of the Election Commission of the Brčko District of BiH during Election Day 7 October 2018 in the period from 7.00 to 19.00 hours included collection and entry of data on the time of opening of polling stations, voter turnout in two fixed terms and the time of closing of polling stations.

The receipt of the election material was organized by members of the Election Commission of the Brčko District of BiH in a way that 14 (fourteen) teams of two persons were engaged in this activity.

The goal of such an organization was:

- a detailed inspection and receipt of election material and
- delivery of green copies of forms from the material reception site.

Activities on the entry of election results during the election night were carried out at the headquarters of the Election Commission of the Brčko District of BiH in Brčko. For this activity, the Election Commission of the Brčko District of BiH engaged 8 (eight) teams of two persons, in accordance with the recommendations of BiH CEC.

Entry of election results took place with the mandatory presence of the election results controller, i.e. a member of the Election Commission of the Brčko District of BiH. The entry of election results were carried out continuously, and the election results were entered in the BiH CEC Application successively, i.e. after receiving filled forms from the polling stations.

In spite of all the difficulties in the work of the BiH CEC Application (frequent breaks in operation, breaking of Internet connections, deletion of already entered data), the election results controller in cooperation with IT engineers of BiH CEC:

- timely validated submitted election results, where the validation was possible,
- promptly sent requests for opening of bags with election material, i.e. requests for re-counting of ballot papers, where the validation was not possible.

The engagement of the above mentioned additional staff was necessary, given the specificity of the Brčko District of BiH, where election processes are by their nature and scope of work more complex in relation to the Entities, all in order to fulfil the prescribed deadlines (during the electoral process and after its completion).

Entry of Election Results and Challenges in Controllers' Work

The controllers informed in detail members of the Election Commission of the Brčko District of BiH about the following:

- the overall process of entering election results, i.e. the flow and pace of data entry from all polling stations, as well as
- submitted a report on the work of controllers of election results entry for the 2018 General Elections in BiH to the BiH CEC.

Difficulties in the work of controllers included overcoming technical difficulties, i.e.:

1. Difficulties due to the specificity of the application itself
Difficulties due to the specificity of the application itself included difficulties such as: "visibility" of the data entered (opening of PSs, turnout, closing of PSs and generating reports) and frequency of interruptions in application functioning, as well as the inability of continuous data entry, which greatly complicated and slowed down entry and validation of results.
2. Inability to generate requests for opening the bags
The controllers pointed out the inability to generate requests for opening the bags as a technical issue, which was present during entry of election results. In order to overcome the technical issue, the controllers immediately informed the BiH CEC about the issue, after which so-called "manual requests" for opening bags in certain polling stations in the Brčko District of BiH for certain levels of government were sent to the BiH CEC.

Taking into account the difficulties in the work, the controllers nevertheless validated all the data that could be validated and entered into the database in time. In the validation process, all mathematical errors were corrected.

The aim was to properly consolidate election results by timely entry into the BiH CEC Application and to publicize the results obtained.

Given the technical issues in the work of BiH CEC Application for Entry of Election Results, after consultations with BiH CEC, members of the Election Commission of the Brčko District of BiH sent a request for extension of access to the Application (considering that it was limited until 22.00 hours on 10 October 2018), in order to be able to enter the results obtained by re-counting of ballot papers at certain polling stations and for certain levels of government.

Re-counting of Ballot Papers

After re-counting of ballot papers on 10 and 12 October 2018, the election results from 42 polling stations and 66 levels of government were re-entered. The controllers performed checking and validation and informed members of the Election Commission of the Brčko District of BiH that the election results from the mentioned polling stations for certain levels of government where ballot papers had been re-counted were re-entered.

Conclusion

Entry and validation of election results in the Brčko District of BiH were performed in a high-quality and timely fashion despite all unfavourable circumstances.

The Election Commission of Brčko District of BiH thanks in this way to members of BiH CEC, coordinators and IT support for assistance, without which this work could have not been done in a high-quality manner and within the prescribed deadline.

Issues facing election commissions in the conduct of 2018 General Elections

Stjepan Mikić, Member of
the BiH Central Election Commission
mr. Uma Ilić, Secretariat of the BiH
Central Election Commission

Chapter II of the Election Law of BiH⁶⁰ determines the bodies for the conduct of elections in Bosnia and Herzegovina and they are the BiH Central Election Commission, election commissions of basic constituencies and polling station committees and their competencies.

In Bosnia and Herzegovina, 143 election commissions of basic constituencies with a total of 561 members were appointed as prescribed by the Decision on the Number of Members of the Election Commission of Basic Constituency in Bosnia and Herzegovina⁶¹.



Pursuant to Article 2.9, paragraph 1, point 1 of the BiH Election Law, the BiH Central Election Commission coordinates, oversees and regulates the legality of the work of all election commissions and polling station committees in accordance with the Election Law of BiH.

According to the available data, in the preparation for and conduct of the 2018 General Elections, the following difficulties faced by election commissions were identified:

1. Organizational and technical aspect of the work of election commissions
2. Funding of the election commissions
3. Carrying out activities within competence of election commissions

1. Organizational and Technical Aspects of the Work of Election Commissions

Within the organizational and technical aspects of the work of election commissions, the following issues were identified:

60 BiH Official Gazette 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14, 31/16

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1.1. Filling the Posts in Election Commissions

Election commissions of basic constituencies conducted the 2018 General Elections in Bosnia and Herzegovina with all members participating (143 election commissions - 561 members).

Since a number of municipal/city councils or municipal/city assemblies, despite several reminders, did not appoint members to election commissions, until calling the 2018 General Elections, the BiH Central Election Commission appointed replacement members in accordance with Article 2.15 paragraph (2) of the BiH Election Law. Furthermore, a number of replacement members were appointed by municipal/city councils and/or assembly of municipalities/cities in the election period, pursuant to Article 2.15, paragraph (2) of the Election Law of BiH.

Out of 143 election commissions, 16 election commissions (Bileća, Jezero, Kupres, Berkovići, Goražde, Živinice, Krupa na Uni, Kupres (RS), Pale (FBiH), Srebrenica, Velika Kladuša, Istočni Mostar, Istočno Novo Sarajevo, Gradačac, Bosanska Krupa and Tuzla) consisted of deputy presidents and/or members (25 replacement and 1 replacement president from the ranks of already appointed members - Krupa na Uni). A significant issue is the fact that municipalities like: Bileća, Kupres (RS), Jezero, Krupa na Uni, Živinice and others have had deputy members for years and that the competent authorities do not bother to appoint regular members and there is no mechanism to sanction them if they fail to do so.

1.2. Adequate Space and Equipment

Having adequate space and equipment, as well as the necessary electronic connections, is of great importance for the work of election commissions.

According to the available data, the following election commissions *had inadequate space* for the work of election commissions: Čitluk, Vukosavlje, Ribnik, Jezero, Istočni Mostar, Novo Goražde, Grude, Čajniče, Olovo, Sanski Most, Kotor Varoš, Živinice, Teočak, Bratunac, Krupa na Uni, Višegrad, Istočna Ilidža, Laktaši, Šekovići, Kupres (RS) and Teslić, while Banja Luka noted that they had partly adequate space.

The following election commissions *had inadequate equipment for the work of election commissions*: Istočni Drvar, Ljubinje, Maglaj, Drvar, Fojnica, Kupres, Vukosavlje, Ribnik, Novo Goražde, Čajniče, Olovo, Sanski Most, Bratunac, Krupa na Uni, Višegrad, Istočna Ilidža, Laktaši, Teslić, Kupres (RS) and Šekovići, while Banja Luka noted that they had partly adequate equipment for the work.

2. Funding of Election Commissions

Provision of funds for the work of election commissions and remuneration for the work of election commission members is an obligation of the competent authorities, prescribed by Articles 2.12 paragraph (9) and 2.19 paragraph (16) of the Election Law of BiH.

2.1. Remuneration for work of election commission members

A total of 106 election commissions had regular remuneration for work in 2018, while the remaining election commissions did not receive remuneration regularly and some of the election commissions received payments in arrears for several months.

The second issue is different amounts of remunerations for the work of election commissions, since the competent authorities did not harmonize the amount of remuneration with the Decision on the Amount of Remuneration for the Work of Election Commission Members in Bosnia and Herzegovina (consolidated text)⁶² or the provision of the Decision that is less favourable to election commissions is applied.

2.2. Funding of Election Commissions' Activities (Article 2.13 of the BiH Election Law)

Thanks to the timely intervention by the BiH Central Election Commission, all election commissions made a 2018 financial plan and submitted the plan to the competent authorities for consideration and adoption within the prescribed deadlines.

According to the data submitted, all election commissions had the necessary funds for conducting the 2018 General Elections and delays were recorded in the payment of funds to cover individual expenditures. Furthermore, the material and technical support by the city/municipality to election commissions failed in Ugljevik and Kupres.

3. Carrying out Activities Within Competence of Election Commissions

Pursuant to Article 2.13 of the BiH Election Law, election commissions of basic constituencies in Bosnia and Herzegovina have competence to:

1. monitor and supervise the work of the Voters' Register Centre referred to in Article 3.8 of the Law;
2. designate locations as Polling Stations in the territory of the municipality for voting on all levels of authority in BiH;
3. conduct the appointment procedure, appoint and train the members of the Polling Station Committee;
4. ensure the security of, and deliver to the Polling Station Committees the polling material for voting at all levels of the elections in BiH;
5. as directed by the Central Election Commission of BiH notify voters of information necessary for the administration of elections;
6. be responsible for the technical arrangements at the Polling Station and any other technical preparations for the elections;

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7. be responsible for the proper conduct of the counting of ballots at Polling Stations and municipal counting centres;
8. compile the results of elections from all Polling Stations in the municipality, separately for each body for which elections were administered and forward the results to the Central Election Commission of BiH; and
9. perform all other tasks as authorized by law and by the Regulations of the Central Election Commission of BiH.

During the preparation and conduct of the 2018 General Elections, in accordance with the Instructions on the Deadlines and Sequence of Election Activities for the General Election to Be Held on Sunday, 7 October 2018⁶³, the most common issues identified in election administration within competence of the election commissions, are as follows:

- appointments of members of polling station committees,
- work of polling station committees,
- entry and consolidation of results from polling stations and
- monitoring and controlling the work of the Voters' Register Centre

3.1. Appointments of Members of Polling Station Committees

In the appointment of members of polling station committees, election commissions encountered several issues and they are:

- an insufficient number of nominations by political entities of members and in particular deputy members to polling station committees,
- a significant number of nominations to polling station committees did not meet prescribed requirements for appointment,
- a significant number of withdrawals by members of polling station committees,
- unknown or unjustifiable reasons for withdrawals by members of polling station committees,
- filling in of vacant seats from the records of election commissions,
- insufficient commitment of appointed members to training and testing,
- informing the public about changes in the composition of polling station committees.

Based on the data from municipal/city election commissions for 5,839 polling stations established for the 2018 General Elections, it can be established that political entities certified for participation in the 2018 General Elections nominated a total of 22,554

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members and 19,630 deputy members of the total required number of 54,248⁶⁴ members and their deputies, which is 12,064 (22.23%) less nominated candidates than the required number.

It is important to note that the nominated 42,184 candidates were candidates who fulfilled requirements for appointment.⁶⁵ A significant number of nominees were not appointed to the polling station committees due to non-fulfilment of prescribed requirements, especially due to the fact that the political entities these persons were affiliated to nominated them in the 2016 Local Elections.

The major issue encountered by election commissions was withdrawing by appointed members and deputy members of polling station committees. The most appointed members and their deputies withdrew after appointment and before or during the training of polling station committees and testing (5,121 withdrawals), mainly for personal reasons, low remuneration, as well as for reasons unknown to election commissions. Further, 4,771 withdrawals were recorded after training and testing and 749 withdrawals were recorded on the eve of Election Day and on Election Day. The percentage of the most number of withdrawals of members of polling station committees in relation to the total number of appointed members of polling station committees was in the following basic constituencies: Stari Grad Sarajevo, Travnik, Kalesija, Zavidovići and Mostar.

While appointing missing members of polling station committees, a majority of election commissions asked political entities for new nominations or filled in the vacant seats from their records (16,572 presidents and members, as well as their deputies).

The public is informed about the changes in the membership of polling station committees most often through the bulletin board of the administrative body or the web site of the administrative body, as well as by sending the administrative act to political entities, which is not sufficiently accessible to the public. The Election Commission made the least supplemental decisions on the Election Day (16) and on the Election Day, administrative acts on changes in the composition of polling station committees were mostly posted at polling stations.

The Election Commission did not keep a record of the time of withdrawal by members of polling station committees and withdrawing was announced mostly orally or affected without any information provided to the election commissions.

64 Calculation: $(5.839 \times 2 \text{ (president and deputy president)}) + 21.285 \times 2 \text{ (member and deputy member)}$

65 Nominations by political entities that did not fulfil requirements for appointment to polling station committees or non-submitted nominations are an integral part of the number of members appointed by the election commissions from their reserve records.

3.2. Work of Polling Station Committees

The training of polling station committees for the 2018 General Elections was held in accordance with the Unified Methodology for the Preparation of Curricula for the Training of Polling Station Committees in BiH and the Decision on Determining the Questions for Testing and Criteria for Checking the Knowledge of Presidents, Members and Their Deputies for the 2018 General Elections⁶⁶.

The establishment of a uniform methodology for the training of members of polling station committees aimed inter alia at improving the quality of training and a unique approach to training, since election commissions trained polling station committees in various ways (e.g. length of training, practical work took up a minor part of training).

During the Election Day, the most frequent issues facing polling station committees were the following:

- helping another person to vote,
- powers of observers,
- voting with tendered ballot papers,
- correctly determining voting results and filling out forms,
- packing of the election material.

Election commissions are of the opinion that the work of polling station committees can be improved by, among other things:

- increasing the remuneration for the work of polling station committees
- increasing the criteria for nominating members of polling station committees
- appointing members of polling station committees on the basis of a public call
- introducing electronic voting

3.3. Entry and Consolidation of Results from Polling Stations

All election commissions stated in their activity reports that they consolidated the results and entered them into JIIS BiH in a timely fashion. MEC of Istočni Drvar stated that they had consolidated the results in a timely fashion, but that they did not enter them into JIIS BiH due to lack of internet connection.

One of the issues in the conduct of 2018 General Elections was the checking of election results in the basic constituencies. The BiH Central Election Commission enabled the training of election result controllers appointed by election commissions, but practice showed that this, relatively new activity for election commissions (introduced in 2016),

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was not in qualitative terms adopted to the extent necessary and that the checking of election results in the basic constituencies did not reach the required quality level.

In 82 constituencies, in which 4.042 polling stations were formed, the correct determination of results was made at 773 polling stations.

The most re-opening of bags was in the following election commissions:

Mostar (85), Brčko District BiH (66), Tuzla (47), Novi Grad Sarajevo (42), Bijeljina (34), Ilidža (29), Novo Sarajevo (28), Stari Grad Sarajevo (27), Banja Luka (26), Teslić (26), Gračanica (24), Centar Sarajevo (22), Foča (22), Travnik (21) and Bosanska Krupa (21). Other election commissions opened under 20 bags.

3.4. Monitoring and Controlling of the Work of the Voters' Register Centre

One of very important competencies of election commissions is monitoring and controlling the work of the Voters' Register Centre, which often in practice performs a significant portion of technical tasks within competence of election commissions

According to the data provided by the election commissions regarding the Voters' Register Centres, the following can be noted:

3.5. Space

Voters' Register Centres did not have adequate space for work in eleven municipalities: Donji Žabar, Srebrenik, Jezero, Olovo, Kupres (RS), Prozor-Rama, Trnovo (FBiH), Grude, Čajniče, Ljubinje and Ravno.

3.6. Equipment

Voters' Register Centres did not have adequate equipment in seventeen municipalities: Donji Žabar, Srebrenik, Drvar, Ribnik, Kotor Varoš, Kalesija, Olovo, Šekovići, Kupres, Kupres (RS), Prozor-Rama, Foča (FBiH), Novo Goražde, Čajniče, Rudo, Čapljina, Ravno and Brčko District of BiH. The Voters' Register Centre of the Municipality of Jezero did not have a printer, and the Voters' Register Centre of Nevesinje Municipality has difficulties with internet connection.

3.7. Staff

Except for the Municipality of Krupa on Uni, other municipalities/cities established Voters' Register Centre, in accordance with Chapter III of the Rules on the Maintaining and Use of the Central Voters' Register.⁶⁷ It is worth mentioning that in the 2016 Local Elections there were six municipalities (Krupa na Uni, Domaljevac-Šamac, Istočni Drvar, Vitez and Kupres (RS)) that did not establish Voters' Register Centre in accordance with the above-mentioned chapter.

⁶⁷ BiH Official Gazette 29/18, 62/18

The Municipality of Novo Sarajevo did not have staff recruited to work in the Voters' Register Centre. One person was recruited in each of 97 municipalities, two persons were recruited in each of 36 municipalities and more than two persons were recruited in each of 4 municipalities.

A total of 89 municipalities recruited the persons under permanent contract, 49 municipalities recruited the persons only in the election year or as required and they were: Bileća, Bosanska Krupa, Bosansko Grahovo, Brčko District of BiH, Brod, Bugojno, Busovača, Čajniče, Čapljina, Doboj-Istok, Dobretići, Drvar, Glamoč, Gornji Vakuf-Uskoplje, Gradačac, Grude, Han Pijesak, Ilijaš, Istočni Drvar, Istočni Mostar, Jablanica, Jajce, Jezero, Kalesija, Kalinovik, Kiseljak, Kozarska Dubica, Kupres, Livno, Ljubinje, Lukavac, Novi Grad, Novo Sarajevo, Odžak, Oštra Luka, Pelagićevo, Petrovac, Petrovo, Ravno, Rudo, Srebrenik, Stanari, Stolac, Šekovići, Teočak, Usora, Velika Kladuša, Vitez and Zavidovići.

3.8. Training of Staff of Voters' Register Centres

Compulsory training, organized by the BiH Central Election Commission in 2018, was not attended by 11 employees of the Voters' Register Centres from 10 municipalities: Velika Kladuša, Cazin, Kozarska Dubica, Domaljevac-Šamac, Orašje, Bosansko Grahovo, Kupres, Pale (FBiH), Široki Brijeg and Ljubinje.

3.9. Reports Submitted by Voters' Register Centre

According to the records of the competent coordinator, weekly reports (Article 8 paragraph (2) of the Rulebook on the Use and Production of Excerpts from the Central Voters' Register) were regularly submitted by 61 Voters' Register Centres and they are: Banja Luka, Banovići, Bihać, Bijeljina, Bosanska Krupa, Breza, Busovača, Bužim, Cazin, Centar Sarajevo, Čelić, Čelinac, Derventa, Doboj, Doboj – Istok, Doboj – Jug, Donji Vakuf, Foča, Foča (FBiH), Fojnica, Gračanica, Gradiška, Hadžići, Ilidža, Ilijaš, Kalesija, Kalinovik, Kladanj, Kneževo Konjic, Kreševo, Laktaši, Lopare, Lukavac, Milići, Novo Goražde, Orašje, Osmaci, Oštra Luka, Pelagićevo, Prijedor, Ribnik, Sanski Most, Sapna, Sokolac, Šamac, Teočak, Tešanj, Teslić, Tomislavgrad, Travnik, Trebinje, Tuzla, Ugljevik, Visoko, Vlasenica, Vogošća, Vukosavlje, Zenica, Zvornik and Žepče.

Further, it is important to note that 10 Voters' Register Centres did not submit a single weekly report and they are: Bosansko Grahovo, Istočni Stari Grad, Kupres (RS), Olovo, Pale (FBiH), Petrovo, Prozor-Rama, Srbac, Srebrenica and Srebrenik.

Thus, irregular reporting or non-reporting fully substantiated the fact that most election commissions did not oversee or supervise the work of Voters' Register Centre.

The main activity of election commissions and staff at the Voters' Register Centres in 2018 was to mark the names of deceased people on extracts from the Central Voters' Register, which yielded significant results and on which election commissions should continuously work.

RECOMENDATIONS:

1. In order for the election commissions to work in full composition, it is necessary to include in the BiH Election Law or bylaws the provision that, if the competent authority does not execute the dismissal and appointment of members of election commissions, it will be done by the BiH Central Election Commission in the statutory timeline. Furthermore, it is necessary to draw attention of the High Judicial and Prosecutorial Council that point 2.2.3, line e) of the Code of Conduct of the Code of Judicial Ethics,⁶⁸ which banned judges from sitting on election commissions, does not contribute to raising the integrity of election commissions.
2. It is necessary that election commissions that do not possess adequate space and equipment solve this problem in cooperation with the mayor of the municipality and by planning funds in the next budgetary year.
3. Align the amount of remuneration for the work of election commission members with the decision of the BiH Central Election Commission and plan funds in the financial plan in a timely manner, as well as the funds needed for conducting other activities of the election commission. Furthermore, it is necessary that election commissions have the same remuneration at the time of preparation and conduct of early elections as in the election year.
4. In line with the analysis of the appointment and training of members of polling station committees, as well as the issue of withdrawing by members of polling station committees, it is necessary to improve this activity of election commissions, according to recommendations from the Conference.
5. All election commissions are obliged to keep records of the members of polling station committees who, for unjustified or unknown reasons, did not participate in the work of the polling station committee on the Election Day, and for purpose of possible sanctions.
6. It is necessary to improve the knowledge and skills of controllers of election results, as well as to provide training in entering results that will be attended by all members of election commission.
7. It is necessary for the election commissions to constantly monitor the work and reporting of Voters' Register Centres to the BiH Central Election Commission.
8. The election commission should, in cooperation with the mayor, analyse the needs and possibilities of securing permanent staff and appropriate equipment at the Voters' Register Centre.
9. It is necessary to intensify the activities of checking the Voters' Register, especially in the part where the names of the deceased persons are on the excerpts from the Central Voters' Register.

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Case Study – Issues Facing Election Commissions in 2018 General Elections

City Election Commission of Mostar

Marija Soldo,
Member of Mostar City Election Commission



Despite all the challenges faced, the City Election Commission of Mostar conducted the 2018 General Elections in the City of Mostar on the basis of the BiH Election Law and valid legal regulations. In the conduct of these elections, special focus was given by observers, the media and others on the City of Mostar, as it was known that Mostar had not had local elections since 2008.

In the administration of the electoral process in Mostar, we will address certain problems in the work, as well as the positive aspects of this process.

Voters' Register Centres

One of the obligations of election commissions is the control and supervision of the work of the Voters' Register Centre, however, the Voters' Register Centre had not been established in the City of Mostar, although it is provided that the staff in this centre is appointed from among the registrars. In this electoral process, officers of the Centre (ad hoc) were appointed late, which created difficulties in the process of cleaning up the Voters' Register, assigning of unassigned voters and in other matters, which were within competence of the Centre. This is especially emphasized because in the City of Mostar there is a specificity, that is, that the city has the same street names or double numbers in the same street.

Polling Station Committees

Mostar City Election Commission, according to the deadlines in the election calendar and the instructions of the BiH Central Election Commission, started the allocation of seats to political entities, which were entitled to seats in polling station committees in this process. The political entities nominated their members of polling station committees, but some of them did not submit nominations of deputies, so Mostar City Election Commission had to fill the seats from their previous records. Within foreseen timeline, Mostar City Election Commission hold training of polling station committees in separate theoretical and practical sessions, according to nominees' lists at polling stations, which we kept records of. A number of nominees withdrew in the training process as well as after the training and testing were completed, which is, according to our estimates, caused by unserious attitude in nominating members by political entities.

The problem of withdrawing by members of polling station committees was evident in the previous election processes, but to a lesser extent, however, in this electoral process, this could have been seen as massive, since almost all replacement members of polling stations committees in our constituency withdrew.

Analysing the reasons for withdrawing given by members who withdrew, we came to a conclusion that the reason was the remuneration of BAM 20.00 of deputy members of polling station committees, who did not participate in determining election results. In previous elections, deputy members of polling station committees took part in the determination of election results and had adequate remuneration, while at the same time they made a significant contribution in the process of counting ballot papers as "fresh" forces.

This novelty did not improve the electoral process in the City of Mostar, but made it questionable.

In view of all the problems encountered by election commissions in the appointment of polling station committees, it is necessary to find out deterrent to withdrawing by members of polling station committees nominated by political entities.

Election Day

In the City of Mostar, all polling stations were opened at determined hour and the Election Day passed without major problems. The problems encountered were solved through the members of polling station committees and members of election commission. We resolved the complaints in a statutory manner and within statutory deadlines. The polling stations were closed on time, counting of ballot papers was carried out and election material was submitted to the election commission within statutory deadline.

When entering the election results in the application, a large number of errors were shown and the BiH Central Election Commission requested correct and complete determination of results for a certain number of polling stations, that is, for 85 levels at different polling stations.

In order to implement this decision, City Election Commission Mostar had certain organizational and space problems. The members of the polling station committees whose proper determination of election results was required had completed their work after surrendering the election material and were not available to the election commission. Mostar City Election Commission was forced to appoint additional teams for this process among nominees from previous elections, which made it difficult to complete this activity.

Problems in the implementation of these activities were caused by Mostar City Election Commission's space itself, which was not adequate due to a larger number of bags for counted ballot papers and it was not possible to provide another space at short notice. Despite all this, the results were entered into the application and this procedure was completed within the deadline.

Mostar City Election Commission had good cooperation with both international and other observers, especially the observers of the OSCE and the Pod lupom coalition.

Case Study – Issues Facing Election Commissions in General Elections

City Election Commission of Tuzla

Sead Mustajbašić,
Member of Tuzla City Election Commission



The City Election Commission of Tuzla held the 2018 General Elections in its constituency in accordance with the Election Law of BiH and the Rulebook on Determining Qualifications and the Procedure of Appointment of Members of Polling Station Committees and adopted the Decision on the appointment of the presidents and members of polling station committees, as well as their deputies in regular polling stations and polling stations for out-of-country voting - for 1,958 members in 160 polling stations committee.

The polling station committees include representatives of political entities that are certified to participate in election in the constituency in which the polling station committees are appointed, applying the system of drawing lots and the drawing was conducted by the Central Election Commission of Bosnia and Herzegovina.

Political entities submit nominations for the polling stations to the Election Commission, taking into account that the nominees meet, in addition to the general requirements, also special requirements and that they are physically capable.

All appointed members of polling station committees are obliged to complete the training organized by the election commission in accordance with training plan and program. After the completion of the training, a knowledge test is carried out and the certificates are awarded to the successful members of polling station committees.

In the conduct of 2018 General Elections, the City Election Commission of Tuzla faced a major problem of members' withdrawal of the polling station committees, both after nomination and prior to the adoption of the Decision on the appointment of members of polling station committees and their deputies, as well as during and after the training and just before the election day, as well as on the election day itself, even after the closing of polling stations. According to the records of the City Election Commission of Tuzla, about 400 members of polling station committees, proposed by political entities, withdrew and the City Election Commission of Tuzla appointed members in the polling station committees from its own records.

During the conduct of the 2018 General Elections in Bosnia and Herzegovina and elections at various levels in the previous period, the City Election Commission of Tuzla faced a number of challenges and difficulties in work, which are partly a result of valid legislation regulating the field of electoral process.

In this regard, in this way, in order to create adequate conditions for efficient administration of election process and optimization of the administration process, we submit the following proposals:

- The first proposal concerns polling station committees and all circumstances that are relevant for the formation and operation of the committees. In the light of the foregoing, we propose that the election legislation foresees responsibility for political entities if they fail to submit nominations for members of polling station committees to the Election Commission in a timely manner, i.e. at the appropriate stage of the electoral process.
- In the election legislation, responsibility of political entities should be provided for in case of nomination of a member of the election committee who does not meet the minimum requirements prescribed by the Election Law of BiH.
- In the election legislation, accountability of political entities and nominees for members of polling station committees on their behalf should be provided in case of withdrawing from the polling station committee within a time limit which cannot be considered reasonable in relation to the election day (to prescribe a minimum deadline for withdrawing by members of polling station committees, for example, 7 days prior to the election day).
- The election legislation should provide for an obligation of political entities to clearly present to nominees of polling station committees what their position implies in terms of responsibility and requirements of the physical and intellectual engagement.
- The election legislation provides that election commissions nominate chairpersons of polling station committees from among the persons for whom election commissions are undoubtedly known to possess the appropriate expertise and experience in the conduct of the electoral process, while the remaining seats in the polling station committees would be filled in the manner prescribed by the valid Election Law of BiH.
- The election legislation establishes a previously applied system of simultaneous presence of members and substitute members of polling station booths at a polling station, regardless of the level at which the electoral process is conducted, that is, irrespective of the source of funding, since it is a measure whose repeal has severely impaired the integrity and effectiveness of the work of the polling station committees. We suggest this as a mode of overcoming the problems that arise, among other things, due

to the insufficient staffing of polling station committee itself, the inadequate qualification of members of polling station committee in terms of possessing certain experience and knowledge in the field of conducting the electoral process.

Entering the Election Results Determined from Green Copies of Regular Polling Stations into the BiH JIIS Application

The Election Commission is obliged to organize the collection of election results from all regular polling stations and to organize their entry from green copies into the BiH JIIS Application. For this process, the Election Commission may engage and authorize persons who will take over credible election results from polling committees of regular polling stations. In this process, the City Election Commission of Tuzla faced the problem of slow delivery of green copies because it is a large constituency with a large number of polling stations.

- Proposal: the election legislation should provide for an adequate way of processing and submitting the form with election results from polling stations to the Election Commission, electronical consolidation (e.g. electronic delivery of the scanned form with results to the Election Commission for action).

Case Study – Problems of election commissions in the Conduct of 2018 General Elections

Municipal Election Commission of Čelinac

Božidar Savičić,
President of Čelinac MEC

The Municipal Election Commission of Čelinac conducted the 2018 General Elections in accordance with the Election Law of BiH, by-laws and direct, concrete instructions of the BiH CEC. During the preparation and conduct of the elections, we faced various, not slight, difficulties that we have solved “along the way” and in accordance with our possibilities and available time.



Polling Station Committees - the Weakest Link in the Election Administration Chain

It has been noted much earlier that the polling station committees are the weakest link in the election administration chain, and a significant part of the measures and actions undertaken in the previous period (since the 2014 General Elections) were aimed at improving the situation in that area. The experience of the Municipal Election Commission of Čelinac from the previous elections is such that one can conclude that improvements have not been achieved or if they have, then they are very small.

Our opinion is that the difficulties in this area of the electoral process are the consequence of the legislation regulating appointments, training and the manner of work of the polling station bards, and that an improvement can only be achieved with amendments to the Election Law of BiH and/or the relevant by-laws prior to election.

We are also of the opinion that all proposed solutions depend on whether modern technologies are introduced and, if they are not introduced and until they are introduced, the situation is would be improved in the following way:

1. Amendments to the Election Law of BiH should regulate:
 - The presidents and deputy presidents of polling station committees are appointed by the election commission of the basic constituency in BiH on the basis of a public competition in the first month of the election period (or year). In the competition, give preference to unemployed persons and

students; hold more in-depth training of the selected persons; and, with those who have good achievements at the training, sign contracts on mutual rights and obligations stipulating inter alia reimbursement of costs in case of unjustified absence or withdrawing.

- The procedure of appointment of members and deputy members of polling station committees could remain the same (drawing lots, nominations by political entities...), while the law should stipulate that the conditions for exercise of the right of political entities to participate in the procedure of appointing members of polling station committees shall be prescribed by the Central Election Commission of BiH in a special by-law.
- 2. Amendments to by-laws - Rulebook on Determining Qualifications and the Procedure of Appointment of Members of Polling Station Committees, etc. should regulate:
 - Political entities that meet legal requirements and want to have their representatives in polling station committees in the first or at latest in the second month of the election period, that is, prior to the allocation of positions in polling station committees, are to submit to the election commissions a broader list of candidates for members of polling station committees (of course, persons on the list should fulfil the requirements for a member of polling station committee and only one person can be only on one list) and a signed and certified sample signature form with a list of persons authorized to represent them in a particular election commission. When they receive seats in polling station committees, the political entities should be able to nominate persons from the previously submitted list, and the persons authorized to represent them would personally deposit their signature and leave personal and contact details with the election commission before or at appointment. In this way, we would completely eliminate or at least reduce trading in seats in polling station committees.
 - The work of the polling station committees at any polling station should be carried out in two groups or teams. The first team (consisting in principle of members) works until closing time of polling station - they conduct elections, while the other team (consisting in principle of deputies) from the closing time until submitting election materials to election commissions: they determine results, fill out forms and pack election material.

or

The work of the polling station committee should be carried out in a way that in the polling station after closing time, the number of signatures on the excerpt from the Voters' Register is determined; the number of unused and damaged ballot papers is determined and they are packed; ballot papers from ballot boxes are sorted according to election levels; results for the first

election level (BiH Presidency – a majority vote system) are determined; and other materials are sealed to be delivered to municipal/city counting centres that would continue counting, filling in forms and packing. Here, one could consider a variant that ballot papers for the both election systems - a majority vote system and an open list voting system (the first or both) could be counted at the polling station, but only in the first counting circle, and the second counting circle to be done in the counting centres, the second day with the possibility of re-counting in these centres for the levels counted at polling stations. In the counting centres, there would be specially trained teams that would be appointed and trained by the municipal/city election commission in a timely manner, irrespective of the appointment of the polling station committees.

Professionalization of the Election Administration Chain from the State to the Local Level

According to the current legal provisions, only the highest authority of the election administration (BiH CEC) has a professional status and all or most of what goes along with it makes one of organizational units of the state/public administration in Bosnia and Herzegovina. Authorities at other levels of the territorial organization of the State, including the local level (municipality/city), are semi-professional or amateurs (volunteers) and are not in the organizational structure of public administration at the local level.

Bearing in mind the great scope and importance of competencies of election commissions of basic constituencies in BiH prescribed by the Election Law of BiH and in particular their role in the establishment and operation of polling station committees, such an arrangement is the source of a large number of difficulties in the preparation, organization and conduct of elections.

Improvement of the situation could ensue if the BiH Central Election Commission managed to amend the Election Law of BiH and other laws at the state and entity level in such a way that at the local level in the structure of local administration bodies there was a person who is in charge of preparing the organization and conducting of elections (the need of having one at the Entity level can be considered).

In the first phase, in which, in our opinion, it is sufficient to just amend the Rulebook on the Use and Production of Excerpts from the Central Voters' Register to provide for the Voters' Register Centre's competences including the following obligations:

- Publish and display excerpts from the provisional Central Voters' Register for public scrutiny in accordance with the Public Scrutiny Timetable adopted by the Commission,

- At the beginning of each election year (February, March) and according to instructions of the Election Commission, compulsory adjustment of records of deceased persons with the registry offices is performed and, in the period from the conclusion of the Central Voters' Register to the election day (45 days), death certificates should be supplied by registry offices to the Election Commission to mark the deceased persons in the Central Voters' Register.
- According to the instructions and under direct supervision by the Election Commission, the process of collecting data is performed in order to establish a list of persons who are homebound,
- Discharged tasks of technical secretary of the Election Commission. Technical secretary's duties are defined in details by the Election Commission.

Later, through amendments to the Election Law of BiH, provide for the secretary of election commission in all municipalities/cities with over 5,000 voters registered in the Voters' Register and the BiH Central Election Commission should enact a special regulation to define duties of the secretary of election commission at the local level who would, inter alia, work for the Voters' Register Centre. The secretary would be employed in an administrative body and would have the status of a civil servant.

DISCUSSIONS AND CONCLUSIONS

**2018 General Elections –
Challenges of the Electoral Process in
Bosnia and Herzegovina Conference**

Discussions and Conclusions

2018 General Elections - Challenges of the Electoral Process in Bosnia and Herzegovina Conference

dr. Irena Hadžiabdić, Member of the
BiH Central Election Commission

CONCLUSIONS

- » The election authorities proclaim that the 2018 General Elections in Bosnia and Herzegovina were well organized and conducted and the observed failures in some areas cannot significantly influence the overall positive assessment of these elections, in which special credits go to the election commissions of basic constituencies (hereinafter: election commissions).
- » The Conference expresses special gratitude to the OSCE Mission to BiH, the Council of Europe Office in BiH, and other international organizations assisting in the preparation, organization and holding of this conference.
- » The Conference commends the OSCE/ODIHR Observer Mission and the observation mission of the Congress of Local and Regional Authorities of the Council of Europe.
- » The Conference fully supports the OSCE/ODIHR Report on the 2018 General Elections in BiH and invites the competent authorities in BiH to implement the recommendations.
- » The Conference adopted the Report on the Conduct of 2018 Elections submitted by the BiH Central Election Commission by acclamation.



CONCLUSIONS MADE IN SPECIFIC THEMATIC TOPICS PRESENTED AT PLENARY SESSIONS OF THE CONFERENCE

- I. **THEMATIC TOPIC: Reports on Work of Election Commissions in 2018 and Issues Facing Election Commissions in the Conduct of 2018 General Elections**
 1. In 2018, most election commissions had adequate space, equipment, funds provided for the conduct of the 2018 General Elections, regular funds, i.e.

financial and technical support by the municipality/city, and the mentioned improvements of working conditions, decision making in accordance with the rules of procedure, timely securing of funds for the conduct of elections as well as more regular payment of remuneration are a result of the timely action of the BiH Central Election Commission and its good cooperation with election commissions and municipalities/towns, as well as the measures undertaken in the previous period. This good practice should continue in preparation for the upcoming 2020 Local Elections.

2. In accordance with the deadlines and schedule of election activities, the election commissions timely designated locations as polling stations that met conditions for voting. However, it is necessary that the election commissions for each election make an analysis of all polling stations, in order to determine realistically whether all the polling stations really fulfil all the technical requirements for voting (especially for observer space and security of voting material).
3. The election commissions used the usual methods for informing voters about the electoral process, but it is necessary that, while informing voters about details necessary for the conduct of elections (their inspection of the excerpt from the Central Voters' Register, polling stations, the Voters' Register Centre etc.), the election commissions should explore other effective methods of informing voters and the public and act on improving transparency in their work.
4. The BiH Central Election Commission should develop a targeted strategy and program to improve voter information by using creative and modern approaches and the media. Particular attention should be paid to vulnerable groups of voters in the system of active registration. The BiH Central Election Commission should develop a comprehensive strategy and plan adequate resources to implement the strategy.
5. Harmonize the amount of remuneration for election commission members of the basic constituencies with the decision of the BiH Central Election Commission and timely plan funds in the financial plan, as well as other resources necessary for conducting other activities of the election commission.
6. Furthermore, consider and regulate by law/by-laws the remunerations of election commission members in terms of equalizing the amount of compensation to election commissions depending on the size of the municipality, the number of voters, the number of polling stations and other relevant criteria.
7. Bearing in mind that a number of municipalities have acquired the status of a city and some municipalities have increased the number of inhabitants, make an analysis regarding the number of members of their Municipal Election Commissions and a possible need to increase the number of members of the Election Commissions.

8. In order for the election commissions to work in full composition, it is necessary to amend the Election Law of BiH or bylaws to include provisions determining that, if the competent authority does not dismiss or appoint members of the election commissions within statutory deadline, the BiH Central Election Commission will do it ex officio. Furthermore, it is important to point out to the High Judicial and Prosecutorial Council that the provision of the Code Amending the Code of Judicial Ethics, which disallows judges' membership in election commissions, does not contribute to an increase of integrity of election commissions.
9. Undertake activities, in cooperation with the BiH Central Election Commission and municipal/city authorities, to identify the possibilities for including in the financial plans for the next budget year procurement of computer equipment for the election commissions of basic constituencies and Voters' Register Centres that have obsolete equipment and the improvement of inadequate working conditions.
10. All election commissions are obliged to keep records of the members of polling station committees who did not participate in the work of the polling station committees on the Election Day for unjustified or unknown reasons, for possible sanctions.

II. THEMATIC TOPIC: Integrity of the Central Voters' Register – a Review and Recommendations

1. Due to identified deficiencies in the application of Chapter 3 of the Election Law of BiH-Voters' Register, it is necessary to thoroughly analyse and propose measures that will require constant analysis and cleaning up of data used for the needs of the Central Voters' Register and more clearly define the obligations of all competent authorities in making an accurate Central Voters' Register.
2. It is necessary that election commissions carry out continuous monitoring of the work of the Voters' Register Centres. In municipalities/cities where the competent municipal authority only formally formed a Voters' Register Centre by issuing an act on the establishment of the Centre and designating a certain person or some of the municipal services to work in the Centre that actually cannot fully dedicate to working in the Centre (for example, registrars), it is necessary for the election commissions, in accordance with their competencies, to monitor and control the work of the Voters' Register Centre in the non-election year and to inform the BiH Central Election Commission and the competent administrative authority, i.e. mayor.
3. Carry out a continuous activity to verify updating of the Central Voters' Register. It is necessary that the election authorities at all levels devote special attention to the removal of dead persons and to carry out that activity

continuously, with the mandatory monthly notification of the BiH Central Election Commission of the measures taken.

4. The BiH Central Election Commission should develop instructions with accompanying tools for data collection and reporting in order to facilitate the monitoring of the removal of deceased voters from the Voters' Register. The Voters' Register Centre application should be expanded to allow Centres to receive (either monthly or bi-weekly) copies of death notices sent to the Mols by registry offices in order for Centres to check changes in the system. Through the verification process, make sure that the voter is still registered and marked with "*" if he is still on the list. The system will store the log of the revised names/ID numbers and the results of the check. The system will generate monthly/bi-weekly reports to the Voters' Register Centres and the BiH Central Election Commission in order to provide statistical reporting on the process and monitoring. The audit log and reporting of reported deceased citizens will ensure that the BiH Central Election Commission can effectively monitor the process in order to ensure correctness and consistency in the Voters' Register Centres and will enable the BiH Central Election Commission to provide support to Centres that do not carry out the process efficiently or have a high number of deceased voters. The BiH Central Election Commission will be better positioned to answer questions about the possible number of deceased voters on the Voters' Register, how long they were on the Voters' Register and the geographical and demographic distribution of deceased voters.
5. The registry office should submit a monthly overview of entries in the Death Register to the Voters' Register Centre of its municipality.
6. Update the Central Voters' Register by checking data on deceased persons in the period since 2003.
7. Proactive communication is needed between the authorities that keep official records of the deceased, as well as informing the public that family members are obliged to report any death to the competent authority.
8. Consider connecting the registry office and the Mol electronically (when the registry office enters a death in the database of Death Register, the same information is automatically available to the Mol, which records the death in its database).
9. The BiH Central Election Commission and the BiH Ministry of Foreign Affairs should exchange information on deceased citizens in diaspora. This may include periodic notification of deaths reported to BiH diplomatic missions, municipal registry offices and/or the BiH Central Election Commission for pre-registration of deaths by registry offices prior to official reporting and marking the deceased voters from diaspora with "*" in the Central Voters' Register, i.e. it is necessary to find out a way to get people who have died outside BiH,

whose death has not been reported to the competent authority or a copy of death certificate has never been received, be removed from the Central Voters' Register.

10. It is proposed that the BiH Central Election Commission organize regular quarterly coordinating meetings with the competent ministries of the Interior, the Public Registry of the Brčko District of BiH, state and entity ministries for human rights and refugees, IDDEEA and other competent authorities, with the aim of regularly updating the Central Voters' Register in order to fulfil the obligation under Article 2.9, paragraph 1, point 4 of the Election Law of BiH (the BiH Central Election Commission of BiH is responsible for the accuracy, update and overall integrity of the Central Voters' Register for the territory of Bosnia and Herzegovina).
11. It is recommended that regular meetings of the BiH Central Election Commission and IDDEEA be held with the aim of upgrading and improving computer software for the processing of data, and the improvement of a unique methodology and programs whose contents and the method of use are determined between the IDDEEA and the BiH Central Election Commission.
12. It is recommended to improve and precise technical communication and coordination of competent authorities by improving the Rulebook on Contents and Manner of Keeping Records, adopted by the BiH Council of Ministers on the proposal of the Director of IDDEEA, in order to fully utilize resources necessary for the creation of accurate Central Voters' Register.
13. The BiH Central Election Commission should consider the establishment of an internet portal that will enable voters with temporary residence abroad to complete an application for out-of-country voting. The Internet portal should be linked to the website of the BiH Central Election Commission, websites of other interest groups and voter information campaigns, including the social networks. The portal would ensure that all necessary information is included in the application, that the data is in the correct format and can be used for automatic database verification, and can ensure that the proof of identity and residence is added electronically. When a voter confirms his application for out-of-country voting, the portal will save the data for the Central Voters' Register so that it can be ready for processing. Signed/scanned applications are sent via the portal or by e-mail to the BiH Central Election Commission. For applications that are processed through the portal, there will be no need for data post-processing. This will save significant time and allow resources to concentrate on the verification process. Receiving applications in digital format will allow automatic checking to save time and improve integrity. The BiH Central Election Commission could use identification tools and devices to improve the identity of voters, addresses and device verification. According to the Law, applications can still be submitted to diplomatic missions, by

post or facimile. Where possible, the BiH Central Election Commission should facilitate the application through the portal, even if the application is then printed, sent by mail, facsimile or submitted to diplomatic missions.

14. Voter registration should be integrated into a common technical architecture, including standard operating systems, hardware, databases, networks and application platforms. Further development of a single digitalized election system is necessary in order to fulfil the proposed recommendations for registering outside the country and informing the voters.
15. The voter registration process would benefit from further electronic integration with registers, such as registries and tax administrations of FBiH, RS, and IDDEEA's central records on temporary and permanent residence. Further electronic integration would ensure a more timely and accurate check of data between civil registers within the Entities.
16. The BiH Central Election Commission and the BiH Ministry of Foreign Affairs should consider coordination between consular registration in BiH diplomatic missions and the registration for out-of-country voting, including the provision of material for informing voters at the time of consular registration or other consular services, and electronic notification (e-mail, telephone) of citizens at the time of registration for out-of-country voting.
17. The BiH Central Election Commission will consider the establishment of a permanent consultative working group on the voters' register, involving relevant actors with the BiH Central Election Commission in the lead in order to work together to resolve issues related to voter registration.

III. THEMATIC TOPIC: Polling Station Committees

1. In accordance with the analysis of the appointment and training of members of polling station committees, as well as the phenomenon of massive withdrawal from membership in polling station committees, it is necessary to incorporate mechanisms for ensuring professional election administration of polling station committees.
2. Consider the new model of appointing the polling station committees with mandatory capacity building of the human resources of the election administration.
3. Professionalize the position of president of polling station committee.
4. Increase the amount of remuneration for the work in polling station committees.
5. Promote work in polling station committees as an honourable and responsible job.

6. Optimize the engagement of members and deputy members of polling station committee to distribute more effectively the work in polling station committees.
7. Consider imposing sanctions on political entities whose nominees abandon engagement in polling station committees.
8. Simplify forms used in polling stations.
9. Perform an analysis of the possibilities of simplifying the packaging of election material in polling stations, the procedures for delivering election material and entering election results in order to improve these activities.

IV. THEMATIC TOPIC: Entry and Checking of Election Results

1. Determine the minimum qualifications for an election results controller in the basic constituency.
2. Determine in a by-law the manner of training, testing and certification of the election results controller in the basic constituency.
3. Make an analysis and enact by-laws to prescribe an adequate number of controllers in each basic constituency depending on the number of polling stations and the need for quality performance of the jobs of entering, processing and checking the election results.
4. Prescribe a longer term of office of any controller appointed in the basic constituency.
5. Include in the mandatory training of election commissions the topic of data entry/checking of the election results performed in the presence of all members of the election commission.
6. Ensure a more efficient presentation of preliminary election results (in terms of validation).
7. Insist on new technologies in the electoral process.

Note: This document contains a total of 45 conclusions, and another important message of the Conference is that it is necessary to increase the amount of sanctions for violations of the Election Law of BiH.

2018 General Elections - Challenges of the Electoral Process in Bosnia and Herzegovina Conference Participants



BIOGRAPHIES OF Speakers and Moderators



Branko Petrić

He graduated from the Faculty of Law in Belgrade in 1984. Upon finishing his studies, he worked in municipal administration bodies in Derventa. From 1992 until 1996 he assumed the office of the President of the Basic Court in Derventa, and from 1996 until 1998 he took the office of Minister of Justice in the Government of Republika Srpska. From 1998 until 2001 he was the Ambassador of Bosnia and Herzegovina in the Republic of Slovenia. He practised law in his own lawyer's office until he was appointed a member of the BiH CEC in 2004.

Ever since he has been a member and three times he was appointed the President of the BiH CEC. He has been in the elections since the first democratic elections in 1990, when he was a member of the municipal election commission and also he was a member of the Election Commission of the Republika Srpska in the period 1996-2000. He is the author of several expert articles in the field of election and financing of political parties.



Bruce G. Berton

After serving for two years as the Principal Deputy High Representative and Brčko Supervisor at the Office of the High Representative in Sarajevo, Ambassador Bruce G. Berton was recently appointed as the Head of Mission for the OSCE Mission to Bosnia and Herzegovina. Ambassador Berton has been a U.S. diplomat for 30 years. He joined the Foreign Service in 1987 and has served in a variety of positions in a variety of places, including Caracas, Moscow, Bermuda, Hong Kong, Rome, Mexico City, Frankfurt, Warsaw and Sofia in addition to five years

at the State Department's headquarters in Washington, DC. He has served as a Watch Officer in the Department's Operations Centre, as a U.S. representative in a multilateral mission, as the Deputy Chief of Mission in Sofia, Bulgaria, in several management and reporting positions, and as the Director of the State Department's Office of Management Innovation from 2012 – 2014. In that role, he conducted a TEDx talk entitled, "What is Required for True Innovation." He is the recipient of a number of Department awards.

Ambassador Berton is a native of the Pacific Northwest and is a 1983 magna cum laude graduate of Pacific Lutheran University with an Honors degree in International Relations. Prior to the Foreign Service, he spent three years with the Boeing Company in Seattle. Mr. Berton is married to Susan Berton, a teacher, and is the proud father of Katherine and Aaron, two grown children.



Ambassador Drahoslav Štefánek

Ambassador Drahoslav Štefánek is currently the Head of the Office of the Council of Europe in Sarajevo. He came to Sarajevo from the position of Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Slovak Republic to the Council of Europe. Ambassador Štefánek received a Master's degree in Law from the University of Comenius, Bratislava.

He has spent over 10 years of a 20-year career working at Ministry of Foreign Affairs of Slovakia as Director of the International Law Department, Director of the Department for General Affairs and Relations with EU Institutions, Director General for the UN, International Organizations and Human Rights.

Ambassador Štefánek was also Deputy Permanent Representative at the Permanent Mission of the Slovak Republic to the United Nations Office and other International Organisations in Geneva.



Alexey Gromov

Alexey Gromov graduated in economics and law from the State University of St. Petersburg. Between 2004 and 2012 he was a member of the Election Commission of St. Petersburg and was in charge of legal, financial, organizational and other aspects of the election. In the period from 2008 to 2012, he worked at the State University of St. Petersburg as a teacher of constitutional and administrative law. Since 2003, Alexey has been involved in various election campaign activities, including working as a legal advisor and campaign office director. Between 2009 and 2013, Alexey participated in numerous ODIHR election observation missions and he joined OSCE/ODIHR as Election Adviser in 2013.



François Friederich

François FRIEDERICH, Head of Electoral Assistance Division, General Directorate for Democracy, Council of Europe

Previous offices: General Coordinator of the Council of Europe World Forum for Democracy (2012); Coordinator of the Council of Europe Schools of Political Studies (2003-2012); Political Advisor at the Council of Europe Directorate of Political Affairs (2001-2003); Deputy Head of the Council of Europe Office in Belgrade, Serbia (2000-2001); Head of the Council of Europe Office in Mostar and Sarajevo, Bosnia and Herzegovina (1998-2000); Head of the Council of Europe Local Democracy Agency in Osijek, Croatia (1995-1998); Secretary of the EPP group of the Parliamentary Assembly of the Council of Europe and the Parliamentary Assembly of WEU (1983-1993).

Education: Diploma of Political Studies of the Institute of Political Studies, Strasbourg; Certificate of European Studies of the College of Europe, Bruges; Master's Degree in European Culture Political Studies of the University of Strasbourg; Master's Degree of Human Rights of the Faculty of Law of Geneva.

Vlado Rogić



He graduated from the Mostar Faculty of Law. He passed the bar exam in 1995. From 1987 to 1997 he worked with the Ministry of the Interior in the Sector for Legal Affairs, Human Resources and Training. From 1997 to 2013 he worked with the Ministry of Education, Science. In the meanwhile, from December 2008 to December 2011, he worked in the Assembly of the Herzegovina-Neretva Canton. In the period 2013-2014 he was appointed Deputy Director of the Personal Data Protection Agency of Bosnia and Herzegovina. He participated in the conduct of local and general elections in Bosnia and Herzegovina from 1996 to 2004 as President of the Election Commission of the City of Mostar Southwest Municipality, and from 2004 to 2006 he was a member of the Election Commission of the City of Mostar. He was appointed a member of the Central Election Commission of Bosnia and Herzegovina on 1 April 2014. He observed the elections held in Austria, Moldova and Kyrgyzstan.

Marijana Žuljević



Marijana Žuljević has been serving as the Head of the Election Department in the Secretariat of the BiH Central Election Commission since 2010. She has been serving on the BiH Central Election Commission since 2002, holding various civil servant's offices. She has participated in the preparation of a significant number of conferences, trainings and seminars for the election administration and international observers organized by the BiH Central Election Commission, she was also one of the presenters at the 2014 and 2016 post-election conferences and she participated in the preparation of brochures of these conferences. She graduated from the Faculty of Pedagogy at the University of Mostar and has numerous certificates of managerial skills.

Dr. Suad Arnautović



Dr. Suad Arnautović has been a member of the BiH Central Election Commission since 2004. After expiry of his seven-year term of office, he was re-appointed a member of the BiH CEC on 22 September 2011. In the period January 2008- May 2009 Dr. Arnautović was President of the BiH Central Election Commission.

He has participated in numerous international scientific and professional symposia and seminars on elections and electoral processes and in election observation missions worldwide. He also participated at international scientific and expert conferences dedicated to political party financing, political integrity and election process in Egypt, Serbia, Moldova, Kyrgyzstan, France and the United Kingdom. He is member of the Association of Electoral Officials in Bosnia and Herzegovina, the Political Science Association of BiH and IPSA (International Political Science Association). Dr. Arnautović also completed training for short-term observers held on 1-3 November 2007 organized and held by OSCE/ODIHR at OSCE Academy in Bishkek.

He published more than 20 scientific and research papers in various scientific and professional magazines in BiH and abroad, as well as several articles, reviews and comments in daily and weekly newspapers.



Tatjana Trifković

Tatjana Trifković started serving as coordinator for municipal election commissions in the BiH Central Election Commission in 2005. Since 2015, she has been serving as a coordinator of Voters' Register Centres. During the conduct of the elections in Bosnia and Herzegovina from 2006 to 2014 she was engaged as a controller for processing, entering and validating election results and, in 2016 and 2018, she was appointed Deputy Director of the Main Counting Centre.



Adi Agić

Adi Agić has been engaged in the electoral process in Bosnia and Herzegovina since 1998, first with the Organization for Security and Co-operation in Europe (OSCE) and then in the Secretariat of the BiH Central Election Commission. He is currently working as a technical support and election review officer. In the Main Counting Centre, he was appointed a deputy director from 2004-2016 and the Director of the Main Counting Centre in the 2018 General Elections. He participated in the planning and implementation of several election projects, and collaborated on the production of several publications.



Dino Mulaosmanović

He graduated from the Law Faculty of the University of Sarajevo in 2008. Before taking over the duties of the President of the Municipal Election Commission of Ilidža in December 2014, he served as the President of the Municipal Planning Commission of Ilidža Municipality. He was a Municipal Instructor for the 2013 Census of Bosnia and Herzegovina. He gained his first working experience in the FBiH Ministry of Veterans and People with Disabilities of the Defence-Liberation War, where he first worked under voluntary agreement and later under employment contract in the office of the Chief FBiH Inspector. From September 2010 until February 2016, he was the secretary of the Isa-beg Ishaković Primary School of Sarajevo, and since February 2016 he has been serving as the secretary of the Fourth Grammar School of Ilidža. Since October 2017, he has been also serving as the President of the Professional Body of Secretaries of Secondary Schools of Sarajevo Canton. In addition, he also served as president and member of the Management Boards of Public Institutions in the Municipality of Ilidža and Sarajevo Canton.



Dr. Beata Martin-Rozumiłowicz

Dr. Beata Martin-Rozumiłowicz is currently Director for Europe and Eurasia at the International Foundation for Electoral Systems (IFES). Before starting in 2016, she headed the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Election Department in Warsaw since 2011 (previously Deputy 2009-11). From 2005-09, she worked on ODIHR election observation missions across the OSCE participating states as Deputy Head of Mission or as Political Analyst. In total, she has been involved in over 200 elections across the OSCE region. Beata served as Election Adviser at the OSCE Centre in Bishkek, Kyrgyzstan in 2005 and Political/Media Officer at the OSCE Centre in Almaty, Kazakhstan from 2003-05. From 2000-02, she acted as Human Dimension Officer at the OSCE's Advisory and Monitoring Group in Minsk, Belarus. She has also previously consulted for IFES in Armenia and Kyrgyzstan on various aspects of electoral reform. Dr. Beata Martin-Rozumiłowicz holds a D.Phil. (Ph.D.) and M.Phil. (Masters) in politics from the University of Oxford and a B.A. in political science from Rutgers College (Phi Beta Kappa). She has specialized in political party and electoral development in post-communist countries, Latin American transitions, and political theory. From 1999-2000, she was research fellow for Oxford's Programme in Comparative Media Law and Policy, publishing a book on media law reform in transitional democracies. She has also published various articles on political party and electoral development, election observation, media freedom, and political party and campaign finance issues. Since 2004, she has been developing a focus on new technologies in elections, overseeing the publication of ODIHR's 2013 Handbook for the Observation of New Voting Technologies. She is a regular participant of expert meetings on this topic, including the annual e-Vote-ID conference that brings together European experts and is serving on its 2019 program committee. She is also chair of IFES' knowledge management in Technology and Elections and led its recent groundbreaking Cybersecurity and Elections assessment to Ukraine in June 2018.



Ahmet Šantić

He graduated from the Law Faculty of Mostar. He was appointed a member of the Central Election Commission of Bosnia and Herzegovina in 2012 and, in the period March 2015 - December 2016, he served as President of the Central Election Commission of Bosnia and Herzegovina. At the Law Faculty of Džemal Bijedić University of Mostar, he earned his PhD degree in law, defending paper on "Suffrage in Bosnia and Herzegovina in the Context of Electoral Systems of Contemporary European Countries". He published a book titled "Suffrage – Experience of Bosnia and Herzegovina and the European Countries" adapted to all who are interested in election process, from political entities, academic community to the electorate. He was appointed an associate professor and was entered in the Register of Scientific Institutions and Scientific Researchers in the Federation of BiH.



Veljko Petrović

Veljko Petrović has been employed by the Central Election Commission of Bosnia and Herzegovina since 2002 as election commission coordinator. As a coordinator, he is responsible for maintaining constant contact with election commissions and providing technical and professional assistance in their work. Veljko Petrović is a coordinator of 72 election commissions of the basic constituencies in Bosnia and Herzegovina.



Selver Keleštura

Selver Keleštura graduated law and completed postgraduate studies at the Law Faculty of the University of Sarajevo. Since 1994 he served as the Secretary of the Municipality and the Secretary of the City of Zenica, and since 2017 he has been serving in the position of Secretary of the City Administration of Zenica.

He has been engaged in the electoral process since 1996, as a member of the Municipal Election Commission of Zenica from 1996 to 2007, the President of the Municipal Election Commission from 2007 to 2014 and the President of the City Election Commission of Zenica since 2014. He wrote and published a number of papers from various fields of law.



Meliha Olovčić

Meliha Olovčić is a graduate lawyer with 27 years of experience in the profession and currently serves as a civil servant in the post of the Secretary of the Municipal Council of Stari Grad Sarajevo. She has a fairly large election experience: as a deputy member in the Municipal Election Commission of Stari Grad Sarajevo, which was established by the Decision on the Appointment of MEC Stari Grad Sarajevo in 1996 issued by the Stari Grad Sarajevo Municipal Council, whose organizer and sponsor was the OSCE Mission BiH; since 2004, as Secretary of the Municipal Council, together with the Municipal Election Commission, she has been participating in the preparation and conduct of the elections, from the election for councils of local communities, through local elections to general elections; as a member of the Municipal Election Commission of Stari Grad Sarajevo, from 2007 to 2014, and from 2015 until today, she has participated in the preparation of all, both general and local elections, as well as the elections for councils of local communities. Within the CoE Pre-election Assistance Project of the Council of Europe for 2016 Local Elections in BiH, she received training and was certified as trainer of presidents and members of polling station committees.



Siniša Bencun

Siniša Bencun is the incoming Ambassador of Bosnia and Herzegovina to the OSCE, the UN and other international organizations in Vienna. He has spent the past three years with the OSCE mission in Kosovo as a senior democratization officer, and participated in all the election related activities of the Mission. For a long time he has also been active in civil society organizations in BiH, including several election observation missions around the world. He is studying for a Ph.D. at the University of Belgrade and is researching electoral systems in divided societies. He is married and has two children.



Senad Kadrović

Senad Kadrović graduated from the Pedagogical Academy and received the title of teacher of mathematics and physics. In Banja Luka, he graduated from the Faculty of Information Technology and received the title of Information Technology Manager. He started his career in 1985 in ZOI 84 Sarajevo on the maintenance of the SkiData system. Until 1988, he worked occasionally at Philips GmbH Hamburg, and since 1994 he has been employed in a number of state institutions: from the municipality of Novi Grad Sarajevo, the Cantonal Privatization Agency, the Customs Administration of the FBiH, to the Indirect Taxation Authority, all the time in the field of information technology. In the period from 2009 to 2013 he worked as an IT consultant of the World Bank for the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina. Then, for two years, he worked for the Central Election Commission of Bosnia and Herzegovina and then again he continued working for the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina until the present day. He was a participant and the leader of many projects in the field of information technologies, both with international organisations such as CAFAO, EC, UN and WB, as well as in domestic institutions where he worked. He speaks English.



Ljiljana Orendi

She graduated from the Law Faculty of Djuro Pucar Stari University of Banja Luka, receiving the title of graduate lawyer. In her long career, she has worked in leading positions in the Government of the Brčko District of BiH, as well as in managerial positions in the private and public sector, in the fields of economy, public administration, secondary and higher education and so on. Documents demonstrating her membership in the Election Commission of the Brčko District of BiH: the January 2016 Decision of the BiH Central Election Commission on giving approval to the Decision of the Brčko District Assembly on the appointment of a member of the Election Commission of the Brčko District of BiH, the September 2008 Order of the Supervisor of the Brčko District of BiH for the appointment of a member of the Election Commission of the Brčko District of BiH.



Stjepan Mikić

He graduated from the Faculty of Philosophy in Zagreb. He started his career as professor at the high school in Odžak in 1975, where he also worked as Assistant Director. Since the introduction of multi-party system he held important offices in the executive and legislative authorities, both at the municipal, cantonal and entity levels and at the state level. He was appointed a member of the BiH Central Election Commission in 2005 and twice the president of this important, ndent body.



Uma Isić

Uma Isić is an expert advisor for work with electoral commissions and voter registration centres in the Secretariat of the BiH Central Election Commission. She has been an active participant in the electoral process in Bosnia and Herzegovina since 1996 and a member of the Association of Electoral Officials in BiH since its establishment in 1999. From 1999 to 2006 she was the president and a member of the Maglaj MEC. She attended numerous courses of training in elections, but also created courses and materials for training of young people and women in electoral process in BiH. She is the author of twenty researches and publications about the electoral system in BiH and worldwide. She participated in the election observation in Poland.



Marija Soldo

She graduated from the Faculty of Law of Mostar and then she was serving in **state administration bodies at the local level**: Municipal Council of Southwest Mostar, Department for Inspection Affairs of the Municipality of Southwest Mostar, Department of Economy and Social Affairs of the City of Mostar from 14 February to 13 June 2007. From 14 June 2007 to 1 March 2008, she was serving in **the City Council of the City of Mostar** as expert advisor for regulations in the Administrative Service of the City Council of the City of Mostar and since 1 March 2008, she has been serving as the Secretary of the City Council of the City of Mostar and the Head of the Administrative Service of the City Council, which is a managerial position in civil service. She took part in the conduct of **local and general elections from 1996 to 2000** as the president of polling station committees and a member of the Election Commission of Southwest Mostar Municipality. She has been a member of the Election Commission of the City of Mostar since 2012.



Sead Mustajbašić

Sead Mustajbašić was born on 26 June 1964 in Tuzla. He received a BA from the Law Faculty of the University of Sarajevo. He is currently working as head of the Department of Civil Protection of the City Administration of Tuzla. He has been a member of the city election commission of Tuzla since 10 February 2015.



Božidar Savčić

He finished primary school in 1974 in Čelinac, Grammar School in 1978 in Banja Luka, Higher Military School in 1982 in Bileća and Faculty of Business Economics with a major in Public Administration in 2010 in Banja Luka and received the title of Public Administration Manager.

A majority of his career has been in the defence and security structures of BiH and the Republika Srpska in the posts for planning and reviewing as well as for management of human resources, where he, independently or within a team, has worked out activity, training and staffing plans, has reviewed plan implementation, has resolved personnel statuses and proposed solutions for improvement of normative and legal provisions in these areas. He was retired in 2008 with the rank of major of the BiH Armed Forces. He has been engaged in the electoral process since 1996 in various roles: member of municipal counting centre team, member of polling station committee and president of polling station committee and in 2014 he was appointed president of the Municipal Election Commission in Čelinac and he is still the president.



Dr. Irena Hadžiabdić

Dr. Irena Hadžiabdić has spent the past 19 years working in the field of election management, first at the Organization for Security and Cooperation in Europe (OSCE) and then as Executive Director of IFES in Bosnia and Herzegovina. She was Executive Director of the BiH Association of Electoral Officials (BiHAEO). In 2007, the BiH Parliamentary Assembly appointed her a member of the Central Election Commission of BiH (BiH CEC). On 27 April 2016, she was reappointed a member of the BiH CEC after expiry of the seven-year term of office and she has

been serving as the President of the BiH CEC since 1 January 2017.

She represented BiH CEC in the executive committee of the Association of European Electoral Officials (ACEEEO) and in the Oversight and Audit Committee of the Association of World Election Bodies (A-WEB). She was a member of the election observation missions in fourteen countries with the OSCE Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, the International Republican Institute (IRI) and National Democratic Institute (NDI). In 2013, she was awarded the International Electoral Award for Extraordinary Contribution to Election Management.

Irena Hadžiabdić graduated from the Belgrade Faculty of Law. She completed her postgraduate studies at Robert Gordon University in Aberdeen earning a Master's degree in EU Policy, Law and Management and then earned a PhD degree at the Faculty of Law in Zenica.

A list of participants at the Conference

“2018 General Elections - Challenges of the Electoral Process in BiH”

Central Election Commission of Bosnia and Herzegovina

Branko Petrić, President

Vlado Rogić, Member

Dr. Suad Arnautović, Member

Doc. dr. Ahmet Šantić, Member

Dr. Irena Hadžiabdić, Member

Stjepan Mikić, Member

Novak Božićković, Member

Guests

H.E. Ambassador Bruce Berton, OSCE BiH

Ahmed Rifatbegović, OSCE BiH

H.E. Ambassador Stefanek Drahoslav,
Council of Europe

Siniša Bencun, incoming BiH Ambassador to
OSCE and UN in Vienna

Ozgur Sahin,
Embassy of the Republic of Turkey in BiH

Francois Friederich, Council of Europe

Loiseau Guillaume, Council of Europe

Peter Golob,
State Election Commission of Slovenia

Mitja Šuligoj, Election Commission of
Slovenia

Dušan Vučko,
Election Commission of Slovenia

Enver Saljihi, State Election Commission of
North Macedonia

Dr. Beata Martin-Rozumilowicz, IFES

Nermin Nišić, IFES

Alexander Shlyk, OSCE/ODIHR

Alexey Gromov, OSCE/ODIHR

Merce Castells, OSCE/ODIHR

Goran Petrov, OSCE/ODIHR

Raul Muresan, OSCE/ODIHR

Elisabet Tomasinec, EUSR/EU Delegation

H. Firûze Demir, EUSR/EU Delegation

Maja Ribar, EUSR/EU Delegation

Amra Salkić, Embassy of Great Britain in BiH

Žiko Krunić, former president of the City
Election Commission of Bijeljina

BiH CEC Secretariat

Goran Mišković

Adi Agić

Aida Mešić

Alma Selimović

Almir Džano

Ana Jagar

Cigdem Mavrić

Dejan Ćurić

Ermin Kos

Jasmina Hadžiabdić

Jasmina Ramić-Odobašić

Jasminka Joldić

Maksida Pirić

Marijana Žuljević

Mladen Vičević

Mubera Vulović

Mustafa Laković

Neziha Mustafić

Ognjen Gašović

Samida Karajica

Senad Kadrović

Svetlana Bozalo

Tatjana Trifković

Uma Isić

Veljko Petrović

Zehra Tepić

Municipal/City Election Commissions

Adil Katica

Adisa Eminoglu

Admir Pjanić

Aida Karavelić

Aida Skalonja

Aldin Širić

Amer Nurkić

Andrea Mrkonjić

Anđelko Ostojić

Ante Kolobarić

Armin Bašić

Asef Kasum

Asmir Hadžipašić

Ašiš Hamida

Bojan Čulibrk

Boso Bošnjak

Boženko Mamuza

Božidar Savičić

Branimir Radović

Branislav Arnautović

Budimir Dukić

Cvijo Aničić

Ćazim Hadžić

Dalibor Ljuboja

Danijela Pljuca

Dijana Kantarević

Dijana Savić Božić

Dinko Šekerija

Dino Mulaosmanović

Dragana Petrušić

Dragana Tanasić

Dragica Cvijetić

Dragiša Kovačević

Dragolj Muvedin

Dragutin Subašić

Duško Mitrić

Džemail Popović

Edin Kasper

Ejub Miljević

Elvedin Hasanbegović

Elvir Mehić
Emina Rovčanin
Enes Kazić
Enida Sadiković
Esma Kukuruzović
Framimir Pervan
Gabrijela Martinović Dominković
Goran Kosorić
Gordana Nišić
Hajrudin Hasanbašić
Hajrudin Huseinović
Haris Karat
Hasan Ramić
Helena Kajtazović Đudić
Hilmo Đideliija
Igor Marjanović
Ilija Šetka
Ivana Milanović
Ivanka Arapović Galić
Izeta Bajrić
Jelena Đurđević
Jelena Milanović Milekić
Jelena Šipovac
Jelena Zlikovac
Jovanka Bogdanović
Kanita Gredelj
Kemal Efendić
Kemal Hadžić
Kristijan Petrović
Ljilja Dabić
Ljilja Popović
Ljiljana Gačanin
Ljiljana Orendi
Ljuban Knežević
Ljubica Dujmenović
Marica Vrgoč
Marija Soldo
Marinka Pranjić

Martin Grujo
Mate Mikulić
Meliha Olovčić
Mersed Hamzić
Mersiha Šabaredžović-Klačar
Mersud Ljubijankić
Milada Papić
Milinko Lalović
Miodrag Perendija
Mira Škrba-Tomić
Miralem Zlotrg
Mirko Stević
Miroslav Marić
Mirsad Dučić
Mirza Ibrahimović
Mujo Čamdžić
Mustafa Arifović
Mustafa Topalović
Muzijet Kahrmanović
Nada Batinar
Nada Medan
Nada Nović
Nada Živković
Naser Čopelj
Nebojša Vidaković
Nenad Paleskić
Nermin Šarić
Nevzeta Mulalić
Novka Dabarčić
Osman Hasanović
Pero Iljić
Pozder Mersih
Rade Draško
Radenko Ristić
Ramajana Idrizović
Ramo Mecavica
Ranko Bratić
Ratko Nikić

Ružica Karamanović
Ružica Marković
Sadija Osmanović
Safet Zahirović
Sanja Stanimirović Ostojić
Sanja Škuletić-Malagić
Sava Malešević
Sava Savić
Sead Mustajbašić
Selma Zundža
Selver Keleštura
Senad Musić
Senada Brnjak
Slavica Golišević
Slobodan Rajković
Snežana Nešković
Snježana Krajišnik
Stana Danilović
Stipe Bubalo

Suada Kolonić
Šehović Safija
Šemsudin Bećirović
Vedran Sušak
Velid Fazlić
Vili Kuljanac
Vladan Trivković
Vladimir Vuković
Vlado Slišković
Vukosava Babić
Zehra Mujačić
Zlata Fetić
Zoran Đurović
Zorica Mikić-Cosić
Željka Ružić
Željko Perić
Željko Smiljanić
Željko Škondrić

