



Report on Election Monitoring Reform in Bosnia and Herzegovina

...jer nam je stalo!

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Summary:

Electoral reform in BiH has gone on long enough, there have been several attempts to improve the electoral process and the electoral legislation of BiH, but the results so far, despite minor advances, are very modest. In all previous election cycles, a large number of irregularities and election manipulations occurred, which resulted in a constant loss of citizens' trust in the integrity of the elections in BiH. For this reason, significant improvements to the electoral process and the electoral legislation of BiH are necessary, with the aim to provide that elections are free and fair and that election results are a real reflection of the will of the voters, and not certain irregularities and manipulations during the electoral process. Through implementation of the recommendations of the ODIHR/OSCE, the Coalition "Pod lupom" and the CEC BiH, the integrity of elections in BiH would be significantly strengthened.

The aim of the first report on the monitoring of the electoral reform in BiH is to review the current situation in this field, in which an evident stagnation has been recorded, except for some progress through the decisions imposed by high representative in BiH. Therefore, the government at the state level, primarily the political parties of the "ruling majority" should do everything possible to complete the serious electoral reform prior to the next elections in Bosnia and Herzegovina.

Evidence that point this way, it should be pointed out that in the Opinion of the European Commission on the application of Bosnia and Herzegovina for membership in the European Union, it was pointed out that a comprehensive electoral reform in BiH is necessary, as well as the full implementation of all the recommendations of the OSCE Office for Democratic Institutions and Human Rights. (ODIHR). In this report, we are presenting the recommendations of the ODIHR and the Coalition "Pod lupom", as a reminder of the recommendations that should be implemented in order to improve the process of implementation elections in BiH.

The continuous repetition of election irregularities throughout the election cycles in BiH has led to distrust of the citizens in the election process and the integrity of the elections in BiH. Unfortunately, there is less than a year left until the announcement of the next elections in Bosnia and Herzegovina. Due to all above mentioned, the improvement of the electoral process is inevitable, with expectations that the next local elections in BiH in 2024 will be organized according to the new rules. Citizens expect this to be accomplished by the newly appointed authorities in Bosnia and Herzegovina.

Current situation in the context of the implementation of the electoral reform in Bosnia and Herzegovina

The process of negotiations between political parties in the last convocation of the government, with the aim to adopt improvement of the electoral process in BiH through the 'package of integrity of the electoral process', ended unsuccessfully just before the announcement of the 2022 General Elections in BiH. Instead of the expected compromise, the exclusivity of certain political parties and the firm adherence to predetermined positions related to possible solutions for the improvement of the electoral process and the electoral legislation of BiH, were expressed.

Namely, due to the blockades and obstructions that characterized the work of the institutions of the former convocation of authorities at the state level of BiH (mandate 2018-2022), and the unwillingness of the so-called "ruling majority" to tackle the implementation of the electoral reform in BiH, in the House of Representatives of the Parliamentary Assembly of BiH, the last attempt to adopt amendments to the Electoral Law of BiH failed before the 2022 General Elections in BiH. Namely, at the 28th session of the House of Representatives of the PSBiH held on April 27, 2022. , the proposal for amendments to the BiH Election Law, which was submitted for the procedure by 17 representatives of that chamber from several political parties, was not accepted.

Bosnia and Herzegovina was granted candidate status for EU membership in mid-December 2022, which is certainly an additional incentive and opportunity for the newly formed government at all levels to implement concrete reforms on BiH's path to EU membership. The BiH authorities should finally move from declarative support for BiH's European path to real support and the implementation of concrete measures in accordance with the election promises related to the implementation of 14 key priorities from the Opinion of the European Commission.

In the past period, only one key priority was fully fulfilled, out of a total 14 key priorities from the Opinion of the European Commission, and it refers to ensuring the proper functioning of the parliamentary committee for stabilization and association. The priority related to conducting elections in accordance with European standards was partially fulfilled, in such a way as to implement the relevant recommendations of the ODIHR/OSCE and the Venice Commission, ensure the transparency of the financing of political parties and hold local elections in the City of Mostar. The holding of local elections in the City of Mostar, on December 20, 2020, meant only partial implementation of the aforementioned priority, with the fact that the expected changes to the electoral legislation of BiH were not adopted, despite intense negotiations between political parties before the holding of the 2022 General Elections in BiH.

Also, the expectations of the citizens of BiH are high when it comes to the implementation of the decisions of the Constitutional Court of BiH and the European Court of Human Rights (ECtHR), through which the constitutional discrimination of citizens on the basis of passive voting rights and/or residence has been proven. The application of the decisions of the ESLIP should lead to changes in the Constitution of BiH and the Electoral Law of BiH, as well as to abolition of the existing discrimination of citizens in exercising their passive right to vote. Therefore, the announced and long-awaited changes to the electoral legislation of Bosnia and Herzegovina and limited constitutional changes, which should result in the elimination of discrimination and ensuring the equality of all three constituent peoples and all citizens of Bosnia and Herzegovina, would mean a huge step forward on the European path of Bosnia and Herzegovina.

The High Representative in BiH, Christian Schmidt, made several decisions related to enabling the holding of elections in BiH, and the election rules for the 2022 General Elections in BiH, which were adopted during the election period, but also during the election night, after the closing polling stations. The aforementioned decisions were, as explained, made with the aim to enable citizens to exercise their democratic rights in free, fair and democratic elections and that the conditions for such elections exist, despite the inability of political leaders to reach a compromise on electoral reform in BiH. The need to strengthen the integrity of elections in BiH and to improve the management of the electoral process in a transparent manner was also highlighted, while providing the opportunity for the CEC BiH to effectively sanction violations of the rules of conduct while implementing election campaign.

Failed negotiations on electoral reform in BiH before the 2022 General Elections in BiH left the electoral legal framework without the necessary reforms, although the amendments to the BiH Election Law imposed by the High Representative in BiH strengthened certain aspects of the electoral process. Constant rise of tensions, political blockades within institutions at the state level, mistrust in public institutions and continuous reference to the wartime past, in a certain way marked the election atmosphere in Bosnia and Herzegovina.

Constant and continuous repetition of electoral irregularities through all previous election cycles in BiH has led to distrust of the citizens in the electoral process and the integrity of the elections in BiH, so improvement of the electoral process is very necessary, with the aim to organise next local elections in BiH in 2024 according to the new rules. which will allow the election results to reflect true will of the voters.

The need for a serious electoral reform was also shown through the citizens' petition carried out in the 2021 non-election year and at the beginning of the 2022 election year, where more than 92,000 citizens clearly stated that they are in favor of preventing electoral irregularities and that they support the introduction of new technologies into the electoral process in BiH, which is a strong message to representatives of both houses of the BiH Parliamentary Assembly that significant changes are needed to be happened in this direction, in order to ensure free will of citizens.

Current dis-functionality of the state government and the significant delay and setbacks in the implementation of the electoral reform in Bosnia and Herzegovina, and thus the backlog on BiH's path to the European Union, result, among other things, in the increasingly massive departure of citizens from Bosnia and Herzegovina, especially young people, who do not see their future in a country where they have no security, where corruption and nepotism are evident, constant political tensions between political actors, bad economic situation, high inflation, unemployment and other negative phenomena in the social and political life of BiH.

Recommendations of the OSCE/ODIHR Election Observation Mission for improving implementation of elections after the 2022 General Elections in BiH

In its final reports, the OSCE/ODIHR election observation mission submitted recommendations for the 2010 General Elections, the 2014 General Elections, the 2018 General Elections and the 2022 BiH General Elections. The recommendations were offered with the aim to further improve implementation of elections in BiH and support efforts to fully harmonize them with the obligations of OSCE member states and other international obligations and standards of democratic elections. In 2018, the implementation of ODIHR's recommendations for the 2010 General Elections in BiH was assessed, while in 2022, the implementation of ODIHR's recommendations for the 2014 General Elections in BiH and the 2018 General Elections in BiH was assessed.

Namely, the election observation mission of the ODIHR assessed that out of a total of 25 recommendations from the Final Report of the ODIHR for the 2010 General Elections in BiH, 7 recommendations were fully implemented, 2 recommendations were mostly implemented, 6 recommendations were partially implemented, 2 recommendations were not evaluated, while 8 recommendations were not implemented. Of the 30 recommendations from the Final Report of the ODIHR for the 2014 General Elections in BiH, 9 recommendations were fully implemented, 3 recommendations were mostly implemented, 7 recommendations were partially implemented, while 11 recommendations were not implemented. In the Final Report of the ODIHR for the 2018 General Elections in BiH, 22 recommendations were given, of which none recommendation was fully implemented, 2 recommendations were mostly implemented, 11 recommendations were partially implemented, while 9 recommendations were not implemented.

Therefore, insufficient implementation of ODIHR recommendations is evident, with the fact that, in this context, there are high expectations from the newly elected authorities in BiH, with the aim to faste implement remaining ODIHR recommendations (list of recommendations with implementation status is in Annex 1 of this report).

Importance of ODIHR's recommendations is reflected in the fact that they are one of the 14 priorities from the Opinion of the European Commission, so below we will present the recommendations from the Final Report for the 2022 General Elections. The recommendations of the ODIHR after the 2022 General Elections in BiH are divided into several categories, namely priority recommendations, which refer to the revision of the electoral legal framework, the methods of forming election committees, preventing pressure on voters, strengthening the transparency and accountability of campaigns financing, and measures to guarantee the voter's right to free and secret voting. Other recommendations relate to the electoral system, electoral administration, voter registration, candidate and campaign registration, campaigns financing, media, complains and appeals.

A. PRIORITY RECOMMENDATIONS

1. A comprehensive revision of the legal framework should be undertaken in order to take into account all unfulfilled ODIHR recommendations, remove gaps and inconsistencies, and include in the legislation the judgments of the European Court of Human Rights and the Constitutional Court of Bosnia and Herzegovina related to restrictions on running for office in elections based on ethnicity and residence. In line with good international

practice, the comprehensive review process should be open, inclusive, and consultative and take place in advance of the next election.

2. The authorities should ensure adequate and efficient distribution of funds in order to ensure the functionality of the Central Election Commission of BiH as an institution, including during non-election years, and cover all costs related to the organization of elections. The Central Election Commission should be provided with all the necessary resources to employ a sufficient number of qualified personnel, including audit, legal and IT departments, and to develop IT infrastructure.
3. In order to ensure timely formation, impartiality and professionalism of polling station committees, and to increase the confidence of interested parties, the authorities should revise the method of appointing these committees. This could be achieved by limiting the right to run for polling station committee members only to political parties that have representatives in state and entity parliaments, or by choosing members from a list of trained personnel maintained by the Central Election Commission of BiH.
4. The authorities should ensure that members of the electoral administration are not revoked for arbitrary reasons and are able to perform their duties without fear of reprisals or intimidation, including those based on gender, and should promptly investigate and respond to such cases.
5. In order to prevent pressure on voters by public officials and candidates, competent authorities should take prompt and effective steps to investigate such allegations and any misuse of administrative resources, and be proactive in deterring such practices.
6. In order to encourage the active participation of women in public and political life, authorities at all levels should make comprehensive legal, institutional and educational efforts to counter existing gender stereotypes about the role of women and men in politics. A detailed assessment of the impact of gender quota requirements on the election of women to positions at all levels should be carried out.
7. The authorities should strengthen effective protection of journalists against threats and intimidation. Strengthening the capacity of law enforcement authorities to ensure prompt investigation of cases of pressure on journalists and media houses, including when such pressure is exerted online, should be considered.
8. The authorities should take effective measures to protect voters' rights to free and secret elections. The importance of voting secrecy, protecting voters' identities, and ensuring that voters can vote in a free atmosphere should be emphasized during election commission training and in voter training materials. The layout of the polling stations should be reviewed and the issue of overcrowding should be addressed to ensure the secrecy of the vote and protection against undue influence on voters.

B. OTHER RECOMMENDATIONS

Electoral system

9. In order to ensure equality of votes and borders of multi-member constituencies, the corresponding number of mandates should be revised periodically, and in a period that leaves enough time to implement the solution long before the next election. These audits should be carried out in accordance with national laws and international obligations and good practices.

Electoral administration

10. The Central Election Commission should continue to improve training for election commissions at lower levels, with special emphasis on voting and counting procedures and fulfillment of election results protocols.
11. The authorities, including the election administration, should develop a comprehensive long-term voter education and information program for the various target groups in close consultation with the organizations representing these groups. Voter education and informational materials should be produced in accordance with standards of accessibility.
12. Electoral administration should consider additional measures, in close cooperation with organizations representing persons with disabilities, to ensure that voters with disabilities, including those with visual impairments, can vote independently or with appropriate assistance. Efforts should be made to ensure that the premises and layout of polling stations are suitable for independent access.

Voter registration

13. In order to ensure equal voting rights in accordance with international standards, restrictions on voting rights based on intellectual or psychosocial disability should be abolished.

Candidate registration

14. In order to improve respect pertaining to the right to freedom of association and expression, the legal framework should be amended so to allow voters to sign support for more than one candidate in each election.

Campaign

15. Political parties should take effective measures to identify and overcome gender-based barriers for women candidates, including reviewing current intra-party practices that limit the more effective representation of women within party structures and in candidate positions.

Campaign financing

16. The capacity of the Central Election Commission should be strengthened to effectively monitor and investigate operations pertaining to campaign financing. The Central Election Commission should have a legal obligation to audit all financial statements of political parties and candidates in a timely manner and to publish the results of such audits in a timely manner.
17. In order to increase transparency pertaining to campaign financing and accountability for financial violations, the regulatory framework should provide for proportionate and dissuasive sanctions for violations.

Media

18. In order to increase the volume of information available to voters and promote balanced and impartial reporting in news and programs pertaining to actual affairs, public broadcasting services should be provided with a stable funding system.
19. Legislation should be amended to provide a clear definition of defamation, revise defamation of sanctions to provide a proportionate and reasonable remedy, and ensure safeguards against abuse of defamation laws.
20. The authorities should be proactive in publishing information of public importance, including that related to elections, in the public domain. Access to such information should be simple, fast, efficient and practical, and enable a wide range of queries. Requests for information should be dealt promptly; any refusal should have a clear rationale.

Complaints and appeals

21. In order to allow sufficient time for complaints to be lodged and dealt with, the deadlines could be aligned with good international practice. The Central Election Commission should consider all complaints and appeals in a timely manner and be properly prepared and have the resources for this.
22. In order to increase transparency and accountability, the Central Election Commission and the courts should publish information on complaints and decisions related to elections in a timely manner.

Priority recommendations of the Coalition "Pod lupom" for better elections in Bosnia and Herzegovina:

The Coalition "Pod lupom" has continuously been submitting recommendations to competent institutions in BiH in order to improve electoral process in BiH as well as electoral legislation of BiH since 2014, with the fact that in the previous 9 years, 26 recommendations of the Coalition "Pod lupom" were fully or partially implemented. Last year, in the context of holding the 2022 General Elections in BiH, the Coalition "Pod lupom" published a total of 42 recommendations, divided by sections (Appendix 2 to this report).

Of the mentioned recommendations for better elections in Bosnia and Herzegovina, the Coalition "Pod lupom" highlighted 10 priority recommendations as follows:

New technologies in the electoral process:

1. Introduce into the election process machines for scanning ballots (scanners) or other new technologies that will prevent abuses and prevent violations of the BiH Election Law when determining the will of voters at polling stations on Election Day, while following the standards and criteria of security, feasibility, long-term and profitability of the chosen solution.
2. Introduce electronic identification of voters at polling station.
3. Ensure the entry of voting results into electronic system of the CEC BiH from the polling station, immediately after determining the voting results for each level that is electing in the elections.

Electoral administration

4. Change the procedure to select the president and deputy of the electoral committee in such a way that they are elected by municipal/city election commissions on the basis of a public call and criteria to be prescribed by the CEC BiH, and who will be appointed and trained to work in non-election years.

Protection of electoral right

5. Allow everyone to file complaint to the electoral process at every stage of the election process.
6. Improve the publication of information on received objections and complaints on the CEC BiH website, in such a way as to create a database that will contain them in their original form, along with accompanying decisions on handling complaints and appeals. The database, i.e. the publication of information on complaints and appeals, should be expanded to include complaints sent to the election commissions of the basic constituencies.

Determining the results

7. Introduce the obligation to cancel elections for those polling stations where an excess of ballots is found.

Electoral system

8. Lower the intra-party electoral threshold for general elections in BiH from 20% to 10% and equalize it with the intra-party electoral threshold for local elections.

9. Revise electoral units and the number of mandates for state and entity parliaments in order to ensure the principle of equality of votes.

Monitoring of elections

10. Simplify the procedure for accrediting civic, non-partisan observers accredited by the CEC BiH by introducing the possibility to submit requests in electronic form. Simplify the prescribed appearance of accreditations and speed up the process of issuing.

At the end of 2021 and the beginning of the election year 2022, the Coalition "Pod lupom" organized a petition to collect signatures of citizens in both entities of Bosnia and Herzegovina and the Brčko District of BiH for supporting the priority recommendations of the Coalition, with an emphasis on introduction of new technologies into the electoral process in BiH, with the goal to ensure electronic identification of voters at the polling station and introduce machines for scanning ballots (scanners), along with electronic tabulation of the results of the elections held in BiH.

More than 92,000 signatures of citizens were collected and submitted to the Interdepartmental Working Group for changes to the electoral legislation of BiH in the Parliamentary Assembly of BiH (IRRG), along with public promotion of the importance and purpose of collecting signatures. Citizens of BiH have clearly said that they are in favor of preventing electoral irregularities and that they support introduction of new technologies into the electoral process in BiH, which is a strong message to representatives of both houses of the Parliamentary Assembly of BiH that significant changes are needed in this direction in order to ensure a free electoral will of citizens.

The introduction of electronic voter identification and machines for scanning ballots would prevent electoral fraud, which is reflected in changing voting results, canceling votes for political opponents, voting instead of absent voters, writing personal preferences for candidates on electoral lists and other manipulations at the polling stations during Election Day.

Additionally, abuses related to the identity of voters going to the polls, such as voting in the name of another person, voting multiple times on election day, voting by deceased persons, as well as abuse of voting after polling stations are closed, would be prevented. Also, it would be possible to monitor voter turnout for elections in real time, which is not possible now, and all of the above would significantly contribute to protecting the integrity of elections and restoring citizens' trust in elections in Bosnia and Herzegovina.

The citizens' petition of the Coalition "Pod lupom", which requests the introduction of new technologies into the electoral process in BiH, represents an additional responsibility and an important argument for adoption of amendments to the Election Law of BiH, because the integrity of the electoral process has been repeatedly compromised in the previous election cycles in BiH. By introducing new technologies, electoral thefts would be reduced (some completely eliminated), the shaken confidence of citizens in the integrity of elections in BiH would be restored, because the influence of the human factor i.e., party influence in the electoral process, would be significantly reduced.

Possibilities and importance of introducing new technologies into the electoral process in Bosnia and Herzegovina:

2022 general elections in Bosnia and Herzegovina were accompanied by a series of irregularities, such as the trading of seats in electoral committees, misuse of public resources, irregularities in voting, etc., so the introduction of "new technologies" is justified. The repetition of electoral irregularities throughout the election cycles in BiH has led to distrust of the citizens in the electoral process and the integrity of the elections in BiH. Due to all above mentioned, improvement of the electoral process is inevitable, with expectations that 2024 local elections in BiH will be organized according to new rules, i.e., electronic identification of voters and scanning of ballots, along with the entry of election results at polling stations. New technologies in the electoral process are contained in the recommendations of the ODIHR/OSCE, the Coalition "Pod lupom" and the CEC BiH.

With the introduction of new technologies, certain irregularities in the election process would be completely eliminated, while for some other irregularities, the scope for committing them would be significantly reduced. Voter turnout would be monitored in real time, and citizens would know the election results within a few hours after the polling stations are closed. It should certainly be borne in mind that the mentioned process requires securing the necessary financial resources, a particular time for the procurement and installation of technical equipment, testing and training, as well as a complex procedure for adopting amendments to the Election Law of BiH, with the prior assurance of the necessary political will within the PSBiH.

In the context of the above, the CEC BiH, in cooperation with the Agency for Identification Documents, Records and Data Exchange (IDDEEA), with the financial support of the European Union, started the "EU Test Project for the introduction of new technologies in the electoral process in BiH". In accordance with the announcements of the CEC BiH, it is planned to simulate elections through the use of new technologies at 165 polling stations in ten municipalities/cities in BiH in 2023. The innovations relate to the automated voter's fingerprint record system at the polling station, which will enable the identification of each voter in the elections without any problems, as well as online entry of the election results from the polling stations into the electronic system of the CEC BiH.

Therefore, the electronic identification system implies identification based on fingerprints, while electronic system of entering the number of votes implies that there will be a tablet at the polling stations with a program that will be used for online data entry and their storage in the CEC BiH server. In this way, part of the problems that primarily relate to the incorrect entry of data from polling stations to the central server of the CEC BiH would be solved, which is an amendment that the CEC BiH had previously proposed, given that it does not require an amendment to the Election Law of BiH.

The planned introduction of new technologies into the electoral process in BiH and the necessary technical preparations (testing, training, etc.) need to be completed before the 2024 local elections in BiH, with the fact that certain models of introducing new technologies into the electoral process do not require changes of the BiH Election Law. In this context, at the end of 2020, the CEC BiH submitted to the Parliamentary Assembly of BiH the strategic document "Feasibility Study on the Introduction of Information Technologies in the Electoral Process", but the Study in recent years was not included in the agenda of the sessions held by the PSBiH.

Concluding thoughts

The continuous repetition of electoral irregularities throughout the past election cycles in BiH has led to distrust of the citizens in the electoral process and the integrity of the elections in BiH, and therefore it is necessary to immediately start the implementation of the electoral reform in BiH, with the aim of improving the electoral process and the electoral legislation of BiH, with the aim to ensure free and fair elections in Bosnia and Herzegovina.

The authorities of Bosnia and Herzegovina, in accordance with their competences, should do everything to significantly speed up the implementation of the electoral reform in BiH and complete it in the next approximately 10.5 months, which is the time left until the 2024 local elections in BiH. The key recommendations of the ODIHR/OSCE, the priority recommendations of the Coalition "Pod lupom", as well as the CEC BiH, which have not been implemented, should be the focus of the activities of the newly formed government in BiH until the next elections in BiH.

Evident delay in fulfilling 14 key priorities from the EC Opinion for accelerating BiH's path to EU membership, too long waiting for the implementation of the decisions of the Constitutional Court of BiH and the European Court of Human Rights, through which constitutional discrimination of citizens based on passive voting rights and/or residence has been proven, should be an additional motive for the implementation of the electoral reform in BiH. In particular, the judgment of the ESLIP in the "Sejdić-Finci" case should be highlighted, the implementation of which has been awaited for 14 years.

Coalition "Pod lupom" collected more than 92,000 signatures of citizens in both BiH entities (FBiH and RS) and Brčko District through a citizens' petition for better elections in BiH in preparation for the 2022 General Elections, which is a confirmation of the commitment of the citizens that showed their clear commitment to free and fair elections in BiH, with the introduction of new technologies in the electoral process, electronic identification of voters, as well as the scanning of ballots and the entry of election results at polling stations.

Bosnia and Herzegovina was granted candidate status for EU membership in December 2022, which should be an additional incentive and opportunity for the newly formed government at all levels to implement concrete reforms on BiH's path to EU membership. The BiH authorities should finally move from declarative support for BiH's European path to actual support and the implementation of concrete measures related to the 14 key priorities from the EC Opinion for BiH's membership in the EU and the implementation of ODIHR/OSCE recommendations.

The previous dysfunctionality of BiH. authorities and delays in the implementation of the electoral reform, as well as the obvious backlog on BiH's path to the EU, result, among other things, in the increasingly massive departure of citizens from BiH, especially young people, who do not see their future in BiH and who do not have security, in which is evident corruption and nepotism, constant political tensions, poor economic situation in our country, high inflation, unemployment and other negative phenomena in the social and political life of BiH.

APPENDIX 1: Recommendations from the report of the OSCE/ODIHR Election Observation Mission with the status of implementation after three election cycles in Bosnia and Herzegovina (2010, 2014 and 2018).

Recommendations from the Final Report of the OSCE/ODIHR Election Observation Mission for the 2010 General Elections in BiH with the status of implementation:

A. PRIORITY RECCOMENDATIONS

1. The legally binding decision of the European Court of Human Rights from December 2009 must be implemented to eliminate legal provisions that discriminate against citizens based on their ethnicity. Residency restrictions should also be eliminated and the law amended accordingly. All citizens of BiH should have the right to run for election and to vote under equal conditions in accordance with the obligations to the OSCE and international standards for democratic elections. **NOT IMPLEMENTED**

2. Efforts to fully harmonize laws at the state, entity and Brčko District levels should be continued in order to strengthen legal certainty. **NOT IMPLEMENTED**

3. The authorities should reconsider the system of distribution of mandates per electoral unit and the delimitation of the boundaries of electoral units to ensure that the number of votes needed to elect members of parliament is equal. **NOT IMPLEMENTED**

4. The authorities at the state and entity level should solve the problem of distribution of voting options for people residing in Brčko for the general elections. **IMPLEMENTED**

5. Laws related to political party and campaign financing could be strengthened to improve the transparency of candidates' election campaign financing. Detailed data on donations, income and expenditures could be made publicly available, and enforcement and accountability could be gained through the requirement to file campaign finance reports before Election Day. **PARTIALLY IMPLEMENTED.**

6. State and entity laws and other regulations on the participation of women in public decision-making positions should be harmonized with the Law on Gender Equality. In particular, the BiH Election Law could be reconsidered in order to enable greater representation of women as candidates in elected bodies and lists of candidates, as well as in positions in the decision-making process in government and judicial structures. **IMPLEMENTED**

7. The transparency of election results would be improved if all public information would include protocols containing the results at polling station level and were published on the CEC BiH website, including the number of invalid ballots and the proportion of blank ballots. **MOSTLY IMPLEMENTED**

8. Considering the amount of work and procedural problems that were observed on Election Day, attention should be paid to increasing the professionalism and responsibility of the Polling Station Committee. The complex paperwork related to the Election Day suggests that emphasis

should be placed on the training of committee members at the polling station so to exclusively deal with it. **PARTIALLY IMPLEMENTED**

B. OTHER RECOMMENDATIONS

Legal framework

9. Amendments to the Law on Conflict of Interest could be considered in such a way that another competent body implements its provisions, and the CEC BiH is thus freed from the burden, it can focus only on issues related to elections. **IMPLEMENTED**

10. The authorities should consider amending the BiH Election Law to remove the restriction that prohibits voters from signing support for more than one candidacy. **NOT IMPLEMENTED**

11. The detailed procedure for verifying signatures of support from the CEC BiH should be established by law, which would ensure the consistency and legal certainty of the verification process. Political parties should be given the opportunity to monitor the verification of signatures of support. **IMPLEMENTED.**

Electoral administration

12. The implementation of certain provisions of the Election Law could be improved as follows:

a. Reporting mechanisms between the MEC and the CEC should be improved in order to increase accuracy and timely communication, b. Comprehensive records of all objections submitted to all election commissions, together with a system for monitoring the status of those objections, in order to filter compliance with legal deadlines and increase transparency, c. Enhanced discretionary powers of the CEC to act on complaints or conduct ex officio investigations, d. Strengthening the human resources of the CEC's legal and audit department. **PARTIALLY IMPLEMENTED.**

13. In order to correct existing practice in which political entities trade positions in the Commission on the polling station, the law could be amended in such a way that the political entities provide a list of potential candidates for the polling station committees before the draw is held at the MEC, not after. **NOT IMPLEMENTED**

Voter education

14. Voters may benefit from various types of voter education programs, including: a. broader aspects of the voting process (in addition to how to mark the various ballots), including sensitizing voters to issues such as family and group voting, b. those aimed specifically at minority voters. The development and implementation of such programs should be done in close cooperation with relevant minority civil organizations, taking into account the conditions of specific communities, such as (functional) illiteracy, level of education and language needs, c. regarding provisions for out-of-country voting, including voter information programs to better implement legal provisions allowing refugees to register to vote for the first time. **NOT IMPLEMENTED**

Media

15. The introduction of clear deadlines for the Communications Regulatory Agency should be considered in order to resolve complaints related to the activities of radio and television stations in a timely manner. The Communications Regulatory Agency should consider the systematic coverage of elections by radio and television stations and their adherence to rules and regulations. **PARTIALLY IMPLEMENTED**

16. There could be greater objectivity and diversity in the reporting of public radio and television, especially when reporting on the activities of state bodies, which could be achieved through full respect for editorial independence. **PARTIALLY IMPLEMENTED**

Campaign financing

17. Deadlines should be introduced for the CEC to audit campaign financing. The CEC should strengthen its resources to enable proper, accurate and timely auditing. **NOT IMPLEMENTED**

18. The electoral law of Bosnia and Herzegovina could be improved by removing the obligation of candidates to submit declarations about their financial status, while this obligation would be preserved for all elected candidates at the beginning and at the end of their terms of office. Public accountability could benefit from a credible means-tested system. **NOT ASSESSED.**

Participation of women

19. Political parties should be encouraged to promote gender equality and take action to increase the participation of women in party leadership and electoral lists, to increase the visibility of women candidates during election campaigns, and to systematically integrate gender issues as part of party platforms. **PARTIALLY IMPLEMENTED.**

Participation of national minorities

20. Relevant authorities should take decisive measures to solve the remaining cases of lack of identity cards among the Roma population and prevent the emergence of new cases through the removal of administrative obstacles (e.g. non-payment of fees for the issuance of documents, abolition of the fees applied for the issuance of documents and the introduction of unlimited validity of birth certificates), so that the Roma population can enjoy their right to vote. **MOSTLY IMPLEMENTED**

Election Day

21. The accuracy, accountability and quality of the election process could benefit from better quality election materials. Ballots for voting by mail could be printed in a different color to avoid potential abuse to vote for another person. In order to avoid fraud while using ballots that are not in the prescribed form, the ballots could be printed with a security pattern. The CEC BiH could also consider using transparent ballot boxes to increase the transparency of the election process. **IMPLEMENTED**

22. The voting process at the polling station could be better if certain procedures on Election Day were simplified. For example, ballots should not be counted manually before opening at the polling station to avoid opening delays. Polling station committees should not be required to retain observers' personal documents as this results in additional and unnecessary administrative complications. **NOT IMPLEMENTED**

23. The CEC BiH should fully implement the provisions of the law in order to provide accredited observers with copies of the protocol with the results included. **IMPLEMENTED**

24. The transparency of the work of election commissions during the entry of data on results could be improved so that observers can access all stages of the process, including tabulation and verification of entered data in the Main counting center in Sarajevo. **IMPLEMENTED**

25. The slow process of counting ballots for voting by mail, absentee ballots and unconfirmed ballots, as well as the central control check and tabular presentation of data from all protocols with the results of the GO in the Main counting center in Sarajevo should be accelerated, and shorter deadlines for the production of final election results should be established. In this regard, the law should include a provision that ballots for voting by mail that are received are counted only if they are received by the end of voting at the polling stations. **NOT ASSESSED.**

Recommendations from the Final Report of the OSCE/ODIHR Election Observation Mission for the 2014 General Elections in BiH with the status of implementation:

A. PRIORITY RECOMMENDATIONS

1. In accordance with the judgments of the European Court of Human Rights and earlier recommendations of the OSCE/ODIHR, restrictions on the right to vote and run for office based on ethnicity and residence should be removed from the law. **NOT IMPLEMENTED**
2. In order to support the principle of equal vote, the boundaries of electoral units should be reviewed in accordance with the Election Law, obligations to the OSCE and other international standards. The law should specify which body is responsible for the review and that the process should be impartial, transparent and include broad public consultations. **NOT IMPLEMENTED**
3. The right to file a complaint should be provided to everyone at every stage of the election process. **MOSTLY IMPLEMENTED**
4. Regulatory framework for financing campaigns should be revised to take into account the deficiencies identified in this and earlier OSCE/ODIHR and GRECO reports. **PARTIALLY IMPLEMENTED**
5. The investigation of election violations by prosecutors should be conducted in a timely manner to ensure an effective legal remedy. When irregularities are found, the culprits should be held accountable. **NOT IMPLEMENTED**

B. OTHER RECOMMENDATIONS

Electoral administration

6. In order to further increase the transparency of the decision-making process, the CEC BiH could consider prescribing that all CEC meetings be open to the public. **IMPLEMENTED**
7. CEC regulations could require MEC to hold regular, announced official sessions. To increase transparency, all MECs could regularly update their notice boards, and publication of relevant MEC information on the Internet could also be considered.. **PARTIALLY IMPLEMENTED**
8. Although the presence of political party representatives at polling stations is a potential safeguard of this process, the authorities should address the high risk of political imbalance in polling stations by conducting a thorough review of the legal provisions and practices of the allocation of polling stations. This should be done in a public consultation process that includes MECs and other relevant actors. Moreover, the CEC could consider publishing the names of organizations that propose candidates for election board members by polling station. **PARTIALLY IMPLEMENTED**
9. The authorities could introduce a legal deadline for the replacement of election board members after their appointment and limit the possibility of replacement to special circumstances based on justified reasons. **PARTIALLY IMPLEMENTED**

Voter registration

10. The CEC could consider improved voter education on issues that directly affect voter rights, especially in case of procedural changes. **NOT IMPLEMENTED**
11. The election administration should consider additional safeguards to strengthen the reliability of voting by mail and protect the integrity of this process. This could include mandatory use of registered mail or personal delivery of ballots to voters. **IMPLEMENTED**
12. State, entity and local authorities should make more efforts to ensure the participation of internally displaced persons by maintaining accurate data. A review of the current mechanisms of cooperation between the CEC, the Ministry of Civil Affairs of BiH and the Ministry of Human Rights and Refugees of BiH could be considered. **IMPLEMENTED**

Certification of candidates

13. In line with good practice, the authorities could review the legal requirements for the refund of the certification fee so that they are not excessive and are based rather on candidates winning a reasonable percentage of the vote rather than on winning a mandate. **IMPLEMENTED**

14. Amendments to the law could be considered so to provide for the removal of a candidate or party from the list only in case of serious violations, clearly defined by law. The law could also make it clear that voters should be given information about candidates removed from the list to enable them to make an informed choice. In addition, the CEC could regulate how votes for candidates removed from the list could be treated during the counting process. **NOT IMPLEMENTED**

Campaign and campaign financing

15. Legislation should clearly define what is considered misuse of state resources for campaign purposes. The access of electoral candidates to public and municipal spaces for the purpose of campaigning should be enabled on an equal basis and under uniform conditions in all municipalities. **MOSTLY IMPLEMENTED**
16. Consideration could be given to requiring all election candidates to open dedicated campaign finance bank accounts through which all campaign transactions could be made. **IMPLEMENTED**
17. In order to improve transparency and accountability, the law should stipulate that reports on campaigns financing be made available to the public and that the audit be timely. One could also consider requiring election candidates to submit preliminary reports before Election Day to inform voters about campaigns financing before voting. **PARTIALLY IMPLEMENTED**
18. The capacities and staffing of the Audit Service of the CEC could be strengthened to ensure timely and effective supervision. In line with GRECO's recommendations, the law should clearly define violations of campaigns financing rules and introduce effective, proportionate and dissuasive penalties for those violations. **NOT IMPLEMENTED**

Media

19. Freedom of the media should be strictly supported. Interference in the activities of journalists and media employees should not be tolerated, and any allegation should be immediately and effectively investigated. **NOT IMPLEMENTED**
20. The law should prescribe clear guidelines for the timely resolution of complaints related to the media. In addition, the communications regulatory agency should act on its own initiative and could be authorized to carry out systematic monitoring of broadcasters' coverage of elections and their adherence to rules and regulations. **NOT IMPLEMENTED**
21. Public broadcasters should comply with their obligation to ensure impartial and balanced coverage of all parties and candidates in their news and political broadcasts. **PARTIALLY IMPLEMENTED**

Complaints

22. Giving explicit first-instance jurisdiction to municipal election commissions for offenses related to certain aspects of the election process, including those on Election Day, could be considered. **NOT IMPLEMENTED**
23. The law should be amended to ensure that complaints are resolved by election commissions and courts at sessions that allow both the complainant as well as the right for opposing party to be heard. **NOT IMPLEMENTED**
24. In order to ensure an effective legal remedy, legal deadlines for resolution should be respected. In addition, in order to strengthen transparency and accountability, the CEC BiH should publish information on objections and decisions in a timely manner. **PARTIALLY IMPLEMENTED**
25. Electoral commissions and courts should refrain from resolving complaints in an overly formalistic manner and should consider all cases in detail. **MOSTLY IMPLEMENTED**

Election Day

26. The relatively large number of occurrences of group voting and irregular voting with the help of another person underlines the need for the authorities to strengthen voter education programs, including a focus on the importance and obligation to ensure secrecy during voting. **NOT IMPLEMENTED**
27. In order to increase the transparency of the process, the CEC BiH should ensure that copies of the summary results forms are provided to all accredited observers who request them. Consideration could be given to establishing a practical way of doing this, which would ensure that every observer receives a copy without disrupting the process. **IMPLEMENTED**

Creation and publication of summary results

28. In order to ensure consistency and increase the transparency of the process of producing preliminary summary results, the CEC could consider regulating the work of the MEC in more detail during the reception of election materials and the preparation of summary results. **IMPLEMENTED**
29. The CEC should publish results by polling station as soon as possible after Election Day, including partial and provisional results. **IMPLEMENTED**
30. In order to increase the transparency of the result verification process, the process should be regulated in detail, and the CEC could consider providing more information to the public about its activities, taking into account the scale, complexity and importance of this process. **IMPLEMENTED**

Recommendations from the Final Report of the OSCE/ODIHR Election Observation Mission for the 2018 General Elections in BiH with the status of implementation:

A. PRIORITY RECOMMENDATIONS

1. The legislator should implement ECtHR judgments related to discriminatory restrictions on running for election based on ethnicity and residence. **NOT IMPLEMENTED**
2. A comprehensive review of the legal framework should be undertaken in order to eliminate the shortcomings identified by ODIHR in this and previous reports and to prevent the misuse of public funds for campaign purposes. **PARTIALLY IMPLEMENTED**
3. Political entities should respect the law and refrain from putting pressure on voters. Cases of alleged pressure on voters should be investigated quickly, thoroughly and efficiently, and prosecutors and the CEC should promptly hold the perpetrators accountable. **PARTIALLY IMPLEMENTED**
4. The state should take effective measures to protect voters' rights to free and secret elections. Voting procedures should be revised to ensure the secrecy of the vote and protection against undue influence on voters. The importance of voting secrecy should be emphasized during training of election commission and in voter training materials. **PARTIALLY IMPLEMENTED**
5. The practice of announcing voters' names at polling stations should be reviewed. A ban on political entities keeping records of who voted on Election Day, including the use of voter lists at polling stations, should be considered. **MOSTLY IMPLEMENTED**
6. Serious efforts should be made to ensure the impartiality of the election administration. A review of the method to form Polling Station Committees could be considered, in a way, for example, to limit the right to run for Polling Station Committees members only to parties that have representatives in the state and entity parliaments. Alternative mechanisms for appointing Polling Station Committees members could be considered, such as public invitations in case when political parties do not nominate candidates in a timely manner. **PARTIALLY IMPLEMENTED**
7. The regulatory framework should be strengthened to ensure transparency and accountability of campaign financing. It should be considered that the law explicitly stipulates that all financial transactions related to campaigns are made through dedicated bank accounts. **PARTIALLY IMPLEMENTED**

B. OTHER RECOMMENDATIONS

Electoral system

8. Electoral units and the number of mandates for state and entity parliaments should be revised periodically to ensure the principle of equal votes. These audits should be carried out in accordance with international obligations and good practices. It could be considered to introduce legal provisions that prescribe the activities that the CEC should

undertake in the case that relevant parliaments do not fulfill their legal obligations. **NOT IMPLEMENTED**

Electoral administration

9. The authorities should ensure adequate financing of the organization of elections. The CEC should be provided with the necessary funds in order to attract enough qualified personnel for the efficient implementation of all its tasks. **NOT IMPLEMENTED**
10. The authorities should improve voter training programs, including programs to prevent family voting and improper voting with the assistance of another person. The CEC should further strengthen its efforts to ensure accessible voter training and provide information to all groups of voters, especially persons with disabilities, in close cooperation with the organizations that represent them. **NOT IMPLEMENTED**
11. The authorities should make additional efforts to ensure that access to polling stations is unimpeded. **NOT IMPLEMENTED**
12. Effective measures should be taken to strengthen recruitment and training methods to ensure the impartiality and professionalism of committee members with remuneration commensurate with their workload. In order to improve the professional ability of election commissions, the CEC and the MEC should provide occasional training with certification for potential Polling station Committee members, with the goal to form a list of certified personnel. **NOT IMPLEMENTED**
13. Accuracy of vote counting should be improved. Training for Polling Station Committee members should also be improved, with a special focus on counting votes and completing forms for entering results. The possibility of randomly re-counting the voting results determined by the Polling Station Committee for all levels and in all constituencies could also be considered. If technical solutions for automatic counting are introduced, an extensive feasibility and implementation study should be carried out, and the procurement process, security and other important issues should be discussed in an inclusive manner in a period that leaves enough time to implement the solution before the election. **NOT IMPLEMENTED**

Voter registration

14. Further efforts should be undertaken to improve the accuracy of voter registration. For this purpose, a revision of the mechanism of registration and registration of the fact of death in the registry book should be considered in order to ensure the timely exchange of data and correction of data on citizens. The authorities could create an effective electronic notification system between institutions involved in the process with clearly defined responsibilities and deadlines. The obligation to report the fact of a citizen's death to the registry office could be transferred to the appropriate health institutions. **PARTIALLY IMPLEMENTED**

15. In order to increase public confidence in the integrity of the voter registration process, various stakeholders, including political parties and civil society organizations, could be invited to participate in an audit of voter lists initiated and supervised by the Central Election Commission. **NOT IMPLEMENTED**

Registration of candidates and campaign

16. A gender quota should be considered, which ensures the equality of male and female candidates on the lists, and sanctions should be applied to deter non-observance of these quotas. Political parties should make it easier for women to advance politically, increase the visibility of female candidates during election campaigns, and integrate gender-related issues into their platforms. To encourage this, consideration could be given to increasing state funding for parties that promote gender equality, providing additional free access to public media for female candidates and annual subsidies to parties to fund women's branches of political parties. **PARTIALLY IMPLEMENTED**

Financing the campaign

17. The law should be amended to prescribe proportionate and dissuasive sanctions for violations. The law should establish a reasonable deadline for the audit and publication of all reports on campaign financing, and the conclusions of the audit should be established by the law or by-law of the CEC BiH. **PARTIALLY IMPLEMENTED**

Media

18. Legislation should be adopted that deters excessive concentration of media ownership, both traditional and online media, and that ensures full transparency of media ownership. **NOT IMPLEMENTED**
19. As previously recommended by ODIHR, all public services should ensure impartial and balanced media coverage of all parties and candidates in all their news and political broadcasts. **NOT IMPLEMENTED**

Complains and appeals

20. In order to provide effective protection of voting rights, the deadline to submit complaints could be extended, especially in the case of complaints about ongoing violations. The CEC BiH should be proactive in considering potential irregularities ex officio, which includes notifications it receives from observers. Judicial review of CEC BiH decisions on objections and appeals should also be enabled. **PARTIALLY IMPLEMENTED**
21. In order to increase transparency and accountability, the CEC BiH and courts should publish information on objections and decisions related to elections in a timely manner. **PARTIALLY IMPLEMENTED**

22. In terms of preventing inappropriate restrictions on freedom of speech and ensuring consistent decisions, the definition of prohibited language that could incite someone to commit violence or spreading hatred in the Electoral Law should be more precise. The CEC BiH could adopt further guidelines for interested parties and for its own decision-making. **MOSTLY IMPLEMENTED**

Appendix 2: Recommendations of the Coalition „Pod lupom“ to improve the electoral process and election legislation in BiH after 2022 General elections

LEGAL FRAMEWORK AND ELECTORAL SYSTEM IN BiH

Constitution(s)

1. To implement the European Court of Human Rights judgments (“Sejdić-Finci”, “Zornić”, “Pilav”, “Šlaku”, “Pudarić”) giving both active and passive suffrage to all citizens of BiH who have attained 18 years of age regardless of their ethnic affiliation and permanent place of residence.
2. To prevent change of ethnic affiliation in the period of three consecutive electoral cycles by the BiH Constitution and the BiH Election Law.
3. To ensure minimum representation of the three constituent peoples in the representative bodies at the level of cantons in FBiH, and at the local level by amending the statutes of municipalities/cities.

Law(s)

4. To introduce deadlines for establishment of the executive government and the obligation of announcing snap elections if the executive government is not established within the set deadline.
5. To have the BiH Election Law define the institute of substitute parliamentary mandate in order to avoid the situation where one person is simultaneously performing two functions, one in the executive and other in legislative government.
6. To shorten all election related deadlines from the day the elections are announced until the official and complete publication of the final election results (to 120 days maximum instead of the current 180 days).
7. To launch an initiative for adoption of the Law on Political Organizations at the national level.
8. To urgently establish Interdepartmental working group for amendments to the BiH Election Law with clear tasks and deadlines with the aim of improving legal framework for the elections that will restore the dented citizens’ confidence in the electoral process.
9. To have the BiH Election Law envisage the situation when electoral process is interrupted and the establishment of the election results is not possible, setting a deadline in which new elections must be held.
10. To adopt official consolidated version of the BiH Election Law

Election system

11. To reduce the intra-party threshold for the general elections in BiH to 10%, making it equivalent to the intra-party threshold for the local elections.
12. To revise constituencies and number of mandates for national and entity parliament in order to ensure quality of the vote.
13. To eliminate compensation candidates' list and to award compensation mandates to the candidates with the highest number of received preferential votes on the regular candidates' lists of political subjects at the entity level. Ensure gender and regional representation per constituency with Rules on award of compensation mandates.

ELECTORAL ADMINISTRATION

Election commissions

14. To depoliticize to the greatest possible extent the procedure for appointment of election commission by emphasizing expertise and professional integrity of the candidates for a position in the election commission. To perform oversight over the work of the commissions and other activities in line with the law and competences, based on facts and arguments, and not based on daily political topics, thus contributing to strengthening of all election commissions.
15. To harmonize the BiH Election Law with the Gender Equality Law in the part relating to the appointment of members of the BiH Central Election Commission (BIH CEC) as to align the composition of the BiH CEC with the BiH Gender Equality Law.
16. To continue introducing improvements concerning training of the local election commissions aimed at increasing efficiency of their work in the election period.
17. To improve the system of control of political parties' financial operations both in the election and non-election year by strengthening human and technical capacities of the BiH CEC's Audit Office. Involve other institutions that control financial operations of the legal entities in the control of political parties' financial operations.

Polling station Committees

18. To amend the procedure of selecting the president and deputy president of the polling station committee in a way to have them selected by the municipal/city election commission based on a public vacancy and criteria prescribed the BiH CEC, whereat they will be appointed and trained for that position during the non-election years.
19. To prevent the trade of seats in the polling station committees that is done by the political subjects in a way as to introduce additional restrictive criteria under which the political subjects qualify to take part in the operations of the polling station committee.

20. To sanction unjustified withdrawals from the polling station committees just before the Election Day by prohibiting future engagement in at least two election cycles, setting forth the obligation to keep such records at the level of local election administration.

PRE-ELECTION PERIOD

21. The BiH Central Election Commission and competent law enforcement bodies (Ministries of Interior and Prosecutor's Offices) must undertake all steps under their jurisdiction in terms of precluding, preventing and sanctioning voter coercion.
22. To precisely define responsibility of the political subjects that conduct unpaid election campaign before the beginning of statutory period in which conduct of such a campaign is allowed.
23. To consider further detailed regulation of provisions on abuse of public resources by analyzing effects of application of these provisions in the 2022 election cycle.
24. Aimed at building trust in the accuracy of the data on the Central Voters' Register (CVR) it is necessary to undertake all actions that will improve this process in the way as to conduct a comprehensive audit of all procedures affecting preparation of the CVR, to identify all weak spots in the flow of information and to create (electronic) solutions with clearly stipulated responsibilities, deadlines and sanctions.

ELECTION DAY

25. To introduce ballot scanners or other new technologies in the electoral process as to prevent abuses and disable violations of the BiH Election Law when determining will of the voters on the Election Day, following theraut standards and criteria of security, feasibility, long-term nature and cost-efficiency of the selected solution.
26. To introduce electronic voter identification at the polling station.
27. To provide for entry of the voting results into the electronic system of the BiH CEC (JIIS) at the polling station immediately after the results of the vote for every electoral race are determined.
28. To pay special attention that polling stations are accessible to persons with disabilities when designating their locations.
29. In future improvements of the Election Day organization, particularly in the segment of voting at the polling station, considerations should be made about ensuring conditions for the blind and visually impaired persons to vote independently.

Polling station setup

30. To strictly apply regulations of the BiH CEC concerning publication of the names of polling station committees' members, which has to include the name (not the code) of the political subject on behalf of which the members were appointed.
31. To introduce separate translucent ballot boxes for every level of authority that is being elected¹.

Election observers

32. To simplify the procedure for accreditation of civic, non-partisan observers accredited by the CEC BiH by introducing the option for electronic submission of the application. To simplify the prescribed design of the accreditation card and to speed up the issuance of the latter.

DETERMINING OF THE RESULTS

33. To introduce mandatory annulment of elections for the polling stations at which excess of ballot papers was determined.
34. To ensure strict adherence to provisions of the BiH Election Law and the regulations that set forth the procedure of safeguarding the voting material at every polling station before the Election Day.
35. To strengthen the control over the delivery of sensitive voting material to/from the polling stations. The Rulebook on conduct of elections has to specify who is responsible to deliver voting material from polling stations to the municipal/city election commission.
36. After determining the number of unused ballots, and before they are packed into the original boxes, the unused ballots should be made unusable by cutting off the lower right and left corners of the ballots with scissors.
37. To technically improve preparation of the copies of the aggregate result forms so the latter would be legible, and to ensure their publication at the polling station after all processes at the polling station are completed, as prescribed.

PROTECTION OF ELECTORAL RIGHT

38. To enable filing of the complaints at every stage of the electoral process.
39. To make the operations of the Main Counting Center (MCC) more transparent by publishing regular reports on all facts established during the conduct of activities under

¹ Except if scanners or other form of technology is introduced at the polling station, which would eliminate the use of the ballot boxes.

its jurisdiction, as well as by publishing a timely comprehensive report on the operations of the MCC. To ensure access to all activities and documents to observers in the MCC as prescribed by the BiH Election Law.

40. To improve publication of information on received complaints and appeals on the BiH CEC's website by creating a database that will contain the information in its original form, accompanied by the decision taken thereon. The database, i.e. the publication of information on complaints and appeals, should be expanded to complaints filed with the election commissions of basic constituencies.
41. The BiH Central Election Commission and competent law enforcement bodies must be proactive concerning prevention, timely prosecution and appropriate sanctioning of all violations of the BiH Election Law in particular. The sanctions have to be dissuasive in nature, and not symbolic in order to achieve their goal.
42. The BiH Central Election Commission and competent prosecutor's offices should improve cooperation concerning exchange of the information on all proceedings i.e. on indictments raised for crimes involving violation of electoral right, and ensure timely dissemination of information to the public about the indictments and outcomes of the completed proceedings.