



International Foundation
for Electoral Systems

Elections in Bosnia and Herzegovina

2020 Local Elections

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

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Frequently Asked Questions

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When is Election Day?

Bosnia and Herzegovina (BiH) will hold local elections in 120 out of 143 municipalities, 21 cities and the Brčko District¹ on Sunday, November 15, 2020, from 7 a.m. until 7 p.m.² Voting will take place in 5,372 polling stations in BiH staffed by 50,456 polling board members and in 28 diplomatic and consular missions abroad.³

Why are these elections important?

The 2020 local elections in Bosnia and Herzegovina (BiH) mark the halfway point between the hotly contested 2018 general elections, which saw a near 15-month delay in BiH's government formation,⁴ and the forthcoming 2022 general elections. The post-2018 political environment is dominated by ethnically charged hyper-partisan actors and is likely to play out in the local elections. The 2020 elections were originally scheduled on October 4, 2020, in accordance with the Election Law of BiH. However, the highly politicized formation of the government led to delays in approval of the state budget and, thus, the election budget.⁵ The delay in the provision of funding, along with the growing COVID-19 pandemic, spurred the postponement of the elections. The pandemic is also expected to complicate the administration of the elections. Other growing challenges, such as mis- and disinformation in the electoral process, foreign interference, and lack of public trust in institutions, also will play a role in these elections.

While the municipalities will hold their elections on November 15, 2020, the city of Mostar is expected to hold its local elections a few weeks later for the first time in a dozen years.⁶ An agreement between the Party for Democratic Action and Croatian Democratic Union of BiH has paved the way for voters to exercise their right to vote in the city's government for the first time since 2008. The long-awaited agreement was spearheaded by the head of the European Union Delegation to BiH and the U.S. ambassador to BiH.

¹ Decision on Calling and Administering 2020 Local Elections, *Central Election Commission of Bosnia and Herzegovina*.

² Instruction on deadlines and sequence of electoral activities for the 2020 Local Elections to be held on Sunday, November 15, 2020, *Central Election Commission of Bosnia and Herzegovina*.

³ Decision on diplomatic-consular representation offices of Bosnia and Herzegovina in which organization of the voting for the 2020 Local Elections is planned, *Central Election Commission of Bosnia and Herzegovina*.

⁴ "Bosnia Gets Government After 14-month Impasse," *DW*, December 23, 2019.

⁵ Nedim Dervisbegovic, "Bosnia Adopts Budget, Opening Way for Local Elections," *Balkan Insight*, July 29, 2020.

⁶ "Date Confirmed for Mostar's First Local Elections in 12 Years," *Radio Free Europe-Radio Liberty*, July 24, 2020.

What is the electoral system?

Bosnia and Herzegovina (BiH) consists of two entities: the Federation of Bosnia and Herzegovina, predominantly Bosniak-Croat, and Republika Srpska, predominantly Serb. In addition, Brčko District, which is ethnically mixed, holds a special status as a unit of local self-government within BiH.⁷

For elections to Municipal Councils and/or Assemblies, the mandates are distributed to candidates from certified lists who individually received at least 10 percent of the votes, awarded in the order of highest to lowest votes received. Should there still be mandates left to distribute under the 10 percent threshold, the mandates are distributed to candidates according to their order on the list.⁸ The exception to this rule are national minority candidates who are placed on a special list and receive available mandates for national minorities per constituency according to the highest number of votes.⁹

City Councils and/or Assemblies are elected in turn by the Municipal Councils and/or Assemblies and mandates are allocated by proportional representation in accordance with the Municipal Councils and/or Assemblies.¹⁰ Mayors and presidents of the City Council and/or Assembly are elected by the respective City Council and/or Assembly.

Who is eligible to run as a candidate?

All residents of Bosnia and Herzegovina (BiH) ages 18 years and older with registered addresses in the country are eligible to run as candidates.¹¹ Any individual 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 stand as a candidate.¹²

Political parties and independent candidates were required to submit their registration to participate in the elections to the Central Election Commission (CEC) for certification by July 28, 2020. The CEC made final certification decisions on August 4, 2020. The submission of candidates' lists per municipality were due to the CEC by September 11, 2020, and were published on October 1, 2020.¹³ To participate in these elections, political parties and independent candidates must have received 100 signatures if the municipality had fewer than 10,000 voters; 200 signatures if the municipality had more than 10,000 voters; and 5 percent of signatures if the municipality had fewer than 1,000 voters.¹⁴

⁷ Constitution of Bosnia and Herzegovina, Article I.3.

⁸ Election Law of Bosnia and Herzegovina, Article 13.5 (5).

⁹ Election Law of Bosnia and Herzegovina, Article 13.14.

¹⁰ Election Law of Bosnia and Herzegovina, Article 13.10.

¹¹ Election Law of Bosnia and Herzegovina, Article 1.4.

¹² Election Law of Bosnia and Herzegovina, Article 1.6-1.7a.

¹³ Instruction on deadlines and sequence of electoral activities for the 2020 local elections to be held on Sunday, November 15, 2020, *Central Election Commission of Bosnia and Herzegovina*.

¹⁴ Election Law of Bosnia and Herzegovina, Article 4.4, 5-6.

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

All residents of Bosnia and Herzegovina (BiH) ages 18 years and older with registered addresses in the country are eligible to vote.¹⁵ Any resident wishing to vote must ensure they are included in the Central Voters' Register (CVR). Voters may cast their ballots in the municipality of their respective permanent residence or, if they are temporarily residing abroad, in designated diplomatic or consular missions in person or by mailing completed ballots to the municipality in which their residence is registered in BiH.¹⁶ Any individual 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 law is unable to be included in the CVR.¹⁷

There are 3,283,194 eligible voters for the 2020 local elections, based on entries in the CVR database finalized 45 days before Election Day. Data from 2019 indicate that registered voters are exactly 50/50 men and women.¹⁸ Voters must present a valid personal identification document upon arrival to the polling station. They will be required to sign the section of the CVR next to their name and will then be issued ballot papers. Once the voter has completed marking the ballot, it is folded for secrecy and placed in a ballot box.

What is the campaign timeline, and what are the expenditure and donation limits?

As defined by the Central Election Commission, paid political advertising is permitted from October 16, 2020, until November 14, 2020 (24 hours before Election Day), as per the designated silence period. The release of results of public opinion polls is prohibited beginning November 13, 2020 (48 hours before Election Day).¹⁹

Campaign expenditures are limited to a calculation of expenditure per voter in each relevant constituency. For City/Municipal Councils and/or Assemblies and city/municipal mayors, the cost is Bosnian Mark (BAM) 0.30 (USD 0.18) per voter. In municipalities of fewer than 3,000 voters, the limit is calculated for 3,000 voters.²⁰ Candidates, whether from political parties or independent lists, also must comply with donation limits. Individuals may not contribute more than BAM 10,000 (about USD 6,000) per year, and legal entities may not contribute more than BAM 50,000 (about USD 30,000) per year.²¹

¹⁵ Election Law of Bosnia and Herzegovina, Article 1.4.

¹⁶ Election Law of Bosnia and Herzegovina, Article 1.5.

¹⁷ Election Law of Bosnia and Herzegovina, Article 1.6-1.7a.

¹⁸ Voter Register Data Integrity Audit for the Central Electoral Commission of Bosnia and Herzegovina, *IFES*, September 2019.

¹⁹ Instruction on deadlines and sequence of electoral activities for the 2020 Local Elections to be held on Sunday, November 15, 2020, *Central Election Commission of Bosnia and Herzegovina*.

²⁰ Election Law of Bosnia and Herzegovina, Article 15.10.

²¹ Law on Political Party Financing, Article 6.

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

Elections in Bosnia and Herzegovina (BiH) are administered by the Central Election Commission (CEC), 143 City/Municipal Election Commissions (C/MECs) and Polling Station Committees (PSCs). The CEC comprises seven members (two Croats, two Bosniaks, two Serbs and one other member) who are legal/electoral experts unaffiliated with any political party, association or foundation. Members are elected by the House of Representatives of the Parliamentary Assembly of BiH.²² The CEC president rotates from one Croat to one Bosniak to one Serb to one other member on a 21-month cycle.²³ The CEC is supported by a secretariat.²⁴

The CEC is an independent body that reports to the Parliamentary Assembly of BiH. Within its mandate, the CEC is responsible for the overall coordination and conduct of all C/MECs and PSCs, the implementation of the Election Law of BiH, the decision to hold elections, the accuracy and integrity of the Central Voters' Register, the registration of candidates and observers, and determination of election results.²⁵ C/MECs and PSCs are responsible for the administration of elections at the local level.²⁶

How is the election management body protecting the elections and voters from COVID-19?

The Central Election Commission published its *Instruction on Operations of the Election Management Bodies on the Election Day in the Context of the COVID-19 Epidemic*.²⁷ This document outlines the requirements polling stations and poll workers must comply with on Election Day, as well as the associated procedures. The instructions include an example schematic of the polling station setup and a table of specified materials required at polling stations.

On Election Day, polling stations will be required to air the facility, install footwear disinfection mats, perform routine disinfection, place voter information signs in relevant locations and direct voters from entry to exit. The full list of requirements is included in the instructions document linked in the "Resources" section below.

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

To encourage women's political participation, the Election Law of Bosnia and Herzegovina (BiH) stipulates that 40 percent of the total number of candidates on the submitted lists must represent the minority gender, with one-third of the minority gender at the top of the list, followed by two-fifths,

²² Election Law of Bosnia and Herzegovina, Article 2.5.

²³ Election Law of Bosnia and Herzegovina, Article 2.6.

²⁴ Election Law of Bosnia and Herzegovina, Article 2.11.

²⁵ Election Law of Bosnia and Herzegovina, Article 2.9.

²⁶ Election Law of Bosnia and Herzegovina, Article 2.13.

²⁷ CEC Instruction on Conduct of Elections at Time of COVID-19.

three-eighths and onward.²⁸ For representation in municipal elections, members of national minorities are represented according to their percentage share of total population in the last census (2013).²⁹ In municipalities in which national ethnic minorities are more than 3 percent of the population, members of the minority group are entitled to at least one seat. National ethnic minority candidates are submitted by political parties, coalitions, independent candidates, a registered national minority association or a group of at least 40 citizens to the Central Election Commission (CEC). The CEC will then establish a special candidate list for national ethnic minorities.

Certain provisions in the Election Law of BiH expand access to marginalized groups on Election Day. Voters who are blind or have low vision, as well as those who are illiterate or are prevented from voting according to standard procedure because of physical disability, are permitted to have another person assist in casting their ballot. This person can be chosen by the voter in question.³⁰ The Central Election Commission also established regulations for voters who cannot leave their homes due to old age, illness or disability or who are incarcerated. Mobile voting will travel to these voters' homes and/or institutions so they may cast their ballots.³¹ Internally displaced persons may cast their ballots at an absentee polling station in accordance with their 1991 municipality of record.³²

When will official results be announced?

The publication of voting results at the polling station must be available no later than 12 hours after the close of the polling station on Election Day, with the summary of voting at the municipal level at the same time. From November 16, 2020, through December 14, 2020, the Central Election Commission (CEC) will publish unofficial and incomplete results regularly. By December 15, 2020, the CEC will confirm the official election results.³³

How will election disputes be adjudicated?

Following the announcement of official results, Municipal Election Commissions, certified political parties, coalitions and independent candidates, a group of 50 or more voters and observers may request a recount to the Central Election Commission (CEC).³⁴ The CEC may also order a recount on its own authority.³⁵ Voters or any political entity who observes or is party to a violation of the Election Law of Bosnia and Herzegovina (BiH) may file a complaint with the relevant election management body within 48 hours or within 24 hours in the election period following the violation's occurrence.³⁶ If a complaint is accepted, the first instance falls to the respective Municipal Election Commission for violations of codes

²⁸ Election Law of Bosnia and Herzegovina, Article 4.19 (3).

²⁹ Election Law of Bosnia and Herzegovina, Article 13.14.

³⁰ Election Law of Bosnia and Herzegovina, Article 5.19.

³¹ Election Law of Bosnia and Herzegovina, Article 5.21.

³² Election Law of Bosnia and Herzegovina, Article 5.12 (2).

³³ Instruction on deadlines and sequence of electoral activities for the 2020 local elections to be held on Sunday, November 15, 2020, *Central Election Commission of Bosnia and Herzegovina*.

³⁴ Election Law of Bosnia and Herzegovina, Article 5.30 (1-3).

³⁵ Election Law of Bosnia and Herzegovina, Article 5.30 (5-6).

³⁶ Election Law of Bosnia and Herzegovina, Article 6.2.

of conduct or to the CEC for violation of the rules of the electoral process and electoral rights.³⁷ Appeals to CEC decisions can be made to the Appellate Division of the Court of BiH within two days of receipt of the decision, and the court must make its own decision within three days of receipt of the appeal.³⁸

³⁷ Election Law of Bosnia and Herzegovina, Article 6.4-6.6.

³⁸ Election Law of Bosnia and Herzegovina, Article 6.9.

Resources

- [Constitution of Bosnia and Herzegovina](#)
- [Election Law of Bosnia and Herzegovina](#)
- [Decision on Calling and Administering 2020 Local Elections](#)
- [Decision on Postponement of the 2020 Local Elections](#)
- [Central Election Commission of Bosnia and Herzegovina](#)
- [Instruction on Operations of the Election Management Bodies on the Election Day in the Context of the COVID-19 Epidemic](#)

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 is implementing programming to address the needs of the Central Election Commission of BiH and other election stakeholders.

IFES' current programming focuses on building capacity of the election administration, as well as 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 election administration ahead of the 2022 general elections.

Disclosure

These FAQs reflect decisions made by the Central Election Commission as of November 9, 2020, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

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