



International Foundation
for Electoral Systems

Election FAQs: Bosnia and Herzegovina

General Elections

October 2, 2022

Europe & Eurasia

International Foundation for Electoral Systems

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September 26, 2022

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Election Snapshot

- Election Day: Oct. 2, 2022
- Registered voters: 3,368,666*
- Out-of-country voters registered: 69,966
- Polling stations: 5903 in total, 5418 regular
- Polling stations abroad: 21
- Seats: 518
- Candidate lists: 90 political parties, 38 registered coalitions and 17 independent candidates running at various levels
- Candidates: 7,258 (43 percent women)
- Campaign expenditure limit: Up to BAM 0.3 (about \$0.16) for each registered voter per electoral contest during the one-month official campaign period and up BAM 0.2 (about \$0.10) per voter in cantonal assembly elections

*As of Aug. 18, 2022

When is Election Day?

Bosnia and Herzegovina (BiH) will hold general elections on Sunday, Oct. 2, 2022. Voting will take place from 7:00 a.m. until 7:00 p.m.¹ in about 5903 total polling stations across the country² and 21 sites abroad.³ Constituents will be able to vote if they are homebound, confined to medical institutions or serving time in prisons or detention centers.⁴ The relevant local election management body's mobile team will visit those voters and manage their ballots.⁵

Why are these elections important?

Preparations for the elections are taking place amid deep political and social polarization, along with controversy surrounding a series of recent High Representative decisions. These include the *Law on Amendments to the Election Law of Bosnia and Herzegovina (BiH)*.⁶ In June 2022, High Representative Christian Schmidt made an additional decision using the position's "Bonn Powers" to amend relevant legislation, leading to the allocation of the full amount of funds (BAM 12.5 million) necessary for the Central Election Commission (CEC) to conduct elections.⁷ Schmidt also moved to amend the electoral legal framework to change the threshold for ethnic representation in legislative bodies. This drew protests and backlash, leading to withdrawal of the motion.⁸ A revised amendment came in late July, two months after the CEC announced that general

¹ Instruction on Deadlines and Sequence of Electoral Activities for the 2022 General Elections to be held on Sunday, October 2, 2022, Article 2.

² Interview with Central Election Commission representative, September 2022.

³ Decision on diplomatic and Consular Offices of Bosnia and Herzegovina in Which Organization of the Voting at the 2022 General Elections Is Planned, Article 1.

⁴ Rulebook on Conduct of Elections in Bosnia and Herzegovina, Article 24.1.

⁵ Ibid.

⁶ Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina.

⁷ Kurtic, Azem, "Bosnia's International Overseer Orders State to Fund Elections," *Balkan Insight*, June 7, 2022.

⁸ Kurtic, Azem, "High Representative Gives Bosnia Leaders Ultimatum to Change Election Law," *Balkan Insight*, July 27, 2022.

elections would take place Oct. 2. Amended provisions strengthen electoral legislation — specifically, to limit the abuse of state resources in elections; provide clarity regarding the regulation of electronic, online, social and print media and the use of hate speech in elections; strengthen the CEC’s sanctioning mechanism; and expand the CEC’s mandate to address vulnerabilities related to poll worker nomination processes.^{9 10}

During the pre-election period, increased risks of political tension, disinformation and hate speech allowed for the manipulation of public discourse for political gains extending into the election period. A study conducted in 2021 by the Balkan Investigative Reporting Network highlights the inability of social media platforms to remove threats of violence and harassment in local languages in BiH, leading many to question how deeply disinformation and hate speech will permeate the campaign.¹¹ Further, a report by Transparency International-BiH lists numerous abuses of public resources for the promotion of political parties and candidates over the past two months, with 36 complaints registered with the CEC ahead of the official campaign period.¹²

The election period will test the CEC’s ability to combat election inefficiencies and the public’s ability to dilute misinformation being spread in order to promote democratic election practices.

Who are citizens voting for on Election Day?

General elections will decide the presidency of Bosnia and Herzegovina (BiH) and the BiH Parliamentary Assembly (national level); the House of Representatives of the Federation of BiH Parliament and the National Assembly of the Republika Srpska (entity levels); the president and vice presidents of the Republika Srpska; and 10 cantonal assemblies in the Federation of BiH.¹³ In total, 518 positions are open across the state, entity and cantonal levels, with 7,258 total registered candidates. Of those, 3,058 are women (43 percent).¹⁴ Central Election Commission data indicate that 90 political parties have registered for the General Election, as well as 17 independent candidates and 38 registered coalitions.¹⁵

What is the electoral system?

Bosnia and Herzegovina (BiH) consist of two entities: the Federation of Bosnia and Herzegovina (FBiH), which predominantly comprises ethnic Bosniak-Croat citizens, and Republika Srpska (RS), which predominantly comprises ethnic Serb citizens. Brčko District, which is ethnically mixed, holds special status as a unit of local self-government within BiH.¹⁶

The presidency of BiH consists of three members elected by simple majority on two separate candidate lists (one Bosniak and one Croat), each directly elected from the territory of the FBiH

⁹ Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina.

¹⁰ High Representative Gives Bosnia Leaders Ultimatum to Change Election Law, *Balkan Insight*, July 27, 2022.

¹¹ Online Hate Speech Remains Unmoderated in Balkans, *Balkan Insight*, June 21, 2022.

¹² Bosnian Election Campaigners Routinely Abusing Public Resources, *Balkan Insight*, August 31, 2022.

¹³ Decision on Announcing and Conducting General Elections in Bosnia and Herzegovina in 2022, Article 2.

¹⁴ Central Election Commission of Bosnia and Herzegovina. [@IZBORI_BA]. “Today, the pre-election campaign in Bosnia and Herzegovina for the General Election, which will be held on October 2, 2022, officially began. years. #izbori2022 #Izb2022 #izboriuBiH #izboriuBiH #dajvoiglas #dajvoiglas #voting #voting” *Twitter*, posted September 2, 2022.

¹⁵ Ibid

¹⁶ Constitution of Bosnia and Herzegovina, Article I.3.

(a FBiH voter may vote for either the Bosniak or Croat candidate), and one Serb, directly elected from the territory of the RS.¹⁷ Voters in Brčko District vote in either FBiH or RS elections, depending on their entity citizenship. The presidency rotates every eight months.¹⁸

The BiH Parliamentary Assembly consists of 42 directly elected members — 28 elected by voters from the FBiH and 14 from the RS.¹⁹ The FBiH House of Representatives (HoR) is made up of 98 directly elected members, and the RS National Assembly has 83 directly elected members. The RS president and two vice presidents are elected through a simple majority system. According to the legal framework, a minimum of four seats must be guaranteed for each of the three constituent peoples in the FBiH HoR and the RS National Assembly through compensatory mandates.²⁰ The distribution of votes at all levels is complex with various provisions that determine seat allocation.

What is the legal framework for conducting the elections?

General elections are primarily regulated by the 1995 Constitution and the 2011 Election Law, which was amended by the High Representative in July 2022. The Election Law is supplemented by the 2021 Law on Financing Political Parties and the 1997 Law on Citizenship, as well as by administrative regulations issued by the Central Election Commission (CEC).²¹

On July 27, the Office of the High Representative announced a decision to amend the Election Law by enacting the *Law on Amendments to the Election Law of BiH*.²² The decision came as a result of domestic and international public efforts both against and in favor of the anticipated High Representative's intervention related to the allocation of mandates for the FBiH House of Representatives, which did not occur. Actual amendments were made to strengthen electoral legislation, including to limit the abuse of state resources in elections; provide clarity for the regulation of electronic, online, social and print media and the use of hate speech in elections; strengthen the CEC's sanctioning mechanism; and expand its mandate to address vulnerabilities related to poll worker nomination.²³

Who is eligible to run as a candidate?

Citizens of Bosnia and Herzegovina aged 18 years and older with registered addresses in the country are eligible to run as candidates.²⁴ Anyone who is serving a sentence or has been indicted by the International Tribunal for the former Yugoslavia, a national court or a foreign country for violation of international humanitarian law is ineligible to run for office.²⁵

¹⁷ Constitution of Bosnia and Herzegovina, Article V.

¹⁸ Election Law of Bosnia and Herzegovina, Article 8.3.

¹⁹ *Ibid.*, Article 9.1.

²⁰ Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Needs Assessment Mission Report, May 30 – June 3, 2022, page 6.

²¹ *Ibid.*

²² Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina.

²³ High Representative Gives Bosnia Leaders Ultimatum to Change Election Law, *Balkan Insight*, July 27, 2022.

²⁴ Election Law of Bosnia and Herzegovina, Article 1.4.

²⁵ *Ibid.*, Article 1.6-1.7a.

Candidates must meet several requirements in order to run, whether independently, affiliated with a political party or on a coalition's candidate list. First, the candidate must be verified on the Central Voters Register in the municipality from which he or she is running and may only run in one constituency for any level of authority. Independent candidates and political parties must submit their applications to the Central Election Commission (CEC) to stand in the elections no later than 135 days before the election (for the Oct. 2 elections, this was May 20, 2022).²⁶ Coalitions must submit applications no later than 110 days before the election (by June 14).²⁷ For a political party to participate in elections, it must be certified by the CEC no later than 60 days before the election (by Aug. 3).²⁸ Applications for candidacy for political parties and candidates must collect a certain number of voter signatures that will be submitted in their application to the CEC. For example, 5,000 signatures are required for candidates for the presidency of BiH and the BiH Parliamentary Assembly and 3,000 signatures for the Federation of BiH House of Representatives or members of the Republika Srpska National Assembly.²⁹ Of the 7,258 registered candidates, 3,058 (43 percent) are women.³⁰ CEC data indicates that 90 political parties have registered for the General Election, along with 17 independent candidates and 38 registered coalitions.³¹

What are the campaign expenditure and donation limits?

The Election Law and the Law on Financing Political Parties regulate Bosnia and Herzegovina's campaign finance framework. The legislation sets individual donation and expenditure limits, and all donations exceeding BAM 100 (about \$53) must be reported.³² The maximum amount that may be spent in the election campaign is calculated by the number of voters in a given constituency, as determined by the Central Voters' Register.³³ A political subject — classified as a candidate, political party or coalition — may spend up to BAM 0.3 (about \$0.16) for each registered voter per electoral contest during the one-month official campaign period and up to BAM 0.2 (about \$0.10) per voter in cantonal assembly elections.³⁴

There is no direct public funding for election campaigns. Parties represented in the BiH Parliamentary Assembly receive annual funding from the state budget, and those represented at entity levels receive funding from the relevant entity budget. In addition, membership fees and donations from individuals and legal entities, including cash, are permitted sources of income.³⁵ Foreign, anonymous and religious donations are prohibited, as are as those from publicly funded

²⁶ Election Law of Bosnia and Herzegovina, Article 4.10.

²⁷ Ibid., Article 4.12.

²⁸ Ibid., Article 4.3.

²⁹ Ibid., Article 4.4.

³⁰ Central Election Commission of BiH. [@IZBORI_BA]. "Today, the pre-election campaign in Bosnia and Herzegovina for the General Election, which will be held on October 2, 2022, officially began. years. #izbori2022 #izbori2022 #izboriuBiH #izboriuBiH #dajvoiglas #dajvoiglas #voting #voting" *Twitter*, posted September 2, 2022.

³¹ Ibid.

³² Law on the Financing of Political Parties of Bosnia and Herzegovina, Article 6.

³³ Election Law of Bosnia and Herzegovina, Article 15.10.

³⁴ Ibid.

³⁵ An individual may donate up to BAM 10,000 to a party, a party member may donate up to BAM 15,000 and a legal entity may donate up to BAM 50,000 annually.

sources and from persons who hold public procurement contracts exceeding BAM 10,000 (about \$5,207) in the year of the election.

What is the election management body? What are its powers?

The primary election management body is the Central Election Commission (CEC), which oversees 143 municipal election commissions (MECs), including 14 city election commissions and the Election Commission of Brčko District, as well as around 5,737 polling station committees (PSCs) nationwide.³⁶ MECs have three, five or seven members depending on the number of voters registered in the municipality. The MECs designate polling stations in their respective municipal territories and ensure the security of polling station materials throughout the election process. MECs also train PSCs.³⁷ PSC members are nominated by political parties. A PSC generally has three or five members who directly manage polling station conduct, ensure regularity and the secrecy of ballots and record election results.³⁸

The CEC is a permanent body, with all seven members appointed for a seven-year term by the BiH Parliamentary Assembly upon nomination by the Special Commission for Selection and Nomination.³⁹ By law, the CEC should include two Bosniaks, two Croats, two Serbs and one member of “other” groups.⁴⁰ The chairperson is elected by CEC members from among their number, provided that one Bosniak, one Croat, one Serb and one “other” member each serves a 21-month term. Two of the seven current CEC members are women. The CEC has the overall responsibility for administering elections and establishing election results at all levels. Additional CEC responsibilities include:

- Coordinating all MECs and PSCs;
- Implementing the Election Law of BiH;
- Issuing the decision to hold elections;
- Ensuring the accuracy and integrity of the Central Voter Register;
- Managing the registration of candidates and observers; and
- Determining election results.⁴¹

Who can vote in these elections, and how many registered voters are there?

Citizens of Bosnia and Herzegovina aged 18 or older have the right to vote in the elections, except those disenfranchised for serious crimes, including war crimes, and those who have been declared legally incapable by a court decision, including on the basis of intellectual or psychosocial disability. The Central Election Commission (CEC) maintains the Central Voter

³⁶ Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Needs Assessment Mission Report, May 30-June 3, 2022, page 6.

³⁷ Election Law of Bosnia and Herzegovina, Article 2.12.

³⁸ Ibid., Article 2.19.

³⁹ This commission consists of two members from the High Judicial and Prosecution Council, three from the administrative commission of the BiH House of Representatives and two from the current Central Election Commission.

⁴⁰ Election Law of Bosnia and Herzegovina, Article 2.5.

⁴¹ Ibid., Article 2.9.

Register (CVR), which is derived from the population register and based on the permanent and temporary residences of citizens.⁴² In order to vote, citizens must be recorded in the CVR and have the right to vote in person in the municipality of their permanent residence. To vote at a polling station, each individual needs to present a valid personal document, and his or her name must be confirmed in the CVR.

Voter registration is passive, and the CEC maintains the CVR based on the population register of the Ministry of Civil Affairs. As of Aug. 18, 2022, 3,368,666 voters were registered and accounted for by the CEC.⁴³

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

To ensure greater representation, each candidate list submitted for approval by the Central Election Commission (CEC) must include both male and female candidates. The legal standard for equal representation is at least 40 percent of the total number of candidates on the candidate list.⁴⁴ As of Sept. 8, the CEC registered 7,258 candidates, with 43 percent being women.

The legal framework enshrines ethnicity-based restrictions on the right to stand for office, with citizens who do not identify themselves as Bosniak, Croat or Serb (the three constituent peoples) barred from standing for the BiH Presidency. Seventeen groups — most small in number — are officially recognized in Bosnia and Herzegovina as national minorities.⁴⁵ The largest minority is the Roma community, with some 12,583 members according to the 2013 census⁴⁶ (although their actual number is considered to be significantly higher).⁴⁷ However, there are no special provisions to address these groups ahead of the general elections.

Voters who have the status of internally displaced persons have the right to vote at the polling station of their temporary residence if they have maintained residence for at least six months, or at a special absentee polling station for the electoral unit for which they registered before becoming displaced.⁴⁸ Absentee polling stations are reserved for those voting in the municipality where they temporarily live but for the electoral unit in which they are registered.⁴⁹

Assisted voting is permitted by law, and voters with disabilities may choose another person to help cast their ballot.⁵⁰ Moreover, the voting process for citizens who are homebound or confined

⁴² Registration of permanent residence is mandatory for all citizens, while displaced citizens may have temporary residence until they return to the municipality of their prior permanent residence.

⁴³ Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Needs Assessment Mission Report, May 30-June 3, 2022, page 8.

⁴⁴ *Ibid.*, page 7.

⁴⁵ Albanians, Czechs, Germans, Hungarians, Italians, Jews, Macedonians, Montenegrins, Poles, Roma, Romanians, Russians, Ruthenians, Slovaks, Slovenians, Turks and Ukrainians. The Austrian minority was recently recognized and is represented alongside the others in the state-level National Minority Council.

⁴⁶ Official census results are available on <http://popis2013.ba/>

⁴⁷ OSCE/ODIHR, *Op. cit.*, page 3.

⁴⁸ *Ibid.*, page 9.

⁴⁹ Election Law of Bosnia and Herzegovina (unofficial consolidated text), Article 20.8.

⁵⁰ *Ibid.*, Article 3.14.

to medical institutions, or for voters who will vote in prisons or detention units, will be organized by polling station committees' mobile teams that will visit voters at their homes or institutions.⁵¹

Is out-of-country voting allowed?

Voting is allowed for Bosnia and Herzegovina nationals residing abroad if they have registered ahead of the election with the Central Election Commission.⁵² Voting for out-of-country nationals occurs at diplomatic and consular representative offices in 21 locations, or by mail.⁵³ The deadline for registering as an out-of-country voter was July 19, 2022, 75 days before Election Day.

Who can observe during Election Day? How can they get accreditation?

Representatives of international observation missions, associations of citizens, political parties, coalitions, lists of independent candidates and independent candidates may observe all electoral activities in Bosnia and Herzegovina if they are accredited in accordance with the law.⁵⁴ The Central Election Commission (CEC) accredits international and domestic observers. The CEC also accredits those who wish to observe its work and the work of the Main Center for Counting. Relevant local election commissions accredit partisan observers observing in their jurisdictions.⁵⁵ The official number of international observers will not be confirmed until Election Day.

Who is managing security on Election Day?

Under the legal framework, municipal election commissions and polling station committees are responsible for the security of polling materials being moved between polling stations and the Central Election Commission.⁵⁶ To protect these individuals, cases can also be referred to the police at the Federation BiH and Republika Srpska levels.

Where are vote counting and tabulation held?

After polling stations close, votes will be counted at each polling station by members of the polling station committee. All votes are categorized by political entity and candidate. In the General Elections, the votes are counted in this order: presidential, parliamentary, entity and cantonal votes.⁵⁷

⁵¹ Election Law of Bosnia and Herzegovina (unofficial consolidated text), Article 5.22 and Rulebook on Conduct of Elections in Bosnia and Herzegovina, Article 24.

⁵² Decision on Diplomatic and Consular Offices of Bosnia and Herzegovina in which Organization of the Voting at the 2022 General Elections is Planned.

⁵³ Election Law of Bosnia and Herzegovina (unofficial consolidated text), Article 1.5 and 3.15.

⁵⁴ Ibid., Article 17.1.

⁵⁵ Ibid., Article 17.3-17.5.

⁵⁶ Ibid., Article 5.3.

⁵⁷ Rulebook on Conduct of Elections in Bosnia and Herzegovina, Articles 40-60.

When will official results be announced?

The Central Election Commission will publish incomplete preliminary results within five hours of the closing of polls on Election Day.⁵⁸ The tabulation process will continue until the official election results are published no later than 20 days after Election Day.⁵⁹

How will election disputes be adjudicated?

Anyone can file a complaint with the Central Election Commission (CEC) or relevant Municipal Election Commission (MEC) within 24 hours after an alleged violation. The alleged violation must then be resolved within 48 hours by the relevant election commission. Observers, contestants, MECs and groups of at least 50 voters at a polling station may challenge the voting results and request a recount of votes at another polling station.⁶⁰ The Appellate Division of the Court of BiH hears appeals of decisions made by the CEC. In order for the court to hear an appeal, it must be filed no later than two days after the CEC decision. Appeals are submitted through the CEC.⁶¹

⁵⁸ Ibid., Article 70.

⁵⁹ Ibid., Article 73.

⁶⁰ Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Needs Assessment Mission Report, May 30-June 3, 2022, page 12.

⁶¹ Election Law of Bosnia and Herzegovina, Article 6.9.

Resources

- [Constitution of Bosnia and Herzegovina](#)
- [Election Law of Bosnia and Herzegovina \(Unofficial Consolidated Text\)](#)
- [Law on the Financing of Political Parties of Bosnia and Herzegovina](#)
- [Rulebook on Conduct of Elections in Bosnia and Herzegovina](#)
- [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#)
- [ODIHR Needs Assessment Mission Report, Bosnia and Herzegovina General Elections, October 2022](#)
- [Decision On Announcing and Conducting General Elections in Bosnia and Herzegovina in 2022](#)
- [Decision On Conclusion of the Central Voters' Register as on May 3, 2022](#)
- [Instruction on Deadlines and Sequence of Electoral Activities for the 2022 General Elections to be Held on October 2, 2022](#)
- [Decision on Diplomatic and Consular Offices of Bosnia and Herzegovina in Which Organization of Voting at the 2022 General Elections is Planned](#)
- [High Representative Gives Bosnia Leaders Ultimatum to Change Election Law, Balkan Insight, July 27, 2022.](#)

About IFES in Bosnia and Herzegovina

The International Foundation for Electoral Systems (IFES) has provided targeted electoral assistance in Bosnia and Herzegovina (BiH) since 1996 to establish and support effective and inclusive election administration and management in line with international standards and best practices. To date, IFES has implemented programming to address the needs of the Central Election Commission of BiH and other election stakeholders.

IFES' current programming focuses on building the capacity of the election administration and on promoting anti-corruption, addressing electoral disinformation and building effective information and communications technology system integrity. These activities are designed to build the capacity of the country's election administration ahead of the 2022 general elections.

Disclosure

These FAQs reflect decisions made by the Central Election Commission as of Sept. 26, 2022, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

These FAQs is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The information herein is provided by the author(s) and does not necessarily reflect the views of USAID or the United States Government.