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FIRST PRELIMINARY REPORT ON LONG-TERM OBSERVATION OF THE 2020 LOCAL ELECTIONS (for the period 07.09.-11.10.2020)

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1. REPORT SUMMARY

About the 2020 Local Elections.

- The 2020 Local Elections are scheduled for November 15, 2020
- The Local Elections in the City of Mostar are scheduled for December 20, 2020 first time after 12 years
- Municipal/city mayors, councilors in the Municipal Councils in the Federation of BiH, aldermen in the Municipal Assemblies in Republika Srpska and councilors in the Assembly of Brčko District of BiH – in total more than 3.200 representatives of government at the local level are elected at the Local Elections.
- The right to vote at the Local Elections will have 3.283.194 citizens of BiH registered in the Central Voters' Register as of October 10, 2020. A total of 101.771 voters are registered to vote outside BiH.
- The BiH Central Election Commission has certified 543 different political entities to participate in the elections (political parties, coalitions and/or independent candidates) and 30.789 candidates.

Electoral irregularities

- Observers of the Coalition “Pod lupom” have registered 538 different electoral irregularities in the period 07.09.-11.10.2020.
- The highest number of electoral irregularities relates to 185 cases of premature election campaign in 59 municipalities/cities in BiH, and 105 cases of abuse of public resources and/or positions for the purpose of election campaigning in 35 municipalities/cities
- The analysis of received reports of premature, by law forbidden, campaign indicates that the highest number of reports relates to political entities SDA (17), SNSD (12), SDP (7), SDS (7) and HDZ BiH (7).
- Analysis of received reports shows that the highest number of cases of abuse of public resources relates to political entities SNSD (18), SDA (14), SDS Semberija (4), SDS (4) and SDP (4)
- A significant number of reports and allegations were registered on the abuse of personal data for the purpose of registering voters for by-mail voting, involving thousands of citizens.
- The practice of trading positions in the polling station committees has been continued.
- Numerous allegations about vote buying have been registered, where the vote price ranges between 50 and 150 KM.
- The practice of voter suppression is continued by either employment being offered to the voters or voters being intimidated by threats of losing their jobs.
- The abuse of the social network Facebook has been particularly evident, where inappropriate language is being used, especially by the candidates of political entities.
- The cases of paid premature campaign and allegations about abuse of personal data for by-mail voting, as well as other observation findings, have been submitted to the BiH CEC.

- Coordinated attacks of political parties on independent and non-partisan nature of the election observation mission of the Coalition “Pod lupom” have been registered, where party activists had attempted to infiltrate the ranks of non-partisan observers. Coalition “Pod lupom” strongly condemns this practice by some political parties.

Election administration

- The BiH CEC held more than 40 sessions in the period after elections were called.
- The BiH CEC’s sessions are open for public, and are streamed live via the official YouTube channel.
- The BiH CEC’s proactivity to restore dented confidence of BiH citizens in the elections by increasing transparency and timely consideration of observed irregularities encourages and represents an improvement in relation to the previous years.
- The elections are organized in the context of COVID-19 epidemic, and an Instruction for organization of elections at time of an epidemic, as well as procedures for voting of persons who are either infected or in isolation, have been adopted.
- The local election commission mostly observe the deadlines set forth by the election calendar, but the main challenge they face is to organize the polling stations in line with the so-called COVID-19 instruction, as well as to secure sufficient quantities of necessary protective equipment/disinfection agents.
- Observers of the Coalition “Pod lupom” mostly have fair co-operation with the local commissions.

2. METHODOLOGY OF LONG-TERM ELECTION OBSERVATION

Coalition “Pod lupom” observes the entire electoral process in BiH for the 2020 Local Elections, which includes all stages of the electoral process from the day elections were called until the publication of final and confirmed election results. Therefore, the long-term election observation is carried out in the period between September 7 and November 20, 2020. Long-term election observation serves for continuous monitoring of the overall electoral process as to be able to provide a comprehensive overview that encompasses the widest possible spectrum of the election-related activities, and not just the Election Day itself.

Coalition “Pod lupom” is doing the long-term observation of the 2020 Local Elections in co-operation with 85 civil society organizations, informal groups and activists from the entire BiH and 100 long-term observers are covering all basic constituencies in BiH, 143 of them (municipalities, cities and Brčko District of BiH). The long-term observers in the field observe work and sessions of all municipal/city election commissions in BiH, activities set forth by the election calendar and observance of the deadlines, electoral irregularities and media reporting. The long-term observers deliver weekly reports on their activities, and so far they have sent 711 regular reports on the key observation findings. The long-term observers of the Coalition “Pod lupom” have so far held 853 meetings with different electoral stakeholders (election administration, political entities, institutions, police administrations, civil society organizations, media and others) aimed at getting the most objective assessment of the electoral process in BiH. The reports of the long-term observers are backbone of this preliminary report.

In addition to observing the work of municipal/city election commissions, Coalition “Pod lupom” also observes the work of the BiH CEC, which is a regular practice since the establishment of the Coalition in 2014.

3. ABOUT THE 2020 LOCAL ELECTIONS

The 2020 Local Elections are scheduled for Sunday, November 15, while the local elections for the City of Mostar are scheduled for December 20, 2020 after 12 years of not being held. The following levels of authority will be elected directly at the elections on November 15:

- Councilors in 64 municipal and 14 city Councils in the Federation of BiH
- Aldermen in 56 municipal and 7 city Assemblies in Republika Srpska
- 120 municipal mayors
- 22 city mayors
- Councilors in the Assembly of Brčko District of BiH

The city mayor of Brčko District of BiH is elected indirectly in the Assembly of the District, and the mayor of the City of Mostar is also elected indirectly.

The BiH Central Election Commission certified 543 different political entities (political parties, coalitions and/or independent candidates) to participate in the elections. A total of 30.789 candidates were certified. The Central Election Commission certified 425 candidates for the municipal/city mayor whereof 29 (6,82%) are women and 396 (93,18%) are men. A total of 196 representatives of national minorities were certified, whereof 40 (20,41%) women and 156 (79,59%) men and 30.168 candidates for the municipal/city councils/assemblies/Assembly of Brčko District whereof 12.753 (42,27%) are women and 17.415 (57,73%) are men.

The positions for the members of national minorities, of which there are 17 in BiH, are guaranteed by the Law for the local elections, which is not the case for the general elections. Thus, the BiH Election Law guarantees the positions for the members of all national minorities which make up more than 3% in the total number of population of the particular constituency according to the last census. A total of 23 mandates is guaranteed to the national minorities in 21 municipalities/cities¹ in BiH at the 2020 Local Elections. There are no guaranteed positions for the national minority members at the general elections in BiH.

The right to vote at the local elections will have 3.283.194 citizens of BiH, who are registered in the Central Voters' Register as of October 1, 2020. A total of 101.771 voters are registered to vote outside Bosnia and Herzegovina.

¹ KRUPA, ODŽAK, LUKAVAC, BANOVICI, KALESIJA, KAKANJ, TRNOVO (FBIH), PALE (FBIH), NOVI GRAD, PRNJAVOR, VUKOSAVLJE, SOKOLAC, GRADAČAC, SREBRENİK, TUZLA, ZENICA, PRIJEDOR, GRADIŠKA, BANJA LUKA, TREBINJE AND BRČKO DISTRICT OF BIH.

15. 11. 2020.

Election Day

20. 12. 2020. for the City of Mostar

3.283.194

Voters

101.771 by mail

543

Registered political entities

30.789

Candidates in the elections

3.200+

Seats in the government at the local level

4. LONG-TERM ELECTION OBSERVATION

In the pre-election period the Coalition “Pod lupom” observes work and sessions of the local election commissions in BiH, activities set forth by the election calendar and observance of the deadlines, electoral irregularities and media reporting. Observers of the Coalition “Pod lupom” have registered 538 different electoral irregularities in the period 07.09.-11.10.2020.

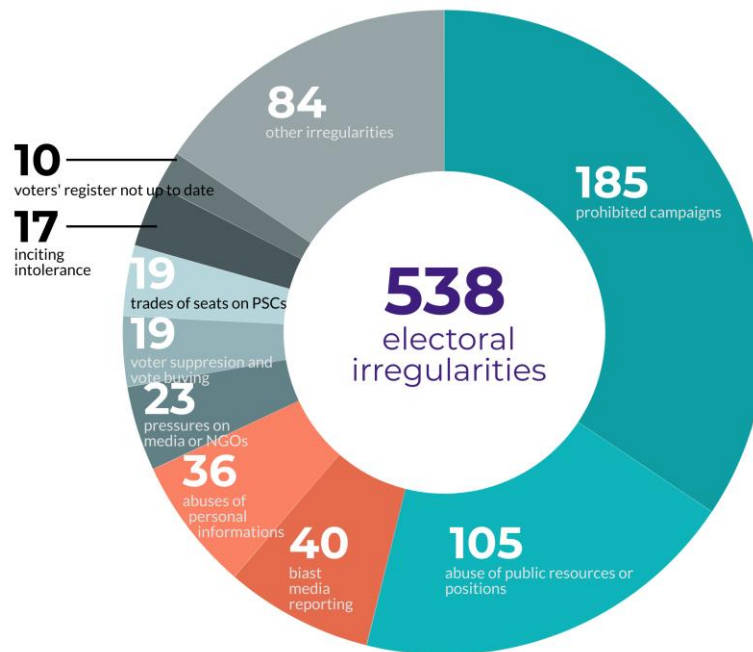


Chart 1 – Total number of electoral irregularities by type

4.1. Electoral irregularities and fraud

4.1.1. Premature election campaign

The BiH Election Law defines election campaign as a period of 30 days before the Election Day within which a political entity informs the voters and the public about its program and candidates for the forthcoming elections. Election campaign for the 2020 Local Elections commences on October 16, 2020. Any form of paid public advertising, as well as all pre-election activities of political entities, except for the holding of internal gatherings of boards and statutory bodies of the political entities, are prohibited within the period between the day when elections are announced and the day of official start of the election campaign.

It has been registered, as in previous electoral cycles, that a large number of political entities have conducted election campaign before its official start, particularly in the segment of paid advertising on the social media and placement of posters/billboards in places intended for paid advertising. In addition to paid advertising on the social networks, it has been also registered in some cases that majority of political subjects commenced campaign-related activities in the field with the voters, on

which they regularly post on their personal profiles or profiles of political entity. Observers of the Coalition “Pod lupom” have registered 185 such cases in 59² municipalities and cities across BiH. The analysis of received reports of premature, by law forbidden, campaign indicates that the highest number of reports relates to political entities SDA (17), SNSD (12), SDP (7), SDS (7), HDZ BiH (7), DNS (5), PDA (3), PDP (3), NIP (3), and several others.

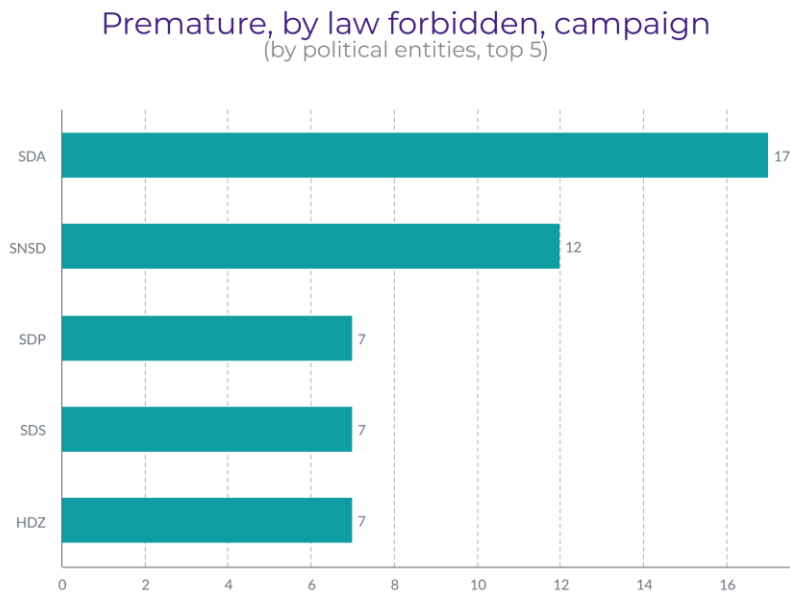


Chart 2 – Cases of premature campaign by offenders/political subjects (top 5)

Unlike before, the BiH Central Election Commission has imposed pecuniary sanctions for reported cases of premature paid campaign on Facebook.

4.1.2. Up-to-datedness of the Central Voters' Register (CVR)

The voter registration in BiH has been passive since 2006, while active registration is still in place for voters who would like to vote abroad or from abroad. A total of 3.283.194 voters are registered in the Central Voters' Register (CVR) for the 2020 Local Elections as of October 1, 2020.

² BANJA LUKA, BIHAĆ, BIJE LJINA, BUSOVAČA, BRČKO DIRSTIRT, DOBOJ, DRVAR, GORNJI VAKUF - USKOPLJE, GRADAČAC, GRUDE, ILIDŽA, KOZARSKA DUBICA, KRUPA NA UNI, LIVNO, LJUBUŠKI, MODRIČA, NOVI GRAD, PETROVO, PRIJEDOR, SAPNA, SREBRENICA, STARI GRAD SARAJEVO, STOLAC, TUZLA, UGLJEVIK, VELIKA KLADUŠA, VISOKO, VITEZ, ZAVIDOVIĆI, ZENICA, ILIJAŠ, ŠIROKI BRIJEG, SREBRENICA, VELIKA KLADUŠA, ŽEPČE, CENTAR SARAJEVO, ISTOČNO NOVO SARAJEVO, KOTOR VAROŠ, NOVI GRAD SARAJEVO, NOVI TRAVNIK, PALE (RS), ROGATICA, SANSKI MOST, TREBINJE, VIŠEGRAD, ZVORNIK, CAZIN, ČELINAC, LJUBUŠKI, LUKAVAC, NOVI TRAVNIK, TESLIĆ, BIHAĆ, HADŽIĆI, NEUM, NOVI GRAD SARAJEVO, NOVO SARAJEVO, PALE (FBIH), PELAGIĆEVO, TRAVNIK

The observers of the Coalition “Pod lupom” have registered doubts raised as to the up-to-datedness of the voters’ register in 10 municipalities and cities in BiH.³ Higher number of voter registration/deregistration, which entails change in the number of voters greater than 5% in relation to the total number of voters, has been registered in 7 municipalities (Srebrenica, Nevesinje, Trnovo (FBiH), Bratunac, Istočni Drvar, Višegrad and Žepče). Reports on higher number of deceased persons’ names on the voters’ registers have not been registered, as it was the case in the previous electoral cycles, but there were rather some incidental cases.

4.1.3. illegal trade of positions in the polling station committees

The BiH Election Law sets forth that political entities certified to participate in the elections may have only one representative on the polling station committee. Even besides this very clear provision, political entities often use various means in order to get a larger number of positions in the polling station committees, trading the positions and/or paying for the positions to the political subjects that have no interest in a certain constituency. This represents violation of the law.

Observers of the Coalition reported allegations of 19 cases of trade of the positions in the polling stations in 15⁴ different municipalities. Analysis of the list of political entities certified to participate in the forthcoming Local Elections reveals an increase in number of political entities across BiH that registered for the elections in basic constituencies in which they don’t conduct any activities, and have neither a municipal board, premises nor they plan to take serious part in the electoral race, and where they usually register one candidate, which may indicate that it is done intentionally to realize trade of positions in the polling station committees. This “phantom” political entities that primarily serve for illegal takeover of the positions in the polling station committees, according to the preliminary researches, make a majority in relation to the total number of political entities. For example, a total of 15 political entities with only one candidate on the list are registered in Rogatica; Alliance for Stari Grad (Sarajevo), an exceptionally locally oriented party, has certified lists with only one candidate in 9 out of 13 municipalities/cities in Tuzla Canton; local Herzegovinian Independent Party of Čapljina – Čapljina in the heart has candidates’ list with only one candidate in 5 municipalities/cities of Tuzla Canton; inspection of the lists of proposed members for the polling station committees in Derventa on behalf of the political entities that do not actively participate in the political life of Derventa (Croatian block, Left wing, Circle, People’s Movement Banja Luka calls, Homeland Social democrats, Homeland party, DCRS, Movement We love Srpska) suggests that the proposed members are “close” to both ruling and opposition parties that run for the elections in this constituency.

³ BANJA LUKA, BRATUNAC, ČELINAC, HAN PIJESAK, SAPNA, SREBRENICA, BIJELJINA, OLOVO, ŽEPČE, KLJUČ

⁴ CAZIN, LIVNO, SAPNA, SREBRENICA, TRAVNIK, ČAJNIČE, DERVENTA, NOVI GRAD, ROGATICA, ZAVIDOVIĆI, ŽEPČE, BIHAĆ, BROD, GRAČANICA, LUKAVAC

Coalition “Pod lupom” has been for years now warning of this widely spread irregularity. It is visible that amendments to the legislative framework concerning the appointment of the polling station committees will have to be done in the future as to put an end to these abuses.

4.1.4. Abuse of personal data for the purpose of out-of-country registration

The deadline for registration of voters to vote outside BiH was September 1, 2020, whereafter the BiH CEC registered 101.771 voters to vote outside BiH. The BiH CEC rejected applications for out-of-country voting for 27.960 voters on different grounds. The largest number of applications was rejected for the following reasons: several application forms submitted for one person (7.623), more than 6 persons registered at one address outside BiH (4.760), inappropriate proof of identity (3.617), lack of proof on place of residence in BiH (2.700), lack of a valid proof of identity (2.567), several shortcomings (2.021), etc. The BiH CEC received around 3.500 appeals of the BiH citizens to its decisions for out-of-country registration. Significant number of these relates to identity theft i.e. abuse of personal data for the purpose of out-of-country registration without citizens’ knowledge. This type of irregularity represents a criminal offence.

In relation to the electoral cycles over the past six years, the BiH CEC received a record number of applications for out-of-country voting, approximately 130.000 applications. The number of rejected applications is also record-breaking. Of particular concern is the information about a large number of applications submitted for one person, as well as large number of applications submitted for several persons from the same address, which can indicate attempts of abuse of out-of-country voting. The BiH CEC has forwarded information about possible abuses to the competent bodies (SIPA and Prosecutor’s Offices) for further investigation. Aimed at preventing abuse of out-of-country voting the BiH CEC gave access to the CVR for these voters, but the BiH CEC was ordered to remove the excerpt from its official website by the decision of the BiH Personal Data Protection Agency.

Observers of the Coalition “Pod lupom” have registered 36 different cases relating to the abuse of personal data for out-of-country voting in 23 municipalities and cities in BiH.⁵ The Coalition “Pod lupom” directly received 5 reports on different cases of possible abuse of citizens’ personal data for registration of by-mail voting involving hundreds of voters, and has informed the BiH CEC thereof (see point 5 of the Report).

⁵ BANJA LUKA, BRČKO DISTRIKT, KOSTAJNICA, RUDO, SREBRENICA, TESLIĆ, ZVORNIK, LAKTAŠI, LIVNO, ORAŠJE, RUDO, DOMALJEVAC-ŠAMAC, ROGATICA, SRBAC, VIŠEGRAD, VUKOSAVLJE, ŽEPČE, BIJELJINA, BROD, GORNJI VAKUF-USKOPLJE, ILIDŽA, KOTOR VAROŠ, TREBINJE

4.1.5. Prohibited voter suppression and vote buying

Although illegal, voter suppression and vote buying have become a common occurrence at the elections in BiH. Coalition's observers reported 19 such cases in 15⁶ municipalities/cities. These cases relate to allegations about money being offered in exchange for a vote, influence being exerted on employees in the public enterprises, etc. An allegation was recorded about president of the SNSD City Board in Zvornik exerting pressure on directors of public enterprises that "they must collect a certain number of votes"; in Rudo threats were made that some people will lose their job when "they come to power"; rumors in Lukavac about buying of votes for 50 KM; exerting pressure on municipal administration and public enterprises in Sapna for support to the mayor at the elections; a report in Bijeljina that inspection is promising work without inspection oversight if a certain candidate is supported, etc.

Rumors about vote buying have been registered in several municipalities/cities, where the amounts range between 50 and 150 KM. Comments by the long-term observers that such conversations and agreements are generally accepted and that citizens do not shy away from selling the vote are very worrying. Social networks also have a role here as they are being used to offer money in exchange for a vote (e.g. Brčko District of BiH).

4.1.6. Abuse of public resources and positions for the campaigning purposes

Abuses of public resources and/or positions for the campaigning purposes relate to abuses in spending of the budget funds and other public funds owned by the BiH citizens, and abuse of public companies and awarded public positions by political entities or individuals who are candidates at the elections. The abuses of public resources are almost always done by the ones who enter the electoral race for the different levels of authority from the position of current government.

Observers of the Coalition "Pod lupom" reported 57 cases of abuse of public resources in 20 municipalities/cities⁷. Reported cases mostly relate to intensification of civil works on local infrastructure, as well as frequent and intensified visits of the officials from the highest levels of authority, who typically meet in or visit those municipalities/cities that are headed by their party colleagues. Analysis of the reports received indicates that the highest number of cases of abuse of public resources relates to political entities SNSD (18), SDA (14), SDS Semberija (4), SDS (4), SDP (4), HDZ BiH (3), and several other political entities. Furthermore, a case was registered where the current mayor of Drvar municipality is awarding 100 KM to the students; nontransparent distribution of more than 600.000 KM of agricultural incentives in Bijeljina, which is still being investigated by the District Public Prosecutor's Office; first time introduction of financial support for the freshman students with place of residence in Ljubuški in the amount of 500 KM and increase of earlier financial support for the

⁶ BIJELJINA, BUSOVAČA, PRIJEDOR, RUDO, ZENICA, ZVORNIK, BANJA LUKA, SAPNA, LUKAVAC, SREBRENICA, BRČKO DISTRIKT, ČELINAC, BRATUNAC, HADŽIĆI, ISTOČNO NOVO SARAJEVO

⁷ BIJELJINA, DRVAR, ILIDŽA, ROGATICA, SAPNA, SREBRENICA, UGLJEVIK, VIŠEGRAD, ZENICA, ILIJAŠ, ZAVIDOVIĆI, BANJA LUKA, KLJUČ, NOVI GRAD SARAJEVO, SANSKI MOST, TUZLA, CAZIN, ČELINAC, LUKAVAC, RIBNIK, BUGOJNO, DERVENTA, HAN PIJESAK, ISTOČNO NOVO SARAJEVO, LJUBUŠKI, NEUM, NOVI TRAVNIK

students of other years; intensification of infrastructural works in a large number of municipalities/cities, etc.

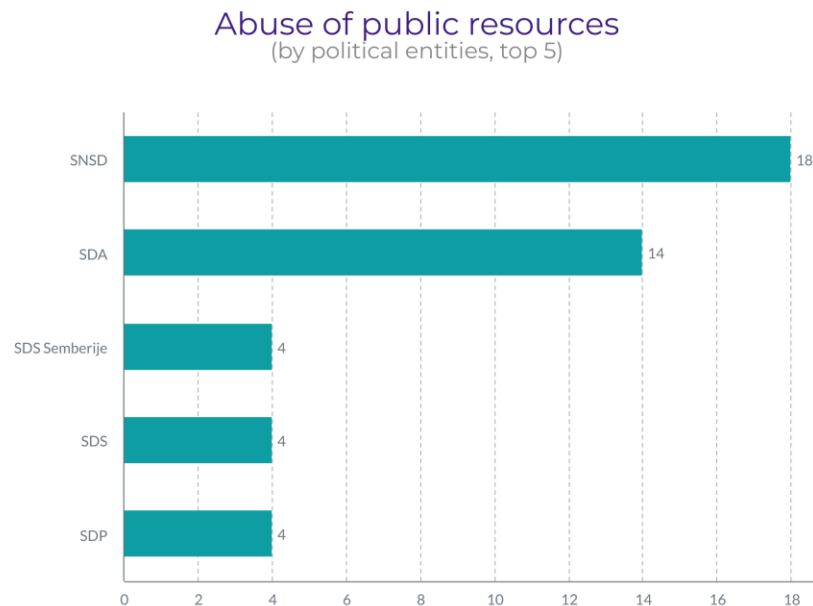


Chart 3 – Cases of abuse of public resources by offenders/political entities (top 5)

Engagement of civil servants and other employees in the public administration or public enterprises for the campaigning purposes of any political entity can be considered abuse of public resources, and observers of the Coalition registered 48 such cases in 21⁸ municipalities/cities in BiH. Remarkably arrogant was the case where a street in Istočno Sarajevo was, according to the media, blocked for the safety of the Chairman of the BiH Council of Minister while he was having a meeting with his party colleague, minister in the same Council, in a restaurant.

4.1.7. Other irregularities

Inappropriate language, contents or language that could incite religious, national or any other intolerance, mostly related to affiliation to a political party, has been registered in 17 cases in 14⁹ municipalities/cities. Most of the cases actually relate to the latter, exceptionally inappropriate language or intolerance on grounds of political affiliation, where not only tense debates are held on the social networks in particular, but also Facebook pages are launched as a tool to “call out” or “to slur” the opponents. An incident was registered in Bijeljina where windows were smashed on the mosque in this city, which was fiercely condemned by the city authorities.

⁸ BIJELJINA, FOČA (FBIH), GRADAČAC, ILIDŽA, ROGATICA, RUDO, SAPNA, VIŠEGRAD, ZENICA, GLAMOČ, SREBRENICA, HAN PJESAK, KLJUČ, VITEZ, GLAMOČ, KLJUČ, RIBNIK, UGLJEVIK, ZVORNIK, LUKAVAC, NOVI GRAD

⁹ GRADAČAC, ILIDŽA, NOVO GORAŽDE, SREBRENİK, VITEZ, GLAMOČ, ISTOČNA ILIDŽA, ROGATICA, RUDO, BANJA LUKA, NEUM KRUPA NA UNI, BIJELJINA, HADŽIĆI

The case that attracted most attention was an advertising sport broadcast by the political entity “United Srpska”, in which representatives of constituent peoples and minorities in BiH were portrayed in a stereotypical and insulting way. The BiH CEC found this advertising sport to be part of the election campaign of this political entity, and that the contents of the spot “can convey unambiguous and direct risk of incitement of hate, fear and intolerance”, and passed the decision to annul certification to participate in the election for this political entity, imposing the maximum pecuniary fine of 10.000 KM to the person responsible. An appeal was filed against the BiH CEC decision to the Appellate Division of the Court of BiH. The Court of BiH did not render any decision in this case by the time this Report was published.

4.2. Work of election administration

4.2.1. Central Election Commission of BiH (1)

The Central Election Commission of BiH (BiH CEC) is responsible for organization and conduct of all elections in BiH. The BiH CEC announced elections within the statutory deadline, on May 7, 2020, and scheduled the elections for October 4, 2020. Having in mind that budget of the Institutions of BiH, which provides fund for organization and conduct of the elections, was not adopted by that time, the BiH CEC passed *the Decision on postponement of the 2020 Local Elections*, scheduling a new date of elections – November 15, 2020. The Constitutional Court of BiH was requested to assess constitutionality of this decision, but the application was rejected by the Constitutional court of BiH as inadmissible, as it is not competent to take a decision in this case (it is under competence of the regular court). The Court of BiH rejected the same application as unfounded, whereat November 15 remained the date of the 2020 Local Election.

The BiH CEC has, 12 years after non-holding of elections and after changes and addenda to the BiH Election Law¹⁰, announced the elections in the City of Mostar on July 23, 2020. The elections are scheduled for December 20, 2020.

The BiH CEC held more than 40 sessions from the time elections were announced until the release of this report. The BiH CEC’s sessions are livestreamed through the official YouTube channel of the commission, giving the public regular insight into activities and work of the commission. The BiH CEC follows all set deadlines for organization and conduct of the electoral activities.

Having in mind that the forthcoming elections will be held under new conditions related to the COVID-10 epidemic, the BiH CEC has in June 2020 passed the *Instruction on the operations of the election management bodies on the Election Day in the context of COVID-19 pandemic*. The Instruction more closely defines the procedures to be applied on the Election Day aimed at protecting lives and health of the representatives of election administration and voters. The information that a significant number

¹⁰ Law on changes and amendments of the BiH Election Law (Official Gazette of BiH, 41/20)

(more than a third) of municipalities and cities in BiH underlined that they do not have sufficient funds to act in line with the Instruction or that local election commissions from certain municipalities and cities refused to implement the Instruction (including some large cities as Banja Luka and Zenica) is very worrying. The BiH CEC has in September also adopted changes to the Rulebook on conduct of elections in BiH more precisely defining the method of organization and exercise of voting rights for persons positive for COVID-19 or persons in isolation/hospital, thus creating conditions to ensure exercise of the voting right to these persons as well.

Coalition “Pod lupom” welcomes the CEC’s decisions concerning the measures to prevent COVID-19 spread, to enable voting of persons in isolation or persons positive for COVID-19, to publish the excerpt from the Central Voters’ Register for voting outside BiH, as well as concrete sanctions for paid advertising at the time it is prohibited by the law, which were imposed for the first time, and sanctions for incitement of hate, fear and intolerance. The BiH CEC’s proactivity to restore dented trust of BiH citizens in the elections by increasing transparency and timely considering observed irregularities encourages and represents an improvement to the better in relation to previous years. The BiH CEC is also strengthening the co-operation with the civil society organizations monitoring the elections in BiH, including the independent observers of the Coalition “Pod lupom”. The Coalition “Pod lupom” expresses the hope that such a trend will continue.

4.2.2. Local Election Commissions (143)

Election Commissions at the local level (municipal, city, and election commission of Brčko District of BiH) are *inter alia* responsible for designation of polling stations, establishment and training of polling station committees, organization of the Election Day and consolidation of election results from the polling stations on their territory. The composition of the local election commissions, respecting the provisions of the BiH Election Law and the Gender Equality Law should reflect gender representation of at least 40% members of under-represented gender. Such defined gender representation in the composition has not been observed in 14 election commissions at the local level¹¹. Furthermore, four¹² local election commission are not fully staffed, although there is only a month left until the Election Day.

Majority of the local election commissions is conducting adequate preparations for the elections. The Instruction on mode of operations and reporting of election commission of basic constituency in BiH more closely describes functioning of the local election commission. The instruction *inter alia* stipulates adoption of the Rules of procedure of the local election commission, which all local election commissions in BiH have done. The Instruction also sets forth the possibility for the local election commissions or commissions to appoint secretary or/and technical secretary, which was done by 77

¹¹ BERKOVIĆI, BOSANSKO GRAHOVO, GLAMOČ, ILIDŽA, KOSTAJNICA, KOTOR VAROŠ, KOZARSKA DUBICA, KRUPA NA UNI, NOVO SARAJEVO, ŠIROKI BRIJEG, STOLAC, TESLIĆ, VISOKO, ZVORNIK

¹² BOSANSKO GRAHOVO, PELAGIĆEVO, TESLIĆ, VUKOSAVLJE

election commissions or 53,8% of the total number of elections commission, representing an increase in comparison with the 2018 elections.

A great majority of election commission holds regular weekly meetings, while the election commission of Pale (FBIH) municipality has held one meeting in the reporting period. A total of 7¹³ local election commissions are having operational difficulties in terms of not having adequate working conditions. Long-term observers of the Coalition “Pod lupom” were informed by 14¹⁴ local election commissions that their members did not attend training sessions organized for the local election commissions by the BiH CEC.

Observers of the Coalition “Pod lupom” registered 18 complaints filed on the electoral process to the local election commissions in 16 municipalities and cities.¹⁵ Complaints mainly relate to the lottery for members of polling station committees and registration of voters for by-mail voting. The Center for Voters’ Register is available to the citizens in all municipalities/cities.

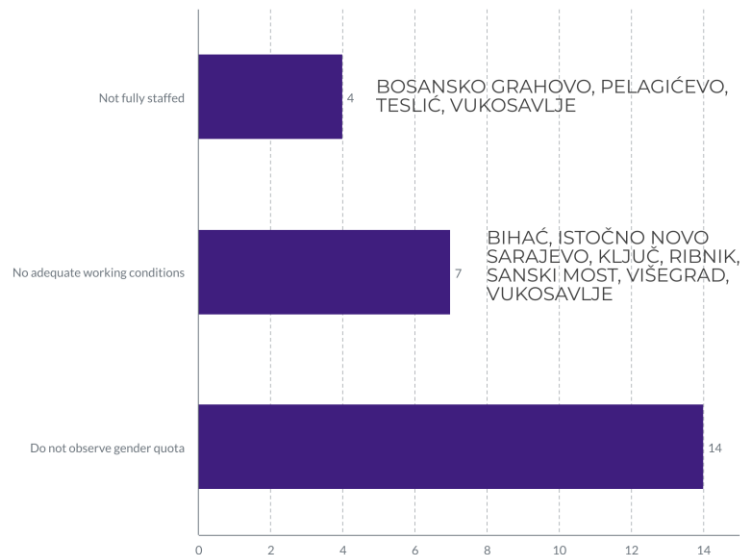


Chart 4 – Information on the operations of local election commissions

4.3. Media, civil society and citizens

4.3.1. Media reporting

Long-term observers of the Coalition “Pod lupom” monitored reporting of local and regional media. In monitoring of the media reporting the observers recorded cases of biased reporting of the media that

¹³ BIHAĆ, ISTOČNO NOVO SARAJEVO, KLJUČ, RIBNIK, SANSKI MOST, VIŠEGRAD, VUKOSAVLJE

¹⁴ BOSANSKO GRAHOVO, FOČA (FBIH), FOČA (RS), KALINOVIK, KOZARSKA DUBICA, KUPRES (FBIH), KUPRES (RS), MAGLAJ, NOVI TRAVNIK, PETROVO, PRIJEDOR, TEŠANJ, TRNOVO (FBIH), TRNOVO (RS)

¹⁵ BOSANSKO GRAHOVO, GLAMOČ, TESLIĆ, BIJELJINA, ŽIVINICE, DONJI VAKUF, ILIJAŠ, ORAŠJE, OSMACI, TRNOVO (RS), VUKOSAVLJE, BRATUNAC, BUGOJNO, KONJIC, KREŠEVO, TEŠANJ

mostly positively or mostly negatively reported about certain political entities, as well as broadcasting of inappropriate language by an official or a candidate in the elections. A total of 40 such cases were registered in 27 municipalities/cities¹⁶. Exposure of the media to various pressures was registered in 17 municipalities/cities¹⁷.

4.3.2. Civil society and citizens

Indirect pressures on civil society organizations, which includes pressure exerted on observers of the Coalition “Pod lupom”, were reported in 6 municipalities/cities¹⁸. Due to personal safety of observers in the field Coalition “Pod lupom” will not publicly list concrete examples of pressure exerted on the observers, but will internally address every individual case.

Coordinated attacks of political parties on independent and non-partisan nature of the election observation mission of the Coalition “Pod lupom” have been registered, where party activists had attempted to infiltrate the ranks of non-partisan observers. Coalition “Pod lupom” strongly condemns this practice by some political parties. More than 140.000 party affiliated persons entirely control the electoral process in BiH – 50.000 party affiliated members and alternate members of polling station committees, 60.000 party observers and 30.000 party candidates in the elections. Independent, non-partisan observers of the Coalition “Pod lupom” are, together with the citizens, the only non-partisan stakeholders in the electoral process. Therefore it is obvious that they bother some political entities in certain locations. Coalition “Pod lupom” warns that the aforementioned attempts have been successfully detected, that the applications filed by party affiliated persons will be rejected without additional explanation, that the leaderships of political parties will be warned of this practice and that Coalition “Pod lupom” will not hire newly registered candidates for observers in certain municipalities and cities, but verified and well evaluated observers from the previous cycles as to preserve earned trust of the citizens, to objectively report about the electoral process on the Election Day and to protect non-partisan nature of the election observation mission.

¹⁶ BIHAĆ, BIJELJINA, BUSOVAČA, LAKTAŠI, LJUBINJE, PETROVO, ROGATICA, SAPNA, TESLIĆ, TUZLA, UGLJEVIK, VIŠEGRAD, ZENICA, BIHAĆ, GLAMOČ, GRADAČAC, ILIJAŠ, PETROVO, GRADAČAC, NOVI TRAVNIK, SANJSKI MOST, TEOČAK, BOSANSKA KRUPA, BUSOVAČA, GRADAČAC, HAN PIJESAK, NEUM

¹⁷ BIJELJINA, TRAVNIK, VIŠEGRAD, ILIDŽA, ZENICA, BANJA LUKA, BOSANSKI PETROVAC, BUSOVAČA, GRADAČAC, UGLJEVIK, VIŠEGRAD, BIHAĆ, GRADAČAC, ILIJAŠ, NOVI TRAVNIK, RIBNIK

¹⁸ BIJELJINA, KALESIJA, NOVI TRAVNIK, BOSANSKO GRAHOVO, SAPNA, RUDO

5. REPORTING IRREGULARITIES TO COMPETENT BODIES

The irregularities registered by the observers of the Coalition “Pod lupom” relating to premature election campaign on the social networks (Facebook), as well as political entities’ advertising at places intended for paid advertising, have been reported to the BiH CEC. A total of 13 different political entities have been reported to the BiH CEC for violations of the BiH Election Law related to the aforementioned irregularities by the time this report was released.

Coalition “Pod lupom” received reports of 5 cases of potential abuse of personal data for the purpose of registration of voters for by-mail voting, involving hundreds of voters, which were forwarded to the BiH CEC. These are potential abuses in municipalities Pale (RS), Derventa, Rudo, Gornji Vakuf-Uskoplje and Glamoč. Furthermore, Coalition “Pod lupom” submitted all observations and other findings of the long-term observation for the first three weeks of observation to the BiH CEC for further action and the same will be done with all subsequently registered irregularities and this report.

6. ABOUT “STEP” PROJECT AND COALITION “POD LUPOM”

Centers of Civic Initiatives (CCI), as project coordinator, together with the Center for Civil Co-operation (CGS) Livno, Forum of Tuzla citizens (FGT), Association of citizens “Democracy-Organization-Progress” – DON Prijedor and “Perpetuum mobile – Institute for development of youth and community” from Banja Luka, as project partners, and within the Coalition for free and fair elections “Pod lupom”, implement the project “Systematic transparency in the electoral process” (STEP), which is financed by the European Union (EU), and co-financed by the Government of the United States of America and the Organization for Security and Co-operation in Europe (OSCE). The STEP Project will directly boost strength and visibility of the civil society organizations (CSOs) in the civic election observation and support development of the civil society in the country’s democratization process, covering two electoral cycles in BiH: the 2020 Local Elections and 2022 General Elections.

STEP project strives to strengthen civic participation and to empower CSO movement across the country for support to free and fair elections in Bosnia and Herzegovina, thereat lowering the risk of electoral frauds and manipulations. Inciting citizens’ interest in proactive approach to expressing their free political will is the goal to which the project is actively contributing with the understanding and the elections represent main and the most important form of civic participation in the country’s democratization process.

A set of activities divided into five components has been devised through the STEP project following the imperative of the CSOs’ capacity building aimed at strengthening civic sector to become better equipped for further, stronger, more visible and sustainable activities of election observation in the future. STEP consists of the following five components: capacity building and network development, election observation, development of public policies and advocacy, communication with public and voter education, and media monitoring.

Coalition for free and fair elections “Pod lupom”, as an informal coalition of civil society organizations exists since 2014. So far the Coalition observed the regular 2014 General Elections, the 2016 Local Elections and the 2018 General Elections, and 20 other elections (first, early, repeated and recalls of the mayor). Approximately 10.000 civic, non-partisan observers of the Coalition “Pod lupom” were engaged at all the aforementioned elections. Coalition “Pod lupom” has so far directly worked with 50.000 citizens, whereof 30.000 young people. Fourteen recommendations of the Coalition “Pod lupom” has been so far partly or completely implemented, which results in improvement of the electoral process. According to the research done by IPSOS in August 2018 Coalition “Pod lupom” is an electoral stakeholder that the citizens trust the most (more than election administration, political parties, candidates on the lists or the media).

The Coalition is also conducting researches and preparing international comparative analyses, following sessions of the BiH Central Election Commission, organizing roundtable discussions and conferences, bringing together representatives of the legislature, election administration, international

and academic community, media and civil society. The Coalition advocates improvement of the electoral process in all of its segments. In addition to this, the Coalition educates young first-time voters in the election year aimed at motivating and encouraging them to take active part in the electoral process.



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