



Office for Democratic Institutions and Human Rights

BOSNIA AND HERZEGOVINA

EARLY ELECTION OF THE PRESIDENT OF REPUBLIKA SRPSKA
23 November 2025

ODIHR NEEDS ASSESSMENT MISSION REPORT

22-25 September 2025



Warsaw
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I. INTRODUCTION

Following an invitation from the Central Election Commission of Bosnia and Herzegovina to observe the 23 November 2025 early election of the president of Republika Srpska and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) to Bosnia and Herzegovina from 22 to 25 September 2025.¹ The NAM included Ulvi Akhundlu, Deputy Head of the ODIHR Election Department, and Kakha Inaishvili, ODIHR Election Adviser.

The purpose of the NAM was to assess the pre-election environment and preparations for the early election of the president of Republika Srpska. Based on this assessment, the NAM should recommend whether to deploy an ODIHR election-related activity for the forthcoming election, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions as well as with key stakeholders. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs and the OSCE Mission to Bosnia and Herzegovina for their assistance and co-operation in organizing the visit. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and for sharing their views.

II. EXECUTIVE SUMMARY

On 28 August 2025, the Central Election Commission (CEC) announced early election of the president of Republika Srpska for 23 November, following the court's conviction of former Republika Srpska President Milorad Dodik and the subsequent revocation of his mandate by the CEC. The election takes place against a backdrop of deepening institutional standoff between entity- and state-level authorities, and sustained challenges to state institutions and the Office of the High Representative (OHR). While the Republika Srpska National Assembly (RSNA) initially rejected the early election and called for a referendum for 25 October, it later changed its stance to allow political parties in Republika Srpska to decide individually on participation. Stakeholders see the vote as a critical test for Bosnia and Herzegovina's democratic resilience and political stability.

The Election Law underwent extensive amendments in 2024, imposed by the OHR to enhance electoral integrity, addressing prior ODIHR recommendations. Despite the absence of a public consultation process on these changes, bilateral consultations were conducted with key electoral stakeholders. The amendments encompassed all aspects of the electoral process, including the phased introduction of information and communication technologies such as ballot scanners and biometric voter identification. In response, the ruling coalition of Republika Srpska expressed strong disagreement with the amendments and subsequently RSNA adopted its own election law in April 2024, proposing a separate entity-level election commission to oversee elections within Republika Srpska. This law was suspended and ultimately repealed by the Constitutional Court.

¹ See 28 August 2025 [CEC Decision](#) on Calling and Holding Early Elections for the President of the Republic of Srpska.

The early election will be administered by three-tiered election administration led by the CEC. Following the election announcement, the CEC began adopting necessary instructions and decisions. While the CEC adopted the budget, funding delays have led to compressed election timeline and delayed adoption of critical instructions. Several ODIHR NAM interlocutors raised concerns about possible disruptions in procurement, ballot distribution, and election day logistics, while some stakeholders cautioned that these vulnerabilities could be exploited for political gain or lead to legal challenges that delay the vote. At the local level, additional risks stem from incomplete funding and potential shortages in Polling Station Commission nominations due to past issues with remuneration in certain areas. Against this backdrop, the CEC has publicly reiterated its expectation that all commissions act impartially and in line with the Election Law. Overall, a number of ODIHR NAM interlocutors expressed confidence in the CEC, although they noted the lower-level election commissions remain perceived as less professional and more vulnerable to local political pressures and influence.

Voting rights are granted to all citizens aged 18 or older, though restrictions remain for individuals convicted of serious crimes and those declared legally incapacitated, at odds with OSCE commitments. While in-country registration is passive, out-of-country voters must register electronically unless they participated in the 2024 local elections, in which case they remain on the list. Several ODIHR EOM interlocutors expressed concerns regarding the accuracy of the voter registration data as it reportedly contains a significant number of deceased voters. According to the CEC, there are some 1.2 million voters registered in the Republika Srpska.

Candidates for the early election of the president of Republika Srpska may stand independently or be nominated by political parties and their coalitions. The right to stand is granted to citizens with voting rights but limited by ethnicity and residency requirements. Political parties and independents are required to register with the CEC between 25 and 29 September, while coalitions by 7 October, with exemptions for those already registered in the 2022 general elections. Candidate nominations open on 10 October and close on 14 October, with the CEC to confirm eligibility within ten days and final candidate lists by 3 November. While ODIHR NAM interlocutors did not raise major concerns regarding the registration process, several interlocutors noted that the compressed deadlines may disadvantage new entrants.

The official campaign period runs from 8 to 22 November, followed by a pre-election silence period. Campaigning before this date is prohibited, and the CEC is empowered to sanction violations. The law bans hate speech, disinformation, use of children for political purposes, and obstruction of journalists, and provides for sanctions for the misuse of administrative resources. While no significant issues were raised about the ability of political parties and candidates to campaign freely, most interlocutors expect misuse of administrative resources by the ruling party, pressure on voters and manipulation on election day. Contestants are entitled to free and paid airtime on private and public broadcasters.

The legislation provides for both public and private funding, sets donation limits, and prohibits foreign, anonymous, religious, and publicly sourced contributions. The CEC oversees compliance, with authority to sanction violations, including for excessive spending. Contestants must use designated bank accounts and submit interim and final financial reports, ensuring transparency of income and expenditures. ODIHR NAM interlocutors did not raise concerns regarding the existing campaign finance rules.

Bosnia and Herzegovina has a diverse media landscape, but both public and private outlets remain vulnerable to political and business pressure, with limited ownership transparency and insufficient regulation of online content. Freedom of expression is constitutionally guaranteed, yet the 2023 re-criminalization of defamation in Republika Srpska has raised concerns and contributed to a chilling

effect on journalists, who increasingly face threats and lawsuits. Public broadcasters suffer from financial and political pressures, with Radio Television of Republika Srpska considered by several ODIHR NAM interlocutors to be under strong political control of the Republika Srpska ruling party, the Alliance of Independent Social Democrats (SNSD). The Communication Regulatory Authority, the media regulator, lacks resources to monitor compliance proactively and relies instead on complaints.

Complaints can be filed through the election administration and courts. Municipal election commissions (MECs) handle most voter registration and campaign-related complaints, while the CEC addresses serious violations such as hate speech and misuse of administrative resources, as well as appeals against MEC decisions. CEC rulings may be challenged before the Appellate Division of the Court of Bosnia and Herzegovina, whose decisions are final. Complaints must be filed within 72 hours, with limited extensions for complex cases, and courts must rule within three days. Despite prior ODIHR recommendations, public hearings on electoral disputes are not required by law.

The law provides for election observation of all stages of the electoral process by citizen and international observers, as well as observers appointed by contestants. Some political parties and civil society organizations plan to field observers on election day.

Most ODIHR NAM interlocutors underscored the importance of an ODIHR election observation activity for the upcoming early election of the president of Republika Srpska, noting that a long-term presence would be essential to assess all aspects of the process. They highlighted that an impartial assessment would be particularly valuable in the current context of deep political polarization, as it could enhance public confidence in the process and serve as a deterrent against potential malpractice on election day. ODIHR NAM interlocutors widely viewed the upcoming early election as a key test for democratic resilience and institutional stability in Bosnia and Herzegovina, amid heightened political tensions as well as constitutional and institutional disputes. The majority of stakeholders acknowledged the benefit of independent assessment of the electoral process and pointed to a number of areas that would merit close attention by an ODIHR election observation mission, including election administration, voter register accuracy media coverage and campaigning, and possible misuse of public resources and pressure on voters.

In considering a possible observation activity, the ODIHR NAM took into account the views expressed by interlocutors and the findings outlined in this report. While the deployment of a full-scale Election Observation Mission, including both long- and short-term observers, would have been warranted given the needs identified, the high number of concurrent election-related activities, together with the human and financial resources already committed to national-level elections, renders such a deployment unfeasible within existing allocations. Nonetheless, taking into account ODIHR NAM interlocutors' emphasis on the importance and the added value of ODIHR's observation of the 23 November early election of the president of Republika Srpska, the ODIHR NAM recommends the deployment of a Special Election Assessment Mission (SEAM), comprising a core team of experts based in Banja Luka and four regional experts who will conduct observation across Republika Srpska.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

On 28 August 2025, the Central Election Commission (CEC) announced early election of the president of Republika Srpska. The call comes against the backdrop of sustained and escalating institutional friction, with Republika Srpska's authorities repeatedly challenging elements of the state

constitutional order.² The ongoing refusal of authorities to recognize and implement binding state-level judicial decisions as well as decisions issued by the Office of the High Representative (OHR) has been at the core of strained relations and deepening institutional standoff.³

Over recent years, the Republika Srpska National Assembly (RSNA) has consistently adopted decisions and conclusions that contest the authority of state institutions and the OHR.⁴ On 27 June 2023, the RSNA adopted laws on non-application of Constitutional Court decisions in Republika Srpska's territory and non-publication of the OHR decisions in the entity's Official Gazette. In July 2023, the OHR responded by annulling these legislative acts, citing their incompatibility with Bosnia and Herzegovina's constitutional framework and pointing to amended Criminal Code provisions, including Article 203a, which establishes liability for failure to implement OHR decisions.⁵ The then Republika Srpska President Milorad Dodik openly defied OHR decisions and publicly urged Republika Srpska's bodies to resist state and OHR interventions.

In February 2025, the Court of First Instance of Bosnia and Herzegovina convicted Mr. Dodik of failing to comply with High Representative decisions, sentenced him to one year in prison (later converted to a fine) and imposed a six-year ban from holding public office. On 1 August 2025, the Appeals Chamber of the Court of Bosnia and Herzegovina confirmed the verdict. This was followed by the CEC's 6 August decision to revoke Mr. Dodik's presidential mandate.⁶

The Republika Srpska leadership, however, rejected the court ruling and the CEC's decision. On 22 August, the RSNA adopted a resolution declaring the Court's verdict unconstitutional, rejected the termination of Mr. Dodik's mandate and voted to hold a referendum on 25 October 2025.⁷ The RSNA conclusion called on all political actors in Republika Srpska not to register for the early election, and instructed all entity authorities and institutions to refrain from undertaking actions related to the preparation and conduct of the election. Following a challenge by 14 members of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, the Constitutional Court granted an interim measure that temporarily suspends the legal effect of certain items in the RSNA conclusions, prohibiting Republika Srpska's institutions and officials from acting on those items until

² See 4 June 2025 press release of the [European Parliament's Committee on Foreign Affairs](#) in which it "strongly condemns divisive rhetoric and secessionist policies, particularly those promoted by Milorad Dodik and the Republika Srpska leadership, warning that these actions undermine country's constitutional order and EU integration prospects. It calls on EU Member States, the EEAS, and the Commission to take decisive action, including targeted sanctions, to counter destabilising forces threatening the country's stability and European security".

³ Representatives of the ruling coalition in Republika Srpska have consistently criticized the OHR and its incumbent, Christian Schmidt. Their claims primarily focus on the OHR's legitimacy, authority, and actions, which they view as politically motivated and aimed at weakening RS's autonomy.

⁴ Following the adoption of UN General Assembly resolution on the Srebrenica genocide, the Republika Srpska's authorities announced a proposal of a "peaceful disassociation" to be delivered to the Federation by end of June 2023.

⁵ Article 203a of the Criminal Code of Bosnia and Herzegovina stipulates that individuals who do not implement or otherwise prevent the implementation of the decisions of the High Representative, shall be punished by imprisonment for a term between six months and five years. A conviction for such offences also entails the following legal consequences: (a) termination of official duties and employment; (b) forfeiture of decorations; (c) prohibition from performing official duties in any legislative, executive, judicial, administrative, or other body financed wholly or partly from public funds; and (d) a ban on holding official positions in such bodies.

⁶ See [CEC Decision](#) on the termination of Mr. Dodik's mandate.

⁷ The question proposed for the referendum reads: "Do you accept the decisions of the unelected foreigner Christian Schmidt and the rulings of the unconstitutional Court of Bosnia and Herzegovina issued against the President of Republika Srpska, as well as the decision of the Central Election Commission to strip the President of Republika Srpska, Milorad Dodik, of his mandate?". See also [22 August 2025 RSNA Conclusions](#).

a final decision is made. The Court also emphasised that this does not prejudice the admissibility or merits of the case.⁸

Mr. Dodik initially announced that his party would boycott the early presidential election and follow the RSNA conclusions. However, on 25 September, the RSNA amended its prior conclusion and invited all political parties based in Republika Srpska to “independently decide on participation in the early election”.⁹ According to many ODIHR NAM interlocutors, the 23 November election will serve as a test of the country's democratic resilience and political stability, with potential outcomes ranging from a managed constitutional resolution to continued institutional deadlock. Some interlocutors also pointed to the potential for increased political polarization, highlighting that narratives around international intervention and the challenges to the authority of the state institutions will be dominating the campaign discourse.

ODIHR has previously observed 12 elections in Bosnia and Herzegovina, most recently the 2024 local elections.¹⁰ The final report, issued in February 2025, contains 28 recommendations, including 8 priority ones, to improve the electoral process and bring it closer in line with OSCE commitments.¹¹

B. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president of Republika Srpska is directly elected from among the Serb people for a four-year term. Simultaneously, the two candidates from the other constituent peoples (Bosniak and Croat) who secure the most votes are elected as vice-presidents.¹²

The early presidential election is primarily regulated by the Constitution of Bosnia and Herzegovina as well as by the 2001 Election Law, and the 2012 Law on Financing of Political Parties.¹³ The CEC issues regulations to supplement the legislation. Bosnia and Herzegovina is party to major international and regional instruments on democratic elections.¹⁴

The Election Law was last amended in 2024 through reforms imposed by the High Representative to strengthen electoral integrity. The amendments addressed prior ODIHR recommendations, introduced important integrity safeguards and confidence building measures and extended to all

⁸ See Constitutional Court's [press release](#) of 10 September 2025. Items 6, 7 and 8 of the RSNA conclusions affirmed Mr. Dodik's legitimacy as president, demanded that he continues to fulfil his duties in full, and rejected the possibility of early election. The RSNA also instructed political actors not to participate in the election, warning that this would undermine the constitutional order in Republika Srpska. Furthermore, they directed Republika Srpska's institutions and officials to refrain from cooperating with the CEC, as this could result in criminal liability under Republika Srpska's law.

⁹ See [RSNA Conclusions](#) of 25 September 2025.

¹⁰ See previous [ODIHR election reports on Bosnia and Herzegovina](#).

¹¹ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR's election assessment and recommendations”. See ODIHR Electoral Recommendations Database at [Paragraph25.odihr.pl](#).

¹² This is the second early election in the entity; the previous one was held in 2007 following the death of then-President Milan Jelić. In the upcoming election, only the president will be directly elected, as the vice-presidential positions are filled by the two candidates who receive the highest number of votes from the Bosniak and Croat communities.

¹³ The Constitution of Bosnia and Herzegovina is included in the Annex IV of the Dayton Agreement. In addition, constitution of the entity, regulates electoral systems as well as activities and financing of political parties.

¹⁴ This includes the 1948 Universal Declaration of Human Rights, 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 1966 International Covenant on Civil and Political Rights, 1979 Convention on the Elimination of All Forms of Discrimination against Women, 2003 UN Convention against Corruption, 2006 UN Convention on the Rights of Persons with Disabilities (CRPD), 1950 European Convention on Human Rights, and 1994 Council of Europe Framework Convention on the Protection of National Minorities. The country is a member of the Council of Europe's Commission for Democracy through Law (Venice Commission) and Group of States against Corruption (GRECO).

aspects of the electoral process, including gradual introduction of information and communication technologies such as ballot scanners, video surveillance, and biometric voter identification. ODIHR has previously reported that there was no public consultation process on the imposed changes; however, bilateral consultative meetings took place with representatives of the main stakeholders involved in the electoral process. The ruling coalition of Republika Srpska expressed strong disagreement with the amendments and shortly after the enactment of the amendments, the RSNA adopted its own election law introducing a new entity-level election commission with exclusive competence over the election process in Republika Srpska. The Constitutional Court subsequently suspended the law and repealed it in September 2024.¹⁵

Several long-standing shortcomings and prior ODIHR recommendations, including within the constitutional framework applicable for the conduct of elections, remain unaddressed. These refer to discriminatory residency and ethnicity-based restrictions to stand as a candidate, as only voters self-declared as Bosniaks, Croats or Serbs may stand as candidates for entity presidencies, provided that they reside in the appropriate entity.¹⁶ The European Court of Human Rights has repeatedly deemed these discriminatory restrictions incompatible with the European Convention of Human Rights.¹⁷

C. ELECTION ADMINISTRATION

The election in Republika Srpska will be administered by the CEC, 60 Municipal Election Commissions (MECs), including 1 City Election Commission and the Election Commission of Brčko District, as well as some 2,200 Polling Station Commissions (PSCs). The CEC has the overall responsibility to administer elections and establish election results at all levels.

The CEC is a permanent body with a broad mandate to oversee the implementation of electoral legislation.¹⁸ By law, the composition of the CEC should include two Bosniaks, two Croats, two Serbs and one member from “others”. Currently, two CEC members are women. By law, all election commissions should have at least 40 per cent of members of each gender, while in three-member commissions both genders should be represented. The chairperson is elected by the CEC members from among themselves.¹⁹

The CEC has informed the ODIHR NAM that it has started adopting necessary instructions and decisions detailing candidate and party certification, polling station appointments, voter registration, and campaign rules. Following the announcement of elections, the CEC set the election budget at BAM 6.46 million. The competent state institutions were to secure funds by 12 September as required by law. However, funds were formally secured on 22 September enabling the CEC to adopt the Instruction on Deadlines for Election Activities, effective as of 25 September, which sets out a compressed timeline both for election administration and stakeholders.

¹⁵ See the related [Decision of the Constitutional Court of Bosnia and Herzegovina](#).

¹⁶ Only Serb candidates may stand for the state presidency in Republika Srpska, while in the Federation of Bosnia and Herzegovina the state presidency is contested only by Bosniak and Croat candidates. “Others” are not eligible to stand for the state and entity presidencies.

¹⁷ See, among others, European Court of Human Rights judgements in [Sejdić and Finci v. Bosnia and Herzegovina](#), [Zornić v. Bosnia and Herzegovina](#), [Pilav v. Bosnia and Herzegovina](#) and [Šlaku v. Bosnia and Herzegovina and Kovačević v. Bosnia and Herzegovina](#).

¹⁸ The CEC is appointed by the state House of Representatives upon nominations by the Special Commission for Selection and Nomination of the Parliamentary Assembly, comprising three members from the High Judicial and Prosecutorial Council, two members from the Joint Committee of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, and two CEC members.

¹⁹ On 24 September, the CEC elected new chairperson Mr. Jovan Kalaba from among the Serb members as its President. He assumed office on 1 October 2025 for a 21-month term under the rotational system among constituent people and “others”.

Securing funds has also enabled the CEC to adopt its procurement plan for essential services, including printing and distribution of ballots, delivery of Information and Communication Technologies (ICT) equipment and other election materials, postal delivery, and arrangements for the Main Counting Centre. Many ODIHR NAM interlocutors expressed concern that interagency delays and bureaucratic hurdles in securing funds have left the CEC with compressed deadlines, potentially straining its efficiency and the timely conduct of election preparations; several specifically pointed to risks of delays in the printing and distribution of sensitive and non-sensitive materials. This could potentially lead to a postponement of election day, as suppliers involved in public contracts may take this opportunity to sue their competitors, causing further hold-ups. Additionally, some interlocutors suggested that certain political forces might take advantage of this situation for their own benefit. At the entity level, it was noted by some ODIHR NAM interlocutors that local municipal administrations have not yet allocated funds for the election.

In its public announcements regarding the early presidential election, the CEC reminded stakeholders of their obligation to respect the Election Law, warning that violations or obstruction of the process will be sanctioned. The CEC also instructed municipal and city election commissions to carry out their tasks professionally, independently, and impartially. Overall, a number of ODIHR NAM interlocutors expressed confidence in the CEC, although they noted the lower-level election commissions remain perceived as less professional and more vulnerable to local political pressures and influence.

MECs are permanent bodies appointed for a seven-year term by municipal councils and approved by the CEC; they are responsible for overseeing voting and counting in subordinate polling stations and the data entry of the preliminary election results. The PSCs administer the voting and counting of votes, and the number of PSC members differs based on the size of the polling station. Following the 2024 amendments, the new appointment procedures for PSCs require the CEC to directly appoint presidents and their deputies who are not politically affiliated and grant the right to nominate PSC members only to political parties represented in the respective municipal council or assembly. Several ODIHR NAM interlocutors, including from the election administration, noted they expected a shortfall of PSC nominations because commission members in certain areas were not remunerated for their work during the 2024 local elections. Presidents and their deputies are to be appointed no later than 24 October, while other members no later than 8 November. No ICT will be piloted for the upcoming early election.

D. VOTER REGISTRATION

Citizens aged 18 or older and with permanent residency in Bosnia and Herzegovina have the right to vote, except those convicted of a serious crime, including war crimes, and those who have been declared legally incapacitated by a court decision, including on the basis of intellectual or psychosocial disability. Restrictions of suffrage rights based on mental disability are at odds with OSCE commitments and other international standards.²⁰

The CEC has overall responsibility for the integrity and maintenance of the Central Voter Register (CVR), extracted from the civil register. The accuracy of the CVR, however, depends on the data provided by other institutions responsible for updating the civil register. Several ODIHR EOM interlocutors expressed concerns regarding the accuracy of the voter registration data as it reportedly

²⁰ See Articles 12 and 29 of the CRPD. See also Paragraph 9.4 of the [2013 CRPD Committee's Communication No. 4/2011](#) which states that "Article 29 does not provide for any reasonable restriction or exception for any group of persons with disabilities. Therefore, an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability".

contains a significant number of deceased voters. Voters can verify their records throughout the year and request corrections of their data with respective municipal institutions.

In-country voter registration is passive. The law also provides for out-of-country voting, for which voters are required to register electronically ahead of each election. For the upcoming election, however, voters who voted abroad in the 2024 local elections remain on the list and will automatically receive voting materials, unless their address has changed, in which case they must provide updated details. Voters who did not register to vote in the 2024 elections must register on the CEC portal by 14 October 2025. Voters can vote either in-person at diplomatic representations in select countries or by mail.

Following a voter list verification process, the CEC shall finalize the CVR and subsequently forward the voter lists to respective MECs. Voters whose records are not found in the voter list on election day, but who can prove valid residency within the relevant election precinct, can be additionally registered at the polling station and vote by special "tendered" ballots. Persons with disabilities, home-bound and hospital-bound voters, and detainees can register to vote by mobile ballot box. According to the CEC, as of 27 August, 1,266,422 voters are registered for the upcoming early election.

E. CANDIDATE REGISTRATION

Citizens with voting rights may run for office, but the right to stand is restricted by ethnicity and residency requirements. Candidates may be nominated by a political party or coalition or stand independently. Prior to nomination, political parties, coalitions, or independent candidates must register with the CEC as eligible political subjects by submitting supporting signatures, along with other required documentation and pay the electoral deposit.²¹ Political parties and independent candidates must apply for registration between 25 and 29 September, and coalitions by 7 October. Political subjects who registered during the 2022 General Elections are exempt from fees and signature collection.²²

Candidate nomination starts from 10 October and ends on 14 October. The CEC decides on candidate registration no later than ten days after submission of the application by the political subject. In circumstances involving the death or loss of eligibility of a candidate, political subjects may substitute the candidate prior to the printing of ballot papers. The final lists of registered candidates must be published in Official Gazettes by 3 November. Overall, ODIHR NAM interlocutors did not raise major concerns about the registration process, but some noted that due to short deadlines, new entrants might not be able to comply with registration requirements. The ODIHR NAM interlocutors from political parties confirmed their readiness to participate in the upcoming election.

F. ELECTION CAMPAIGN AND CAMPAIGN FINANCE

The official election campaign period, during which rules for equitable access to public facilities apply, runs from 8 November to 22 November when the silence period begins, including online.²³ The law prohibits election campaigning, including paid political advertising, from the day elections are called until the official campaign starts and empowers the CEC to sanction premature

²¹ Parties and candidates must collect at least 3,000 signatures and pay an electoral deposit (BAM 18,000 for parties and BAM 9,000 for independent candidates). EUR 1 equals BAM 1.95, Bosnian Convertible Mark. The electoral deposit is reimbursed to political subjects whose candidate either wins the mandate or secures one-third of the votes received by the elected candidate.

²² Applications can be submitted electronically through the Commission's dedicated platform, or alternatively contestants may submit paper applications directly to the CEC.

²³ This includes access to public places, including for holding meetings and displaying posters and billboards.

campaigning.²⁴ Public electronic media are required to provide equal and fair presentation of political subjects and inform the public regarding the campaign and election process during the official campaign period. Political subjects are forbidden to use hate speech, spread disinformation, prevent journalists from performing their duties, or use children for political purposes. The law also defines misuse of administrative resources and provides increased sanctions for breaches during the pre-election and campaign periods.

While no significant issues were raised about the ability of political parties and candidates to campaign freely, a number of ODIHR NAM interlocutors expressed expectations of abuse of office and misuse of administrative resources for campaign purposes as well as pressure on public employees and intimidation of other voters. Several interlocutors also voiced concern that such practices, combined with the potential for manipulation on election day, could undermine the level playing field and negatively affect public confidence in the integrity of the process. In its public announcements regarding the early presidential election, the CEC urged political entities to refrain from early campaigning and called on both parties and voters to follow official information.

ODIHR NAM interlocutors noted that while in-person events, door-to-door outreach, and printed materials remain important, political campaigning is increasingly shifting to digital platforms. Given the limited time before the early election, several party representatives indicated that online campaigning through social media would likely be their preferred approach, as it is faster to deploy and requires minimal financial resources. ODIHR NAM interlocutors also anticipated that the campaign in Republika Srpska would be highly polarized and dominated by identity-based rhetoric and issues pertaining to the relations with state-level institutions and the authority of the OHR, with some of the contestant framing the election as a defense of Republika Srpska autonomy against external interference. Several interlocutors also expected an emphasis on economic grievances, including cost of living, corruption, unemployment, and social benefits, although they underlined that such issues are likely to receive comparatively less attention.

Campaign finance is primarily regulated by the Election Law and the Law on Financing of Political Parties, which provides for public and private financing of the campaign, disclosure and reporting requirements, and sanctions for infringements.²⁵ The CEC oversees political party and campaign finances and may impose sanctions either *ex officio* or based on complaints. The law sets donation limits for individuals and legal entities and prohibits foreign, anonymous, and religious donations, as well as those from publicly funded sources.²⁶ Persons with public procurement contracts exceeding BAM 10,000 in the current year cannot donate. Campaign spending is capped at BAM 0.30 (around EUR 0.15) per registered voter and the law provides sanctions for exceeding expenditure limits. Electoral contestants must open a special bank account for campaign income and expenditures and submit interim reports to the CEC three days before election day and final reports within 30 days of publishing final election results.²⁷

While no ODIHR NAM interlocutor raised any specific concerns with the legal framework regulating campaign finance, several stakeholders pointed to the limited resources available to opposition parties, noting that the early election represents an additional financial burden ahead of the general elections scheduled for 2026. Others expressed concern that incumbents may enjoy greater access to

²⁴ During this period, the media are allowed to inform about the activities of the officials, but without mentioning their party or candidacy in the elections.

²⁵ The laws on political parties of Republika Srpska and the Brčko District and CEC instructions also regulate aspects of campaign finance.

²⁶ An individual may donate to a party up to BAM 10,000 (EUR 5,112), a party member up to BAM 15,000 (EUR 7,669) and a legal entity up to BAM 50,000 (EUR 25,562) annually.

²⁷ The CEC shall publish campaign finance reports on its website within 30 days of receipt. Non-compliance with reporting requirements may result in de-registration or revocation of mandates.

administrative and financial resources, potentially creating an uneven playing field. Against this backdrop, some interlocutors underlined the importance of robust CEC oversight and effective enforcement of campaign finance regulations to safeguard transparency and equality of opportunity.

G. MEDIA

Bosnia and Herzegovina has a large number of media outlets, while online media, including social networks, are growing in importance. Public and private media remain vulnerable to pressure from political or business interests and are widely regarded as polarized. The legal framework does not sufficiently provide for transparency of media ownership, nor does it reflect the rapidly increasing significance of digital media content.²⁸ Broadcast media are required to respect the principles of equal access, balance, fairness, and impartiality, especially in their information programmes.²⁹ Print media remains largely self-regulated but its readership continues to decline, with many interlocutors attributing this trend to the growing shift of audiences towards online sources and sensationalist reporting.

State and entity constitutions guarantee freedom of expression but implementation remains insufficient. Re-criminalization of defamation in Republika Srpska in 2023 caused local and international concern and has been having a chilling effect on journalists and civil society.³⁰ Several ODIHR NAM interlocutors and numerous reports have highlighted increased pressure on media and journalists, particularly through verbal attacks, threats, and the use of defamation lawsuits by politicians to silence media.³¹

Public broadcasting is provided by Radio and Television of Bosnia and Herzegovina at the state level, and by Radio Television of the Federation of Bosnia and Herzegovina and Radio Television of Republika Srpska (*RTRS*) at the entity levels. Public broadcasters are generally considered to be in deep crisis due to financial problems, political affiliations, and low public trust. Several ODIHR NAM interlocutors noted that *RTRS* is under strong political control of Republika Srpska ruling party, the Alliance of Independent Social Democrats (SNSD), which is reflected in higher presence and positive coverage of their officials.

Campaign coverage is regulated by the Election Law and CEC regulations. Public broadcast media are required to grant three minutes of free airtime to each contestant during the official campaign period. The election contestants can also purchase advertising time, up to a maximum of 15 minutes on each public broadcaster and 30 minutes on each private broadcaster per week.

Oversight of broadcaster legal compliance, including sanctions, is the responsibility of the Communication Regulatory Authority (CRA), the media regulator. The CRA informed the ODIHR NAM that due to lack of technical and human resources, it would not conduct media monitoring

²⁸ Paragraph 4.1 of the [CoE Recommendation CM/Rec \(2018\)1](#) of the Council of Europe's Committee of Minister's Guidelines on media pluralism and transparency of media ownership calls on its member states to "promote a regime of transparency of media ownership that ensures the public availability and accessibility of accurate, up-to-date data concerning direct and beneficial ownership of the media".

²⁹ The news coverage of officials who are also contestants is allowed provided their candidacy is not mentioned. These officials must not enjoy a privileged position in media with respect to other election contestants.

³⁰ Paragraph 47 of [General Comment No. 34 to Article 19 of the ICCPR](#) calls on States parties to "consider the decriminalization of defamation". According to the local professional association *BH Novinari*, at least 100 criminal complaints for defamation have been filed since the amendments to the Republika Srpska Criminal Code were adopted in July 2023, and in five cases journalists and editors have been sued. See, also the [statement](#) by OSCE Representative on Freedom of Media.

³¹ See, among others, the 2023 [statement](#) by the OSCE Representative on Freedom of the Media and the [European Commission's Bosnia and Herzegovina Report 2024](#). *BH Novinari* disclosed 87 cases of threats and attacks in 2023, while there were some 40 such cases in first six months of 2024.

during the campaign period and perform its oversight function exclusively based on third-party complaints. Complaints related to print and online media fall under the mandate of the Press and Online Council, a self-regulatory body that issues non-binding decisions.

H. ELECTION DISPUTE RESOLUTION

Voters and electoral contestants whose rights are violated may file election-related complaints with the election administration. By law, the CEC must initiate *ex officio* procedures upon receiving information about electoral violations. MECs handle complaints related to voter registration and most campaign violations, while the CEC addresses certain campaign violations, including hate speech and misuse of administrative resources, as well as appeals against MEC decisions. Appeals against CEC decisions are handled by the Appellate Division of the Court of Bosnia and Herzegovina, whose decisions are final.

Complaints to election commissions and appeals to the CEC must be submitted within 72 hours, with extensions of 3 to 5 days in highly complex cases. Appeals against CEC decisions must be resolved by the Court within three days. Public consideration of electoral disputes is still not required by legislation, despite previous ODIHR recommendations. The Constitutional Court handles cases involving individuals' fundamental rights when all other remedies have been exhausted. It currently operates with seven judges instead of nine due to Republika Srpska's refusal to appoint judges.³² Several ODIHR NAM interlocutors view this as a politically motivated vacancy rather than a technical delay, as the refusal is considered part of a broader strategy to challenge state institutions and delegitimize Constitutional Court rulings perceived as unfavorable to Republika Srpska.³³

I. CITIZEN AND INTERNATIONAL OBSERVATION

The law provides for election observation of all stages of the electoral process by citizen and international observers, as well as by observers appointed by political subjects. The CEC accredits international observers and all other observers observing at the national level or the work of the CEC, while MECs accredit citizen observers for the respective municipality as well as observers nominated by political subjects and candidates in the respective municipalities. Applications for accreditation of domestic observers must be submitted to election commissions by 8 November, while international observers must submit their applications to the CEC by 16 November.

Several civil society interlocutors informed the ODIHR NAM of their plans to observe the election administration and other components of the electoral process, including potential misuse of administrative resources. They underline, however, that these efforts are contingent upon securing sufficient funding, noting that the early nature of the upcoming election and compressed timeframe leaves little opportunity to mobilize additional resources for some organizations. *Pod Lupom*, a coalition of several civil society organizations, informed the ODIHR NAM of its plans to deploy long-term and short-term observers, including on voluntary basis, but emphasized that the scale of observation will depend on the timely availability of funds. Political parties informed the ODIHR NAM of their intentions to deploy their observers to deter potential violations, but some cited a lack of human and financial resources to ensure comprehensive observation.

³² In March 2024, the Venice Commission issued an [Opinion](#) on the functioning of the Constitutional Court. The Opinion highlights that deliberate inaction by political authorities, particularly at the entity level, has led to a situation where the Constitutional Court is at risk of becoming non-functional due to an insufficient number of judges. The Commission emphasized that such actions undermine the separation of powers and the rule of law, which are fundamental principles of the constitutional order.

³³ In its 2024 country report, the [European Commission](#) urged the Republika Srpska's authorities to fill the two vacancies swiftly.

IV. CONCLUSIONS AND RECOMMENDATION

Most ODIHR NAM interlocutors underscored the importance of a robust ODIHR election observation activity for the upcoming early election of the president of Republika Srpska, noting that a long-term presence would be essential to assess all aspects of the process. They highlighted that an impartial assessment would be particularly valuable in the current context of deep political polarization, as it could enhance public confidence in the process and serve as a deterrent against potential malpractice on election day. ODIHR NAM interlocutors widely viewed the upcoming early election as a key test for democratic resilience and institutional stability in Bosnia and Herzegovina, amid heightened political tensions as well as constitutional and institutional disputes. The majority of stakeholders acknowledged the benefit of independent assessment of the electoral process and pointed to a number of areas that would merit close attention by an ODIHR election observation mission, including election administration, voter register accuracy media coverage and campaigning, and possible misuse of public resources and pressure on voters.

In considering a possible observation activity, the ODIHR NAM took into account the views expressed by interlocutors and the findings outlined in this report. While the deployment of a full-scale Election Observation Mission, including both long- and short-term observers, would have been warranted given the needs identified, the high number of concurrent election-related activities, together with the human and financial resources already committed to national-level elections, renders such a deployment unfeasible within existing allocations. Nonetheless, recognizing the importance of the issues raised by interlocutors and the added value of observing the 23 November early election of the president of Republika Srpska, the ODIHR NAM recommends the deployment of a Special Election Assessment Mission (SEAM), comprising a core team of experts based in Banja Luka and four regional experts who will conduct observation across Republika Srpska.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs

Edin Dilberović, Acting Secretary of the Ministry of Foreign Affairs
Kemal Hasečić, Head, Department for OSCE, CoE and Regional Initiatives
Benjamin Šuvalija, Second Secretary, Department for diplomatic protocol

Central Election Commission

Jovan Kalaba, President
Irena Hadžiabdić, Member
Suad Arnautović, Member
Vanja Bjelica-Prutina, Member
Ahmet Šantić, Member
Željko Bakalar, Member
Goran Mišković, Secretary General

Constitutional Court

Mirsad Čeman, President
Ermina Dumanjić, Head, Constitutional Case Law Department
Erda Začiragić, Head, Office of the Constitutional Court President

Court of Bosnia and Herzegovina

Hilmo Vučinić, President, Appellate Department
Zvezdana Antonović, Judge
Mirsada Džindo, Judge

Communications Regulatory Agency

Amela Odošić, Director of Broadcasting
Azra Maslo, Head, Department for Programs and Complaints
Elma Aladža, Senior Adviser, Analyses and Complaints Department

Agency for Identification Documents, Registers and Data Exchange

Dijana Joldžić, Assistant Director
Darkon Ljuboje, Networks Administrator

Banja Luka City Election Commission

Dubravko Malinić, President

Political Parties (Alphabetical order)

Srđan Mazalica, Alliance of Independent Social Democrats
Jelena Trivić, National Front
Igor Crnadak Party for Democratic Progress
Neven Stanić, United Srpska

Civil Society and Media

Dario Jovanović, Project Coordinator, Coalition *Pod Lupom*
Srđan Ostojić, Project Manager, Perpetuum Mobile,
Milica Pralica, Project Assistant, Oštra Nula,
Damjan Ožegović, Senior Researcher/Legal Associate, Transparency International BiH
Dejan Šajinović, Journalist, *Nezavisne Novine*

International Community

OSCE Mission to Bosnia and Herzegovina, Office of the High Representative
Representatives of embassies of OSCE participating States: Czech Republic, France, Greece, Portugal, United Kingdom, Sweden, Switzerland.³⁴

³⁴ The ODIHR NAM extended an invitation to representations of all OSCE participating States resident in Bosnia and Herzegovina.