



FIRST PRELIMINARY REPORT ON LONG-TERM ELECTION OBSERVATION
(covering the period 23.07. – 02.09.2018)

September 2018

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1. Report Summary

About the 2018 General Elections

- The 2018 General Elections are scheduled for Sunday, 7th October 2018 and are called for 6 levels, i.e. bodies of authority.
- The BiH CEC has certified 69 political parties, 34 independent candidates, 36 coalitions and more than 7.500 candidates for all electoral races at the 2018 General Elections.
- A total of 3.352.933 BiH citizens, registered in the Central Voters Register as on 23rd August 2018, will have the right to vote in the elections on 7th October. A total of 77.814 voters are registered to vote outside BiH.
- Certain novelties will be introduced at the forthcoming 2018 General Elections. The obligation to publicize the names of all members of the polling station committees, together with their affiliation to a political subject in order to prevent unlawful trading of the seats on the polling station committees, as well as introduction of translucent ballot boxes in order to prevent stealing of the ballots and to increase transparency of the election process and lowering the height of the voting booth in order to prevent a large number of cases of family voting, photographing of the ballots and stealing of the ballots are all considered to be positive changes. A total of 3 out of 10 priority recommendations of the Coalition "Pod lupom", which related to the BiH CEC, have been implemented by these changes.
- The increase of the intraparty election threshold to 20% can be considered as negative, since it practically means that the BiH citizens will cast their vote on *de facto* closed list for the first time after 18 years.

Electoral irregularities

- The observers of the Coalition "Pod lupom" have documented a total of 364 cases of premature election campaigning that was carried out by 32 political subjects.
- The Alliance of Independent Social Democrats (SNSD) comes first when it comes to the number of documented activities relating to the premature campaigning, with 54 documented cases, followed by the Party of Democratic Action (SDA) with 47 cases, the Democratic People's Alliance (DNS) with 28 cases, the Alliance for Better Future (SBB) with 26 cases, etc.
- The doubt was raised in 10 municipalities over the maintenance of the up-to-date voters list, which is primarily reflected in the fact that the voters list contains the names of a certain number of deceased persons.
- More than 5.000 deceased voters were removed from the voters list by May 8 when the elections were announced.
- The Coalition's observers reported some unofficial information and allegations about trading of the seats on the polling station committees in 14 municipalities/cities.

- The observers of the Coalition “Pod lupom” reported a case of possible abuse of personal information for the purpose of submitting false applications for the by-mail voting.
- Apart from the aforementioned case, some other cases of coercion of the BiH citizens currently residing abroad were also documented.
- Mass campaigns for registration of the BiH citizens residing abroad to vote by mail were conducted in other Western countries of the European Union.
- Quite concerning is the mass emergence of fake profiles on the social networks (primarily on the Facebook) that organize fake giveaways, which has been observed already in May and June. In order to participate in a giveaway or to receive a prize the citizens had to submit their personal information i.e. a photograph of both sides of the ID card.
- A total of 9 cases of voter coercion and/or vote buying were documented. Four cases relate to SNSD, 2 to SDS, and one to DNS, SDA and SP.
- A total of 31 cases of the abuse of public funds i.e. the citizens’ money for the campaigning purposes of certain political subjects were documented. Twenty out of 31 cases relate to the abuse of public budgets, public enterprises or public office, and 11 cases relate to the intensification of public works in the municipalities and cities of Bosnia and Herzegovina.

Work of the election administration

- The BiH CEC held 29 sessions from the day elections were announced (8th May) until the day this report was published.
- The BiH CEC was shaken by several cases that dented the public confidence in the work of this body.
- In its everyday operations the BiH CEC generally follows and meets the obligations set in the election calendar, whereat it adheres to the set deadlines.
- The BiH CEC had to send an overview of the certified political subjects to all local election commissions by 5th August, 2018 and it failed to do so for 19 election commissions.
- The local election commissions have held 457 sessions from 15.07.2018, but apart from that a large number of phone sessions were also held.
- All local election commissions are fully staffed, except the election commission in the municipality Kupres RS.
- It has been documented that the election commissions in 12 municipalities do not meet the gender equality criteria as it is set by the law.
- A total of 11 election commissions face problems in their work, stating that they lack adequate premises and equipment.

- Majority of the local election commissions have determined number and the type of the polling stations by the set deadline, namely by 3rd August, while nine of them have failed to do so.
- A total of 21 municipal/city election commissions did not assign seats to the political subjects on the polling station committees by 8th August i.e. they did not hold a lottery draw for the members of the polling station committees, thus failing to observe the deadline for this activity.
- In more than half of the municipalities and the cities in BiH the political subjects did not submit nominations for the members of the polling station committees by 15th August, which was the deadline for this activity.
- Only 4 complaints were submitted to the local election commissions in the reporting period.
- The observers of the Coalition “Pod lupom” generally have positive experiences concerning cooperation with the local election commissions.

Media, civil society and the citizens

- The attacks on journalists that happened in August, but also earlier in the year, are the main point of concern.
- The Coalition “Pod lupom” is condemning in the strongest terms the attacks on the journalists and urges the investigative bodies to discover and to sanction the executors and the principals of these crimes as soon as possible. There are no free and fair elections without free media.
- The observers of the Coalition “Pod lupom” reported three cases where they were coerced and attacked.
- A total of 34 cases of potential hate speech, engendering of ethnic, religious, racial or other intolerance, inflammatory rhetoric, the use of inappropriate symbols or calls to violence were documented.
- The observers from nine municipalities reported that the public officials and/or political subjects exert pressure on the media.
- Three cases of attempted negative influence on the freedom of assembly and the expression of citizens’ will were documented.

2. Long-term election observation methodology

The Coalition “Pod lupom” observes the entire electoral process in BiH, which entails all stages of the electoral process, from the day elections are announced to the implementation of the election results and establishment of the government. Thus, the long-term observation is organized to continuously observe the entire electoral process in order to be able to give a comprehensive picture that would include the widest possible range of the election-related activities, a not only the Election Day as such.

The Coalition “Pod lupom” carries out long-term observation of the 2018 General Elections through 7 regional offices and with 63 long-term observers deployed, covering all basic constituencies in BiH, 143 of them in total. The deployed long-term observers observe the work and the sessions of all municipal/city election commissions in BiH, activities outlined in the election calendar and adherence to the deadlines, electoral irregularities, and media reporting. The long-term observers send weekly reports on their activities, and so far they have sent 858 regular reports on the key observation findings. The reports of the long-term observers form an essential basis of this preliminary report.

Apart from observing the work of municipal/city election commissions, the Coalition also observes the work of the BiH Central Election Commission, which has been regular practice since the establishment of the Coalition in 2014.

3. About the 2018 General Elections

3.1. The 2018 General Elections in short

The 2018 General Elections are scheduled for Sunday, 7th October 2018 and are called for the following levels of authority:

- The Presidency of Bosnia and Herzegovina;
- The House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina;
- The House of Representatives of the Parliament of the Federation of BiH;
- The National Assembly of Republika Srpska;
- The president and vice presidents of Republika Srpska, and
- Cantonal Assemblies in the Federation of BiH.

The BiH election system that is laid down by the law is a combination of election systems, i.e. depending on the body that is elected we differentiate between:

- Simple majority system; and
- Proportional representation system with open lists.

Simple majority system is applied to elect:

- Members of the BiH Presidency (amongst constituent peoples);
- President and vice president of Republika Srpska (one president and two vice president elected amongst constituent peoples).

Proportional representation system is used to elect the following bodies of authority:

- The House of Representatives of the BiH Parliamentary Assembly (42 members);
- The House of Representatives of the FBiH Parliament (98 members);
- The National Assembly of Republika Srpska (83 members);
- Cantonal Assemblies in the Federation of BiH (10 Assemblies).

The BiH CEC certified 69 political parties, 34 independent candidates, 36 coalitions and more than 7.500 candidates to participate in the above-listed electoral races. A total of 3.352.933¹ BiH citizens, who are registered in the Central Voters Register as on 23rd August 2018, will have the right to vote in the elections on 7th October. A total of 77.814 voters are registered to vote outside BiH.

¹ The total number of voters in the Federation of BiH is 2.092.336, and in Republika Srpska 1.260.597.

3.2. What are the novelties at the 2018 General Elections?

Several novelties have been introduced for the 2018 General Elections and relate to the arrangements on the Election Day and/or procedures on the Election Day. By amending the regulations the BiH CEC has introduced translucent ballot boxes at the polling stations, shortened the height of the voting booths and made publicizing of the names of the polling station committees' members with the name of the political subject that nominated them obligatory. Thus, three out of 10 priority recommendations of the Coalition "Pod lupom" for better elections in BiH, which do not relate to the amendments to the BiH Election Law, were implemented.

The Rulebook on conduct of the elections was amended in the part relating to completion of the forms at the polling station in order to prevent abuse of the pens used by the polling station committees on the Election Day. The amendment introduced new practice where forms at the polling station are completed with a red ink pen, while the voting is done by a blue ink pen.

The Coalition "Pod lupom" had in its report on the 2016 Local Elections given several recommendations for improvement of the electoral process. *Inter alia* the Coalition had primarily advocated introduction of translucent ballot boxes for each level of authority that is being elected in order to prevent certain types of voting related irregularities and to generally increase the confidence in the Election Day procedures. The Coalition also recommended shortening of the height of the voting booth to an extent that would protect secrecy of the vote, but prevent any irregularities during the voting (photographing, family voting, taking and/or switching of the ballots). In order to completely "denude" the illegal so-called trading of the seats on the polling station committees, the Coalition particularly advocated publicizing of the names of all polling station committees' members, including the name of the political subject that nominated them, so that other political subjects, observers, and the citizens know the composition of the polling station committee and have the possibility to react towards the election administration if they know that trading of seats on the PSCs has happened. In coalition's opinion, the aforementioned novelties and changes are a positive step towards improvement of the electoral process.

Furthermore, changes and amendments to the BiH Election Law from April 2016 introduced retrograde amendments relating to the increase of intraparty threshold for winning of a mandate. In line with these amendments the intraparty threshold for the local elections, i.e. for election to the representative bodies at the local level is increased from 5% to 10%. The threshold for the general elections is increased from 5% to 20%. In the Coalition's opinion these amendments in practice mean closing of the candidate lists, i.e. reducing the influence of the voters on the election of their representatives to the representative/legislative bodies, thereat significantly increasing the influence of the political parties on the selection of persons who will be elected. These amendments are neither in line with the standards of good practice nor with the recommendations of the Venice Commission on the intraparty threshold, where any

threshold ranging between 5-10% is considered a moderate threshold, while the lists with a threshold of 15% or more are actually considered to be closed lists.²

4. Long-term election observation

In the pre-election period the Coalition “Pod lupom” observes the work and the sessions of local election commissions in BiH, activities outlined in the election calendar and adherence to the deadlines, electoral irregularities, and media reporting.

4.1. Electoral irregularities

4.1.1. Premature election campaign

The BiH Election Law defines the election campaign as a 30 day period before the Election Day within which political subjects inform the voters and the public about their programs and candidates for the forthcoming election. The election campaign for the 2018 General Elections starts on 7th September. Any paid advertising, as well as all pre-election activities of the political subjects, except for the holding of internal gatherings of authorities and statutory bodies of the political subjects, are prohibited within the period between the day when elections are announced and the day of official start of the election campaign.

Nevertheless, as in the previous electoral cycles, a significant number of political subjects carry out activities that can be classified as prohibited election campaign. The observers of the Coalition “Pod lupom” documented 364 cases of premature election campaign, which was carried out by 32 political subjects. The Alliance of Independent Social Democrats (SNSD) comes first when it comes to the number of documented activities relating to the premature campaigning, with 54 documented cases, followed by the Party of Democratic Action (SDA) with 47 cases, the Democratic People’s Alliance (DNS) with 28 cases, the Alliance for Better Future (SBB) with 26 cases, etc.³ These are mostly the cases of paid advertising on the social networks and holding of public events (gatherings, forums) aimed at promotion of the political subject and/or a candidate in the elections. An overview of the documented cases can be found in the annex to this report.

The number of documented cases of premature election campaign is more than two times higher compared to the same period for the 2016 Local Elections. Unfortunately, there are still no sanctions for premature election campaign that is prohibited by the law.

² [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2015\)001-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2015)001-e)

³ ASDA (1), BPS (2), DF (5), GS (1), Mirsad Hadžikadić (7), HDZ BIH (10), HDZ 1990 (2), Croatian Unity (3), HSP (1), Coalition Canton Sarajevo (3), People and Justice (7), Naša stranka (20), NDP (21), Independent BiH list (4), Independent block (22), People’s Party Working for Betterment (NSRzB) (13), PDP (17), SDP BiH (16), SDS (21), Socialist Party (9), SNS (2), Party for BiH (10), United Srpska (4), Movement Successful Srpska (2), Labor Party BiH (2), Croatian Republic Party (1), PDA (4).

4.1.2. Maintenance of the up-to-date Central Voters Register (CVR)

Voter registration in BiH has been passive since 2006, while active registration is still in place for voters who want to vote from abroad or in the country of their current residence. For the 2018 General Elections a total of 3.352.933⁴ voters are registered in the Central Voters Register (CVR) as on 23rd August 2018. The deadline for registration of out-of-country voters was 24th July whereafter the BiH CEC had registered 77.814 voters for voting outside BiH. The BiH CEC rejected, on different grounds, the OCV applications of 9.098 voters. Most applications were rejected due to lack of a valid proof of identity (3.490), lack of a proof of permanent place of residence in BiH (2.349), and the fact that multiple applications were coming from the same address (1.358).

Maintenance of the up-to-date Central Voters Register has been an exceptionally actual topic even since the 2016 Local Elections in terms of existence of a high number of the deceased voters on the voters list. The BiH CEC has undertaken certain steps to address this issue for these elections, but although the BiH CEC is responsible for the accuracy and update of the Central Voters Register it cannot be updated without cooperation of other competent bodies in the chain of responsibility. More than 5.000 deceased voters were removed from the CVR until elections were announced on 8th May.

When it comes to the increase in number of voters by basic constituency, Ravno municipality is having an increase of that number for 5% in relation to the total population of the municipality. The doubt was raised in 10⁵ municipalities over the maintenance of the up-to-date voters list, which is primarily reflected in the fact that the voters list contains the names of a certain number of deceased voters.

4.1.3. Illegal trading of seats on the polling station committees

The BiH Election Law sets forth that political subjects, certified to participate in the elections, can have only one representative on one polling station. Even besides this clear provision, political subjects often resort to different actions in order to get more seats on the polling station committees by trading seats with and/or buying seats from political subjects that have no interest in having assigned seats on the polling station committees in a particular basic constituency. The observers of the Coalition reported unofficial information and allegations about trading of the seats on the polling station committees in 14 municipalities/cities in BiH. The municipalities are: Banja Luka, Bosanska Krupa, Bosansko Grahovo, Bratunac, Busovača, Doboј, Doboј East, Gračanica, Ilijaš, East Novo Sarajevo, Kakanj, Mostar, Petrovo and Živinice.

An independent candidate for the president of Republika Srpska, Vojin Pavlović, stated in Doboј that he will file a report to the BiH Central Election Commission and the Police Station Bratunac

⁴The total number of voters in the Federation of BiH is 2.092.336, and in Republika Srpska 1.260.597.

⁵ Domaljevac-Šamac, Donji Žabar, Pelagićevo, Banovići, Ključ, Ilijaš (around 140 deceased voters on the list), Bosanska Krupa, Ravno, Vitez, and Banja Luka where SDP has express certain doubts over the maintenance of the up-to-date voters list.

against SDS from Dobož for harassment and offers of money for selling of seats on the polling station committees for the forthcoming elections.⁶

4.1.4. Abuse of personal information for voter registration

The observers of the Coalition "Pod lupom" reported a case of possible abuse of personal information for the purpose of submitting false applications for by-mail voting. In the municipality Domaljevac-Šamac a political subject reported that activities to register citizens to vote by-mail without their knowledge have been carried out.

Apart from the aforementioned case, there were also cases of coercion of the BiH citizens currently living abroad. The messages from the social networks were documented in which a SNSD activist is recruiting a BiH citizen who is currently studying in Novi Sad, Republic of Serbia. The amount of 2.500 RSD (approximately BAM 41) is offered to the student in exchange for his personal information so that he would be registered to vote by mail from the Republic of Serbia under the condition that he votes for the SNSD candidates at the forthcoming elections. There were reports in the Republic of Serbia about party activists visiting citizens with BiH citizenship in order to register them to vote by mail.

Mass campaigns for registration of BiH citizens living abroad to vote by mail were also conducted in other Western countries of the European Union. It is not an irregularity by itself, but the campaigns were often carried out by political subjects that are registered for the 2018 General Elections, which can imply that the BiH citizens are coerced to vote for a certain political option, which is prohibited by the criminal legislation of BiH.

Quite concerning is the mass emergence of fake profiles on the social networks (primarily on the Facebook) that organize fake giveaways, which has been observed in May and June already. In order to participate in a giveaway or to receive a prize the citizens had to submit their personal information i.e. a photograph of both sides of the ID card. The fake profiles of some leading retail companies (Bingooo, Konzumm, Tropicc, Robott, but also Gazprom promotion and others) were registered on the social networks, raising the suspicion of possible abuse in the voter registration process. These abuses are also punishable by the BiH criminal legislation. Some retail companies have distanced themselves from the existing fake profiles and fake giveaways, which is a proof that these fake profiles were used for manipulations.

The coalition urges all BiH citizens to check where they are registered to vote on the website of the BiH CEC (www.izbori.ba) and to report all eventual abuses of their personal information to the BiH CEC and the competent police administration. Checking registration and the polling station at which the voter will vote on the Election Day is possible at <https://bit.ly/2rEodRf>.

⁶ <http://dobojski.info/drustvo-i-politika/politika/item/22559-dobož-optužuje-sds-za-prodaju-mjesta-u-birackim-odborima>

There are also certain information that registration of fictitious place of residence for the BiH citizens not living in BiH and not coming from a particular municipality was done in at least one municipality in BiH in order to increase the number of voters in that municipality and affect the electoral process. The coalition is verifying all the information, and will give the name of this municipality after all facts have been checked.

4.1.5. Voter coercion and/or vote buying

A total of 9 cases of voter coercion and/or vote buying were documented. Four cases relate to SNSD, 2 to SDS, and one to DNS, SDA and SP.

Although unlawful, voter coercion and vote buying at the elections in BiH have become usual practice that Bosniak returnees in Zvornik municipality have been witnessing lately. The information from 30th August 2018 reveals that a vote for Milorad Dodik, current president of Republika Srpska, president of SNSD and candidate for the Serb member of the BiH Presidency, is paid BAM 70 in Zvornik. This information was confirmed by several Bosniak returnees in this city, but only if they remain anonymous due to fear of retaliation.

The employees of Nova Banka in Banja Luka, where Milan Radović, vice president of DNS, is president of the bank's management board, were handed out the lists that they had to complete by entering name and last name, name of the local community in which they live and number of household members, committing thereby to vote for DNS at the elections. Furthermore, the employees were told to take a picture of the ballot and they were told that their vote will be known and that they will bear the consequences if they don't vote for DNS and candidates of coalition parties at the levels where DNS has no candidates.

DNS Pale launched a project "Register of families without a single employed family member". SDS reacted to this activity of DNS, stating that DNS wants to publicly get to the citizens' personal information and to make a party register, thus manipulating this vulnerable category of citizens.

Representatives of SDS in Banja Luka were for several weeks in a row going door to door, visiting its members and presenting gifts and it was publicly promoted on the Facebook (<https://bit.ly/2MMvnii>).

The citizens of Breza municipality have already started receiving offers for their votes. The promises vary from "a goodies bag on their doorstep", cattle donation to the people engaged in animal husbandry all the way to the promise of work through volunteering made to the young people, etc.

Apart from these cases, there was a case documented where packages with SDA logo were distributed to the citizens, as well as cases of donation of school supplies to the students in East Novo Sarajevo by a SDS candidate and to students in Doboje by the City Board of the Socialist Party (SP). In the last two cases, minor children were used for the purpose of SDS and SP election campaign, which is prohibited.

4.1.6. Abuse of public resources and public office for campaigning purposes

The abuse of public resources and/or public office for campaigning purposes relates to the abuse of public budget funds and other public funds owned by the BiH citizens, as well as to abuse of public enterprises and public offices by political subjects or individuals who are candidates at the elections. The abuse of public resources is almost always done by the ones who start the electoral race from a position of power.

A total of 31 cases of abuse of public funds i.e. citizens' money for the campaigning purposes of certain political subjects were documented. Twenty out 31 cases relates to the abuse of budgets, public enterprises or public office, and 11 relate to the intensification of public works in the municipalities and cities in BiH.

Out of 20 documented cases of abuse of public budgets, public enterprises or public offices, the highest number of abuses relates to SNSD (13), SDA (3), DNS (2) and HDZ (2), and the listed abuses are predominantly happening in Republika Srpska (RS).

It has been so documented that the RS Government announced an increase of salaries for the healthcare sector employees and an increase of pensions in RS. A one-time assistance for all pensioners in RS was also announced in the amount of BAM 100. Furthermore, the RS government has amended the regulations to reduce the tax base for calculation of salary in RS thus increasing the salaries of all employees in RS (an increase of around BAM 30 to the amount of average salary in RS). These are striking examples of the abuse of public funds and authority by the ones in power.

Unfortunately, activities like this are neither regulated by the law nor prohibited before the elections, while that is not the case in some other countries (in the period of 60-90 days before the elections some countries have prohibited increasing of salaries in the public sector, social benefits, introduction of new social categories, excessive, unplanned public spending for public works, new employments in the public sector, etc.).

With regard to other cases in this segment of abuses in the elections, open interference with the selection of trainees for work in the public enterprises through a program of the RS Government has been also documented. This illegal interference was publicized in a form of a letter, written on the SNSD's memo. SNSD Berkovići used the bus of the public enterprise Hydropower Plant on Trebišnjica to organize a picnic for the SNSD activists. Public enterprise "Motorways RS", headed by acting director Nenad Nešić, president of the DNS regional board, paved the yards of the DNS activists at the public expense. The public office was also abused by Vlado Đajić, Director General of the University Clinical Center in Banja Luka and Goran Selak, Director of Correctional Facility Banja Luka, who have openly supported parties SNSD and SP, and the candidates of these parties in the elections. Opening of the DNS regional office in Banja Luka and Manjača was attended by the civil servants working in the RS Government and the RS

NA during their working hours. The secretary of the Municipal Election Commission Pale, Božidar Novaković, was seen at the regional SDS meeting in Pale RS Municipality.

Eleven reported cases concerning intensification of public works in the municipalities and cities in RS before the elections happened in Banjaluka, Bijeljina, Kalesija, Lopare, Pale (RS) and Ugljevik. Broke down by political subjects, five cases related to SNSD, 3 to SDS, and 2 to the current mayor of Kalesija municipality and the candidates of the Independent BiH List, Sead Džafić, and 1 to DNS. The cases mostly relate to intensification of public works on local roads, water supply network, building of facilities, and formal marking of the beginning or the end of public works in certain municipalities and cities.

4.1.7. Other irregularities

In terms of irregularities that cannot be put in any of the previous categories, a case of signing of contracts with a portion of the candidates, who are high on the candidate list of political subject Democratic Front, has been documented. These contracts on regulating material relations between the Democratic Front (DF) and its candidates for all levels of executive and legislative authority set forth that a candidate is to pay BAM 50.000 to the party's account in case the candidate leaves the party, becomes member of another political party caucus and/or becomes independent candidate during the mandate. These contracts are undemocratic because ownership of the mandate is with an individual, and not the party.

4.2. Work of the election administration

4.2.1. Central Election Commission of BiH (1)

The BiH Central Election Commission (BiH CEC) is responsible for organization and the conduct of elections. The BiH CEC has on 8th May 2018 passed a decision on calling and administering the 2018 General Elections. The BiH CEC held 29 sessions from the day elections were announced (8th May) until the day this report was published. Over the past period the BiH CEC was shaken by several cases that dented the public confidence in the work of this body. Namely, a working document of the BiH CEC concerning the potential model to complete the House of Peoples of the FBiH Parliament leaked to the public in February 2018 after the Constitutional Court had terminated the provisions of the BiH Election Law that regulate this matter. Although it was a working document, some media outlets and political leaders believed it to be a CEC's attempt to impose an unconstitutional and discriminatory model of solving this matter. However, more damage to the BiH CEC's reputation was made by the fact that the working document had leaked to the public as it could be understood as internal political or any other conflict that exists and damages credibility and public confidence in this institution. The information about disappearance of 35.8 tons of paper that was procured for printing of the ballots became known in April 2018. The BiH CEC denied these allegations, while its reactions to this case seemed bit confusing, providing contradictory information that failed to precisely explain the situation with the "missing" paper. Some political subjects used this situation to question regularity of the October elections. The investigation of the State Investigation and Protection Agency (SIPA),

initiated by the order of the BiH Prosecutor's Office, about disappearance of about ten tons of paper from the BiH CEC's warehouse, is currently ongoing.

In its everyday operations the BiH CEC generally follows and meets the obligations set in the election calendar, whereat it respects the set deadlines. The BiH CEC failed to send an overview of the certified political subjects to election commissions of basic constituencies in 19⁷ municipalities by 5th August 2018, which was the deadline.

Apart from the novelties and improvements in organization of the Election Day (point 3.2 of this Report) the BiH CEC's plans for these elections, compared to the earlier electoral cycles, are introduction of a more serious approach to the training of presidents and members of the polling station committees as well as members of municipal/city election commission. It was done by preparation of a *Single methodology for preparation of the curricula for the training of polling station committees' members in BiH*, and the related regulations. The methodology provides unified training for the members of the municipal/city election commissions, as well as for the polling station committees' members, and their testing after the training. The testing for polling station committees' members is planned 5 days after the training, while the municipal/city election commissions are obligated to conduct additional training of presidents of the polling station committees and their deputies. Passing the test is a condition for the work of all polling station committees' members.

Observers of the Coalition attended the regional mandatory education for the presidents and members of the municipal/election commissions in Sarajevo, organized by the BiH CEC. The observers found the education to be well-organized and useful.

4.2.2. Local Election Commissions (143)

Through its observation of the pre-election period of the 2014 General Elections the Coalition noted that, although the local election commissions did function in line with the Election Law and the procedures related to their work, their work was not systematically organized so often were the sessions not announced, agenda not prepared, etc. The same problem was recognized by the BiH CEC that in May of 2016 passed the *Instruction on the method of work and reporting of the election commission of basic constituency in BiH*, which laid down functioning of the local election commissions more closely. The instruction prescribes adoption of the Rules of Procedure of the local election commissions, which has been done by all local election commissions in BiH. The Instruction also prescribes the possibility for the local election commissions to appoint a secretary and/or technical secretary, and it was done by 69 election

⁷Brčko District of BiH, Čapljina, Centar Sarajevo, Grude, Hadžići, Ljubuški, Neum, Novi Grad Sarajevo, Novo Sarajevo, Sanski Most, Šekovići, Široki Brijeg, Stolac, Vareš, Velika Kladuša, Zavidovići, Zenica, Žepče and Živinice

commissions or 48% of the total number of local election commission. This will most probably increase the quality of the conduct of elections on their territory. Most of the local election commissions are conducting adequate preparations for the elections. The local election commissions have held 457 sessions from 15.07.2018, but apart from that a large number of phone sessions were also held.

All local election commissions are fully staffed, except the election commission in the municipality Kupres RS where the president of the election commission resigned on 15th August stating that he was appointed without his consent.

The composition of the election commission should in line with the BiH Election Law and the BiH Gender Equality Law reflect gender representation of at least 40 members of the underrepresented gender, which is the case in 91.6% of the local election commissions. It has been documented that the election commissions in 12 municipalities, Bosanski Petrovac, Bosansko Grahovo, Domaljevac - Šamac, Glamoč, Krupa na Uni, Kupres (RS), Novi Grad Sarajevo, Novo Sarajevo, Petrovac, Široki Brijeg, Stolac and Zvornik do not reflect the gender representation as it is stipulated by the law.

The local authorities are obligated to ensure proper conditions for functioning of the election commissions. In terms the conditions under which the election commissions of the basic constituencies work, it has been documented that a total of 11 election commissions⁸ face problems in their work, stating that they lack adequate premises and equipment.

Observers of the Coalition report that the Centers for voters registers in all municipalities/cities are available to the citizens, except in the municipalities Ključ, where the Municipal election commission is currently performing tasks of the Center and Bosansko Grahovo where the person who would carry out these tasks has not been appointed to replace the employee who is on the sick leave.

One of the obligations of the election commissions at the local level is to determine the number and type of the polling station by the deadline provided in the election calendar. Majority of large election commissions have determined number and type of polling stations by the set deadline, 3rd August, while 9⁹ of the commissions has failed to do so.

⁸ Election Commissions in Bosansko Grahovo, Donji Žabar, Glamoč, East Mostar, Livno, Maglaj, Pelagićevo, Ribnik, Sokolac, Usora and Vukosavlje.

⁹ Čapljina, Čitluk, Gračanica, Ilijaš, Ljubinje, Mrkonjić grad, Novi Grad Sarajevo, Novo Sarajevo and Velika Kladuša

In terms of adhering other deadlines set in the election calendar, 21¹⁰ municipal/city election commissions did not assign seats on the polling station committees to political subject by 8th August, i.e. they did not held a lottery draw for the members of polling station committees, thus breaching the deadline for this activity. Some of them stated that they have received BiH CEC's approval to postpone the lottery draw.

In more than half municipalities and cities in BiH political subjects did not submit nominations of polling station committees' members by 15th August, which was also the deadline for this activity. According to the information received from these election commissions, the BiH CEC has postponed the deadline to 20th August. This brings up the question about the purpose of the deadlines if they are breached without any consequences or prolonged by a BiH CEC's decision, which in turn leads to delay of other planned activities of the local election commissions.

Only four complaints were submitted to the local election commissions in the reporting period: in Vitez municipality the complaint was about the maintenance of the up-to-date voters list, in Stari Grad Sarajevo municipality about the lottery draw for seats on the polling stations, in Gračanica and Petrovo municipalities the political subjects complained about how the deputies on the polling station committees will neither work nor get paid.

Observers of the Coalition "Pod lupom" generally have positive experiences concerning cooperation with the local election commissions. In only 10 out 143 local election commissions certain problems in communication with the observers were reported, and mostly relate to the failure to release the notification about holding of the sessions.

4.3. Media, civil society and the citizens

4.3.1. Media reporting

The long-term observers of the Coalition "Pod lupom" have also observed reporting of the local and regional media. Through the observation of media reporting the observers have documented the cases of biased media reporting containing mostly positively or mostly negatively reports on certain political subjects, as well as broadcasting of inappropriate speech by an official or a candidate in the elections.

A total of 34 cases of potential hate speech, engendering of ethnic, religious, racial or other intolerance, inflammatory rhetoric, the use of inappropriate symbols or calls to violence were documented.

¹⁰ Election Commissions in Berkovići, Bosansko Grahovo, Busovača, Čelić, Dobož South, Dobretići, Donji Žabar, Drvar, East Mostar, Jajce, Kreševo, Kupres (RS), Milići, Novi Grad, Ribnik, Srbac, Teočak, Tešanj, Tomislavgrad, Usora and Vogošća.

Observers from nine municipalities reported that the media are exposed to pressures by public officials and/or political subjects. These municipalities are East Ilidža, East Novo Sarajevo, Mostar, Novi Grad Sarajevo, Petrovo, Stari Grad Sarajevo, Velika Kladuša, Zenica and Žepče.

The attacks on journalists that happened in August, but also earlier in the year, are the main point of concern. The attempted murder of the journalist of the BN Television, Vladimir Kovačević, is the most drastic example of attacks on the media freedom. Journalist Mira Kostović and her husband were threatened by the acting director of the public enterprise “Motorways RS” and president of the DNS regional board, Nenad Nešić. The Coalition “Pod lupom” is condemning in the strongest terms the attacks on the journalists and urges the investigative bodies to discover and to sanction the executors and the principals of these crimes as soon as possible. There are no free and fair elections without free media.

As of Friday, 7th September, which is the official start of the election campaign, the Coalition “Pod lupom” will deploy additional 42 observers. The observers of election campaign will visit around 500 rallies of political subject and will report on the course of the election campaign. They systematized monitoring of media reporting will also commence on 7th September and will cover 30 media and 40 days of reporting, including 30 days of election campaign and additional 10 days after the Election Day.

4.3.2. Civil society and the citizens

In three cases did observers of the Coalition “Pod lupom” reported pressures and attacks to which they were exposed. They were verbally attacked (“you Soros people have destroyed this country” and “you will be banished, your end is near”) during the preparations for street actions in the municipalities Banja Luka and East Novo Sarajevo. The posters of the Coalition “Pod lupom” in Tomislavgrad municipality were destroyed three minutes after they were put up.

The Coalition “Pod lupom” will protect its observers in the field. We once more urge all political subjects and the citizens to adhere to the laws and to restrain from exerting any pressure on the Coalition’s observers. We urge the public office holders to follow the electoral rules in the forthcoming election campaign.

Cases of attempted negative influence on the freedom of assembly and the expression of will by the citizens were documented. The RS President Milorad Dodik had on two occasions stated that the freedom of assembly and expression of the will by the citizens gathered in the group “Justice for David” should be disabled and that it is illegal, disapproving coming together of the citizens who protested in support of the beaten journalist of BN Television Vladimir Kovačević.

On Friday 17th August 2018 the police attempted to prohibit a citizens’ rally that did not relate to the election, but to the local issues concerning construction of a mini hydropower plant Kruščica in Vitez municipality. It is known that an incident had happened on 24th August 2017 in this place after the members of the special police force of the Central Bosnia Canton Ministry of

Interior apprehended several persons, who protested against construction of the hydropower plant, whereat several persons were injured.

5. About the Coalition “Pod lupom”

The Coalition for free and fair elections “Pod lupom” was established in May of 2014 aimed at implementing a project of civic, non-partisan observation of the 2014 General Elections. The coalition consists of six¹¹ non-government organizations from the entire country. Election observation is the primary activity of the Coalition. So far the Coalition observed the 2014 General Elections, the 2016 Local Elections, early local elections in eight municipalities, the first elections in the newly established municipality Stanari, repeated elections in Stolac municipality, and the recall of the mayor in Lukavac municipality. More than 5.500 observers were working at these elections. Furthermore, the Coalition is engaged in research and preparation of the international comparative analyses, in monitoring of the BiH CEC’s sessions, organization of roundtable discussions and conferences, bringing together representatives of legislative and executive institutions, government, election administration, academic community, media and the civil society. The Coalition is actively advocating improvement of electoral process in all its segments. Apart from afore-listed activities, the Coalition is educating young first time voters as to motivate and to encourage them to more actively participate in the electoral process. A total of 30.000 young people across BiH have been educated through this activity so far.

In the pre-election period the Coalition directs its activities to monitoring the work of the election administration, voter registration process, monitoring (pre)election campaigns of the political subjects, and to reporting irregularities and addressing the reports. Non-partisan, civic observes will be the backbone of the Election Day observations. They will provide objective and timely reports about the electoral process from the polling stations. In the post-election period the Coalition monitors received election-related complaints and appeals, monitors establishment of newly elected bodies of authority in BiH, and will give its recommendations in a report. The Coalition will also advocate improvement of the legal framework and election legislation in BiH.

The Coalition’s activities are carried out through a three-year project Building Accountability and Systems in the Elections (BASE) and additional funding to increase the volume of the observation mission. The BASE project is financed by the European Union (EU), while the additional funding is provided by the US Agency for International Development (USAID). The main goal of the BASE project is to improve the quality of electoral process in BiH, in line with the international standards and best practices, encouraging active participation of the citizens in the election observation and advocating for improvements to the election legislation.

¹¹ Centers of Civil Initiatives (CCI), Citizens' Association “Democracy – Organization- Progress” Prijedor (DON Prijedor), Institutes for Development of Youth and Community “Perpetuum Mobile” Banja Luka, Center for Citizens’ Cooperation Livno (CGS Livno), Incubator of social innovations “MUNJA” and Forum of Tuzla Citizens (FGT Tuzla)