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UDRUŽENJE IZBORNIH ZVANIČNIKA U BOSNI I HERCEGOVINI

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UDRUGA IZBORNIH DUŽNOSNIKA U BOSNI I HERCEGOVINI



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Sarajevo, 2023

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Content:

Foreword.....	5
Opening Speech, <i>dr. Suad Arnautović, President of the Central Election Commission of BiH</i>	7
Opening Speech, <i>Bojana Urumova, Head of Council of Europe Office in Sarajevo</i>	9
Opening Speech, <i>Mathieu Lemoine, Chief of Policy and Planning, OSCE Mission to BiH</i>	13
Opening Speech, <i>Nada Batinar, representative of the Association of Election Officials in BiH</i>	17
Plenary sessions- Presentations	19
How did we organize and conduct General Elections in Bosnia and Herzegovina in 2022	19
Plenary sessions - Presentation of an edition titled "Electoral right in Practice – 2022 General Elections"	27
1. Work report of the Main Counting Center-	27
2. Analysis of invalid ballot papers – the 2022 General Elections – Direct Elections..	37
3. Court practice on appeals against decisions of the CEC BiH	49
4. Main Control Activity Report.....	54
5. Preparation and conduct of elections by election commissions of basic constituencies	61
Findings of international organizations on the implementation of the General Elections in BiH in 2022	66
1. Monitoring findings of the OSCE Mission to Bosnia and Herzegovina regarding the criminal justice response to electoral fraud cases concerning the 2022 General Elections in BiH	66
2. Recommendations of the workshops for prosecutors and authorized officials of police agencies in BiH titled "Effective investigations and prosecution of criminal offenses that jeopardize regularity and integrity of elections"	71
3. Presentation of the recommendations from ODIHR Election Observation Mission Final Report for the 2022 General Elections in BiH	75
4. Presentation of recommendations from the Election Observation Report of the Parliamentary Assembly of the Council of Europe's observation mission on the General Elections in Bosnia and Herzegovina (October 2, 2022)	82



Working groups- formulation of conference conclusions.....	87
Working group 1: Proposals to amend the electoral legislation	87
Working group 2: Proposals for the adoption of the electoral process integrity package (introduction of new technologies into the electoral process)	88
Working Group 3: Resolution of electoral disputes - suggestions for improvement	89
Discussion and adoption of conference conclusions	90
Biographies of the presenters.....	96
List of Tables	102
List of Figures.....	103
List of conference participants.....	104



Foreword

Dear readers,

It is a pleasure to present the conference brochure "General Elections 2022 – Challenges and Lessons Learned".

The post-election conference entitled "General Elections 2022 – Challenges and Lessons Learned" that gathered more than 200 participants, representatives of municipal/city election commissions, national and international election experts, including also representatives of the OSCE Mission to Bosnia and Herzegovina, OSCE/ODIHR, Council of Europe, Parliamentary Assembly of the Council of Europe, EU Delegation to Bosnia and Herzegovina, Office of the High Representative to Bosnia and Herzegovina, International Foundation for Electoral Systems (IFES), NGO sector in Bosnia and Herzegovina and the media was a forum for an analysis of all aspects of the election process and discussion about the current challenges and future steps to improve the election process. Post-election conference proceedings include welcome speeches, an analysis on the organization and implementation of the General Elections 2022, presentations from five thematic publications from the edition "Electoral Law in Practice – General Elections 2022": the Report on the Work of the Main Counting Center, Analysis of Invalid Ballots – General Elections 2022 – Direct Elections, Caselaw of the Court of Bosnia and Herzegovina regarding the Appeals against Decisions of the Central Election Commission of Bosnia and Herzegovina, Report on the Main Control of Election Results, and Report on the Preparation and Implementation of Elections by Election Commissions of Basic Constituencies, monitoring findings of the OSCE Mission to Bosnia and Herzegovina regarding the response of the criminal law system to cases of election fraud related to the General Elections 2022 in Bosnia and Herzegovina, recommendations related to workshops for prosecutors and authorized officials from police agencies in Bosnia and Herzegovina entitled "Efficient Investigations and Prosecution of Criminal Offences that Endanger the Accuracy and Integrity of Elections" and recommendations from final reports of election observation missions of the OSCE/ODIHR and Parliamentary Assembly of the Council of Europe, as well as the consolidated conclusions of the three working groups in the framework of which the participants made proposals for amendments to the election legislation,



adoption of an election process integrity package (introduction of new technologies in the election process) and resolution of election disputes – proposals for improvements.

Conference participants pointed out that the General Elections 2022 held in October 2022, the Early Elections 2023 for mayors of the City of Bihać, Tuzla, Srebrenik, Zvornik and Živinice and mayors of Bratunac and Vogošća municipalities were successfully implemented in technical terms.

The consolidated conclusions of the post-election conference will be used to draft proposals of the II Initiative of the Central Election Commission of Bosnia and Herzegovina for Amendments to the Election Law of Bosnia and Herzegovina that we are planning to draft by the end of 2023 and submit them to the Parliamentary Assembly of Bosnia and Herzegovina.

The Central Election Commission of Bosnia and Herzegovina kindly thanks all participants, presenters, guests and personnel of the Secretariat of the Central Election Commission of Bosnia and Herzegovina that contributed to the preparation of this brochure.

The preparation of the publication was supported by the OSCE Mission to Bosnia and Herzegovina and Council of Europe. They also provided support for the organization of the conference and the Association of Election Officials of Bosnia and Herzegovina that was in charge of the logistic and administrative support. I kindly thank them for this.

We hope that the information presented in the brochure will be useful reference material for monitoring the further progress of the election process in Bosnia and Herzegovina.

dr. Suad Arnautović, President of the Central Election Commission
of Bosnia and Herzegovina

Opening Speech

dr. Suad Arnautović

President of the Central Election Commission of BiH

Your excellencies, dear colleagues, members of election commissions, dear guests,

it is a pleasure to bid you welcome at the two-day post-election conference entitled "2022 General Elections – Challenges and Lessons Learned" that the Central Election Commission of Bosnia and Herzegovina is organizing with the support of the OSCE Mission in Bosnia and Herzegovina, Council of Europe and International Foundation for Electoral Systems (IFES), and logistic support of the Association of Election Officials in Bosnia and Herzegovina (AEOBiH). I kindly thank them for this on my personal behalf and on behalf of the Central Election Commission of Bosnia and Herzegovina. This is the tenth post-election conference we are organizing and I can say that this is also the most important expert conference on elections and the electoral system in Bosnia and Herzegovina.



The Central Election Commission of Bosnia and Herzegovina is organizing this event to enable all election stakeholders to exchange opinions and experiences from the last General Elections in BiH, held in October of 2022, analyze all aspects of the election process, and discuss the current challenges and next steps for the improvement of the election process.

During this two-day conference, we will discuss the organization and implementation of the 2022 General Elections in Bosnia and Herzegovina. A presentation of the edition "Election Law in Practice – 2022 General Elections" will be held and we will have a chance to hear about the findings of the monitoring of the OSCE Mission in Bosnia and Herzegovina regarding the response of the criminal law system to cases of electoral fraud during the 2022 General Elections in Bosnia and Herzegovina and other topics that will be raised during the three panel discussions we have planned during this two-day conference. The final report of the OSCE/ODIHR election observation mission during the 2022 General Elections in Bosnia and Herzegovina and recommendations included in the Report on the Observation of the 2022 General Elections in Bosnia and

Herzegovina of the Observation Mission of the Parliamentary Assembly of the Council of Europe (PACE) will be presented as well. In addition to this, there will be three workshops on different topics that will include group work, namely: (1) proposals for amendments to the electoral legislation, (2) proposals for the adoption of the election process integrity package (introduction of new technologies in the election process for the 2024 Local Elections) and (3) resolution of electoral disputes – proposals for improvements.

Conference conclusions will be formulated by the working groups and will then be adopted in a consolidated version at the plenary session and it will constitute the final document of the conference. In this sense, I kindly ask you, as experts, to consider what messages we will send to our political decision-makers, our legislators, so that they are really realistic proposals, realistic recommendations that can be implemented, especially before the 2024 Local Elections.

A significant amount of time during the conference has been planned for discussions and I invite you to use the time in order for this conference, just as all previous ones, to result in high-quality conclusions and recommendations to the decision-makers. Thus, I kindly invite you to express any dilemmas and uncertainties freely during the conference, so we can complete our task in the best possible manner and to the satisfaction of all stakeholders involved in the election process.

It is a great honor for me to underline that a world renowned company Smartmatic has accepted our invitation to be here today and it will present the advanced election technology equipment during the conference. I would like to mention that we have invited all interested domestic and foreign companies dealing with technologies in the electoral process, but only the Smartmatic Company responded, and I sincerely thank them from the bottom of my heart and on your behalf. They have presented their technology here and will be at your service during the conference. Feel free to ask them to explain what they have brought in terms of equipment, how it is used, what they have in terms of software and hardware and so on.

I wish you a pleasant conference and fruitful work.

I once more greet you on behalf of the Central Election Commission of Bosnia and Herzegovina our invitation and welcome.

Thank you!



Opening Speech

Bojana Urumova

Head of the Council of Europe Office in Sarajevo

It is my pleasure to be with you today to join distinguished members and representative of the CEC, the electoral administration, representatives of civil society organisations, and colleagues from the international community.

The Council of Europe has had successful cooperation with BiH institutions, and with the CEC and electoral administration in particular, since BiH became a member in 2002, and we are happy to support this important post-elections conference together with our international partners.

The Council of Europe was a pioneer in establishing standards for democratic elections, to monitor and support their implementation. Starting with the right to free elections, guaranteed by Article 3 of the First protocol of the European Convention on Human Rights, to legal expertise, monitoring, election observation and technical co-operation in a broad variety of fields.

The Council of Europe worked together BiH institutions on a number of activities and projects related to the adoption and improvement of electoral legislation, capacity building of the CEC and election administration, political subjects and also awareness raising of civil society on issues related to democratisation of the electoral process, in particular through the implementation of cooperation projects.

The long-term assistance and advisory role of other CoE bodies such as the Venice Commission, the Parliamentary Assembly, Congress and GRECO should be underlined.

Mentioning the Congress, Stewart Dickson, who led the Congress of Local and Regional Authorities of the Council of Europe observation delegation last



October was unable to attend today. However, the report on the observation of the cantonal elections in BiH is publicly available on the Congress website and has been shared with the BiH CEC.

I'm sure the presentation of recommendations from the Parliamentary Assembly of the Council of Europe (PACE) election observation report of the general elections in BiH, by Stefan Schennach, will further help to focus upon the challenges and lessons learned from the 2022 General Elections.

Previous project of the Council of Europe on the topic of elections

During the 'Support to more integral and inclusive electoral processes in BiH' project which ran from 1st June 2020 until 30th June 2022, the project focused upon,

- 1) Strengthening the capacity of the CEC to improve professionalism and efficiency of the MECs and PSCs to organise and conduct elections in line with good practices,
- 2) Providing trainings of leading media to improve quality of media monitoring and reporting,
- 3) Raising participation of under-represented categories of voters, in particular women, and citizens in democratic processes, including through civil participation mechanism.

Amongst the collaborative outputs, together, within the frame of the project, we successfully:

- Developed a tailor-made curriculum for capacity building and Training of Trainers training for electoral administration,
- Trained and certified 302 trainers from all 143 MECs in the framework of Trainings of Trainers across all the country,
- Developed the capacity of Media to provide citizens with professional and unbiased coverage of electoral campaigns and electoral processes,
- Published 2 studies on 'violence against women in politics in BiH' and 'Civil participation in decision-making processes in BiH' and procedure manuals for trainings of all electoral officials, as well as a training video describing different stages of electoral procedures.



Also, ahead of the elections, together with our colleagues from the OSCE MiB we:

- Organised a 2-day conference on ‘criminal justice sector response to the threats to fairness and integrity of elections’ in June 2022, involving representatives of all prosecutor offices throughout BiH, police agencies and representatives of the CEC. The OSCE presentation on ‘Monitoring findings of the OSCE Mission to Bosnia and Herzegovina regarding the criminal justice response to electoral fraud cases concerning the 2022 General Elections in BiH’ will be very interesting in this regard.

Recent electoral collaboration

Since February of this year, the Council of Europe has been cooperating the BiH CEC in helping to support Ukrainian authorities in a series of online exchanges, also involving the Croatian State Election Commission, to discuss challenges and related aspects for the organisation of first post-war elections, as well as elections in times of crisis;

This collaboration has taken place as part of the CoE "Supporting democratic post-war elections in Ukraine" project.

The next important step planned, in cooperation with the BiH CEC and the Croatian SEC (State Election Commission), will be an upcoming visit of Ukrainian authorities to the BiH CEC in Sarajevo between 27-29 June. The importance and significance of the support and guidance provided by the BiH CEC has been warmly appreciated by the Ukrainian participants involved in the exchanges, as well as acknowledged on a wider European level.

This includes being referenced at recent conferences relating to Out of Country Voting held at the European Parliament at the end of May, and the Parliamentary conference in Bern that took place 9-10th May on ‘Elections in times of crisis: challenges and opportunities’, organised by the Swiss Parliament, the Parliamentary Assembly of the Council of Europe (PACE) and the Council of Europe Elections and Participatory Democracy Division.



Concluding considerations

- As we all know, despite tangible improvements, challenges remain,
- Among other, the legal framework needs to be reviewed and recommendations from the Venice Commission, Parliamentary Assembly of the Council of Europe (PACE), Congress and OSCE/ODIHR EOM should be addressed, as well as the judgments by the European Court of Human Rights relating to Art.3 of Protocol No. 1 to the European Convention on Human Rights.
- This reform of the electoral legislation, but also of the electoral process, which should be done through a broad dialogue between all stakeholders, is key to pave the way to further democratization of the society of BiH.
- I would like once again to thank the CEC of BiH for organising this Conference.
- The Council of Europe looks forward to continuing cooperation with BiH Institutions and our support of inclusive electoral processes in BiH, and to hearing the recommendations and conclusions which will be issued as a result of that Conference.



Opening Speech

Mathieu Lemoine

Chief of Policy and Planning, OSCE Mission to BiH

Dr. Arnautović,
members of the Central Election Commission,
representatives of Municipal and City Election Commissions,
colleagues and partners,

The OSCE Mission appreciates
its strong relationship with
Central Election Commission.

With the 2022 electoral cycle
closed, it is time to look back
and assess how the elections
were conducted.



From the Mission's perspective,
the 2022 General 1 elections were conducted under difficult political
circumstances. We want to acknowledge how much work all of you put in to
administering last year's elections. Many of you, and your staff were
personally affected by the political and media pressure, but despite that, you
got the job done, successfully administering 2022 elections including , early
Mayoral elections, while also making key improvements to the process. All
of us here appreciate your work you have done and continue to do to secure
BiH citizens' democratic rights and strengthen the electoral system.

However, I must stress that senior officials of independent institutions at the
BiH level, while performing their professional duties, must remain
independent from political interference. It is crucial that you refrain from any
actions which may question your impartiality and consequently undermine the
very independence of the institutions which you represent.



Many of the issues that OSCE Office for Democratic Institutions and Human Rights (ODIHR) has pointed out are recurring technical issues, similar to those noted in the 2018 General Elections. These include:

- The equality of the value of vote,
- The performance of Polling Station Committees including in vote counting, filing in results sheets and trading of the PSC positions,
- Inadequate campaign finance regulations ,
- Lacking accuracy and completeness of voter registries,
- Despite some improvements, complaints procedures and the conduct of investigations by CEC and Prosecutors,
- Limited guarantees of secrecy of the vote,
- Media coverage, including by public broadcasters, is often biased. This fact media ownership is unclear exacerbates this.

In addition to the ones I have just mentioned, the 2022 cycle saw some new issues:

- An overall lack of trust in, and attacks on, the Central Election Commission including calls for removal for arbitrary reasons,
- Attempts to politicize the CEC, with some political leaders making reprehensible personal attacks some CEC members,
- We steadfastly oppose any attempts to undermine the legitimacy of the CEC as an institution,
- Public pressuring and manipulation of voters was also a cause for concern.

All of this leads the Mission to conclude that significant legal and systemic shortcomings remain. In other words, both the legal framework and how elections are implemented suffer from serious weaknesses. Right now, it is crucial that the election law is amended to tackle these problems. Although the CEC, media, CSOs and prosecutors can all positively contribute without amending the legal framework, the main responsibility to address these issues lies in the hands of political parties. They can make the biggest impact by amending the legal framework by submitting proposals for amendments to the Election Law and the Law on Political Party Financing.

In any case, as you know: these problems can be fixed. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) has made concrete recommendations that would address most of these issues. These recommendations are solid and are based on the analysis of observations from thousands of polling stations. I am happy to see that you are playing your part in this process. You hold up a mirror for authorities to critically reflect on their own performance. You have provided a critical and outspoken assessment. This is commendable, highly necessary and should form part of the political and professional dialogue about elections.

From our perspective, let me give two concluding observations.

- First, there is too much space for mistakes, irregularities and abuse in the current system. As a result, there is broad public distrust in the electoral process, both in the run up to and after the elections. Trust in elections is a cornerstone of democracy. Allow me to be clear: I am not saying the distrust is always fully justified, but as the saying goes: perception equals reality. One cannot change perceptions, without changing real elements of the electoral cycle.
- Secondly, trust cannot be regained without accountability, whether for political subjects or for election administration bodies and officials. Accountability does not necessarily mean criminal investigations or similar, but rather a process that looks at mistakes, allows for corrections and ensures that those responsible are identified, sometimes with consequences.

Over the past couple of years the OSCE Mission to BiH and the CEC managed to obtain significant results together. I am sure we will build on these going forward.

With the support of the US and Norwegian Governments, the OSCE Mission to BiH implements a project aiming to:

- Support the CEC through the development of software for online registration of voters for voting by mail, political parties and candidates, and election observers.



- Such applications significantly limit the risk of electoral fraud through mail-in voting, limit the possibilities for human error, decrease costs and the workload of the CEC Secretariat.
- Finally, they would substantially increase the transparency of the process.
- We also supported the improvement of communication between the CEC, Prosecutor's offices, courts and police agencies on prosecuting criminal offenses related to the election process.
- Finally, we trained PSCs on criminal aspects of election fraud, provide additional training on result certification, as well as training and certifying data entry controllers at the Municipal Election Commissions.

As always, the OSCE Mission to BiH stands ready the election administration in any way it can.

Thank you.



Opening Speech

Nada Batinar

representative of the Association of Election Officials in BiH

Dear President Arnautović,

dear member - Ms. Irena and dear members of the Central Election Commission of Bosnia and Herzegovina,

dear representatives of international organizations and donors of the election process, dear colleagues from the committees of basic constituencies, dear persons present,

it is a great honor and privilege to speak at this conference on behalf of the Association of Election Officials of Bosnia and Herzegovina.

I have actively participated in election conferences since the very beginning and have discussed all election topics together with participants, just as during this 10th anniversary conference.



The Association of Election Officials of Bosnia and Herzegovina was established in 1999 and is one of the oldest associations in Bosnia and Herzegovina.

Members of the Association are present at the conference and most members of the Central Election Commission of Bosnia and Herzegovina are also members of the Association. I hope that new colleagues from the committees from basic constituencies will show a greater interest and become members of the Association during this conference

The Association has much greater capacities than this is visible in the public over the course of election cycles. This conference is an opportunity for the



Association to be a more proactive participant than during previous conferences and contribute to all those segments in which there were evident issues during the preparation and high-quality implementation of elections in Bosnia and Herzegovina.

Not everything in the election process is as bad as painted by some individuals or political representatives. Colleagues from committees of basic constituencies and members of the Central Election Commission of Bosnia and Herzegovina are direct witnesses as to how difficult everything is and how much effort and work, how much knowledge and willingness are needed in order to prepare and implement certain complex activities.

I do not wish to take away any more time and repeat the concept of the conference that the President of CEC BiH presented, but would like to point out that the Association is co-organizing this event and we stay at your disposal for any type of support and assistance.

Thank you once again! I wish you two fruitful conference days.

Plenary sessions- Presentations

How did we organize and conduct General Elections in Bosnia and Herzegovina in 2022

dr. Suad Arnautović, President of the BiH CEC

Please allow me to once again greet all present members of the Central Election Commission of Bosnia and Herzegovina, members of the municipal and city election commissions in Bosnia and Herzegovina and dear guests.

The question that we have asked all of us: How did we organize and conduct the General Elections in Bosnia and Herzegovina in 2022? is maybe a question anymore. We know the answer, and before we have given the answer and before we, election officials, finally answer that question tomorrow, I have to point out that the question has already been answered by some other organizations and we've gone through several verification stages, so I will briefly repeat their findings.

The first answer to this question was given by the Court of Bosnia and Herzegovina, the Appellate Division of the Court of Bosnia and Herzegovina, which, comparing to the index of 100, had upheld lawfulness of the BiH CEC's decisions in almost 96% of cases. The 4% that have not been upheld are approximately the decisions on cases that we had encountered for the first time when applying the amendments to the BiH Election Law, which were passed by the High Representative to BiH in the summer of 2022, and concern cases of false representation, hate speech and abuse of public resources. It was a novelty for us in a certain way, and this percentage, this number of upheld decisions of the Central Election Commission of Bosnia and Herzegovina, can partially answer the question we have posed, namely that we held the elections successfully.

The second answer was provided by the international observation mission of the OSCE/ODIHR, and we will listen to their report tomorrow, but since it has already been published, we know that it is also positive and gives a positive answer about the success of the organization of elections, the electoral process in BiH in 2022. What we know, which may not be recognized in the public, is that many people, ordinary voters, ordinary citizens cannot distinguish between what are objective problems or political reasons in some of the delays in the electoral



process, and what is a purely technical organization. So, we are absolutely accountable for the organization, technical organization of the electoral process, although we still cannot eliminate all those problems that are of technical nature, of constitutional nature or other, which are beyond our power. It was in our power, for example, to pass by-laws and to normatively and organizationally prepare the electoral process, and it has turned out to be successful. Now, what are the priority problems amongst the multitude of challenges we had.

You know that we announced elections on May 4, 2022. Until that decision was made we were under terrible political attacks, as you know, and there was a lot of debating about artificially posed question of whether we can call elections at all. Questions were asked by the highest representatives of some political parties whether we should hold elections at all. This was debated a lot while we did not know about the next step, the problem related to the attempt to deny the funding of the elections. The holding of elections was the only thing debated before that. Questions were raised as to whether there is a constitutional-legal, i.e. legislative framework for the organization of elections, and we were faced with the situation of convincing some people, as I like to say, excuse the expression, “that horses love oats”. Therefore, we had to firmly defend the interest of the voters, the interest of the public, and not some narrow politics, and to clarify the notorious matter that the legal basis, foundation and legal and constitutional framework is clear and that we are obliged to call elections. If we do not announce elections, we are committing a criminal act, we are doing something that is illegal and goes against the constitution. So, at no time was there any dilemma regarding this issue, but there was tremendous pressure on the Central Committee of Bosnia and Herzegovina and a challenge to resist this politicization and to explain to the public the factual situation and to resist the thesis that “there are no legal conditions for announcing elections”.

When some politics saw that they cannot disturb us in this sense, that we are firm in the application of the law, then another obstacle, another challenge was placed before us. That challenge was related to finances. You know that according to Article 1.14 paragraph (2) of the BiH Election Law, the decision on calling and holding elections must be made 150 days before the day of the election, which is held on the first Sunday in October, but under the condition that that day does not coincide with a religious holiday of the three constituent people. Even when we announced the elections, we expected that, in accordance with Article 1.2a, paragraph (6) of the Election Law of BiH, funds for the organization



of the elections would be secured no later than 15 days after the date of the announcement of the elections. For some politicians, even this legal obligation apparently meant nothing, as we have seen in practice. And then, as I said, we faced another big challenge of not being provided with the funds for the elections, even though the election-related activities determined by the election activities calendar were initiated.

Fortunately, we were in close contact with the Office of the High Representative to BiH and knew that the only way out at that moment, if our government does not find a solution, was for the High Representative to react. Although we had communication with the Council of Ministers, the Ministry of Finance, a lot of correspondence, a lot of media appearances, and when these efforts did not bring results, it was obvious that the only way out was for the High Representative to make a decision. We informed him quite sufficiently, gave him quite a bit of information, and as you know, on June 7, 2022, the High Representative passed the Decision on approving the allocation of funds to cover expenses related to the General Elections in Bosnia and Herzegovina in 2022, the Law amending the Election Law of Bosnia and Herzegovina and the Law amending the Law on Financing of the Institutions of Bosnia and Herzegovina.

The High Representative has, with these decisions, permanently removed the possibility to block the holding of elections in Bosnia and Herzegovina by denying financial resources. These decisions automatically and continuously resolve the issue of financing of all subsequent elections in Bosnia and Herzegovina in a situation where temporary financing is in effect.

Other interventions by the High Representative for Bosnia and Herzegovina followed.

The second amendment to the BiH Election Law dated July 27, 2022 referred to strengthening the integrity of the electoral process and improving the management of the electoral process in a transparent manner (Official Gazette of Bosnia and Herzegovina, number 51/22).

We tried to clarify to the High Representative the ultimate problem in the electoral process, which is to amend Article 2.19 of the Election Law of Bosnia and Herzegovina in connection with the formation of polling station committees, that is, to try to relativize in some way the monopoly that political parties have in proposing members of the polling station committees and to take a look at some



other options for appointing members of polling station committees. However, there was no understanding to solve this problem.

That question and that problem, which is bothering you as well, and you know and will probably say it during this conference and the panels, remains a canker of our electoral process. We have three phenomena that arise in practice in connection with this issue. Firstly, when the political party that won a certain number of seats in the polling station committee through the lottery does not provide a sufficient number of candidates through the SG1 form. Secondly, when it submits a sufficient number, but they do not come and complete the training. And thirdly, when they finish the training, but do not come to the polling station on the Election Day. The figures are accurate, the math is accurate, and we see that parties that were obligated to propose candidates failed to do so in 30% of the polling station committees. You all have experienced this. I really doubt that any of you have received all proposals for nominations of president, deputy president and members of the polling station committees.

Immediately after the closing of the polling stations, on October 2, the High Representative for Bosnia and Herzegovina passed another decision. Chapter 9A of the Election Law of BiH, related to the election of the president and two vice-presidents of the Federation of BiH, was amended, as well as articles 10.10, 10.12, 10.13 and 10.16 of the Election Law of BiH. The number of delegates in the House of Peoples of the Federation of Bosnia and Herzegovina has been increased to 80, while 23 delegates were elected from amongst Bosniak, Croat and Serb people respectively, and 11 delegates from amongst the group of Others, in the cantonal assemblies. This time the High Representative amended the Constitution of the Federation of Bosnia and Herzegovina and the Election Law of Bosnia and Herzegovina.

Because of this first decision on the permanent financing of the electoral process, the Central Election Commission of Bosnia and Herzegovina proudly made the decision to award the High Representative with the Golden Plaque of the Central Election Commission of Bosnia and Herzegovina. Unfortunately, due to earlier commitments, the High Representative could not come today to receive it, but we have agreed that the ceremony will take place on July 6, 2023, when the plaque will be ceremonially presented to him in the premises of the Central Election Commission of Bosnia and Herzegovina. And some of you are the winners. This is a great recognition of the Central Electoral Commission of Bosnia and Herzegovina, and we believe that regardless of all the attacks, the



High Representative deserved our recognition by deciding to unblock the financing of the electoral process.

Unfortunately, this also happened:

- Public media attacks on the institution,
- Physical threats to the BiH CEC's members,
- Disinformation and malicious news.

The goal was to confuse the public, discredit the institution and members of the Central Election Commission of Bosnia and Herzegovina, and also an additional element of pressure on officials in the performance of their official duties.

Despite all the obstacles, the Central Election Commission of Bosnia and Herzegovina has successfully conducted the General Elections in 2022. We even introduced some novelties, regardless of the fact that it was not followed by the budget, and these were supported by the OSCE Mission in Bosnia and Herzegovina, as follows:

- (1) Electronic voter registration system for voting outside BiH via the “e-Elections” portal. The e-Elections portal contains both an application for submitting candidates' lists and an application for submitting requests for observer accreditation. The number of multiple applications, false applications in the name of other persons, multiple applications from one address, etc., was reduced, which was one of the goals of establishing the e-Elections portal.
- (2) With the support of the Government of Great Britain, a total of 6.090 security ecological stamps were made for each polling station. The security stamp determines the authenticity and security correctness of the ballot. These are special security ecological stamps, which are used to certify ballots, aimed at preventing electoral manipulation and fraud.
- (3) The mobile application “e-polling station committee” from the Google Play store was available to all members of the polling station committees and all interested persons, and it covered all the actions that the polling station committee should carry out “On the eve of the elections” and on the “Day of the elections”. The goal was to increase the knowledge of the



polling station committee members and their alternates about their rights and obligations at the polling station.

- (4) A total of 11 videos intended for election management bodies, voters and observers were produced and released.
- (5) Six handbooks were printed for the work of the election administration, election observers and political subjects.
- (6) As part of the project implemented by the Central Election Commission of Bosnia and Herzegovina with the support of the Association of Election Officials in Bosnia and Herzegovina and the Embassy of Switzerland in Bosnia and Herzegovina, 14 podcasts (two per month) were released in the period from May to November 2022. Each of the 14 podcasts focused on a specific segment of the electoral process, in which answers to the most frequently asked questions were given.
- (7) The Election Day was broadcast LIVE on the TV Channel of the Central Election Commission of Bosnia and Herzegovina.
- (8) Provisions related to the assistance of another person were specified in more detail by the by-laws (Article 5.19 of the BiH Election Law and Article 21 of the Rulebook on conduct of elections in BiH). Assistance of another person when voting can only be used by “Voters who are blind, illiterate or physically disabled, or a person who needs the help of another person when signing an extract from the Central Voters' Register and voting”.
- (9) The novelty at the 2022 General Election also referred to the position of the voting booth (Article 21 of the Rulebook on conduct of elections in BiH). The voting booth / screen is facing the polling station committee and observers in order to prevent the possibility of taking pictures or replacing ballots, while making sure it is far enough so as

not to violate the secrecy of voting. The Coalition “Pod lupom” made technical recommendations on several occasions, which turned out to be good.

- (10) The voting material was locked and secured by the police at the polling stations the night before the elections until the polling station opened. The police at the polling station safeguards the election materials until the opening of the polling station (Article 16 of the Rulebook on conduct of elections in BiH).

The electoral process for the General elections in BiH 2022 started on May 4, 2022 and ended on March 6, 2023. The Central Election Commission of Bosnia and Herzegovina has confirmed the results of the direct elections held on October 2, 2022 within the legal deadline, November 2, 2022. Following the formation of the legislative and presidential bodies elected directly on October 2, 2022 in accordance with the constitutional and legal deadlines, the electoral process of indirect elections was organized and implemented for the following bodies: the House of Peoples of the Parliamentary Assembly of BiH (15 delegates), the House of Peoples of the Parliament of the Federation of BiH (80 delegates), the Council of Peoples of the RS (28 delegates) and the president and vice-presidents of the Federation BiH (3 delegates), which is a total of 126 indirectly elected mandate holders.

The Appellate Division of the Court of Bosnia and Herzegovina supervises the legality of work and exercises judicial control over the decisions of the Central Election Commission. I can say, with pleasure, that the Court of BiH confirmed the lawfulness of the BiH CEC's operations. A total of 499 appeals against the decisions of the Central Election Commission of BiH were submitted to the Appellate Division of the Court of Bosnia and Herzegovina during the electoral process. The Appellate Division of the Court of Bosnia and Herzegovina confirmed 478 decisions of the Central Election Commission of Bosnia and Herzegovina in the appellate procedure. The court confirmed more than 96% of the decisions of the CEC of Bosnia and Herzegovina. The data refer to both direct and indirect elections.

The final report of the international observation mission of the ODIHR Election Observation Mission stated... "The Central Election Commission (CEC) administered the elections efficiently, transparently and within the legal deadlines, despite delays caused by the late disbursement of the required funds and a critical lack of human resources. The upper-level commissions, in particular the CEC, enjoyed confidence of most stakeholders..." "The CEC held regular sessions which were open to the public and broadcast online, contributing to transparency. Most decisions were taken unanimously and published online in a



timely manner, with the exception of those related to complaints and appeals. The CEC acted in a collegial manner and informed the public about its activities.”

Taking into account the entire electoral process from the day the elections were announced until the confirmation of the election results, the Coalition “Pod lupom” has assessed the 2022 General Elections in BiH as partially irregular. Furthermore, the report of the Coalition “Pod lupom” reads that the Election Day of October 2, 2022 had taken place in accordance with the BiH Election Law and regulations at the largest number of polling stations. It was also noted that some segments of the electoral process have improved significantly compared to previous election cycles. Compared to earlier election cycles, there were fewer cases of abuse of voting assistance and family voting.

The report of the Observation Mission of the Congress of Local and Regional Authorities of the Council of Europe reads: ..”The elections were generally peaceful and well organized and in accordance with the appropriate provisions in most of the polling stations visited, numerous practical improvements implemented by the election administration aimed at reducing the possibility of electoral fraud were welcomed. The Congress report identified some areas where there is still room for improvement, especially with regard to the media, equal participation of women in the political life of the canton, and the lack of transparency and oversight over the financing of campaigns and parties.”

So we can answer the question: How did we organize and conduct the General Elections in Bosnia and Herzegovina in 2022? by saying successfully, in accordance with the law and by-laws!

Plenary sessions - Presentation of an edition titled "Electoral right in Practice – 2022 General Elections"

1. Work report of the Main Counting Center

Goran Mišković, BiH CEC Secretary General, Director of the Main Counting Center

Decision on Establishment of the Main Counting Centre and Appointment of Director and Deputy Director of the Main Counting Center for implementation of the 2022 General Elections in Bosnia and Herzegovina number: 05-1-07-1-1291-1/22.



Article 3 of this Decision regulates the tasks of the Main Counting Center, which were:

- a) Receipt and control of the voting material of the voters who cast their votes via vote-by-mail ballots, absentee ballots, tendered ballots, ballots delivered through mobile teams and special mobile teams,
- b) Verification of the rights of the voters referred to in item a) of this Article,
- c) Counting and entry of votes referred to in item a) of this Article
- d) Recounting per decision of the BiH Central Election Committee, and
- e) Other tasks and duties defined under the bylaws of the BiH Central Election Committee.



Article 1 of the Rulebook on the organization of work and determination of election results in the Main Counting Center for the 2022 General Election, defines:

a) Competencies (jurisdiction), organisation and security measures of the Main Counting Centre (Article 5.22 of the BiH Election Law),

b) Procedures to prevent misuse in the MCC,

c)) Procedures and modalities for counting ballots and establishing the voting results (Article 5.22 paragraphs (1) and (2) of the BiH Election Law):

1. tendered ballots,
2. absentee ballots,
3. ballots delivered through mobile teams (ballots cast by prisoners or voters confined to institutions, and homebound voters unable to come to the Polling Station due to age, illness or disability),
4. ballots cast by mail,
5. ballots delivered through special mobile team (voters who were COVID-19 positive and/or voters who were placed in isolation or were hospitalised),
6. ballots received from the BiH diplomatic and consular offices (hereinafter: DCRO BiH),

d) procedure for recount of ballots (Article 5.31 of the BiH Election Law) and

e) observing the work of the Main Counting Centre (articles 17.2 and 17.5 paragraph (2) of the BiH Election Law).“

Organisational chart:

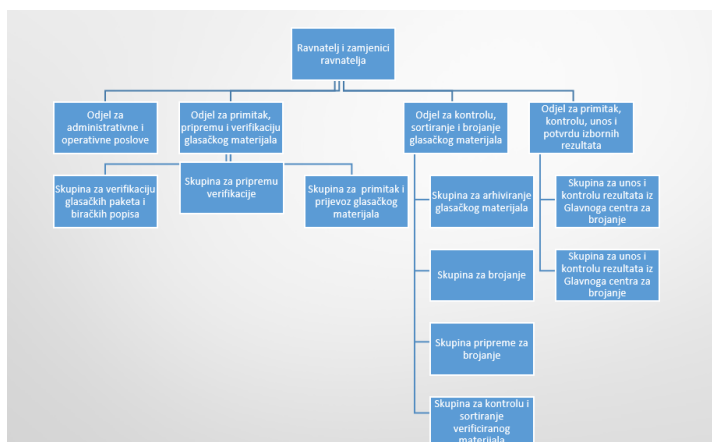


Figure 1. Organizational chart of the Main Counting Center

Basic information:

- Organisation of work
- Location
- Preparations
- Safety aspects
- Recruitment/Employment
- Transport.

Table 1. Receipt and control of election material:

R/B	Categories of voting packages	Number of bags /packages	Number of voting packages
1.	Packages comprising tendered ballots	143	1.181
2.	Packages comprising absentee ballots	116	2.163
3.	Packages comprising ballots delivered through mobile teams	352	12.336
4.	Packages comprising vote-by-mail ballots	137	41.576
5.	Packages comprising ballots received from the BiH diplomatic and consular offices	21	4.377
	TOTAL		61.633

Table 2. Verifikacija i obrada izbornog materijala:

R/B	TYPE	Verified	Rejected in vetification process	Note
1.	DCRO	4.377	0	
2.	MOBILE TEAM	12.336	0	
3.	TENDERED BALLOTS	761	420	Not the voters from tendered category
4.	ABSENTEE BALLOTS	2.163	0	
5.	VOTE-BY-MAIL BALLOTS	41.338	238	Votes cast using tendered ballots
	TOTAL	60.975	658	



Table 3: Voting packages refused in the pre-verification phase:

O/N	REASON For not counting	Number of batches
1.	No proof of identity was submitted	965
2.	Invalid proof of identity	282
3.	Instruction letter is missing	249
4.	No signature on Instruction letter	114
5.	Postal stamp or postmarks are missing	386
6.	Only safety envelope	1.977
7.	No safety envelope	88
8.	Post from Bosnia and Herzegovina	211
9.	Voting material out of safety envelope	62
10.	Blank papers in envelope	25
11.	Inadequate proof of identity	3
12.	Signatures do not match	4
13.	Several kits	169
14.	Tardy postal delivery	27
	TOTAL	4.562
	UNDELIVERED POST	3.656
	Totaal before the verification and undelivered	8.218

Table 4: Counting of ballots and entry of votes:

Combination	Vote by mail Counted	Absentee ballots Counted	Mobile team Counted	Tendered ballots Counted	DCRO Counted	Total counted
K01	5151	21	356	52	577	6157
K02	583	0	179	26	12	800
K03	701	1	274	8	88	1072
K04	1683	7	621	1	240	2552
K05	2051	5	367	11	253	2687
K06	1846	17	530	13	330	2736
K07	510	7	340	1	77	935
K08	268	8	206	2	25	509
K09	4021	40	1234	63	207	5565
K10	2283	80	955	17	251	3586
K11	172	1	295	1	12	481
K12	2282	4	812	8	383	3489
K13	2168	9	709	21	493	3400
K14	1796	25	415	56	62	2354
K15	3346	9	340	33	284	4012
K16	1208	2	317	12	127	1666
K17	2519	24	1239	41	211	4034
K18	1513	11	566	23	87	2200
K19	1123	17	265	27	83	1515
K20	1895	26	502	26	108	2557
K21	2722	1412	377	228	313	5052
K22	187	40	571	14	35	847
K23	766	397	821	72	55	2111
K24	547	0	45	5	64	661
	41.341	2.163	12.336	761	4.377	60.978

Table 5: Recounting under the order of CEC BiH:

N/O	Level	Number of polling stations
1.	Presidency of BiH	25
2.	Parliamentary Assembly of BiH	67
3.	Parliament of FBiH	67
4.	National Assembly of RS	30
5.	President/vicepresidents of RS	2.239
6.	Cantonal assemblies	157
7.	Opening of all bags	23
	TOTAL	2.608

Table 6: Control counting / Level 600:

Code	Name of BEU (basic electoral unit)	Number of voters at regular PS BM	Valid ballots	Total invalid (null) ballots	Invalid blank ballots	Invalid ballots under other criteria
006	KRUPA NA UNI	1688	684	76	53	23
007	NOVI GRAD	25498	12091	832	440	392
008	KOZARSKA DUBICA	22690	10377	646	438	208
009	PRIJEDOR	82237	33034	2092	726	1366
010	GRADIŠKA	53821	24146	1573	983	580
011	LAKTAŠI	32807	19111	1030	612	418
012	SRBAC	37403	9679	476	337	139
013	PRNJAVOR	39207	15267	1043	627	416
014	DERVENTA	32214	12780	966	618	348
016	BROD	17933	6278	434	234	200
018	VUKOSAVLJE	4281	1450	146	97	48
021	ŠAMAC	16693	6517	522	335	187
023	DONJI ŽABAR	1725	931	62	45	17
024	MODRIČA	27096	11574	873	531	342
026	PELAGIČEVO	4432	1804	99	48	51
028	BRČKO DISTRIKT BIH (OPCIJA RS)	29327	13853	1048	687	361
029	BIJELJINA	108603	53126	3066	1580	1486
031	PETROVAC	1178	598	42	37	5
033	OŠTRA LUKA	4189	1395	130	92	38
034	BANJA LUKA	189075	105458	4863	2462	2401
035	ČELINAC	15418	8731	506	336	170
038	DOBOJ	61983	32369	2350	1243	1107
040	STANARI	7641	3591	357	145	212
045	PETROVO	6343	2890	344	216	115
054	LOPARE	11583	6164	343	213	130
056	UGLJEVIK	13890	8551	373	153	220
058	ISTOČNI DRVAR	193	118	13	10	3
061	RIBNIK	6068	3115	308	211	97
064	MRKONJIĆ GRAD	17236	8548	739	539	200
066	JEZERO	1082	524	53	40	13
068	KNEŽEVO	9038	5063	337	207	130
070	KOTOR VAROŠ	20854	9081	706	361	345
074	TESLIĆ	43037	17578	1406	775	631

081	OSMACI	3628	1580	143	93	50
083	ZVORNIK	51866	18273	1589	597	992
088	ŠIPOVO	10453	5398	372	273	99
101	ŠEKOVIĆI	7002	4002	306	205	101
103	VLAŠENICA	9265	5090	302	169	133
104	BRATUNAC	17155	8609	578	305	273
105	SREBRENICA	11576	4818	421	187	234
108	KUPRES (RS)	315	155	21	17	4
121	SOKOLAC	10332	6849	351	181	170
123	HAN PJEŠAK	3123	1974	94	46	48
132	ISTOČNA ILIDŽA	13302	9063	427	225	202
138	ISTOČNI STARI GRAD	1070	758	58	2	56
140	ISTOČNO NOVO SARAJEVO	11144	7127	428	240	188
142	TRNOVO	1162	819	24	12	12
144	PALE	19716	11901	868	528	340
146	ROGATICA	8753	5676	271	156	115
147	VIŠEGRAD	10152	5571	324	191	133
158	ISTOČNI MOSTAR	150	99	2	0	2
161	NEVESINJE	11289	6609	351	213	138
163	KALINOVIK	1661	1210	38	27	11
164	GACKO	8026	5491	147	93	54
166	FOČA	16441	9312	497	274	223
168	NOVO GORAŽDE	1595	798	65	42	23
169	ČAJNIČE	3858	2150	168	128	40
170	RUDO	7711	3073	289	155	134
177	BERKOVIĆI	1619	1036	44	31	13
179	LIUBINJE	3127	1866	114	75	39
180	BILEĆA	9922	6291	378	267	111
182	TREBINJE	30189	17276	942	634	308
184	KOSTAJNICA	4863	2196	194	116	78
185	MILICI	7990	4252	366	243	123
UKUPNO		1.224.068	614.798	38.022	21.176	16.846

Table 7: Control counting – unused material:

Code	Name of BEU	Number of unused ballots
006	KRUPA NA UNI	939
007	NOVI GRAD	12271
008	KOZARSKA DUBICA	11604
009	PRIJEDOR	47893
010	GRADIŠKA	28585
011	LAKTAŠI	12798
012	SRBAC	7374
013	PRNJAVOR	23143
014	DERVENTA	17241
016	BROD	8733
018	VUKOSAVLJE	23666
021	ŠAMAC	8977
023	DONJI ŽABAR	770
024	MODRIČA	14873
026	PELAGIČEVO	2664
029	BIJE LJINA	53812
031	PETROVAC	550
033	OŠTRA LUKA	1606
034	BANJA LUKA	74716
035	ČELINAC	6211
038	DOBOJ	27614
040	STANARI	3456
045	PETROVO	2941
054	LOPARE	5440
056	UGLJEVIK	4643
058	ISTOČNI DRVAR	79
061	RIBNIK	2744
064	MRKONJIĆ GRAD	8115
066	JEZERO	523
068	KNEŽEVO	3830
070	KOTOR VAROŠ	11033
074	TESLIĆ	22606



081	OSMACI	1975
083	ZVORNIK	21914
088	ŠIPOVO	4848
101	ŠEKOVIĆI	2816
103	VLAŠENICA	4163
104	BRATUNAC	7999
105	SREBRENICA	6500
108	KUPRES (RS)	139
121	SOKOLAC	3307
123	HAN PIJESAK	1126
132	ISTOČNA ILIDŽA	4078
138	ISTOČNI STARI GRAD	283
140	ISTOČNO NOVO SARAJEVO	3729
142	TRNOVO	397
144	PALE	7181
146	ROGATICA	3071
147	VIŠEGRAD	4529
158	ISTOČNI MOSTAR	59
161	NEVESINJE	4500
163	KALINOVIK	541
164	GACKO	2521
166	FOČA	5950
168	NOVO GORAŽDE	441
169	ČAJNIČE	1640
170	RUDO	3504
177	BERKOVIĆI	590
179	LJUBINJE	1229
180	BILEĆA	3509
182	TREBINJE	11719
184	KOSTAJNICA	2539
185	MILIĆI	3458
200	BRČKO DISTRIKT BIH 028	14382
	UKUPNO	565.787

Table 8: Control counting – invalid (null) ballots

TOTAL	Invalid unmarked-blank	Invalid ballots defaced with message	Invalid ballots with two or more candidates	Other invalid ballots
38.022	21.176	4.632	9.380	2.834

Main Counting Centre:

- Transparency
- Observers
- Media
- Protection of rights.



Table 9: Criminal information

N/O	BEU	PS	Number of falsified ballots
1	Bratunac	104B025	16
2	Bratunac	104B028	10
3	Šekovići	101B008	9

Table 10: Scanning of the Excerpt from the Central Voters' Register and the Polling Station Poll Book/Minutes on operations of the polling station committee form (abbr. ZARBO in local languages):

N/O	OIJ	PS	Note
1	LAKTAŠI	011B023B	Missing forms - Stock Form (BS) and ZARBO
2	BANJA LUKA	034B186	Missing forms - Stock Form (BS) and ZARBO
3	SREBRENİK	049A021	Missing forms - Stock Form (BS) and ZARBO
4	NOVI TRAVNIK	111A008	Missing forms - Stock Form (BS) and ZARBO

Table 11: Analysis of the use of Assistance provided by other person during the voting forms (abbr. PDL in local languages)– Level 600:

	Number of persons who cast a vote	Number of persons using assistance provided by other person (PDL)
Level 600	1.259.322	9.443 or ,74 %

Code	Name of BEU	PDL (number of forms that were filled)	% of number of voters who voted
108	KUPRES (RS)	24	7,62
068	KNEŽEVO	564	6,25
163	KALINOVİK	70	4,21
040	STANARI	290	3,80
168	NOVO GORAŽDE	49	3,09
101	ŠEKOVIĆI	197	2,81
088	ŠIPOVO	284	2,72
142	TRNOVO	30	2,59
123	HAN PIJESAK	67	2,15
061	RIBNIK	117	1,93



Recommendations for improvement:

1. When addressing the issue of the warehouse of the Central Election Committee, the consideration should also be given to the possibility for a permanent solution for Main Counting Centre premises.
2. Introducing an entirely new mode of packing the election material where the plastic bags should be replaced with the boxes (cardboard or plastic). This would allow for a more efficient transport of election material to/from the CEC BiH warehouse, and make the material necessary for the work of the Main Counting Centre more accessible. We emphasize that this is how the materials from DCRO BiH are delivered.
3. Possibility should be considered for introducing the transparent bags with colored markers for each level.
4. In addition, it is proposed to introduce the 'barcode' stamps and stickers for voting kits, which would significantly facilitate the process of receipt and processing of the received material.
5. Permanent secondary legislation should be adopted to include receipt, electronic processing for the purpose of receipt control, sorting, processing of the preparation for verification, verification, control and packing, counting, entry and archiving of the voting material, as defined and stipulated work process and from the day decision of CEC BiH on establishing the MCC. This legislation should include all other processes preceding the beginning of work of the MCC.
6. Analysis of the bylaw should be performed in non-election year. The revisions should be made to harmonize it with other regulations and recommendations in the analysis.
7. Financial management and control documents should be revised and should include the processes of the Main Counting Centre (MCC).
8. Timely selection/appointment of the management of the Main Counting Centre (MCC) as an implementer of all activities regarding the preparation and establishment of the MCC. If possible, to be done after the adoption of Decision on Announcement of Elections;
9. The Main Counting Centre budget proposal should be prepared in the non-election year, and should address all the needs of the MCC;
10. Tender documentation proposals regarding the needs of the MCC should be prepared in the non-election year. Tender procedures should be implemented immediately after securing the funds and deadlines and timeframe should be adapted to the needs of the center.;
11. During the non-election year, a real estate market analysis needs to be performed to ensure the adequate premises necessary for the Main Counting Centre. In the event that the premises that have so far been



- used by the Center are leased for other purposes, there is a risk that the premises will not be secured in timely manner;
12. Timely adoption and enacting of all other decisions, regulations and bylaws required for the functioning and work of the MCC, no later than the day of adoption of decision on announcement of elections;
 13. The amount of compensations for the work in the MCC needs to be increased. Due to the minimum hourly wages, the Main Counting Centre has experienced challenges in recruiting the sufficient number of staff in the past two cycles;
 14. Development of the Main Counting Center Training Program. Training program would include the thematic unit for the employees of the Central Election Committee BiiH who are engaged in the MCC, and external associates hired under the Public Call. The deadlines for training should also be set ;
 15. A separate training program unit should focus on packing and delivery of election material;
 16. Plans should be made for development of the new Single Election Information System (SEIS) which would comprise a separate module regarding the work of the Main Counting Centre, for processing of the phases of MCC's work. Adaptations should be made and technical prerequisites fulfilled to allow for development of accurate tabular overview, at any time, about the following:
 - Number and type of received postal shipments,
 - Number and type of the processed postal shipments in all individual processing phases (total of processed post in the given moment, and total of processed post in the previous day or in the last 24 hours):
 - number of received postal shipments that include voting kits/envelopes,
 - number of sorted voting kits/envelopes,
 - number of voting kits that are processed and prepared for verification
 - number of verified voting kits/envelopes,
 - control and packing status,
 - number and type of counted ballots,
 - number and type of entered voting kits, meaning ballots,
 - number, type and status of archived, counted voting material.
 17. Modification of the Polling Station Poll Book/Minutes on operations of the polling station committee, to include the unified form for information on errors made when placing a signature, and recording the assistance provided by other person during the voting (PDL form use), persons who signed with XX, etc.



2. Analysis of invalid ballot papers – the 2022 General Elections – Direct Elections

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

mr.sc. Jasminka Joldić, Head of Section for Administration-Documentation Affairs and Training



A fundamental characteristic of all elections held so far in Bosnia and Herzegovina is the number of invalid ballots as compared to the assessed election standard of 3 to 4% .¹

Political subjects that have lost the elections very frequently spread

disinformation and half-truths about invalid ballots in the public space, which may be interpreted as a sort of argument explaining the poor results of such actors in the election process.

Although the percentage of invalid ballots is almost the same as in previous electoral cycles, after the 2022 elections held in October, the number of invalid ballots was emphasized as an argument for irregularity of the election process.

Wishing to enable the public-at-large in Bosnia and Herzegovina to learn about a topic that is relatively unexplored in Bosnia and Herzegovina and contribute to the analysis of the phenomenon of invalid ballots, the Central Election Commission of Bosnia and Herzegovina prepared a publication entitled "Analysis of Invalid Ballots – the 2022 General Elections – Direct Elections". The publication was presented as part of the edition "Electoral Law in Practice – the 2022 General Elections".²

"Acceptable" number/proportion of invalid votes, The Electoral Knowledge Network ACE, <https://aceproject.org/electoral-advice/archive/questions/replies/864793780>
Joldić, J. *Analiza nevažućih glasačkih listića – Opći izbori 2022. – Direktni izbori* – Centralna izborna komisija BiH, 2023. - (Edicija Izborna pravo u praksi – opći izbori 2022. godine)

https://www.izbori.ba/Documents/CIK/Publikacije/2022/pub_analiza_nevazecih_glasackih_listica_opci_izbori_2022.pdf

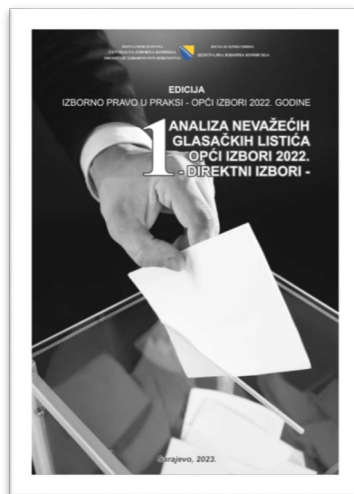


Figure 2: Publication "Analysis of Invalid Ballots – the 2022 General Elections – Direct Elections"

The Guidelines for Reviewing a Legal Framework for Elections of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) provide that "the law must clearly define which ballots are valid and which invalid. Rules for determining the validity of ballots should not be so stringent as to unreasonably disenfranchise voters. **The paramount principle should be that, if the will of the voter is clear, the ballot should be counted**".³

Article 5.17 of the Election Law of Bosnia and Herzegovina clearly defines the criteria based on which a ballot is declared invalid:

- If it is not completed or is completed in such a manner that it is not possible to reliably ascertain for which political party, coalition, independent candidate or list of independent candidates a voter has cast his/her vote; or
- If names of candidates have been added in writing; or
- If more than one political party, coalition or independent candidate or list of independent candidates has been marked; or
- If the voter can be identified based on markings added by the voter to the ballot, such as his/her signature; or

³ Guidelines for Reviewing a Legal Framework for Elections, Second Edition, The OSCE's Office for Democratic Institutions and Human Rights (ODIHR), 2013, p. 68
<https://www.osce.org/files/f/documents/f/8/104573.pdf>



- If the voter marks the ballot in a manner other than as provided by Article 5.14 of the Law.

Furthermore, in compliance with the Decision on the Making, Form, Content, Keeping, Use and Destruction of Security Stamps for Ballots during the General Elections in Bosnia and Herzegovina,⁴ or Decision on Amendments to the Decision on the Making, Form, Content, Keeping, Use and Destruction of Security Stamps for Ballots during the General Elections in Bosnia and Herzegovina, during the 2022 General Elections,⁵ a security stamp for ballots was introduced for every polling station in Bosnia and Herzegovina to verify the authenticity of ballots and prevent election manipulation and fraud.

A security stamp for ballots guarantees the authenticity and validity of a voting ballot. The stamp was imprinted on the front of a voting ballot, in the bottom left corner, below voting instructions. In addition to a security stamp for ballots, an authorized person or member of the polling station committee in charge of issuance of voting ballots signed the ballots next to the security stamp for ballots. If a ballot lacks the stamp and signature of the member of the polling station committee, such a ballot is invalid.⁶

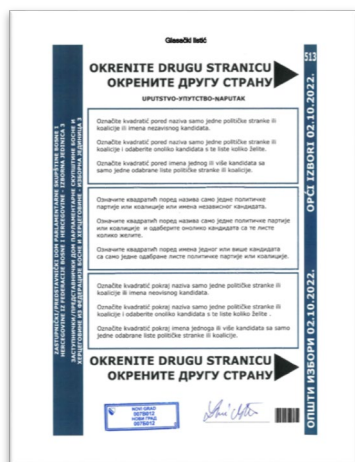


Figure 3: Security stamp for ballots and signature of a polling station committee member

⁴ Document of the Central Election Commission of Bosnia and Herzegovina No. 05-1-02-3-631-2/22 dated May 04, 2022

⁵ Document No. 05-1-02-3-631-2/22 dated July 22, 2022

⁶ With to the financial support of the Government of the United Kingdom, 6,090 eco-friendly security stamps for ballots were made for every polling station in the framework of a project implemented in cooperation with the Association of Election Officials.

In the statistical data contained in the Single Election Information System of Bosnia and Herzegovina (JIIS) kept by the Central Election Commission of Bosnia and Herzegovina, invalid ballots are grouped in two categories: (1) Invalid unmarked (empty) voting ballots and (2) Invalid voting ballots in compliance with other criteria.

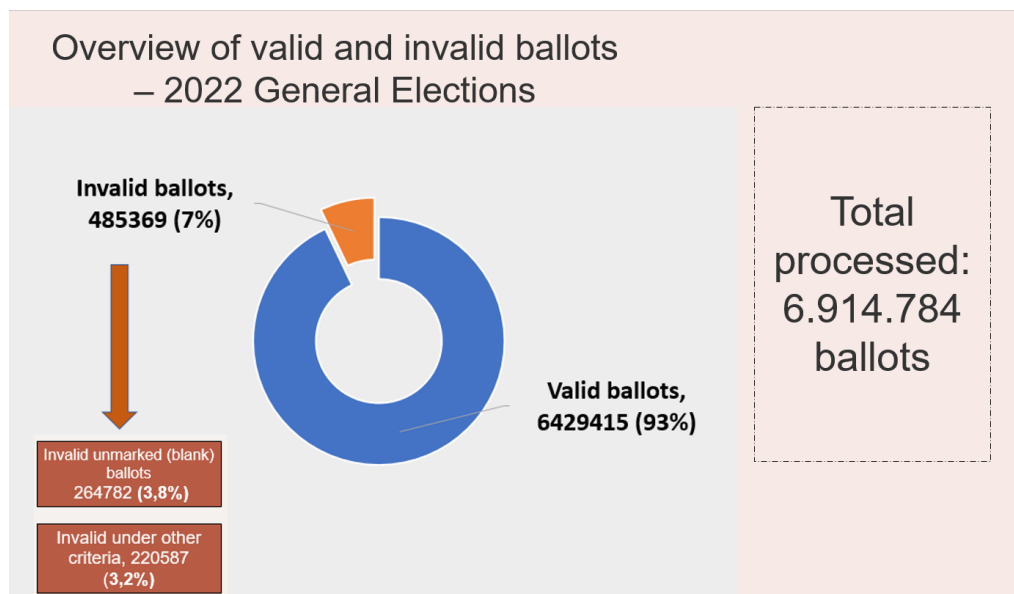


Figure 4. Overview of valid and invalid voting ballots – the 2022 General Elections

In case of general elections, every voter in the Federation of Bosnia and Herzegovina receives 4 voting ballots for different government levels, and every voter in Republika Srpska also receives 4 voting ballots. Voters in Brčko District of Bosnia and Herzegovina voting for Republika Srpska receive 4 voting ballots, whereas voters voting for the Federation of Bosnia and Herzegovina receive 3 voting ballots, because they are not voting for cantonal assemblies in the Federation of Bosnia and Herzegovina.

The total number of processed voting ballots for the 2022 General Elections amounts to 6,914,784. Out of this number, there are 6,429,415 valid voting ballots or 93%, and 485,369 invalid voting ballots or 7%. The number of invalid unmarked (empty) voting ballots amounts to 264,782 or 3.8%, and the number of invalid voting ballots in compliance with other criteria amounts to 220,587 or 3.2%.

Table 12: Overview of valid and invalid voting ballots by government level – the 2022 General Elections

Title of electoral race	Total number of processed ballots	Unmarked (blank) ballots (number and %)		Ballots that are invalid under other criteria (number and %)		Total invalid ballots (number and %)		Total valid ballots (number and %)	
Presidency of BiH	1733206	68371	3.94%	46902	2.71%	115273	6,65%	1617933	93,35%
House of Representatives, Parliamentary Assembly of BiH	1733289	87956	5.07%	57325	3.31%	145281	8,38%	1588008	91,62%
House of Representatives of the Parliament of Federation of BiH	1055976	44428	4,21%	35593	3,37%	80021	7,58%	975955	92,42%
President and vicepresidents of Republika Srpska	676762	21524	3,18%	17415	2,57%	38939	5,75%	637823	94,25%
National Assembly of Republika Srpska	676982	15133	2,24%	22241	3,29%	37374	5,52%	639608	94,48%
Cantonal assemblies	1038569	27370	2,64%	41111	3,96%	68481	6,59%	970088	93,41%

The largest percentage of invalid voting ballots was identified in case of the House of Representatives of Bosnia and Herzegovina (8.38%), followed by the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina (7.58%), the Presidency of Bosnia and Herzegovina (6.65%), cantonal assemblies in the Federation of Bosnia and Herzegovina (6.59%), the position of the President and Deputy Presidents of Republika Srpska (5.75%), and, finally, the level with the lowest number of invalid ballots, the National Assembly of Republika Srpska (5.52%).

When analyzing invalid voting ballots, it is important to distinguish between unmarked (empty) voting ballots and invalid voting ballots in compliance with other criteria.

Out of the total number of invalid voting ballots, the highest percentage of unmarked voting ballots was identified in case of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina (5.07%), and the lowest in case of the National Assembly of Republika Srpska (2.24%).

The highest percentage of invalid voting ballots in compliance with other criteria was identified in case of cantonal assemblies (3.96%), and the lowest in case of the President and Deputy Presidents of Republika Srpska (2.57%).



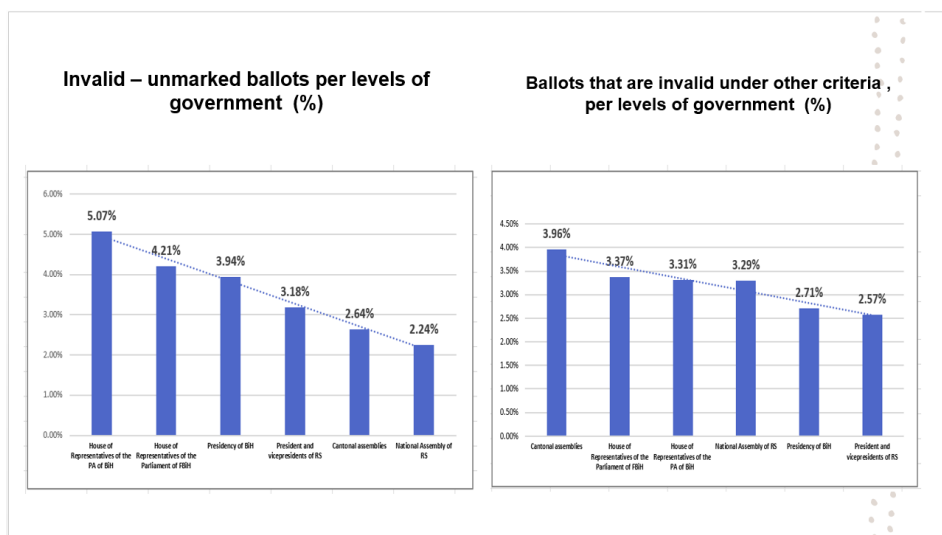


Figure 5: Overview of unmarked and invalid voting ballots in compliance with other criteria by government level

If we analyze every individual government level and the number of invalid voting ballots for that level, the highest percentage of unmarked voting ballots was identified in case of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, a percentage as high as 60.54%, followed by the Presidency of Bosnia and Herzegovina (59.30%), House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina (55.52%), the President and Deputy Presidents of Republika Srpska (55.30%), the National Assembly of Republika Srpska (40.50%) and cantonal assemblies (40%).

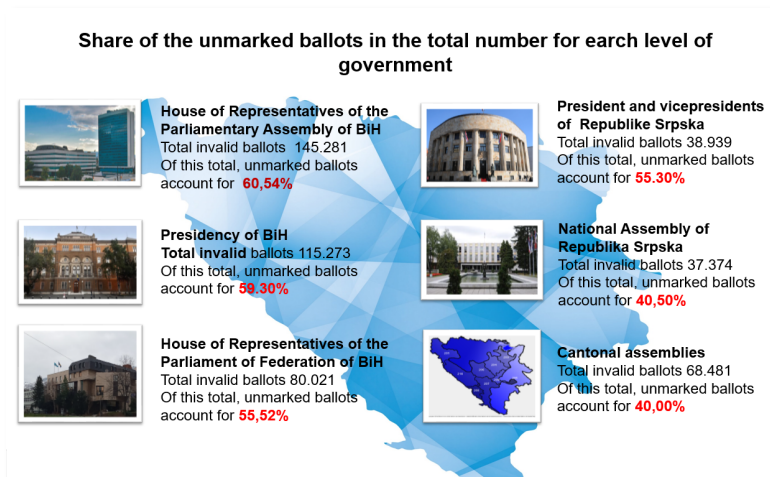


Figure 6. Total percentages of unmarked voting ballots for every government level

It is interesting to analyze the data in certain polling stations, in case of which the highest percentage of invalid voting ballots for a certain government level was identified.

Table 13. Overview of polling stations with the highest percentage of invalid voting ballots by government level

Level	Polling station	Municipality	Total number of processed voting ballots	Total number of invalid voting ballots	Unmarked voting ballots	Invalid voting ballots in compliance with other criteria
Member of the Presidency of Bosnia and Herzegovina – Bosniak/Croat	057A010	Drvar	368	75.27%	49.18%	26.09%
Member of the Presidency of Bosnia and Herzegovina – Serb	038B061	Doboj	387	27.39%	25.84	1.55%
House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina	057A010	Drvar	368	53.26%	36.41%	16.85%
House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina	017A021	Odžak	179	57.54%	50.84%	6.70%
National Assembly of Republika Srpska	088B012	Šipovo	335	18.81%	18.81%	0
President and Deputy Presidents of Republika Srpska	038B061	Doboj	387	31.00%	26.87%	4.13%
Cantonal assemblies	079A021	Živinice	461	27.33%	0	27.33%

For example, at the polling station 057A010 in Drvar Municipality, out of a total of 368 processed voting ballots cast for the position of the Bosniak/Croat Member of the Presidency of Bosnia and Herzegovina, there were as many as 75.27% of invalid voting ballots, out of which 49.18% were unmarked (empty) voting ballots, and 26.09% were invalid voting ballots in compliance with other criteria. Such high percentages may represent a form of dissatisfaction with offered options.

At the same polling station 057A010 in Drvar Municipality (Constituency 1A), out of a total of 368 processed voting ballots cast for the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina from the Federation of Bosnia and Herzegovina, there were 53.26% of invalid voting ballots, out of which 36.41% were unmarked (empty) voting ballots, and 16.85% were invalid voting ballots in compliance with other criteria.



The structure of invalid voting ballots was determined during a repeated control counting of voting ballots from regular polling stations for the level 600 – President and Deputy Presidents of Republika Srpska.

Out of a total of 38,022 voting ballots, the number of invalid unmarked (empty) ballots amounted to 21,176, whereas the number of invalid ballots in compliance with other criteria amounted to 16,846. Out of these, there were 4,632 crossed through ballots with a message, 9,380 of invalid ballots on which two or more candidates were marked, and 2,834 of other invalid ballots.⁷

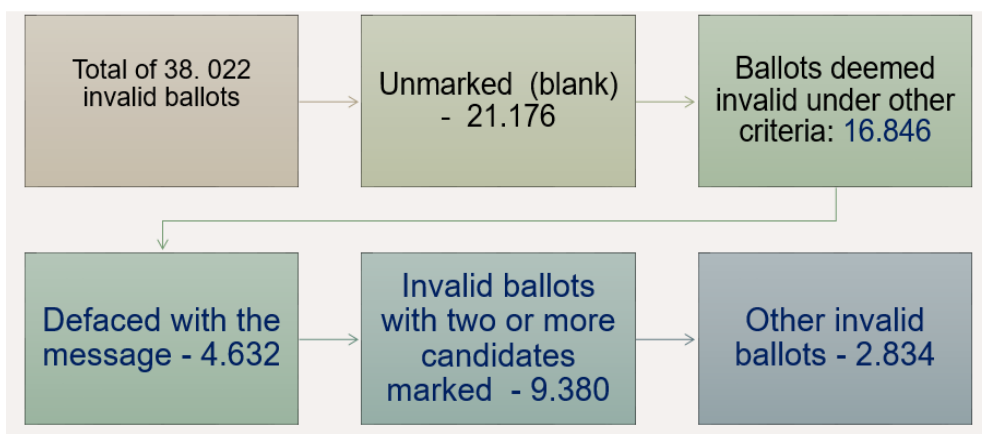


Figure 7. Repeated control counting of ballots from regular polling stations for the level 600 – President and Deputy Presidents of Republika Srpska – the structure of invalid voting ballots

Repeated control counting of ballots from regular polling stations for the level 600 – President and Deputy Presidents of Republika Srpska – the structure of invalid voting ballots.

⁷ Mišković, G., Kos, E., Agić, A., Simović, B. (2023) Izvještaj o radu Glavnog centra za brojanje. Sarajevo: Centralna izborna komisija Bosne i Hercegovine. p. 21 https://www.izbori.ba/Documents/CIK/Publikacije/2022/izvjestaj_gcb_opci_izbori_2022.pdf

Table 14: Polling stations in which counterfeit voting ballots were identified

Basic constituency (OIJ)	Polling station	Number of counterfeit voting ballots
Bratunac	104B025	16
Bratunac	104B028	10
Šekovići	101B008	9

Also, in case of the polling station 105B019 Srebrenica, it was established that all voting ballots for one of the candidates lacked the security element, the signature of a member of the polling station committee in charge of issuing voting ballots. As a result, these ballots were declared invalid.

If we compare the percentage of invalid voting ballots for three electoral cycles, 2014, 2018 and 2022, it may be observed that there are no significant deviations. On the contrary, these percentages for some levels have decreased in case of the 2022 General Election.

Table 15. Comparative review of invalid voting ballots – the 2014 – 2022 General Elections (%)

%	2014	2018	2022
Predsjedništvo BiH	7.68	6.63	6.65
Predstavnički dom PS BiH	8.76	8.63	8.38
Predstavnički dom Parlamenta FBiH	8.19	7.72	7.58
Predsjednik i potpredsjednici RS	5.39	6.63	5.75
Narodna skupština RS	6.34	5.92	5.52
Skupštine kantona	7.46	6.97	6.59

If we compare the percentages of unmarked (empty) voting ballots for three electoral cycles, it may be observed that the percentage of unmarked voting ballots in 2014 amounted to **51.06%**, in 2018 to **48.56%**, and in 2022 to **54.6%**.



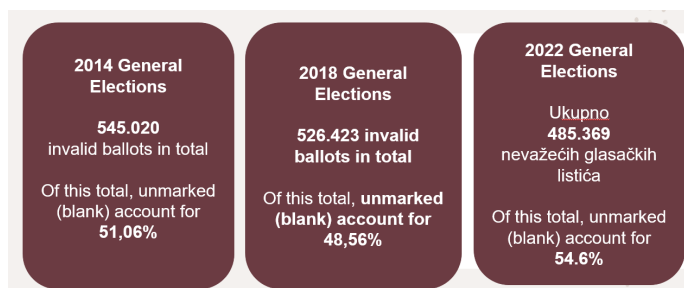


Figure 8. Comparative overview of invalid voting ballots – the 2014 – 2022 General Elections (%)

Concluding observations and proposed measures

After an analysis of all data, the following conclusions were reached and measures were proposed:

- The assessment of validity of a voting ballot during the counting by members of polling station committees should be based on criteria provided for by the Election Law of Bosnia and Herzegovina and secondary legislation of the Central Election Commission of Bosnia and Herzegovina. **The Central Election Commission of Bosnia and Herzegovina will develop additional criteria for the assessment of the validity of voting ballots by polling station committees in the Rulebook on the Conduct of Elections.**
- **An anonymous online survey about invalid voting ballots should be carried out.**
- The initiative of the Central Election Commission of Bosnia and Herzegovina should be amended in such a manner to stipulate the following: 1. **The obligation of bodies in charge of the conduct of elections to not only inform voters, but also carry out obligatory education of voters, with a strong focus on explaining the preferential voting and use of the assistance of another person to voters;** 2. **The obligation to introduce tools for supporting blind and partially sighted persons.**
- **Regulations should be put in place to limit the number of preferential votes of every voter.**
- **A revised Strategy on Voter Education for the Period 2024-2026 should be prepared in cooperation with the OSCE Mission to Bosnia and Herzegovina.**

- **The election process in Bosnia and Herzegovina should be further digitalized in a more comprehensive and step-by-step manner and technological advancements and improvements of the existing election information system should be introduced in order to improve the overall election process.**

In the period from April 05 to May 05, 2023, the Central Election Commission of Bosnia and Herzegovina carried out an anonymous online survey about invalid voting ballots. A total of 505 respondents participated.

According to the opinion of respondents, the primary reason for invalid voting ballots is the excessive number of political parties and candidates (30.22%), followed by dissatisfaction with the offered options (20,74%), a complicated election system (17.39%), a large number of voting ballots (13.55%), the format of voting ballots (8.51%), and all of the above (7.55%). Only 2.04% of respondents indicated that they did not understand how to vote.

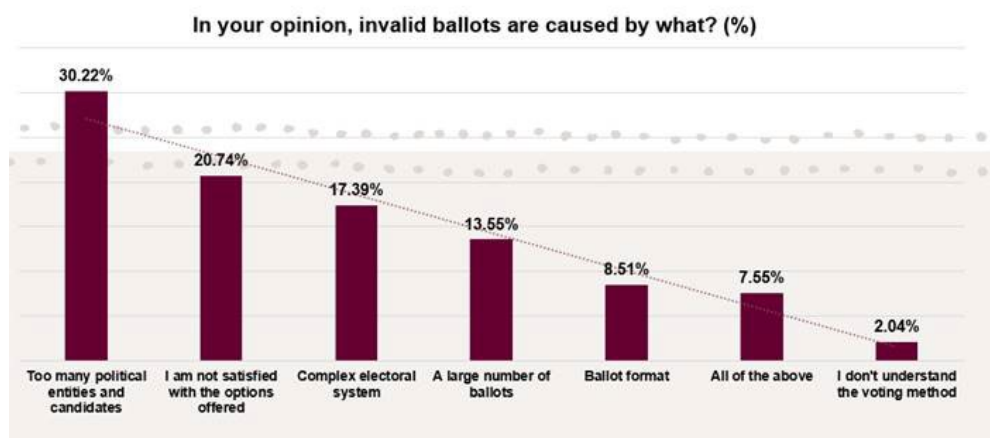


Figure 9. Anonymous online survey

The Central Election Commission of Bosnia and Herzegovina will carefully analyze all recommendations and comments of online survey respondents and take the relevant steps within its competence to improve this area in the coming period.

I will list only some of the recommendations made by respondents:



- Polling station committees should be professionalized and chairpersons of polling station committees should receive specific training,
- The elderly should receive specific instructions,
- Voting assistance to the elderly should be allowed,
- There should be a smaller number of political subjects,
- The format of voting ballots should be changed,
- An additional option should be introduced on voting ballots: "I am dissatisfied with the offered options",
- Digital technologies (scanners, fingerprint readers, cameras in polling stations, etc.) should be introduced,
- Instead of the mark "X", other options should be introduced as well, such as "/", "o", or check mark,
- Video voting instructions should be simplified, etc.



3. Court practice on appeals against decisions of the CEC BiH

Željko Bakalar, Member of the Central Election Commission of BiH



In all phases of election activities, participants in the electoral process submit objections and appeals and other legal means prescribed by the BiH Election Law for the protection of electoral rights. Electoral rights are protected by election commissions

(municipal election commissions, city election commissions, Election Commission of the Brčko District of BiH, Central Election Commission of BiH) and the Appellate Division of the Court of Bosnia and Herzegovina (Court of BiH). objections are submitted in writing on the form prescribed by the CEC BiH.

Protection of electoral rights - jurisdictions:

- Article 6.2 paragraph (1) of the BiH Election Law - The municipal election commission (MEC) in its municipality has the first-instance jurisdiction to decide on complaints filed due to violations of the rules of conduct from Chapter 7, except in the case of violations from Article 7.3 paragraph (1) items 3) and 7), Article 7.3 paragraph (2) and Article 7.4 paragraph (1) item 3) of this Law, which is decided by the CEC BiH.
- Article 6.6 paragraph (1) of the Election Law of BiH - The CEC BiH has the first-instance jurisdiction to decide on complaints filed due to violations of the rules of the electoral process, electoral rights, violations of Chapter 16 committed by a political entity and violations from Article 7.3 paragraph (1) items 3) and 7), Article 7.3 paragraph (2) and Article 7.4 paragraph (1) item 3) of this Law. Decisions of election commissions can be appealed to the CEC BiH within 48 hours of receiving the first-instance decision.
- Article 6.9 of the Election Law of BiH - The Appellate Division of the Court of BiH is competent to resolve appeals against the decisions of the

CEC BiH. Appeals are submitted to the Appellate Department of the Court of BiH within two days of receiving the decision of the CEC BiH. The appeal is submitted through the CEC BiH, and the Appellate Division of the Court of BiH is obliged to decide on the appeal within three days from the date of receipt of the appeal.

The subject area related to "use of public funds and resources" and "false representation" was introduced by amendments to the BiH Election Law, which the High Representative for Bosnia and Herzegovina announced on July 27, 2022 and only after that a new practice in the electoral system in BiH is established.

ABUSE OF PUBLIC RESOURCES

Law on Amendments to the Electoral Law of Bosnia and Herzegovina from July 2022

CEC BiH received 63 complaints/reports regarding violations of Article 7.2a of the Election Law of BiH. In the procedures for dealing with objections/reports, the CEC BiH issued 8 Decisions on the imposition of a monetary sanction, 19 Decisions rejecting the objection as unfounded, 19 Conclusions on the suspension of the proceedings, 4 Conclusions by which the submission is considered not to have been submitted, 1 (one) Conclusion by which the complaint is rejected as submitted by an unauthorized person, 2 Conclusions rejecting the complaint as untimely, 2 Conclusions rejecting the submission because it was previously resolved on the basis of the violation in question, 2 Conclusions on merging the cases, and 10 Notices informing the complainant/application that the case under the same application has already been resolved.

Eight (8) appeals were submitted to the Appellate Division of the Court of Bosnia and Herzegovina against the Decisions of the CEC BiH, of which the Court of Bosnia and Herzegovina rejected 6 appeals as unfounded, while upholding 2 appeals, in such a way that in one case it accepted the appeal and annulled the Decision of the CEC BiH, and in the other case accepted the appeal and annulled the decision of CEC BiH as unlawful..

FALSE REPRESENTATION (IN VOTING BOARDS)

Law on Amendments to the Electoral Law of Bosnia and Herzegovina from July 2022

CEC BiH received 37 complaints/applications related to false representation. In dealing with objections/applications, the CEC BiH issued 20 Decisions on



the imposition of monetary sanctions, 6 Decisions rejecting the objection as unfounded, 25 Conclusions on suspension of proceedings, 4 Conclusions in which the submission is considered not to have been submitted, 3 Conclusions in which the application/objection rejects as untimely, 1 (one) Conclusion on separation of cases and 1 (one) Application submitted to the Zenica- Doboj Cantonal Prosecutor's Office.

Twenty eight (28) appeals were submitted to the Appellate Division of the Court of BiH against the decisions of the CEC BiH, of which the Appellate Division of the Court of BiH rejected 21 appeals as unfounded, and 7 appeals accepted and annulled the Decision of the CEC BiH. Also, CEC BiH received one unsigned complaint, the complainant was sent a Notice on the elimination of the deficiency, and since the deficiencies were not eliminated, a conclusion was made that it is considered that the complaint was not even filed.

DIFFICULTY OF PROVING THE ABOVE VIOLATIONS - FALSE REPRESENTATION

The largest number of applications received included a large number of political parties and independent candidates, from a few to several dozen,

Determination of affiliation or membership in a political party, given that there is no register of members of political parties, and if a member of the polling station committee or a political party did not confirm the statements from the application for membership in a political party, only evidence could be used from which, to a greater or lesser extent, it could be concluded with probability that the person was a member of one political party, and accepted membership and worked in the polling station committee before the another political party,

The Court of BiH did not accept the argumentation of the CEC BiH given in the appeal statement, that the handwritten statement with a ballpoint pen, about withdrawing from the political party, could have been written at any time, with a fictitious date, because it was given or attached only to the appeal and that as such it cannot be an official act of withdrawal from a political party.

The Court of BiH did not accept the argument of the CEC BiH that a person who voluntarily agreed to be a member of the polling station committee before one political entity, at the moment when he was a member of another political entity, because he was formally kept in the membership records of another political entity, should bear responsibility, but accepted subsequently submitted declarations about renunciation of membership in a political party, i.e. renunciation of work in the electoral committee. The Court also acknowledged the subsequently issued certificates of the MEC, that the person did not participate in the work of the electoral committee, although previously,



the MEC had submitted to CEC of BiH a decision on appointment to the polling station committee with other data, without subsequent corrections, so the question arises as to which information of the MEC is correct, that is, which the act is correct..

CONCLUSION

It is extremely difficult to prove abuses of this type, although in some cases there are more than serious indications that it is an abuse of the right to participate in the work of the polling station committee.

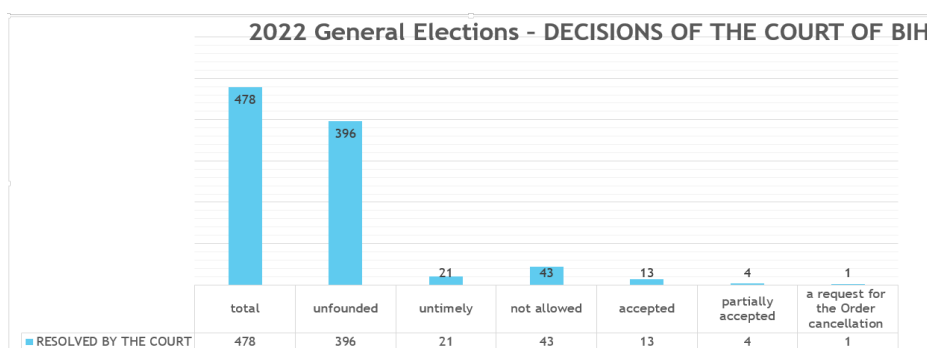


Figure 10. 2022 General Elections – Decisions of the Court of BiH

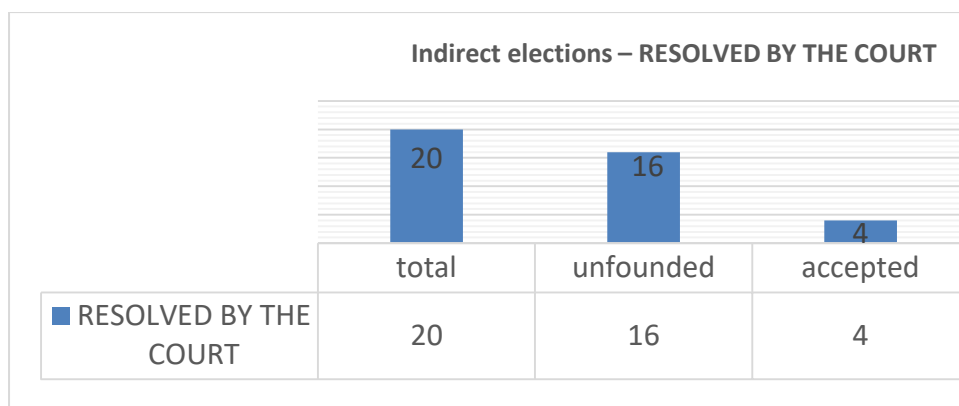


Figure 11. 2022 General Elections – Decisions of the Court of BiH

96% of decisions by the Central Election Commission of BiH were confirmed.

Overview of appeals submitted to the Court of BiH during the period of the 2022 General Elections in BiH by category:

Table 16. Overview of appeals submitted to the Court of BiH during the period of the 2022 General Elections in BiH by category

Category	# of appeals	Resolved by the BiH Court	Category	# of appeals	Resolved by the BiH Court
Refusal to register in the Central Voter Register (CVR) for voting outside BiH	294	257-rejected as unfounded 17-rejected as untimely 20-rejected as not allowed	Appeals against the Decision on determining and publishing of the 2022 General Elections results	7	6-rejected as unfounded 1- CEC of BiH resolved through the decision to amend the decision on determining and publishing the results of the 2022 General Elections
Campaign - Article 16.14 of the BiH Election Law	11	8-rejected as unfounded 3- partially accepted	Appeals against the First amendment to the Decision on determining and publishing of the 2022 General Elections results	3	2-rejected as unfounded 1- rejected as not allowed
False representation	28	21-rejected as unfounded 7- accepted	Appeals against the Supplemental Decision on determining and publishing of the 2022 General Elections results	3	2-rejected as unfounded 1- rejected as not allowed
Use of public funds and resources	8	6-rejected as unfounded 2- accepted	Request for assessment of legality and appeal against the recount order - for the level of President and Vice-President of Republika Srpska	3	2-rejected as unfounded 1- The request for order cancellation is rejected as unfounded
Electoral silence	13	12-rejected as unfounded 1- rejected as not allowed	Violation of the Law on Financing Political Parties	16	15-rejected as unfounded 1- partially accepted
Hate speech	5	4-rejected as unfounded 1- accepted	Appointment of municipal/city election commissions (MEC/CEC)	30	18-rejected as unfounded 10-rejected as not allowed 2- accepted
Second instance jurisdiction of CEC BiH	14	6-rejected as unfounded 8- rejected as not allowed			
Ballot recount	12	10-rejected as unfounded 1-rejected as untimely 1- appeal resolved by the CEC BiH			

Category	# of appeals	Resolved by the BiH Court	Category	# of appeals	Resolved by the BiH Court
Asset declaration form	23	18-rejected as unfounded 1-rejected as not allowed 2-rejected as untimely 2- appeals accepted by the CEC BiH	indirect elections	21	16-rejected as unfounded 4- accepted 1-established waiver of appeal
Candidate lists	2	2-rejected as unfounded			
Impeachment of the head of municipality	1	1-rejected as unfounded			
Termination of mandate	3	3-rejected as unfounded			
Application verification	3	2-rejected as unfounded 1-rejected as untimely			
The right to use the name of a political party for electoral purposes	1	1- accepted			

4. Main Control Activity Report

Mustafa Laković

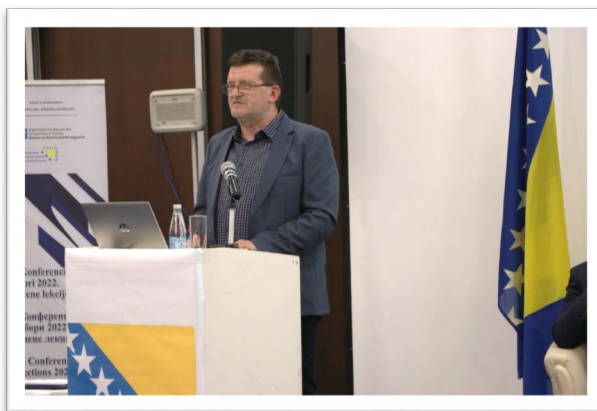
Coordinator for the work with MECs; Controller of Election Results, Secretariat of the CEC BiH

Control of election results

Competences:

Article 69, paragraph (11) of the Rulebook on conduct of elections in BiH

- comparing the number of signatures of the turnout from the number balance form and aggregate results form for all polling stations;
- comparing number of received and number of unused ballots for every race;
- making corrections in the application under the procedure referred to in paragraph 8 from item a) to item e) of this Article for all polling stations where the election results controllers of the election commission do not make corrections;
- controlling election results entered at the Main Counting Center under procedure referred to in paragraph 8 from item a) to item e) of this Article;
- verifying grounds of complaints, appeals and requests for recount of ballots;
- reporting to the BiH Central Election Commission on all observed irregularities, giving a proposal of measures to correct irregularities..



Report

- Opening and closing of PSs, turnout;
- Results for the BiH Presidency entered by 23:15 hours, October 2, 2022;

- Control count;
- Tolerance threshold;
- Analysis of invalid polling stations, October 7, 2022;
- Invalid ballots;
- Analysis of election results' control;
- Recommendations for improving electoral process.

Opening and closing of polling stations

- Total number of regular polling stations: 5.420
- Not opened on time 158 polling stations in 39 basic constituencies (2.9%)
- Not closed on time 150 polling stations in 43 basic constituencies (2.76%)

It is evident that a smaller number of polling stations were late closing than the number of polling stations that were not opened on time. It is particularly controversial in Banja Luka, where 21 polling stations was not opened on time and all polling stations were closed on time.

Turnout

- a) Number of signatures for the BiH Presidency and the BiH Parliamentary Assembly is 1.733.450, which is 51.46% of the total number of voters;
- b) Number of signatures for the House of Representatives of the FBiH Parliament is 1.056.380, which is 50.08% of the total number of voters;
- c) Number of signatures for the President and vice presidents of RS is 677.108, which is 53.77% of the total number of voters;
- d) Number of signatures for the RS National Assembly is 677.117, što je 53,77% of the total number of voters; and
- e) Number of signatures for the Cantonal Assemblies in FBiH is 1.038.742, which is 50.30% of the total number of voters.



The number of signatures for the level of the House of Representatives of the FBiH Parliament and the Cantonal Assemblies in the FBiH differ in 17.638, because voters in the Brčko District of BiH who have entity citizenship of the FBiH do not vote for the Cantonal Assemblies in the FBiH.

Table 17. Results for the BiH Presidency entered by 23:15 hours

Unijeto biračkih mjestā	Ukupno biračkih mjestā	Procent
2,552	5,557	45.92%

10 election commissions entered the results from 0 polling stations,
 12 election commissions entered up to 10% of the polling stations,
 7 election commissions entered up to 20% of the polling stations,
 12 election commissions entered from 90% to 99,9% of the polling stations,
 39 election commissions entered the results from all polling stations i.e. 100%..

Results for all levels from Kupres RS entered in the Central Election Commission of Bosnia and Herzegovina.

For the purpose of this analysis the number of polling stations, increased by 137 polling stations, is taken as the number of polling stations in the basic constituency of the Brčko District of BiH, as at all polling stations have voters who vote for members of the BiH Presidency from FBiH and voters who vote for members of the BiH Presidency from RS.

Election commissions

The procedure to determine responsibility has been initiated

The Central Election Commission of BiH has at its 34th session held on April 25, 2023 passed 148 Conclusions on initiating proceedings to establish facts and determine accountability of 148 members from 32 election commissions of basic constituencies for violation of the BiH Election Law and BiH CEC's regulations.



The Central Election Commission of Bosnia and Herzegovina issued orders to reopen the bags in order to properly consolidate election results for 3,024 polling stations, which represents 54,42% out of 5,557 polling stations in total. Orders were issued to the election commissions for 592 polling stations and to the Main Counting Center for 2,432 polling stations.

The number of basic constituencies in which the control counting was carried out is 121 out of a total of 143 basic constituencies, which represents 84,62%.

Table 18. Control counts

Total number of PSCs at which control recount was conducted	3,024	5,557	54,42%
Total number of basic constituencies in which control recount was conducted	121	143	84,62%

- Orders issued to election commissions for 592 polling stations,
- Orders issued to the Main Counting Center for 2.432 polling stations.

Orders issued for:

- Sum of valid and invalid ballots differed from the number of ballots in the ballot box,
- Candidate received more votes than political subject,
- Incorrectly packed polling material,
- Indicia that election fraud that could affect election results was made.

Control counts

BiH Presidency: 106 polling stations,

Parliamentary Assembly of Bosnia and Herzegovina: 469 polling stations,

House of Representatives of the FBiH Parliament: 352 polling stations,

President and vice-presidents of RS: 2.239 polling stations,

RS National Assembly: 189 polling stations and

Cantonal assemblies in FBiH: 426 polling stations.



Tolerance threshold

The tolerance threshold is a number that represents the difference between the number of signatures and the number of ballots in the ballot box and the difference between the sum of valid and invalid ballots and ballots in the ballot box.

The BiH Central Election Commission had for the 2022 General Elections passed Conclusions to raise the tolerance threshold at 796 polling stations, which represents 14.32% of 5.557 polling stations. The tolerance threshold was raised in 107 basic constituencies, which represents 74.83% of 143 basic constituencies.

The tolerance threshold was only raised in cases of difference in the TEST 1 accuracy test, the number of signatures and the number of ballots in the ballot box, while the differences in the TEST 2 accuracy test were corrected by re-opening of the bags and control counting.

The tolerance threshold had bridged the difference of 3.303 ballots in relation to the number of signatures, for all levels, which represents 0.047% of the 6.914.784 ballots found in the ballot box.

Analysis of invalid polling stations October 7, 2022

A total of 566 out of 5.557 polling stations are invalid at one or several levels, while 4.991 polling stations are valid at all levels. These 566 polling stations were found invalid by the type of errors as follows:

- a) Difference between number of signatures and number of ballots was an error at 436 polling stations;
- b) Difference between the sum of valid and invalid ballots and the number of ballots in the ballot box was an error at 95 polling stations; and
- c) Candidate receiving more votes than political subject was an error at 35 polling stations.

There were 1.046 levels at which election results were not valid at 566 polling stations:



- 878 levels where number of signatures and number of ballots was not the same;
- 94 levels where sum of valid and invalid ballots was not equal to the number of ballots in the ballot box;
- 45 levels where candidate received more votes than the political subject, and
- 29 levels where there were several validation errors.

Table 19. Invalid ballots

NIVO	BROJ GLASAČKI H LISTIĆA	PRAZNI GLASAČKI LISTIĆI	OSTALI NEVALIDNI GLASAČKI LISTIĆI	UKUPNO NEVAŽEĆI GLASAČKI LISTIĆI	PROCENAT NEVAŽEĆIH LISTIĆA
PREDSJEDNIŠTVO BiH	1,733,206	68,371	46,902	115,273	6.65%
PREDSJEDNIK I POTPREDSJENICI RS	676,762	21,524	17,415	38,939	5.75%
ZASTUPNIČKI/PREDSTAVNIČKI DOM PARLAMENTARNE SKUPŠTINE BiH	1,733,289	87,956	57,325	145,281	8.38%
ZASTUPNIČKI/PREDSTAVNIČKI DOM PARLAMENTA FBiH	1,055,976	44,428	35,593	80,021	7.58%
NARODNA SKUPŠTINA RS	676,982	15,133	22,241	37,374	5.52%
SKUPŠTINE KANTONA U FBiH	1,038,569	27,370	41,111	68,481	6.59%

- BiH Presidency - 6.65% of invalid ballots in total;
- Parliamentary Assembly of BiH - 8.38% of invalid ballots in total;
- House of Representatives of the FBiH Parliament - 7.58% of invalid ballots in total;
- The President and Vice-Presidents of RS - 5.75% of invalid ballots in total;
- National Assembly of RS - 5.52% of invalid ballots in total; and
- Cantonal Assemblies in FbiH - 6.59% of invalid ballots in total.

Recommendations to improve electoral process

Based on conducted analyses and observed irregularities and difficulties in the implementation of certain electoral proceedings, and in accordance with the provisions of Article 69, paragraph (11), the control of election results proposes the following steps in order to ensure easier implementation of electoral actions and more accurate election results for the following election cycles:

- Correct the IEIS application (Integrated Election Information System) in the part related to number of signatures on the excerpt from the Central Voters' Register in such a way that the number of signatures

entered on the number balance form becomes the basis for the number of signatures on the aggregate results forms for all levels for which elections are held, and that it cannot happen that there are different numbers of signatures for different levels and that the polling station is valid for all levels;

- Correct the application for entering of election results in the IEIS BiH in the part concerning validation errors, in such a way that all polling stations, after the controller of election results completes his/her work, are recorded in separate tables according to the type of validation error. Thus, polling stations where the accuracy test 1 is different from 0 would be recorded in one table, polling stations where the accuracy test 2 is different from 0 would be recorded in another table and polling stations where the candidate received more votes than the political party would be recorded in the third table;
- Create a new module in the IEIS BiH making the application automatically check the effect on the election result;
- Create a new module in the IEIS BiH where all data for each polling station will be stored in one place, for easier access, containing the data on: president and members of the polling station committee, data from the Minutes on the operations of the polling station, especially written remarks, complaints submitted concerning the work of the PSC and other data that can serve the Central Election Commission of BiH;
- It is necessary to change the system of packaging polling materials at the polling station and replace the protective plastic bags with purpose-made plastic boxes whose shelf life will be longer;
- To prescribe by the Rulebook on the conduct of elections the obligation of the election results control to immediately, after the decision on determining election results is passed, submit a report to the Central Election Commission of Bosnia and Herzegovina on polling stations where a political subject won more than 100 votes and a candidate of the same political subject won the same number of votes, on polling stations where the turnout exceeded 100 voters and where one political subject won over 805 votes and polling stations where the turnout was over 90% and where one political subject won the largest number of votes, so that the Central Election Commission of BiH could issue an order to conduct a control count and check the accuracy of the work of the polling station committee.



5. Preparation and conduct of elections by election commissions of basic constituencies

Jovan Kalaba
Member of CEC BiH

COMPETENCIES OF CITY/MUNICIPAL ELECTION COMMISSION

In line with Article 2.13 of the BiH Election Law, municipal/city election commissions:

1. Monitor and supervise the work of the Center for Voters' Register referred to in Article 3.8 of the Law;
2. Designate Polling Stations on 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. Notify voters of information necessary for the administration of elections, in line with the regulations of the BiH CEC;
6. Are responsible for the technical arrangements at the Polling Station and any other technical preparations for the elections;



7. Are responsible for the proper conduct of the counting of ballots at Polling Stations and municipal counting centers;
8. Compile the results of elections from all Polling Stations in the municipality, separately or 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.

DISPLAYING PROVISIONAL VOTERS' LISTS

Municipal/city election commission (commission) prepared and delivered to the BiH CEC the Plans for display of provisional voters' list in the period June 4 - July 4, 2022.

All plans have been approved by the BiH CEC after certain corrections in some cases.

The election commission displayed the provisional voters' lists in line with the approved plans. The period in which the lists were displayed - June 4 - July 4, 2022..

DESIGNATION OF POLLING STATIONS

The election commissions designated 5.530 polling stations for the 2022 General Elections (5.418 regular, 7 for voting in absentia/voting in period and 105 for voting with tendered ballot).

Polling station that failed to meet the conditions for voting in terms of accessibility and space

- Number of polling station that are not accessible for persons with disability is 1361.
- Number of polling stations that did not meet conditions for unhindered voting and observation of electoral process is 392.

APPOINTING OF POLLING STATION COMMITTEES

Election commission were obligated to appoint 25.926 PSCs' members and 25.926 alternates, namely a total of 51,852 persons (regular polling stations, polling stations for voting in absentia, polling station for voting with tendered ballot).



Until September 2, 2022 (deadline set forth by the BiH Election Law) the election commissions appointed 25.926 PSCs' members and 21.750 alternates namely 4.102 alternates of the PSCs' members less than needed.

- An evident problem in the appointment process is insufficient number of proposals submitted by the political parties, as well as a large number of withdrawals

Furthermore, election commissions were also obligated to appoint 1.056 mobile team members and the same number of alternates for 352 mobile teams in total.

VOTER INFORMATION

All election commission regularly informed voters about electoral activities (display of excerpt from provisional voters' list, designation of PS locations, etc.).

ACTIVITIES ON THE ELECTION DAY AND AFTER ELECTIONS

Consolidation of results from PS and entry of information into the IEIS within statutory deadline.

- 134 election commissions entered and consolidated results within statutory deadline
- 6 election commissions did not enter and consolidate results within statutory deadline
- 3 election commissions partly entered and consolidated the results within statutory deadline

All election commissions submitted original forms from the PS to the BiH CEC within the deadline.

In 1544 cases the election commission reopened the bags aimed at proper consolidation of the results.

COMPLAINTS RECEIVED BY THE Ecs DURING THE ELECTION PERIOD AND REPORTS SUBMITTED TO THE PROSECUTOR'S OFFICES

Election commissions received 531 complaints during the election period. A total of 526 complaints were resolved, while 5 were forwarded to the BiH CEC.

Election commissions forwarded 3 reports to the prosecutor's offices during the election period.



SUPPORT TO OPERATIONS OF THE ELECTION COMMISSIONS

All election commissions, except one, needed material and technical support from their competent municipal/city bodies

All election commission received necessary support of the BiH CEC during the electoral process and election day in particular (coordinators, call center, election result controllers, IT support)

Election commissions rated the work of the Supervisor of the BiH CEC with an average score of 4.66 (from 1 to 5).

RECOMMENDATIONS FOR FORTHCOMING LOCAL ELECTIONS

- Hold a meeting, e.g. via Zoom, Skype, etc. with all election commissions, in order to inform about the preparations for conduct of elections, before the announcement of the Local Elections in 2024.
- Given that the election year is coming, it is necessary to point out to election commissions the obligation to regularly hold sessions during 2024, as well as the obligation to timely perform tasks set forth in Article 2.13 of the BiH Election Law and regularly report to the BiH CEC.
- A training on business correspondence with the BiH CEC (online, 1-2 school classes) should be provided as part of regular training for presidents and members of election commissions. Considering the evident problem of untimely checking of e-mails containing tasks that the BiH CEC sends to election commissions, delays in reporting, failure to provide complete and accurate data, lack of knowledge of business correspondence, and ineffective communication on the Election Day.
- In order to ensure the implementation of the 2024 Local Elections, all city/municipal mayors must be informed of the obligation to secure funds as set forth in Article 1.2a paragraph (3) of the BiH Election Law, particularly in the part concerning activities referred to in Article 2.13 of the BiH Election Law, payment of remuneration for the work of election commissions and PSCs and the obligation to provide material and technical support to election commissions.
- Inform the competent authorities about the obligation to provide personnel, premises and equipment for the work of Centers for Voters' Register, as well as to determine monthly remuneration for center's employees, because in addition to the prescribed activities, they also perform technical work for election commissions.



- It is necessary to improve election administration training (e.g. content, number, to create it according to target groups, etc.).
- During the preparation of amendments of the regulations, it is necessary to take into account the proposals submitted by the election commissions as part of their activity report - (57 ECs submitted proposals).

SUMMARY

All election commissions have conducted majority of activities set forth by Article 2.13 of the BiH Election Law in line with procedures and deadlines.

These activities include:

- Display of provisional voters' lists,
- Voter registration of displaced persons,
- Designation of PS,
- Appointment, training and certification of PSCs, revisors and data entry clerks for entry of election results into IEIS BiH.

Election commissions generally state that they have good cooperation with the city/municipal administration and the BiH CEC.



Findings of international organizations on the implementation of the General Elections in BiH in 2022

Monitoring findings of the OSCE Mission to Bosnia and Herzegovina regarding the criminal justice response to electoral fraud cases concerning the 2022 General Elections in BiH

Halisa Skopljak, National Legal Officer in the Rule of Law Section of the OSCE Mission to BiH

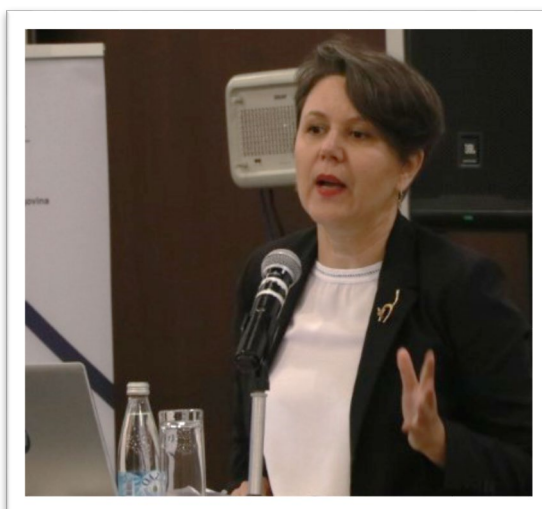
Monitoring methodology

2020 Local Elections; 2022 General Elections

Periodically updated information on the reports by the prosecutor's offices in BiH on the following:

- a) the number of reports received,
- b) the person/body filing the report,
- c) reported facts,
- d) preliminary qualification of the offence,
- e) prosecutor's decision,
- f) compiling decisions and monitoring court cases.

All criminal offences related to the election process.



High Judicial and Prosecutorial Council of Bosnia and Herzegovina's conclusions (HJCP BiH) of 6 July 2022.

Table 20. Number of reports per prosecutor's offices

Number of reports	2022	2020
over 90	0	Doboj
51 - 70	BiH (+59)	0
21 - 50	Bihać, Bijeljina, Doboj	BiH (+45), Banja Luka, Brčko, Mostar, Prijedor
16 - 20	0	Sarajevo, Zenica
6 - 15	Sarajevo, Zenica	Bihać, Bijeljina, Goražde, Istočno Sarajevo, Livno, Orašje, Travnik, Tuzla
Up to 5	Goražde, Livno, Orašje, Travnik, Banja Luka	Trebinje

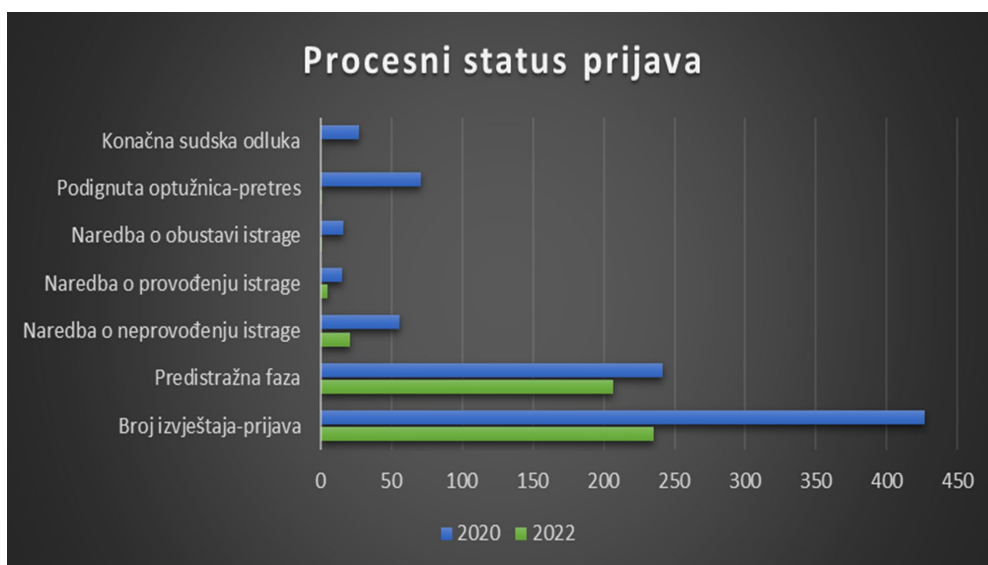


Figure 12. Processing status of reports



Table 21. Completed cases

Types of proceedings	Plea bargaining and warrant for pronouncement of the sentence	24
	Guilty plea/ Main trial	3
Sanctions	Suspended sentence	21
	Sentence of imprisonment	1
	Fine	4
	Sentence of imprisonment commuted into a fine (prison sentence replaced with a fine)	5

Completed cases:

- Forging documents
- Unauthorized use of personal data
- („dead people voting“)
- Imposing sentences under the legally prescribed minimum, no injunctions (“prohibiting measures”).

Table 22. 2022 General Elections

	Indictment	Order to conduct investigation	Order to cease investigation	Order not to investigate
Prosecutor's Office of BiH	1	5	1	7
Bihać Cantonal Prosecutor's Office				10
District Prosecutor's Office of Doboj				2
Cantonal Prosecutor's Office of the Sarajevo Canton				1
Cantonal Prosecutor's Office of the Zenica-Doboj Canton		2		4
Cantonal Prosecutor's Office of the Bosnia-Podrinje Canton — Goražde		1		

2022 General Elections - Reports – according to the party who filed a report:

- CEC BiH (35% transferred to other prosecutor's offices)
- Political parties (45% transferred to other prosecutor's offices)
- Police agencies (14% transferred to other prosecutor's offices)
- Other.



Table 23. 2020 Local Elections

	Completed cases	Ongoing proceedings	Indictment	Order to conduct an investigation	Order to cease an investigation	Order not to investigate
Prosecutor's Office of BiH	3					11
Bihać Cantonal Prosecutor's Office						1
District Prosecutor's Office of Doboj	2	3	45			1
Cantonal Prosecutor's Office of the Sarajevo Canton						9
Cantonal Prosecutor's Office of the Zenica-Doboj Canton	2		1	1	3	3
Cantonal Prosecutor's Office of the Bosnia-Podrinje Canton — Goražde				2		2
District Prosecutor's Office of Bijeljina	1	1				3
Prosecutor's Office of BDBiH	8	3		10		7
District Prosecutor's Office of Istočno Sarajevo	2					3
Cantonal Prosecutor's Office of the Hercegovina-Neretva Canton - Mostar	2		2		11	6
Cantonal Prosecutors Office of the Posavina Canton - Orašje	3		1			
Cantonal Prosecutor's Office of the Central Bosnia Canton - Travnik	4			2	2	2
District Prosecutor's Office of Banja Luka			1		2	1
Cantonal Prosecutor's Office of Canton 10 - Livno						2
Trebinje District Prosecutor's Office						3
Cantonal Prosecutor's Office -Tuzla Canton						3

2020 Local Elections- reports were filed by:

- CEC
- Police agencies
- Political parties
- Other.

Overall judicial efficiency rate:

- 2020 Local Elections - 47% (June 2022, 51%).
- 2022 General Elections - 12%.

HJCP BiH's conclusions of 6 July 2022:

- Prioritizing the processing of cases
- Ensuring optimal efficiency of proceedings
- Appointing contact persons in all prosecutor's offices
- Prompt exchange of information with CEC BiH
- Holding extraordinary meeting of Strategic Forum for cooperation between prosecutor's offices and police
- Proactive actions through operational forums for cooperation between prosecutor's offices and the police agencies
- Continuing training
- Commensurate and consistent penal policy

- Regular publishing of information on the activities and work of prosecutor's offices on such cases
- Regular reporting to HJPC BiH on the implementation of conclusions
- Enhancing the functionality of TCMS for recording of such criminal offences.

Recommendations for the HJPC BiH:

1. The attitude towards the election criminal offences where these offences are viewed as being less dangerous should be changed.
2. Efficiency should be improved by:
 - Analyzing the efficiency of prioritizing the processing of cases - initial assessment of reports, „negative” decisions, confirmation of indictment, scheduling hearings, other stages of proceedings. Further steps should be based on the results of the analysis.
 - Analyzing the practice of transferring reports between prosecutor's offices due to the lack of jurisdiction. Issue guidelines?
 - Organizing continuing training for all actors. Involve training institutions and training forum.
 - Improving the system of recording and regular updating. Introduce special reporting forms, as required.
 - Analyzing the consistency and uniformity of interpretation and application of relevant laws through issued decisions. Develop reference material - comments on the law/s, and training materials
 - Analyzing the penal policy.
 - Improving the transparency by regular communication of information to the public about the status of reports and proceedings.
3. Laws should to be analyzed and amended according to the practical needs
4. A long-term public campaign on electoral fraud and on the elements of these offences should be carried out.

Recommendations of the workshops for prosecutors and authorized officials of police agencies in BiH titled "Effective investigations and prosecution of criminal offenses that jeopardize regularity and integrity of elections"

Ahmed Rifatbegović, Political Adviser at the Office of the OSCE Head of Mission and Head of Political Outreach & Elections Unit

Project „Improvement of the 2022 Election Process in BiH in line with the ODIHR’s Recommendations“, supported by the governments of the USA and the Kingdom of Norway.

Four 2-day workshops for prosecutors and authorised official persons of police agencies in BiH covering the topic „Efficient investigations and processing of criminal offences that jeopardize regularity and integrity of elections“ delivered in September, 2022:



1. Sarajevo, September 1 - 2, 2022
 2. Banja Luka, September 6 – 7, 2022
 3. Tuzla, September 14 – 16, 2022
 4. Mostar, September 26 – 27, 2022,
- for 60 prosecutors and 70 law enforcement officers.

Recommendations for the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC of BiH) and the Central Election Commission BiH (CEC BiH)

Recommendations for the High Judicial and Prosecutorial Council of BiH (HJPC BiH) and Central Election Commission of BiH (CEC BiH) with regard



to the improvement of institutional agreement in the area of criminal offences that jeopardize the regularity and integrity of elections in BiH.

Recommendations are based on the workshop presentations and discussions and the data from the monitoring implemented by the Mission. Their integral part includes the number and procedural status of reports filed in regard to the 2020 Local Elections and 2022 General Elections, ending March 31st 2023.

2022 General Elections, Reports – as per party who filed the report

- CEC BiH (35% transferred to other prosecutor's offices)
- Political parties (45% transferred to other prosecutor's offices)
- Police agencies (14% transferred to other prosecutor's offices)
- Other

Recommendations for the CEC BiH

- a) It is necessary to undertake further activities aimed at the strengthening of integrity and impartiality of election administration at all levels. This is particularly important with regard to the work and establishment of the polling station committees as the key bodies that respond to various manifestations of electoral fraud on the Election Day. In that context, it is necessary to analyze the procedure of nomination and appointment of the polling station committee members and carry out wide-encompassing consultations with various stakeholders in election process, and offer alternative and innovative proposals for establishment of these bodies, including the professionalization of polling station committees, and nomination by the political parties that have their representatives at the higher levels of government for which the elections are implemented.
- b) Up-to-dateness of voters' list needs to be continuously improved. The lack of accurate and valid data in these records creates the preconditions for electoral malpractice and violation of voters' right. In addition to ensuring the regular, timely exchange of data with all the relevant institutions, it is necessary to analyze the mode of exchange of data on deceased persons, submitted by the medical institutions, and procedure and deadline for exchange of data on residence, in order to prevent potential "fictitious" voter registration.
- c) Additional improvement of voting procedures to further protect the secrecy of vote and prevent illicit influence on voters. In addition, this particularly includes the proposals to regulate unauthorized photographing of the ballots after casting the vote (especially when it comes to the voters who vote via mail) and taking the voting material from the polling station. The voters need to be educated on the procedures and actions ensuring the secrecy of vote that, among other things, also include the information on



- the integrity of elections results, and various safeguarding elements on the ballots, aiming to prevent an unauthorized copying of the voting material.
- d) The training curricula for election administration at all levels should permanently include the modules on electoral fraud and accountability of the municipal/city election commission members and polling station committee members. The modules should be complemented by the practical examples. The representatives of judicial institutions should be involved in the process of preparation and development of the training materials and organisation of trainings, in order to ensure availability of information on practices in the previous election cycles and updated data on the number and type of the processed electoral fraud cases.
 - e) Continuation of activities on the introduction of modern information technologies in electoral process. This will allow for all the preparation and test activities to be conducted in the non-election year and creation of prerequisites for these technologies to become operational in the next election cycle, in the part regarding the biometric voter identification and electronic voting. Introduction of new technologies needs to be accompanied by determining of criminal sanctions in cases when these technologies are misused. Also, what needs to be regulated in parallel is the complaint mechanism in regard to the use of new technologies, and data protection mechanisms.
 - f) Organization of special information campaigns and webinars for the public, where citizens will be informed about the electoral frauds, and actions in electoral process that constitute offence, meaning, criminal act/offence. This would help the voters become educated on their rights and to whom and how they can report electoral fraud. Special emphasis should be placed on young voters, members of less represented gender, and disabled voters. The webinars should be promoted on all social media and via TV channels.
 - g) In order to prevent malpractice in the part which pertains to the registration of political parties, it is necessary to analyze the existing procedures and, based on the case law/jurisprudence, including the examples from prosecutor's offices' practice, revise the provisions to prevent the registration of the „fictitious“ political entities. The procedures of verification of support signatures for political parties need to be improved. This would help prevent unauthorized gathering of support signatures and intensify control of authenticity of the sample of collected signatures, inter alia, by using ICT and expanding the scope of control to include all the collected signatures.
 - h) Consider the need to organize the meeting on the results of the 2022 elections to present reports of the HJPC BiH, police agencies and



prosecutor's offices on criminal offences committed during the 2022 election cycle.

- i) Consider the establishment of the single data base on initiated minor offence and criminal proceedings, enable the access to these data by the relevant institutions, and regularly communicate the clearance rate (rate of efficiency in resolving the cases) to the public.
- j) Furthermore, in order to increase an overall transparency of election process and strengthen the accountability, CEC BiH and the courts need to publish the appeals and subsequent decisions of election administration in timely manner. For the purpose of honoring the existing deadlines for the processing of the cases upon the complaints filed, CEC BiH needs to plan, in advance, the human and material resources that will be engaged as help in this type of work activities. We suggest analysis of the possibility to revise the deadlines for filing of complaints.
- k) In order to improve the access to legal remedies and increase the efficiency of the mechanism for resolution of election disputes, it is necessary to consider, together with the judiciary representatives, the options to ensure that the legal status for filing the complaints is expanded to public associations, including the observers. Special attention needs to be given to the measures to improve the role of observers from public associations, including the training of observers, and procedures that will improve the quality of potentially filed complaints, and advance the understanding of the observers' role.

BiH citizens' perception of electoral irregularities

The citizens of BiH do not trust the institutions involved in election process. None of the institutions that were referred to received the confidence of more than 16% of respondents. 59, 6% of respondents do not trust the Central Election Commission of BiH, 64, 4% of respondents do not trust the polling station committees, whereas those who do not trust municipal election commissions account for 64,6% of respondents.

42% of respondents believe that elections are not fair, whereas those who believe that elections are fair account for only 23% of respondents. More than two thirds of respondents believe that electoral frauds do take place.

Every fourth respondent was offered money to vote for a particular party or a candidate. More than one fifth of respondents experienced the situation where someone told them who to vote for at the polling station.

Respondents deem that the frauds in electoral process most frequently occur when the votes are counted at the polling stations (43%) and added at municipal and central levels (22,2%).



Presentation of the recommendations from ODIHR Election Observation Mission Final Report for the 2022 General Elections in BiH

Marcell Nagy, Deputy Head of Mission, OSCE/ODIHR Election Observation Mission to BiH 2022

Marcell Nagy's presentation outlined the work of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission to Bosnia and Herzegovina in 2022. Mandated to observe the general elections, the mission assessed the compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, and national legislation. The mission's findings were published in a Final Report in February 2023, offering 22 recommendations for enhancing the electoral process, which the presentation explained in detail.



ODIHR Election Observation Mission to BiH 2022:

- Led by Ambassador Peter Tejler;
- 4 parliamentary delegations;
- Almost 500 observers;;
 - opening procedures observed in nearly 200 polling stations;
 - voting in over 1,700 polling stations;
 - vote count in close to 170 polling stations;
 - tabulation of results in more than 100 Municipal Election Commissions.
- 3. 3 October: Preliminary Statement;
- February 2023: Final Report.

Recommendation:**Election administration -1:**

Authorities should provide adequate and effective allocation of funds to ensure the functionality of the Central Election Commission as an institution, including in non-election years, and to cover all the costs associated with the organization of the elections. The Central Election Commission should be provided with the necessary resources to hire sufficient and qualified staff, including in its audit, legal and IT departments, and to develop its IT infrastructure.

Recommendation:**Election administration - 2:**

In order to ensure timely formation, impartiality and professionalism of Polling Station Commissions and increase stakeholders' trust, the authorities should review the system of appointment of these commissions. This could be achieved by limiting eligibility to nominate their members only to the parties represented in the state and entity parliaments, or those drawn from a permanent roster of trained people maintained by the Central Election Commission.

Recommendation:**Election administration - 3**

The Central Election Commission should continue enhancing the training of lower-level election commissions, with a particular focus on voting and counting procedures and completing voting results protocols.

Recommendation:**Election administration - 4**

The authorities, including the election administration, should develop a comprehensive long-term voter education and information programme for different target audiences in close consultation with organizations representing these groups. Voter education and information materials should be produced in line with accessibility standards.



Recommendation:**Complaints and appeals - 1**

To allow adequate time for the filing and handling complaints, deadlines could be brought in line with international good practice. The Central Election Commission should consider all complaints and appeals in a timely manner and be properly prepared and resourced to do so.

Recommendation:**Complaints and appeals - 2**

To enhance transparency and accountability, the Central Election Commission and the courts should publish election-related complaints and decisions in a timely manner.

Recommendation:**Election day - 1**

The authorities should take effective measures to protect the voters' right to a free and secret choice. The importance of ballot secrecy, protecting a voter's identity, and ensuring voters can vote in a free atmosphere should be emphasized during the training of election commissions and in voter education materials. The polling station layout should be reviewed, and overcrowding should be addressed to ensure the secrecy of the vote and protection against undue influence on voters.

Recommendation:**Election day - 2**

The election administration should consider additional measures, in close co-operation with organizations representing persons with disabilities, to ensure that voters with disabilities, including those with visual impairments, can vote independently or with a proper assistance. Efforts should be undertaken to ensure that polling station premises and layout are suitable for independent access.



Recommendation:
Post-election day developments

Authorities should ensure that members of the election administration are not recalled for arbitrary reasons and that they are able to conduct their duties without fear of retribution or intimidation, including based on gender, and should promptly investigate and respond to such cases.

The presentation proceeded to provide a status update on the implementation of previous ODIHR recommendations, issued in 2014 and 2018. The recommendations pertaining to the work of the election administration were organized into four thematic areas: election administration, election day procedures, voter registration, and candidate registration. For each of these areas, the presentation provided detailed statistics on the implementation status and concluded that out of 37 recommendations related to the work of election administration, 9 were fully implemented, 3 mostly, and 10 partially.

Election administration (2014-2018):

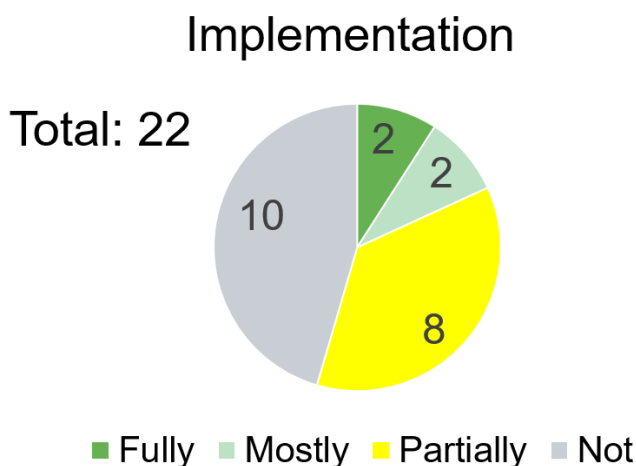


Figure 13. Election administration (2014-2018)

Election day procedures (2014-2018):

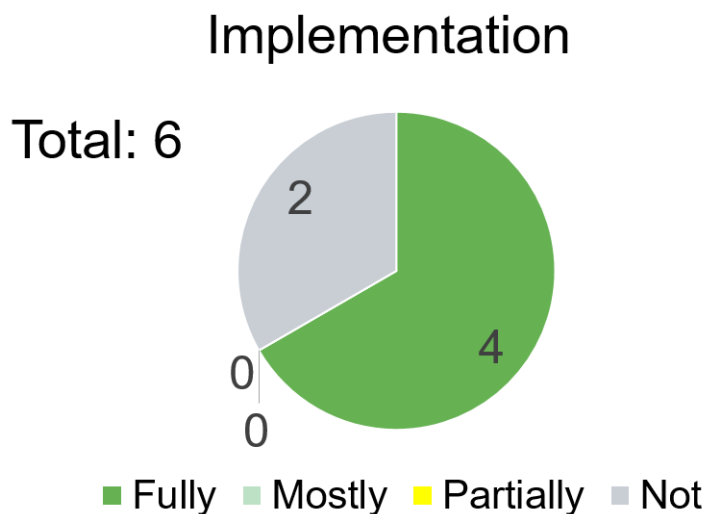


Figure 14. Election day procedures (2014-2018)

Voter registration (2014-2018):

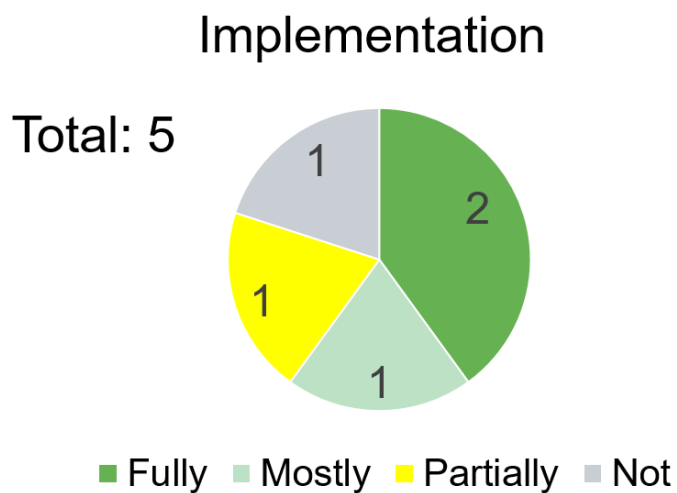


Figure 15. Voter registration (2014-2018)



Candidate registration (2014-2018):

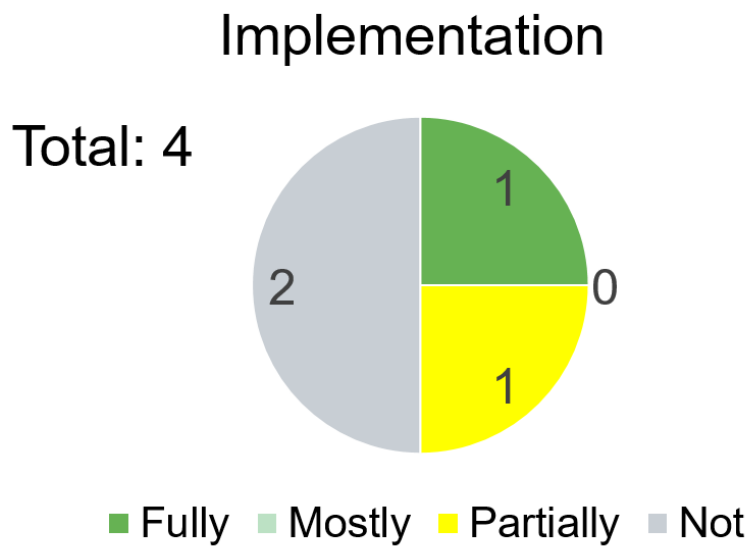


Figure 16. Candidate registration (2014-2018)

Total (2014-2018):

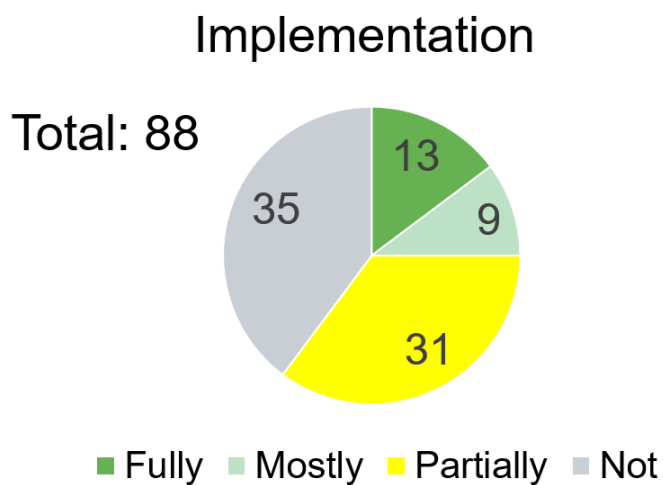
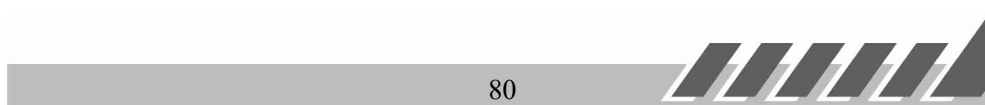


Figure 17. Total (2014-2018)



The presentation then underscored the activities of the ODIHR project “Support to Electoral Reforms in the Western Balkans”, which is funded by the European Union and the Austrian Development Agency. Despite obstacles posed by the COVID-19 pandemic and a suspension due to the 2022 general elections, the project offered to local stakeholders expertise on various topics. These included studies on the layout of polling stations and access for persons with disabilities; the implementation of electronic voter identification; draft amendments to election-related legislation; the impact of harmful speech on elections; and the scrutiny of political party financing. The presentation concluded by reaffirming ODIHR’s commitment to assisting Bosnian institutions and civil society to effectively follow up on the election observation recommendations.

Support to Electoral Reforms in the Western Balkans:

- Technical assistance since 2017;
- Comparative analyses with regional perspectives;
- Comments on draft or adopted regulations and laws;
- BiH: work started in January 2021;
- Suspension prior to the 2022 general elections;
- Papers on various topics;
- ODIHR remains committed to supporting institutions and civil society in BiH.



Presentation of recommendations from the Election Observation Report of the Parliamentary Assembly of the Council of Europe's observation mission on the General Elections in Bosnia and Herzegovina (October 2, 2022)

Prof. Stefan Schennach, member of the Parliamentary Assembly of Council of Europe and Head of the ad hoc committee who observed the general elections in Bosnia and Herzegovina



Parliamentary Assembly of the Council of Europe (PACE) posmatra izbore u BiH od 1996. godine. has been observing elections in BiH since 1996. BiH is under the monitoring procedure by Parliamentary Assembly of the Council of Europe (PACE) and has therefore committed to invite the Assembly to observe elections.

Our election observation delegation had 24 members: 21 members of the PACE (representing all the political groups and coming from 16 different European member states), a representative of the Venice Commission and 2 members of staff.

We first had a pre-electoral mission in Sarajevo and Banja Luka early September. We had then meetings with representatives of the Collegium of the House of Peoples of Bosnia and Herzegovina, leaders and representatives of parliamentary groups of the House of Representatives of the Federation of Bosnia and Herzegovina, leaders and representatives of parliamentary groups of the National Assembly of Republika Srpska, the delegation of Bosnia and Herzegovina to PACE, the President and members of the CEC, members of the diplomatic corps in Sarajevo, members of the OSCE/ODIHR election observation mission, as well as representatives of NGOs and the media.

The full Parliamentary Assembly of the Council of Europe (PACE) delegation operated as part of an International Election Observation Mission (IEOM)



together with a delegation from the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE-PA), a delegation from the European Parliament (EP), a delegation from the Parliamentary Assembly of the NATO (NATO-PA) and the electoral observation mission of the OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR).

Main findings:

- We concluded that the general elections were competitive and overall well organized. Fundamental freedoms were respected during the campaign. However, failed reform efforts, a widespread mistrust in public institutions and ethnically divisive rhetoric continued to mark the election environment.
- The Parliamentary Assembly of the Council of Europe (PACE) delegation noted the participation of foreign officials during the campaign:
 - the President of Türkiye was present in Sarajevo during the PACE pre-electoral mission
 - the President of Croatia attended the commemoration of the wartime Croatian Military-Police Operation "Maestral" in Jajce on 13 September
 - the President of Serbia attended the Serbian Unity Day ceremonies in Bijeljina on 15 September.
 - Milorad Dodik met the President of Russia on 20 September, then the Prime Minister of Hungary on 24 September
 - the Prime Minister of Hungary returned the visit in Milorad Dodik's hometown Laktaši on 4 November.
- Politicians and political parties in BiH should see the vote given to them as a mandate to work for the future of their country and the perspective of European integration. It is particularly important to give the younger generation of voters the sense that their future lies within their own country. For this, it is vital to bridge the gaps between different ethnic groups. It should be sufficient for each citizen of Bosnia and Herzegovina to identify themselves as such without any further specification being necessary.



- The Assembly observation delegation identified a number of irregularities and shortcomings during the whole electoral process of the general elections of 2 October 2022, as described in detail in the body of my report. It recommends to the authorities of Bosnia and Herzegovina to take concrete measures in order to improve the country's electoral legal framework, as well as certain electoral practices. This should be accomplished within the framework of the Assembly's monitoring procedure and in close co-operation with the Venice Commission..

Questions for the Central Election Commission of BiH:

- The International Election Observation Mission found that some electoral practices, including by political parties, undermines the integrity of the electoral process. What measures could be taken to prevent political parties from trading positions to control polling stations ?
- How could the CEC contribute to the public debate on those issues, and how could the PACE be of help ?
- Transparency and accountability of political campaign financing must be greatly improved. Can CEC act in this direction?
- Women's active participation was undermined by insufficient efforts to overcome long-standing gender stereotypes. With a few notable exceptions, women did not feature prominently in the campaign, and women candidates were often targets of insult and ridicule on social networks. What measures could be taken to improve the situation?
- Election day was impacted by concerns regarding the secrecy of the vote and inconsistent application of procedural safeguards, mainly during the vote count. What measures could be taken to improve the situation?
- Defamation cases brought against journalists, cyber-attacks targeting prominent media outlets and the intimidation and harassment of journalists created a working environment of political pressure or even persecution. What measures could be taken to improve the situation?
- Misuse of administrative resources and prohibition of hate speech should be monitored beyond the one-month official campaign period. A looser framework could be applied out of official campaign, but those practices should be completely banned. Is CEC able to take measures in this direction?

Other general considerations and information:

Now that the elections have taken place and the path to European integration is opened, a historical window of opportunity is open for BiH. Electoral law reform is a necessary step towards EU integration.

EU has set 14 key priorities among which 2 – at least - relate to electoral law:

- Ensure that elections are conducted in line with European standards by implementing OSCE/ODIHR and relevant Venice Commission recommendations, ensuring transparency of political party financing,
- Ensure equality and non-discrimination of citizens, notably by addressing the Sejdić-Finci European Court of Human Rights case law.

Parliamentary Assembly of the Council of Europe (PACE) monitoring committee will intensify its work in the coming months on the issues related to democracy, rule of law and human rights in BiH. Monitoring co-rapporteurs should travel to Bosnia before the end of the summer and a monitoring report will be prepared for discussion by the beginning of 2024.

The reforms introduced by the Office of the High Representative have been contested by some, praised by others. They intervened after the Parliament failed to adopt the “integrity” package of regulations, so the Bosnian parliament could have decided by itself on such measures, which would have been much better.

It is now essential that the CEC and relevant stakeholders proceed to a comprehensive review of all election related regulations, at cantonal, entity and national level to address the shortcomings, deficiencies and contradictions existing between the several layers of regulation. This review should be open, inclusive and consultative. It is essential for Bosnian citizens to have their say in those questions and to understand the questions at stake. This would greatly contribute to the fight against disinformation at the moment of election campaigns. This review should be undertaken without expecting a solution to the ethnicity and residency-based restrictions. These issues are long and difficult to resolve, but for too long they have blocked all other institutional reforms.



Finally, I would like to take this opportunity to thank Dr. Suad Arnautović, President of the Central Election Commission of Bosnia and Herzegovina and Ms Irena Hadžiabdić, member of the CEC (and member of the Venice Commission) for their active and appreciated participation in the parliamentary conference “Elections in times of crisis” organised in Bern on 9-10 May 2023 by the Parliamentary Assembly and the Swiss National Council, and particularly for their useful contribution to the discussion on post-conflict elections in the Ukrainian context today.



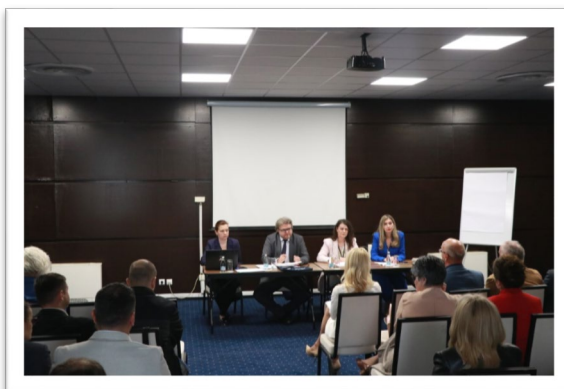
Working groups- formulation of conference conclusions

In order to analyze all aspects of the electoral process, and to discuss current challenges and future steps, the election administration has, through engagement in working groups, analyzed election risks and proposed certain measures to improve the electoral process, starting from the preparation phase, up to the organization and implementation of the election. Discussions on the identified challenges were held within the framework of three working groups: Working group 1: Proposals for changes to the electoral legislation, Working group 2: Proposals for the adoption of the electoral process integrity package (introduction of new technologies into the electoral process), Working group 3: Resolution of electoral disputes - suggestions for improvement. The work in the working groups resulted in recommendations in the form of conference conclusions for the further improvement of electoral legislation, the introduction of digital technologies into the electoral process, as well as the simplification of electoral procedures. The Central Election Commission of Bosnia and Herzegovina will submit the aforementioned recommendations to the Parliamentary Assembly of Bosnia and Herzegovina as part of Proposal II of the Initiative to amend the Election Law of Bosnia and Herzegovina by the end of 2023.

Working group 1: Proposals to amend the electoral legislation

Representatives of the Municipal/City Election Commissions participated in the work of Working Group 1: Proposals for changes to the electoral legislation in alphabetical order from A to G.

Željko Bakalar, member of the BiH CEC, was present on behalf of the Central Election Commission of BiH, while Maja Damjanović (MEC Glamoč), Asja Kravić (City Election Commission Tuzla) and Ivana Milanović (MEC Bratunac) were appointed moderators and assistant moderators.



Further discussion continued within this working group to identify other areas for changes to the electoral legislation, thereby strengthening the integrity of elections and implementing all ODIHR recommendations.

Working group 2: Proposals for the adoption of the electoral process integrity package (introduction of new technologies into the electoral process)



Representatives of the Municipal/City Election Commissions participated in the work of Working Group 2: Proposals for the adoption of the electoral process integrity package (introduction of new technologies into the electoral process) in alphabetical order from H to P.

Dr. Ahmet Šantić, member of the BiH CEC, was present on behalf of the Central Election Commission of BiH, while Šemsudin Muslić (City Election Commission Bihać), Rade Draško (MEC Istočna Ilidža) and Ante Kolobarić (MEC Grude) were appointed moderators and assistant moderators. The representatives of Smartmatic, the world's leading company for the modernization of the electoral process, attended the working group, as a world leader in safe and transparent election technologies, and during the conference they presented modern equipment for electronic voting: a device for electronic voter identification; scanner and device for electronic voting. The Central Election Commission of Bosnia and Herzegovina issued a public invitation for the presentation of election equipment to all interested companies. A total of 7 companies were directly invited, but only the company Smartmatic responded to the invitation.

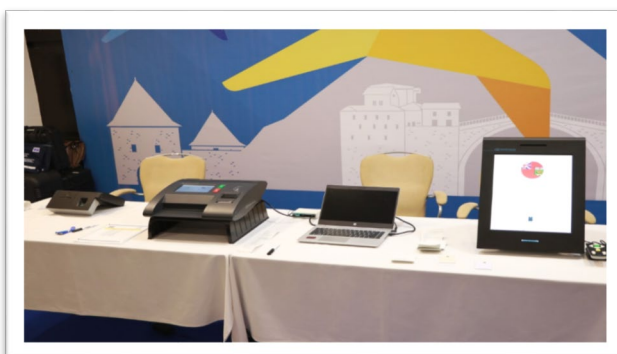


Figure 18. Smartmatic exhibition of equipment for state-of-the-art e-voting

This working groups discussed possible technological improvements for the next election cycles.

Working Group 3: Resolution of electoral disputes - suggestions for improvement

Representatives of the Municipal/City Election Commissions participated in the work of Working Group 3: Resolution of electoral disputes - suggestions for improvement in alphabetical order from R to Ž.



Vlado Rogić and Jovan Kalaba, members of the BiH CEC, was present on behalf of the Central Election Commission of BiH, while Željko Škondrić (City Election Commission Prijedor), Selma Zunda (MEC Vogošća) and Mate Mikulić (City Election Commission Široki Brijeg) were appointed moderators and assistant moderators.

The electoral process as a part of complex actions and procedures for the preparation, organization and conduct of elections in a country is, to a greater or lesser extent, exposed to certain risks. Participants in the electoral process submitted complaints, appeals and other legal remedies prescribed by the Election Law of BiH for the protection of electoral rights during all election-related activities undertaken by the Central Election Commission of BiH with the aim of preparing and holding the General Elections in 2022. Based on the provisions of the Election Law of BiH, the protection of electoral rights is ensured by election commissions (municipal/city election commissions, the Election Commission of Brčko District of BiH and the Central Election Commission of BiH) and the Appellate Division of the Court of BiH.

Recognizing the importance of its impact on the electoral process, the timely resolution of cases and the implementation of international recommendations, this working group worked on developing proposals for improvement of election dispute resolution process.

Discussion and adoption of conference conclusions

Based on the discussions in the working groups, the final conclusions of the conference were prepared and adopted, as follows:

1. Election officials from Bosnia and Herzegovina participated in a post-election conference organized by the Central Election Commission of Bosnia and Herzegovina with the financial support of the OSCE Mission to Bosnia and Herzegovina and the Council of Europe in Sarajevo in the period June 15 – 16, 2023. Logistic support was provided by the Association of Election Officials in Bosnia and Herzegovina (UIZBiH). The purpose of the conference was to provide all relevant members of the election administration with an opportunity to assess their work during the 2022 General Elections.
2. Conference participants accept the presentation of the President of the Central Election Commission of Bosnia and Herzegovina, Mr. Suad Arnautović, PhD, about the analysis of the election process entitled "The 2022 General Elections" and assess that the General Elections held in October 2022, and the 2023 Early Elections for the mayors of the City of Bihać, Tuzla, Srebrenik, Zvornik and Živinice and mayors of Bratunac and Vogošća municipalities have been successfully conducted in technical terms.
3. Conference participants welcome the Decision on Approving the Allocation of Funds for the Purpose of Covering Expenditures Related to the 2022 General Elections and the subsequent amendments to the Election Law in Bosnia and Herzegovina adopted by the High Representative to Bosnia and Herzegovina for the purpose of strengthening the integrity of the election process.

Additional amendments to the Election Law of Bosnia and Herzegovina are needed in order to strengthen the integrity of elections and implement all recommendations made by ODIHR. The Parliamentary Assembly of Bosnia and Herzegovina therefore needs to adopt the amendments to the Election Law of Bosnia and Herzegovina as soon as possible and ensure the financial and logistic



support to the Central Election Commission of Bosnia and Herzegovina.⁸

4. Conference participants pointed out that the identified manipulations during the election process greatly impair the integrity of the election process. Some of the identified mistakes cannot be considered manipulation in the election process, but are rather the result of lack of knowledge about regulations and insufficient preparedness for the multi-hour and multi-day engagement prior to the day of elections, on the day of elections and on the day after the elections. Conference participants believe that the best manner to eliminate the identified weaknesses includes a better education of the election administration and voters, transparency of all activities in the election process and, of course, absolute compliance with laws and secondary legislation as well as sanctions in case of a contrary behavior as referred to in Article 6.8, Paragraph (1) of the Election Law of Bosnia and Herzegovina, i.e. reporting acts that in the opinion of the Election Commission constitute criminal offences related to the election process to the competent prosecutor's office.
5. Fair elections require the existence of precise election legislation and clear and precise election procedures, a transparent election process, an independent and impartial election administration, mechanisms that have been put in place to ensure the integrity of the election process and clear procedures for the resolution of election disputes.
6. The Central Election Commission of Bosnia and Herzegovina will invest additional efforts to provide support to election committees of basic constituencies in order to strengthen their human capacities and logistic support.⁹

⁸ ODIHR Election Observation Mission, 2023, *Final Report*, the OSCE Office for Democratic Institutions and Human Rights, Item 1. A. Priority recommendations

⁹ *Ibid.* Item 2. A. Priority recommendations

I Proposed amendments to the election legislation

7. Conference participants agree that the current selection of members of polling station committees is obsolete and that it is necessary to find new methods for the selection of election committee members.
8. It is necessary to ensure that members of the election administration are not removed from office due to arbitrary or political reasons.¹⁰
9. Members of the election administration at all levels should be provided additional training in order to strengthen their know-how and educate and raise the awareness of voters.¹¹
10. The election administration should consider additional measures to ensure a greater inclusion of voters with disabilities in order to enable them to vote independently or with an adequate assistance from another person.¹²
11. Conference participants, the Central Election Commission of Bosnia and Herzegovina, and election committees of basic constituencies undertake to work on the implementation of all recommendations made by ODIHR for the purpose of protecting and improving the integrity of the election process.
12. Government authorities from all levels are invited to provide all the necessary support and assistance to the election administration and to make it obligatory to provide such support to the election administration.
13. Sanctions should be provided for in case of political subjects that fail to propose election committee member candidates.
14. Conference participants point out that it is necessary to amend the provisions of Article 2. 12, Paragraph (9) of the Election Law of Bosnia and Herzegovina governing the amount of the allowance of election committee members, so that it reads as follows: "Members of the election committee of a basic constituency shall be entitled to a continuous monthly allowance for their work. The Central Election

¹⁰ *Ibid.* Item 14. A. Priority recommendations

¹¹ *Ibid.* Item 10. and 11. B. Other recommendations

¹² *Ibid.* Item 12. B. Other recommendations



Commission of Bosnia and Herzegovina shall determine the amount of the allowance by adopting a regulation".

15. Conference participants are of the opinion that the allowances for the work of chairpersons of election committees of basic constituencies should be increased by a certain percentage.

II Proposals for the adoption of the election process integrity package (introduction of new technologies in the election process)

16. Conference participants welcome the efforts invested so far by the Central Election Commission of Bosnia and Herzegovina for the purpose of introducing new technologies in the process of sending, receiving, processing, archiving and protecting electronic applications of nationals of Bosnia and Herzegovina for electronic voting from abroad and express the need for further improvement and development of the IT infrastructure of election committees of basic constituencies and the need for additional training of the election administration.
17. Conference participants point out that it is necessary to amend the legislation (laws and secondary legislation) in such a manner that city/municipal election committees are able to appoint chairmen of election committees as persons bearing the greatest responsibility for the work of polling station committees in order to enable competent and well-trained persons to make their work more efficient.
18. As regards potential technological improvements for the coming election cycles, conference participants point out that it is extremely important to URGENTLY digitalize all phases of the election process, as foreseen in the Strategy and Action Plan for Improving the Integrity, Transparency and Efficiency of the Election Process in Bosnia and Herzegovina. Any milestones in the digitalization of the election process in Bosnia and Herzegovina, on the other hand, require substantial funds, knowledgeable staff regarding IT technologies and adequate training of polling station committee and municipal/city election committee members as well as obligatory testing of equipment in the framework of a pilot project. Conference participants believe that further work should be done to improve the registration of voters voting from abroad, registration of political subjects, candidates and election observers, and especially in relation to the identification and authentication of voters. It is also necessary to accelerate the process of consolidation of results at polling stations and election committees



of basic constituencies and their transfer to the server at the main counting center to the largest extent possible.

III Resolution of election disputes – proposals for improvements

19. There should be better mechanisms in place for the publication of information related to received objections and complaints that the Central Election Commission of Bosnia and Herzegovina decides on in the first instance, as well as information related to objections and complaints that fall within the competence of election committees of basic constituencies.
20. Election committees should take decisions on objections and complaints promptly and without any delay.
21. It is necessary to initiate a procedure for determining the responsibility of a polling station committee member who duly received a decision, participated in training and received a certificate, and subsequently withdrew a day before the scheduled elections or failed to appear on the day of elections for unjustified reasons.
22. A sufficient number of personnel should be employed and technological equipment and solutions should be ensured for receiving, processing and final monitoring of objections.
23. Observers at polling stations should be trained and certified.



Group photo of the Conference participants



Biographies of the presenters



President of the Central Election Commission of Bosnia and Herzegovina. Suad Arnautović holds a PhD degree in political science and has been member of the Central Election Commission of Bosnia and Herzegovina since 2004. He is currently the president of the BiH Central Election Commission and this is his second term – he served his first term as president from January 2008 to May 2009. He is author of twelve books, and more than twenty scientific papers. He is also author of the manual for journalists who follow electoral processes. He is member of the BiH Association of Election Officials, BiH Association for Political Sciences and IPSA (International Association for Political Sciences).



Željko Bakalar holds a bachelor degree in law and currently serves as a member of the BiH Central Election Commission. He was elected member of the BiH CEC on May 20, 2020 and had served as the president of the BiH CEC in the period from July 1, 2020 to March 31, 2022. He was appointed legal affairs advisor of the Croat member of the BiH Presidency on May 4, 2011 by the Decision of the Croat member of the BiH Presidency. He has extensive experience in legal affairs working with different institutions in Bosnia and Herzegovina.



Member of the Central Election Commission of Bosnia and Herzegovina Dr. Hadžibdić is currently serving as a member of the Central Election Commission of Bosnia and Herzegovina, but she served twice as its President (in 2010 – 2011 and in 2017 – 2018). She graduated from the Belgrade Faculty of Law. She holds a M.S. in European Union Policy, Law and Management from Robert Gordon University, Aberdeen, and a Ph.D. in Juridical Science. She has spent the past 26 years in the field of election management, first with the Organization for Security and Co-operation in Europe (OSCE), then as Executive Director of IFES in Bosnia and Herzegovina, and as the Executive Director of the Association of Election Officials in Bosnia and Herzegovina.





Member of the Central Election Commission of Bosnia and Herzegovina Mr. Kalaba graduated from the Faculty of Law in Banja Luka. He spent his working career in the administrative bodies. He actively participated in all electoral processes since 2000 either as an observer at the polling station or in the local election commission. He has participated in many election observation missions. He is currently serving his first term as the member of the Central Election Commission of Bosnia and Herzegovina.



Secretary General of the Secretariat of the Central Election Commission of Bosnia and Herzegovina Mr. Goran Mišković graduated from the Faculty of Law in Mostar in 2004. He passed the bar exam in 2012. He has served as a Secretary General of the Central Election Commission of Bosnia and Herzegovina since 2018. Before that, he worked in the Ministry of Security of Bosnia and Herzegovina on the position of Expert advisor and acting Head of the Department for General Security in the period from 2009 to 2018. During that time, he was also the National contact point for cooperation with the European Agency for the Protection of External Borders (FRONTEX) and for the implementation of the OSCE concept "Border Security and Management". He is the author of the handbook "Local elections in 2020 – Judicial practice" and he participated in the preparation of several handbooks in the field of the electoral process. During the 2022 General Elections, in addition to his duties as the Secretary General, he also held the position of Director of the Main Counting Center.



Mustafa Laković is the coordinator of work with election commissions at the Secretariat of the Central Election Commission of Bosnia and Herzegovina. He has been holding this function since 2002. He has been appointed a controller of election results on behalf of the Central Election Commission of Bosnia and Herzegovina or member of the management of the Main Counting Center during all election cycles. He was awarded the Golden Plaque of the Central Election Commission of Bosnia and Herzegovina.




Bojana Urumova is Head of the Council of Europe Office in Sarajevo, which implements projects aimed at helping Bosnia and Herzegovina achieve meaningful progress in human rights, democracy and rule of law. Before taking up duties in Sarajevo in 2020, Bojana Urumova was deputy to the director in the Office of the Commissioner for Human Rights in the Council of Europe headquarters in Strasbourg. She has worked with three different Commissioners, including incumbent Dunja Mijatović, covering human rights issues in various Council of Europe member states, e.g. in the Balkans, the region of the former USSR and various post-conflict areas, but also in northern and western Europe. She previously served as a Special Representative of the Secretary General of the Council of Europe to Armenia and worked in the Secretariat of the European Committee for the Prevention of Torture, a body that carries out visits to places of deprivation of liberty throughout Europe. Bojana Urumova earned her law degree (Juris Doctor) at the University of Michigan Law School in the United States.




Mathieu Lemoine is Chief of Policy and Planning in the Office of the Head of Mission since September 2022. Previously Deputy Chief of Party for a USAID - funded project strengthening the judiciary in Uzbekistan (2021-2022), Head of the Human Dimension Department at the OSCE Project Coordinator in Uzbekistan (2019-2021) and consultant on disability rights in Uzbekistan. Before that, long- and short-term election observation missions with OSCE/ODIHR to Armenia, Azerbaijan, Bosnia-and-Herzegovina, Russian Federation, Ukraine (2016-2019). Previous working experiences at the French Embassy in Moscow (2016-2018) as a Project Coordinator for Institutional and Civil Society Cooperation, at the United Nations Office of the High Commissioner for Human Rights (Human Rights Council and Working Group on Enforced or Involuntary Disappearances), at the European Parliament's Human Rights Actions Unit, at the French Embassy in Skopje (2013). His other OSCE experiences also include a Research Fellowship at the OSCE Parliamentary Assembly in Copenhagen (2015-2016), and a Junior Professional Officer post at the OSCE Secretariat's Communications



	department and the OSCE Centre in Ashgabat (2014-2015). Masters degree in European and international affairs from Sciences Po Strasbourg (France), and in human rights law from Strasbourg Law School. Bachelors degree in Political Science from York University (Toronto, Canada).
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	<p>Nada Batinar, born on June 28, 1965, Rajčevci, Laktaši. By profession, she is a graduate Manager of Public Administration and employee at the City Administration of the City of Banja Luka. She gained electoral experience as a member of the election commission of the City of Banja Luka, term of office: 2007-2015 and as a President (and member) of the election commission of the City of Banja Luka, term of office: 2105-2022. She is full member of the professional Association of Election Officials of Bosnia and Herzegovina since the establishment. She was President of the Steering Committee of the Association of Election Officials of Bosnia and Herzegovina, the first term of office and Member of the Steering Committee, the second term of office. She is Active participant and presenter during eleven election conferences in Bosnia and Herzegovina, participant at the European Election Conference held in Sarajevo, trainer and presenter during several projects organized by CEC BiH, Association of Election Officials of Bosnia and Herzegovina, Council of Europe, OSCE, NGO "Pod lupom", City Administration etc.</p>
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	<p>Halisa Skopljak, National Legal Officer in the Rule of Law Section of the OSCE Mission to BiH, working on monitoring, analysing and reporting on rule of law and human rights issues in the area of criminal legislation, as well as the issues of criminal legislation reform in BiH. Previously working on issues concerning repossession of property by refugees and displaced persons in BiH in accordance with Annex 7 of the GFAP, including property checks concerning candidates and elected and appointed officials, in accordance with related election rules.</p>
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List of Tables

Table 1. Receipt and control of election material:	29
Table 2. Verifikacija i obrada izbornog materijala:.....	29
Table 3: Voting packages refused in the pre-verification phase:.....	30
Table 4: Counting of ballots and entry of votes:	30
Table 5: Recounting under the order of CEC BiH:	31
Table 6: Control counting / Level 600:	31
Table 7: Control counting – unused material:	32
Table 8: Control counting – invalid (null) ballots	33
Table 9: Criminal information.....	34
Table 10: Scanning of the Excerpt from the Central Voters' Register and the Polling Station Poll Book/Minutes on operations of the polling station committee form (abbr. ZARBO in local languages):	34
Table 11: Analysis of the use of Assistance provided by other person during the voting forms (abbr. PDL in local languages)– Level 600:.....	34
Table 12: Overview of valid and invalid voting ballots by government level – the 2022 General Elections	41
Table 13. Overview of polling stations with the highest percentage of invalid voting ballots by government level	43
Table 14: Polling stations in which counterfeit voting ballots were identified	45
Table 15. Comparative review of invalid voting ballots – the 2014 – 2022 General Elections (%).....	45
Table 16. Overview of appeals submitted to the Court of BiH during the period of the 2022 General Elections in BiH by category	53
Table 17. Results for the BiH Presidency entered by 23:15 hours	56
Table 18. Control counts	57
Table 19. Invalid ballots	59
Table 20. Number of reports per prosecutor's offices.....	67
Table 21. Completed cases.....	68
Table 22. 2022 General Elections	68
Table 23. 2020 Local Elections	69

List of Figures

Figure 1. Organizational chart of the Main Counting Center.....	28
Figure 2: Publication "Analysis of Invalid Ballots – the 2022 General Elections – Direct Elections"	38
Figure 3: Security stamp for ballots and signature of a polling station committee member	39
Figure 4. Overview of valid and invalid voting ballots – the 2022 General Elections.....	40
Figure 5: Overview of unmarked and invalid voting ballots in compliance with other criteria by government level	42
Figure 6. Total percentages of unmarked voting ballots for every government level	42
Figure 7. Repeated control counting of ballots from regular polling stations for the level 600 – President and Deputy Presidents of Republika Srpska – the structure of invalid voting ballots	44
Figure 8. Comparative overview of invalid voting ballots – the 2014 – 2022 General Elections (%).....	46
Figure 9. Anonymous online survey	47
Figure 10. 2022 General Elections – Decisions of the Court of BiH	52
Figure 11. 2022 General Elections – Decisions of the Court of BiH	52
Figure 12. Processing status of reports.....	67
Figure 13. Election administration (2014-2018)	78
Figure 14. Election day procedures (2014-2018).....	79
Figure 15. Voter registration (2014-2018)	79
Figure 16. Candidate registration (2014-2018)	80
Figure 17. Total (2014-2018)	80
Figure 18. Smartmatic exhibition of equipment for state-of-the-art e-voting	88



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¹³ The list was made based on the signatures of those present at the conference



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