

ELECTION CAMPAIGN MONITORING

2022 GENERAL ELECTIONS





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JUNE 2023

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1. INTRODUCTION

Transparency International in BiH (hereinafter: TI BiH) regularly monitors the implementation of laws and financial statements of parties, and monitors election campaigns in order to inform citizens in time about the way the campaigns are financed, the costs of political parties, with special attention to the use of public functions and funds of institutions for the purpose of campaigning, while on the other hand, through advocacy activities and by improving the legal framework, it seeks to ensure more transparent financing of political parties.

In the context of the 2022 General Elections in BiH, the activities of TI BiH were aimed in two directions - monitoring the financing of political parties and monitoring the pattern of behavior of parties, officials, and public institutions in order to identify all forms and examples of misuse of public resources.

Through monitoring the financing of political parties, TI BiH monitored the sources of income as well as the costs of the election campaign so that the monitoring data could be compared with the financial statements presented by political parties. Major discrepancies between the official data from political parties and the observed costs were noted, which clearly indicates the deficiency of the legal framework and the lack of capacity of the institutions that control the financing of parties.

In monitoring the misuse of public resources, TI BiH has identified the most common forms and patterns of behavior of political parties, which are unfortunately not adequately sanctioned in law, but have a significant impact on the equal position of all participants in the election process. Parties and candidates currently in power and in control of public resources have a significant advantage due to the great possibility of using them to purchase electoral support.

The drastic increase in public spending through one-off contributions to various socially vulnerable categories before the elections, intensification of public works, abuse of public functions, equipment and resources of the public sector, threats and pressures on voters and public sector employees remain the dominant forms of abuse that ultimately affect the electoral result and the equal position of all participants in the electoral process.

2. Legal framework

The rules of conduct in the election campaign in Bosnia and Herzegovina are regulated by Chapter 7 of the Election Law, while Chapter 16 sets out the obligations of the media during the election campaign. Also, an important document related to this topic is the bylaw - Rulebook on media representation of political entities in the period from announcement to holding elections.

Financing of political parties in Bosnia and Herzegovina is regulated by Chapter 15 of the Election Law, the Law on Financing of Political Parties and a number of bylaws. When it comes to financing political parties from the budget and partially financing the election campaign, in addition to the provisions of state laws, the provisions of entity laws also apply.

The Election Law in the chapter "Campaign Financing" regulates the obligation to submit financial statements, their content, authorized submitters, then the powers vested in the Central Election Commission (hereinafter: CEC), the obligation of submitting statements on the financial status of candidates, i.e. reports of elected members of government, and determines the maximum amount of funds that a political entity can spend for the financing of the election campaign.

Article 15.10 of the Election Law of Bosnia and Herzegovina prescribes the campaign cost limit. After the CEC announces the number of voters for each electoral district seven days after the conclusion of the Central Voter List, this number serves as the basis for determining the maximum amount of funds a political entity can spend on financing the election campaign.

The maximum amount allowed for election campaign funding is calculated by multiplying the number of voters in all constituencies in which the political entity has a candidate list or candidate with the appropriate value: and 20 pfenings for elections for members of cantonal assemblies, and 30 pfenings for elections for municipality/city mayors and members of municipal councils, members of the National Assembly of Republika Srpska and the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, members of the Parliamentary Assembly of Bosnia and Herzegovina, members of the Presidency of Bosnia and Herzegovina, president and vice-presidents of Republika Srpska.

The Law on Financing of Political Parties regulates the manner and conditions under which political parties and members of political parties acting on their behalf secure funds for work. This Law defines the sources of funding for political

parties and prescribes how these financial resources may be used.

Also listed are prohibited contributions and activities, as well as procedures for financial control of political parties and the obligation to keep business books and submit financial statements. The law also defines the jurisdiction and role of the CEC, as well as sanctions for non-compliance with the prescribed provisions.

In accordance with the Law on Financing of Political Parties, a political party may be financed from:

- membership fee,
- voluntary contributions from legal and natural persons,
- publishing activities, sales of propaganda material and organized party events,
- income from property owned by a political party,
- budget of Bosnia and Herzegovina in accordance with this Law, entity budgets, cantonal budgets and budgets of the Brcko District of BiH, and budgets of other local government and self-government units in accordance with the law (entity regulations) and
- profits from enterprises owned by a political party.

According to the Law on Financing of Political Parties, there are certain prohibitions and restrictions regarding the contributions that can be received. It is forbidden to receive contributions from the state of Bosnia and Herzegovina, entities, cantons, Brcko District of Bosnia and Herzegovina, city and municipal authorities, public institutions, public-run companies, private companies that have concluded public procurement contracts with executive bodies, humanitarian organizations, unnamed/anonymous donors, religious communities, trade unions, associations and other non-profit organizations that receive public funds.

These prohibitions apply both to monetary donations and to donations in the form of non-monetary donations. However, these prohibitions do not apply to the use of business premises given to political parties for free, based on the decision of the competent authority.

An exception to the prohibition on financing of political parties by other states, foreign political parties and foreign legal entities relates to the financing of programs intended for education, with the aim of developing and promoting democratic principles. It is important to note that these programs should not be aimed exclusively at supporting the program objectives of a particular political party.

The Law on Financing of Political Parties also stipulates that political

parties may not generate income from assets not in their ownership, and it is forbidden to receive voluntary contributions in cash or in the form of products through third parties (intermediaries).

Although numerous initiatives and attempts have been made to improve legislation on political party financing, the current regulations still do not provide a solid basis for preventing abuses in political party financing. The insufficient level of transparency and accountability required of political parties allows parties to evade the law and punishment for their actions, thereby gaining an unfair advantage before the public and voters.

In addition, supervision of party funding by the CEC BiH is limited by the legal framework and lack of resources, which leads to untimely detection of violations of laws and abuses, and the punitive measures applied are not severe enough to motivate political parties to comply with the regulations.

The current Law does not clearly address the difference between campaign costs and regular operating costs of political parties during the campaign, which makes it difficult to independently verify the level of campaign costs. Also, the competence of the CEC to audit the costs of political parties has not been clearly defined, nor has the use of single bank accounts for political party transactions been promoted, which are key criteria for establishing effective control over party financing.

In addition, the Law does not stimulate the use of bank accounts for all receipts and payments of political parties, but allows the possibility of using more bank accounts, which opens the possibility of using cash and makes financial control difficult.

The law prescribes the obligation to report on the benefits generated by the activities of entities that are in any way connected with or under the control of a political party. However, it is not clearly defined what exactly are considered related parties and it is not regulated how this provision will be implemented and determined whether all benefits from related parties have been reported.

Although there is an obligation of political parties to publicly publish on their website the origin and manner of spending funds collected during the previous calendar year, the Law does not prescribe the exact form or deadlines for publication. The provisions relating to fines do not correspond to the offenses committed by political parties, given that the financial sanction of up to BAM 10,000 cannot motivate parties to comply with the law, because the possible

gains through breaching these provisions are multiple times greater.

Also, it is important to note that the Law on Financing of Political Parties does not regulate the misuse of public funds and resources in any form, and when it comes to budget spending, new employment in the public sector or similar expenditures that may be associated with the election campaign, laws in Bosnia and Herzegovina do not prescribe special rules or other prohibitions.

By the decision of the High Representative adopting the Law on Amendments to the Election Law of Bosnia and Herzegovina from July 2022, amendments were made that are exclusively of a technical nature and relate to the integrity of the election process. For the first time, technical amendments introduce the definitions of electronic, print and online media, social networks, hate speech and the concept of misuse of public funds and resources.

However, the provisions on preventing misuse of public resources in the decision do not cover key forms of misuse through employment and public spending, nor do they address other relevant issues that are important for monitoring the behaviour of political entities, the independence of the election administration and the objectivity of the election process. These amendments, apart from the criminal provisions, do not improve the essential election process.

For example, the imposed changes treat the issue of trade of seats in the election committees, but they do not touch at all on the issue of the method of electing members of the EC and municipal/city election commissions.

The Election Law of Bosnia and Herzegovina in Chapter 7 regulates the rules of conduct in the election campaign, while Chapter 16 prescribes the obligations of the media during the election campaign. According to these regulations, information on the regular activities of public officials at all levels of government is allowed within the information programs of electronic media, but without specifying their candidacy in the election and party affiliation, except for activities arising from the legally determined scope of the bodies to which they belong.

Although the Election Law also does not contain comprehensive provisions that would adequately prevent and sanction the misuse of public resources and functions for the purpose of the election campaign, it does stipulate that public officials at all levels of government who are also candidates in the elections must not have a privileged position compared to other participants in the election process.

However, as can be seen from the results of monitoring, and the actions of the relevant institutions, precisely because of the generality of the provision and the lack of further provisions that would specify how it is applied, public officials

still have an advantage over other candidates, both through access to the public space and through the possibility of using public resources to finance the campaign and get votes, which is systematically used by most public officials, without consequences and sanctions.

3. Methodology

In the context of election campaign financing, the main objective of monitoring is to create an environment in which abuses will be less widespread or less likely to occur, and to influence the implementation of existing laws, but also to advocate for their improvement through concrete examples, by pointing to different practices that put political actors in an unequal position. Therefore, during the monitoring of election campaigns, TI BiH focuses on:

- Identifying shortcomings in the regulatory framework governing campaign financing, as well as monitoring the application of existing regulations - including practices indicating shortcomings in the legal framework,
- Documenting irregularities, violations of laws and abuses, and alerting competent institutions,
- Promoting transparency. Transparency International in BiH has been monitoring election campaigns for years, focusing on monitoring the costs of the election campaign, i.e. estimating the costs of advertising in electronic and print media, online advertising, external advertising and organization of election rallies; analyzing the financial statements of parties and comparing the reported costs of the election campaign with the findings of the TI BiH monitoring, as well as identifying illicit revenues and monitoring the use of public resources and public functions for the purpose of the election campaign.

This is achieved by a combined approach, which includes both the monitoring of media content and events organized within the election campaign, as well as the analysis of the decisions of institutions and public office holders, the monitoring of public spending, and the behavior of political entities, including candidates and public officials.

Data collection was carried out on the one hand with the help of 74 field observers who monitored various activities and recorded advertising of parties throughout BiH, and on the other hand through the monitoring of media content and social media content by Ti BiH, and a specialized media monitoring agency in charge of monitoring advertising in the media and reports by public broadcasters.

The methodology of election campaign monitoring before the 2022 General Election, in relation to individual monitoring segments, is explained in detail below.

3.1 MONITORING ELECTION CAMPAIGN COSTS

Refers to the assessment of the costs of advertising in electronic and print media, Internet advertising, external advertising and organizing pre-election rallies

3.2 Monitoring of advertising in electronic and print media

Monitoring is based on the measurement of:

- Duration of broadcasting of paid TV ads, guest appearances and broadcasts at agreed times at 20 TV stations (TV N1, RTRS, Hayat TV, TV K3, BN Television, TVSA, RTV TK, FTV, ATV, NOVA BH, Elta TV, RTV USK, RTV Zenica, OBN, BHT1, RTV HIT, O CHANNEL, FACE TV, TV Alpha, AJB)
- Purchase of advertising space in print media (31 printed publications for BiH)
- Estimate the cost of purchased space based on available price lists and market prices.

Monitoring and price assessments of advertising were carried out in cooperation with an agency specializing in media monitoring. The Agency monitored and recorded paid advertising of political parties and their candidates for the 2022 General Elections in electronic and print media during the election campaign for the 2022 General Election in the period from 2 September 2022 to 1 October 2022.

The monitoring included recording media content, including the duration, terms and media in which it was published, as well as an estimate of the price of broadcasting, according to the current price of advertising in the given media, and an indicative estimate of the preparation of individual content, including both electronic and printed media. The price estimate of the preparation (design and production) was made on the basis of the average market values.

The monitoring of advertising on TV stations and print media included 15 political parties:

- Alliance of Independent Social Democrats (orig. SNSD - Savez nezavisnih socijaldemokrata),
- Serbian Democratic Party (orig. SDS - Srpska demokratska stranka),
- Party of Democratic Progress (orig. PDP - Partija Demokratskog progres),
- Democratic People's Union (orig. DNS - Demokratski narodni savez),
- The Socialist Party (orig. SP - Socijalistička partija),

- Democratic Union (orig. DEMOS - Demokratski savez),
- Party of Democratic Action (orig. SDA - Stranka demokratske akcije),
- Democratic Front (orig. DF - Demokratska fronta),
- Social Democratic Party of Bosnia and Herzegovina (orig. SDP BiH - Socijaldemokratska partija Bosne i Hercegovine),
- Our Party (orig. NS - Naša stranka),
- People and Justice (orig. NIP - Narod i pravda),
- Croatian Democratic Union of Bosnia and Herzegovina (orig. HDZ BiH - Hrvatska demokratska zajednica Bosne i Hercegovine),
- Alliance for a Better Future (orig. SBB BiH - Savez za bolju budućnost),
- People's European Alliance (orig. NES - Narodni evropski savez),
- United Srpska (orig. US - Ujedinjena Srpska).

3.3. MONITORING OF INTERNET ADVERTISING

For the first time in Bosnia and Herzegovina, Meta (Facebook) has made it possible to track paid advertising, including Facebook and Instagram, trying to ensure the transparency of political advertisers and to track the ads running on these platforms. Through Facebook's ad library, the display of paid ads on Instagram and Facebook Messenger was monitored, in addition to the Facebook platform itself.

However, due to the lack of adequate data sources, the cost of online advertising could not be fully monitored, although political parties increasingly use this form of advertising, such as YouTube advertisements, banners on online portals and the like. During the monitoring, special attention was paid to the monitoring of the digital and online space in order to determine possible violations of the rules of conduct during the election period.

3.4. MONITORING OF PRE-ELECTION RALLIES

Organized events and election rallies continue to be a core component of election campaigns, regardless of the fact that media advertising, especially online advertising, is becoming increasingly important. Therefore, when calculating the average costs, it was necessary to take into account all the costs of organizing the event, including election rallies, meetings, concerts, events and "socializing with voters".

These costs included the following items:

- Renting a space
- Hiring staff or agencies to organise events

- Renting equipment and props for events
- Costs of transportation and accommodation of staff or participants in the event
- Hiring entertainers and additional content
- Costs of food and beverages

In order to adequately monitor these costs and identify possible violations, it was crucial to record all the details of the events themselves, including information on the organizers, the method of announcement, and the monitoring of individual parameters that allow to estimate the consumption of political parties. This included the size of the rally, the location of the event, the equipment used, food, drink, additional amenities, transportation, and other aspects.

In addition, some segments of the events themselves may indicate potential misuse of public resources in the campaign, as well as other forms of irregularities, including pressure on voters, the purchase of votes and the like. The billboard advertising monitoring covers most political parties as well as monitoring the cost of election rallies.

These two monitoring segments were done in the most densely populated local communities in BiH where TI BiH HAD field observers. For the purposes of monitoring, all advertising areas that fall into one of 4 categories were located and recorded:

- billboard (approx. 500x250cm)
- large billboard/megaboard (approx. 1000x500 cm),
- facade advertising or outdoor LED advertising panels.

The monitoring covered 3550 billboards.

It should be noted that, due to the unavailability of data, TI BiH could not estimate the costs of external advertising on a number of surfaces (such as advertisements at bus stations, streetlights, etc.), so the actual costs of this type of campaign are probably higher than the TI BiH estimate.

3.5. ANALYSIS OF POST-ELECTION AND ANNUAL FINANCIAL REPORTS FROM POLITICAL PARTIES

This includes identification of illicit income, and comparison of the reported costs of the election campaign with the monitoring findings of TI BiH.

Through the monitoring of the advertising costs of parties in the media, on billboards, and on social networks, TI BiH collected data on the market value

of most of the ads that appeared during the election campaign. Also, through field observation of pre-election rallies, TI BiH assessed the market value of the costs of organizing and holding pre-election rallies during the official election campaign period.

Since political parties are obliged to specifically state the costs of propaganda in their post-election financial statements, TI BiH compared the data on the costs of advertising and election rallies from monitoring with the officially reported data of parties.

3.6. MONITORING THE MISUSE OF PUBLIC RESOURCES AND PUBLIC FUNCTIONS FOR THE PURPOSE OF THE ELECTION CAMPAIGN

A specialized agency for media monitoring was also hired to monitor the activities of officials on public broadcasters, while field observers monitored public events organized by public institutions in order to assess the extent to which they were used for the purpose of electoral promotion.

In the period outside the official election campaign, the focus of monitoring was on the activities of officials and institutions, while during the election campaign, announcements of election rallies and political events were collected and monitored. When it comes to monitoring the activities of institutions and officials, field observers focused on the following types of events:

- events organized by public institutions, public institutes, public enterprises and associations, where holders of public functions are present,
- events related to the opening or tour of facilities, public works and promotion of the achievements of the government,
- public events that are organized with the aim of visiting certain groups of citizens, "socializing" with citizens within the framework of public functions, and which potentially have a pre-election promotion as a goal, etc.

Observers monitored whether candidates were present at the events, whether their presence was in the description of their work, whether they were addressing the attendees, whether political messages were being presented, whether party activists were present, etc. Also, observers of TI BiH on the field recorded all types of misuse of public resources and violations of the Election Law, and these instances were monitored and analyzed through the following categories:

- Distribution of special incentives, subsidies and money to individual population categories (Point 9.1 of the report)
- Intensification of public works in the election period (9.2.)

- Provision of special benefits, "free" check-ups, medicines, discounts on fees and bills, etc. for the promotion of the individual (9.3)
- Use of increased employment in order to gain electoral support in public enterprises and institutions (9.4)
- distribution of gifts, packages or money to voters by party activists or officials (9.5)
- Premature Campaigning (9.6)
- Paid advertising of local institutions and public enterprises promoting individual candidates or officials (9.7)
- Other examples of misuse of public resources in the campaign (9.8)

Transparency International in Bosnia and Herzegovina has hired 74 observers who were involved in monitoring activities three months before the 2022 General Elections.

4. FINANCING OF POLITICAL PARTIES AND ELECTION CAMPAIGN COSTS

As part of the monitoring of the financing of political parties, Transparency International in BiH monitored the revenues and expenditures of parties in the election year with special

attention to the cost of the election campaign in order to verify the veracity of data provided by political parties in their reports.

By monitoring the advertising of parties in the media, on billboards and social networks, data on the market value of most of the advertisements recorded in the election campaign were obtained. In addition, through field observation of the pre-election rallies by observers, TI BiH made an assessment of the market value of the costs of organizing and holding the party forums during the 30-day official election campaign.

Considering that political parties are obliged to specifically present the propaganda costs in their post-election

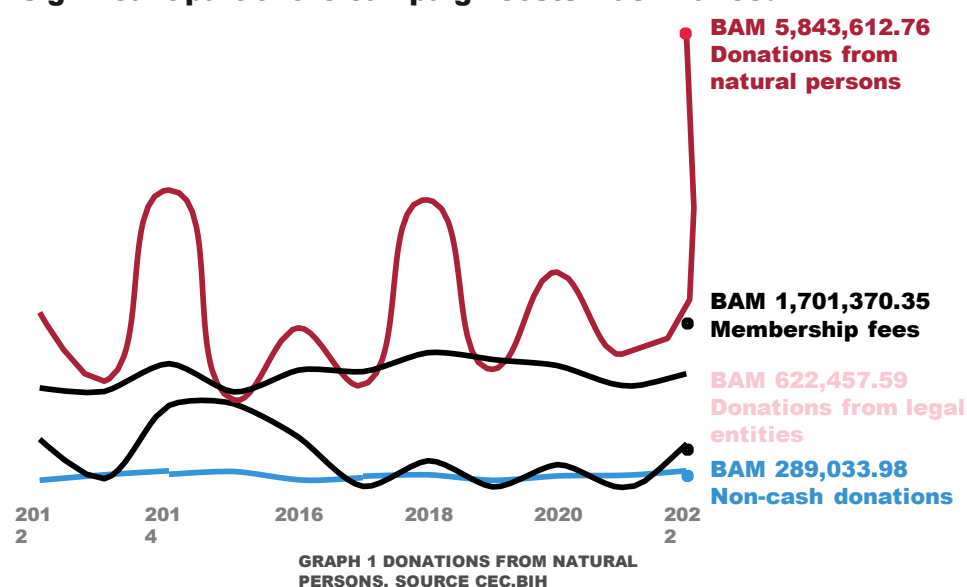
(1) INCOME	2020	2021	2022
Membership fee,	BAM 1,805,651.30	BAM 1,552,197.45	BAM 1,701,370.36
Donations from natural persons	BAM 2,811,977.97	BAM 1,773,834.18	BAM 5,843,612.76
Donations from legal entities	BAM 357,161.82	BAM 68,750.00	BAM 622,457.59
Income from the assets of political parties	BAM 462,383.65	BAM 531,032.58	BAM 639,303.41
Profit from legal entities owned by the parties	- BAM	- BAM	- BAM
Income from gifts and services that the party was not obliged to pay	BAM 224,350.27	BAM 232,020.86	BAM 289,033.98
Income from the budget	BAM 15,550,506.55	BAM 18,929,473.18	BAM 19,481,493.94
Income from publishing, sale of propaganda materials and organizing Party events	- BAM	- BAM	- BAM
Other income	BAM 355,666.81	BAM 519,554.49	BAM 992,498.81
Total income	BAM 21,567,698.37	BAM 23,606,862.74	BAM 29,569,770.85
(2) Debts of political parties as on 31 December 2020	BAM 9,140,535.18	BAM 7,223,930.13	BAM 9,930,363.70

TABLE 1 INFORMATION ON SUBMITTED ANNUAL FINANCIAL STATEMENTS SOURCE CEC.BIH

financial reports, TI BiH compared the data from the monitoring of advertising costs and election rallies with the data officially reported by the parties, and huge deviations were recorded.

The obtained data showed that the parties concealed a large part of the election campaign costs by reporting the total campaign costs, which are far lower than the market value of only three forms of advertising and pre-election rallies monitored by TI BiH. The difference is certainly even greater given that TI BiH did not monitor all forms of advertising, but the obtained data clearly show the key shortcomings of the legal framework and the system of supervision over the financing of parties in BiH.

Given that the expenditures of political parties are presented in a much smaller amount than the real ones, the revenues stated by the parties in their reports are also significantly underestimated and are mostly reduced to revenues from the budget and donations from notable members. In other words, the parties only report costs for which payment they have legal coverage, while it remains unknown from which sources a significant part of the campaign costs was financed.



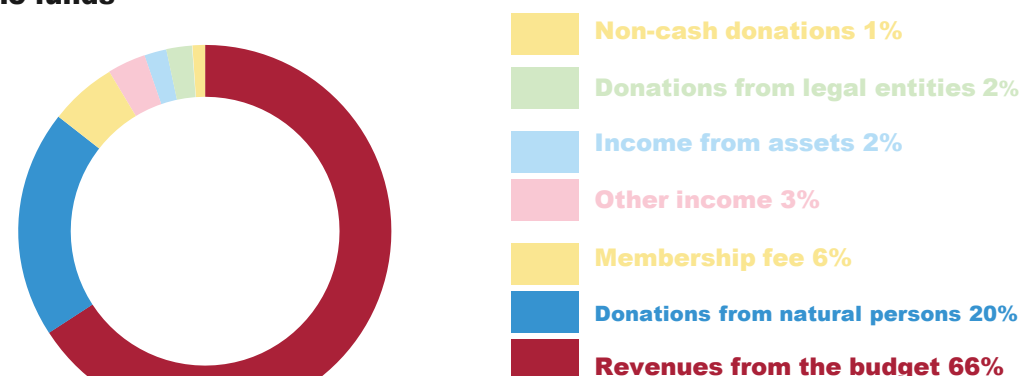
4.1. FINANCING OF THE PARTIES ACCORDING TO THE POST-ELECTION AND ANNUAL FINANCIAL STATEMENTS

According to the BiH Central Election Commission¹, 120 political parties submitted an annual financial statements, accounting for 61.54% of the total of 195 political parties on the CEC's records. The statements were not submitted by 75 parties, some of which incurred significant costs during the original campaign. Of the parties that did not submit a statement, 26 did not submit their statement for 2021 either, and auditors from the audit services were denied access to their premises in order to audit their financial operations.

According to the financial statements, political parties had BAM 29.5 million in revenue in 2022, most of which was paid out of the budget - 19.4 million.

The Law on Financing of Political Parties stipulates that political parties can be financed from the budget of Bosnia and Herzegovina, entity budgets, cantonal budgets and the budget of the Brcko District of Bosnia and Herzegovina, and the budget of other local government and self-government units.

When it comes to funding the political parties from the budget, the funds



¹ [INFORMATION ON SUBMITTED ANNUAL FINANCIAL STATEMENTS OF POLITICAL PARTIES FOR 2022 WITH SOURCES OF FINANCING.](#)

are distributed in such a way that 30% of the funds are distributed equally to all political parties, 60% of the funds are distributed according to the number of parliamentary or delegate mandates and 10% of the total amount is distributed to parliamentary groups in proportion to the number of parliamentary or delegate seats belonging to the less represented sex.

In Republika Srpska, budget funds are distributed to political parties or coalitions in such a way that 20% of the funds are distributed in equal amounts to parties that have representatives and councillors, and 80% of the funds are distributed in proportion to the number of seats won. The Federation of Bosnia and Herzegovina has not adopted a special law on financing political parties from the budget, so it allocates funds for financing political parties and other political entities in accordance with the Law on Implementation of the Budget of the Federation of Bosnia and Herzegovina, which it adopts every year.

According to the Law on Budget Implementations of FBiH for 2022², funds intended for the financing of political entities from the budget of FBiH are allocated in such a way that 40% of the envisaged amount belongs to political entities, which are represented in Parliament, in equal amounts, and 60% according to the number of deputies in the Houses of Parliament, on the day of granting seats.

It is important to note that in practice the lower levels of government in the Federation of BiH generally follow the distribution criteria prescribed by law at the state level. Also in the past period, some local communities abolished the financing of parties from the budget³ and a similar initiative was launched in the Sarajevo Canton.

The Law on Financing of Political Parties from the Budget of the Brcko District of BiH stipulates that the funds from the budget are allocated to:

- The election campaign of the political parties participating in the elections for the Brcko District Assembly;
- Day-to-day work of political parties represented in the Assembly of the Brcko District of BiH.

Funds for the election campaign of political parties are provided in the year in which:

- Regular elections for the Brcko District Assembly are held in the amount of 0.03% of revenues in the Brcko District budget or BAM 60,000 whichever amount is lower.

Funds for the regular operation of political parties are allocated on an annual basis of 0.1% of revenues in the budget of the Brcko District of BiH or BAM 200,000, whichever amount is lower. Funds allocated for the day-to-day work of political parties and their caucuses in the Brcko District Assembly shall be allocated in such a way that:

- 30% of the funds are distributed in equal amounts to all caucuses represented in the Brcko District Assembly,
- 70% of the total amount is distributed in proportion to the number of seats held by each political party in the Brcko District Assembly at the time of distribution.

Revenues generated by the parties from the budget (BAM 19.4 million) have increased compared to 2021, when 18.8 million were paid to the parties, and 2020, when the parties received 15.4 million. This increase was mostly influenced by the fact that the funds paid to parties from the FBiH budget, as well as municipalities and cities, returned to the level before the COVID-19 pandemic.

On the other hand, the contributions of legal entities are negligible and account for only 2.1% of the total income of the parties and are far less than the amounts reported by the parties, e.g. 2014. Significant growth in contributions from natural persons is evident, and there have been cases where the owners of companies associated with the state, which are not legally allowed to finance political parties, made donations as natural persons.

Still, the law only prohibits legal entities from donating parties, which does not prevent the owners of those legal entities from appearing as donors.

Therefore, it should also be noted that in the reports for 2022, a trend of significant growth in donations of natural persons was observed, and many of the donors are owners of private companies that do business with the state. Thus, Milan Šuvak, donated BAM 19,990 to the People's Party of Srpska, whose president is the MP Darko Banjac. Šuvak is the owner of the company "Šumil" d.o.o., which received more than BAM 18 million of the value of the public procurement contract for various works on the Hospital "Mlječanica", whose director is Darko Banjac.

Also, the NPS, which is participating in the elections for the first time on its own, did not submit a post-election financial statement, although it spent significant funds in the campaign. In the submitted annual report, this party only stated revenues from the budget and donations from natural persons, and the reported campaign costs are two times lower than those recorded by TI BiH (Point 6 of the Report).

In addition to the dazzling growth of contributions from individuals, TI BiH has, thanks to the data from

² [LAW ON THE IMPLEMENTATION OF THE BUDGET OF THE FEDERATION OF BOSNIA AND HERZEGOVINA FOR 2022.A](#)

³ [Kalesija municipality abolished financing of political parties](#)

TYPE OF COSTS	AMOUNT	Structure
Costs of printing and putting up posters	BAM 2,814,066.18	25%
Costs of advertising in print and electronic media	BAM 3,868,464.19	34%
Costs of Internet Advertising	BAM 933,572.39	8%
Costs of organizing and holding pre-election rallies	BAM 1,154,326.10	10%
Costs of printing, duplicating, and sending preview materials to constituents	BAM 874,289.86	8%
Other propaganda costs	BAM 1,693,679.19	15%
TOTAL	BAM 11,338,397.91	100

TABLE 2 CAMPAIGN COSTS 2022, SOURCE:
CEC BiH

registers of public officials, companies, and institutions, identified over 800 persons who perform a public function in the bodies of the executive or legislative authority or are members of the administrations of public companies and institutions who have donated funds to the parties, and these contributions make up 40% of the total number of donations received by the parties from natural persons.

According to the DNS report, Nenad Nesic, DNS president and current minister in the BiH Council of Ministers, donated over BAM 32,000 to his own party, which is above the BAM 15,000 allowed by the Law on Financing of Political Parties. In addition to him, the unauthorized amount was donated by Adna Bešić, who donated a total of BAM 15,225 to the For New Generations party, followed by Aleksandar Stevanović, who donated BAM 17,900 to the Successful Srpska Movement party (orig. Pokret uspješna Srpska).

4.2 FINANCING FROM ILLICIT SOURCES

In the annual financial statements, political parties reported BAM 622,457 of revenue from legal entities, including those that did business with

public sector, which is why TI BiH sent a total of 19 reports to the CEC.

According to the Law on Financing Political Parties in BiH⁴, financing is prohibited to: state administration bodies of Bosnia and Herzegovina, entities, cantons, the Brcko District of Bosnia and Herzegovina, and city and municipal authorities. Also, the financing of political parties is prohibited for private companies that have concluded a public procurement contract with the executive authorities at all levels if the value of the contract in one calendar year exceeds the amount of BAM 10,000.00.

Since in the previous years, a large part of political party contributions came from prohibited sources, that is, from private companies that did business with the executive authorities, TI BiH reported to the CEC the donations that the parties had to return to donors or were punished for.

Also, the media, through their reports, indicated that party financiers receive a number of return favors, so for these and other reasons, a large number of

parties stopped reporting these donations at all. It is precisely the concealment of these proceeds that, according to TI BiH's assessment, makes the biggest difference between the amounts that the parties declare and with which they actually dispose.

Thus, SNSD, which according to TI BiH spent over 2 million BAM on the campaign, did not show a single convertible mark of donations from private companies in the reports. Also, the United Srpska and Socialist Party did not report a single convertible mark from these types of donations. HDZ BiH presented only BAM 6,000 of donations from private companies, and among the donors of this party is Posavina Water Management, which received contracts worth over BAM 84,000 from the municipality of Odžak and the Ministry of Agriculture of the Posavina Canton, where HDZ BiH is in power.

Most of the banned contributions were received by the Social Democratic Party of BiH (SDP BiH), which reported about BAM 83,000 of donations from private companies in the post-election report for the last general elections, and among the donors were 14 private companies that concluded deals with the state. This is prohibited by the Law on Financing of Political Parties, and it is interesting that most of the prohibited donors have dealt with bodies in which the SDP forms part of the government.

The Party of Democratic Action (SDA) presented individually the most donations of private companies – BAM 137,800, and among the donors of this party there are six companies that did business with the executive authorities. However, what has set SDP and SDA apart from others for years is that these parties report donations from private companies and together report more than a third of the total reported donations from legal entities.

People and Justice (NIP) has several smaller donations reported in the report, and the controversial one is Conram, which has concluded several public procurement contracts with local communities over the past year.

A special problem is the case of the Technical Overhaul Bratunac (orig. Tehnički remont Bratunac), which financed the Republican Party of Srpska with BAM 12,000, whose president, Slaven Ristić, is also the director of this company and won a mandate in the National Assembly of RS. This donation is controversial on two grounds because Republika Srpska still has a significant minority share in the ownership of the Technical Overhaul Bratunac, which states on its website that RS "thus provides support when concluding commercial contracts". In addition, it is also controversial that the Technical Overhaul Bratunac has been receiving valuable jobs from the MoIA of RS for years, and only last year it received a contract of BAM 49,000 and was not allowed to be among the party donors.

Unfortunately, the law prohibits parties from accepting donations only from those companies that have dealt with the executive authorities, while numerous party

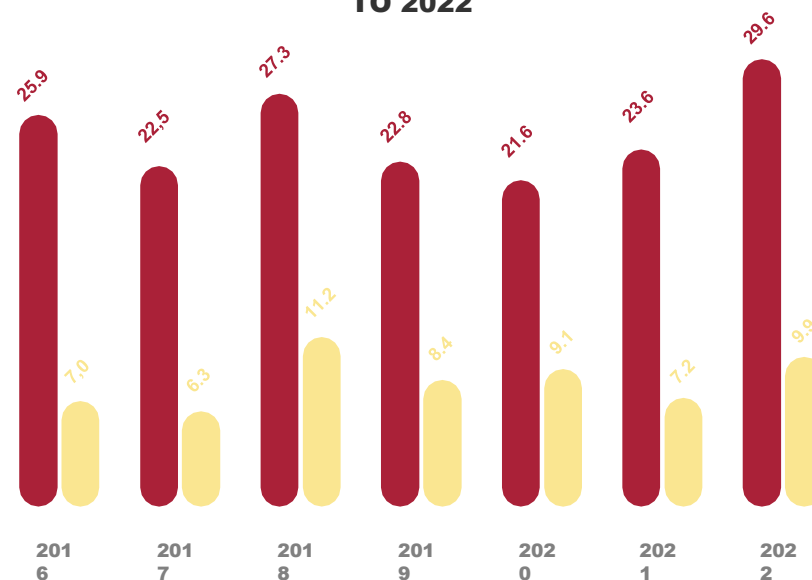
donors have also dealt with public institutions and public companies where political parties have control over all decision-making processes.

The case that best illustrates the deficiency of the law in this segment is the donation of the company HEEZ TRANSPORT from Tuzla to the Party of Democratic Action of BAM 50,000, because this company in the same year received several contracts worth millions from the public company Kreka Mine Tuzla, but these donations are legal since party donors are only prohibited from doing business with the executive authorities.

4.3. DEBTS OF POLITICAL PARTIES

Political parties in BiH are obliged by the Law to state in a special form the obligations under loans and borrowings, as well as other obligations that they have to the

REVENUES AND DEBTS OF POLITICAL PARTIES FROM 2016 TO 2022



GRAPH 3 REVENUES AND DEBTS OF POLITICAL PARTIES SOURCE CEC.BIH

suppliers. From these forms, it is evident that the parties have been showing liabilities to certain companies that do not settle for years. These debts are written off for a certain period of time and this is one of the ways in which the parties are financed by private companies by circumventing the legal prohibitions.

In the election year 2022, the parties expressed liabilities in the amount of BAM 9.9 million, and this amount is by BAM 2.7 million higher than in 2021. Also, a number of parties have been expressing obligations to certain companies for a long period of time that they do not settle.

The Socialist Party has been presenting debt to the firm "6 November" from Zvornik since 2014, amounting to around BAM 80,000. The company is owned by the family of a former MP in the Parliamentary Assembly of BiH, Jakov Galić, who was also mentioned in earlier media reports as the director of this company. It is a company that has been doing business with the state for years and cannot legally donate to a political party.

The Independent Block still owes BAM 50,000 to the company Divel d.o.o. from Sarajevo for the loan, and the report states that the debt should have been repaid in 2019. The company is engaged in design and road construction, and previously operated with the municipalities of Ilidža and Centar Sarajevo, and also received contracts worth millions from the FBiH Roads and the FBiH Highways.

The Democratic Front owes Ascanius Media BAM 129,000 out of a total of BAM 694,458 of outstanding liabilities that have been dragging since 2018. NiP and DF each own the company SAMAS d.o.o. from Sarajevo BAM 31,000, and SDA owes BAM 17,000. The firm, to which the three parties owe about BAM 80,000, won tenders worth BAM 1.6 million from contracting authorities based in the Sarajevo Canton.

DNS has significant debts of about half a million BAM, where BAM 48,000 is owed to Aragosta Invest, which did not deal with executive authorities in the election year, but did deal with public institutions and companies. From UKC RS alone it received a tender worth BAM 47 million, and through exemptions, it also got a job from PE Putevi RS worth BAM 90,000.

In addition to private suppliers, the parties have debts to public enterprises, institutions, local self-government units and other public bodies in the amount of almost BAM 517,000, and it is especially interesting that the parties owe BAM 533,000 in the name of outstanding taxes and contributions for personal income, although they received over BAM 19 million from the budget in the last year.

4.4. REPORTED ELECTION CAMPAIGN COSTS

Political parties that submitted a post-election financial report to the BiH Central Election Commission reported electoral campaign costs of BAM 11,338,397.91. In addition, independent candidates reported in their financial statements the cost of the election campaign in the amount of BAM 1,902.80.

According to the CEC forms, the parties separately report the costs of printing and putting up posters, the costs of printing, copying and sending pre-election mailing to voters, the costs of advertising in print and electronic media, the costs of Internet advertising, the costs of advertising pre-election rallies and other propaganda costs.

The amount reported by the parties for the 2022 General Election is the highest since the

Election	REPORTED ELECTION CAMPAIGN COSTS
The 2006 General Election	8,236,564.58
Local Elections 2008	8,156,606.92
The 2010 General Election	10,423,425.31
Local Elections 2012	6,994,309.42
The 2014 General Election	8,632,256.37
Local Elections 2016	7,004,404.78
The 2018 General Election	9,577,347.57
Local Elections 2020	5,522,686.13
2022 General Elections	11,338,397.91

TABLE 3 CAMPAIGN COSTS 2006 2022 SOURCE CEC.BIH

the reports in this form are submitted to the Central Election Commission, but they are still significant compared to the data collected by TI BiH through the monitoring of only three forms of advertising and election rallies.

Also, it is evident that the reported amount of costs is about BAM 900,000 lower than the costs reported in 2010, despite the significant increase in advertising prices and organization of party forums, and the introduction of new forms of advertising.

5. MONITORING OF ADVERTISING AND ELECTION CAMPAIGN COSTS

During the 2022 General Election campaign, political parties spent, according to Transparency International in BiH (TI BiH), a minimum of BAM 11.59 million on election rallies, billboard advertising, media and Facebook.

The amount determined by TI BiH through monitoring is about BAM 260,000 higher than the amount reported by the cumulative political parties in their reports as the total cost of the campaign, but these amounts are not comparable given that TI BiH's policies include only three forms of advertising and monitoring of election rallies, as well as that TI BiH monitored only the largest political parties.

If we look at individual data, it is evident that a number of political parties covered up significant campaign costs (point 6 of the report).

5.1. MONITORING OF EXTERNAL ADVERTISING

TI BiH collected data on the advertising of parties on the billboards through field monitoring throughout Bosnia and Herzegovina. The observers of TI BiH in the field recorded all advertising billboards and entered the data into a single system. Around 3,550 billboard advertisements were recorded across BiH, which TIBiH published on an online map⁵ with the exact locations where they were filmed and the parties that were promoted in this way. The assessment of the value of this type of advertising was made on the basis of market prices and publicly published price lists of leading advertisers for each of the cities.

Based on this, TI BiH estimated that 51% of the total cost of the campaign or 5.9 million was spent on external advertising on billboards. This amount does not include the value of other forms of external advertising (at bus stations, streetlights, etc.) because this amount is difficult to estimate since the leading advertisers do not publicly disclose the method of calculating the price of this type of advertising.

It should also be noted that the cost of external advertising is calculated on the basis of publicly available prices of commercial advertising on billboards,

⁵ [Tracking map – Transparentno.ba](#)

PARTY	ESTIMATED VALUE
SDA	BAM 1,002,450.00
SNSD	BAM 786,050.00
SDP	BAM 439,450.00
SBIH	BAM 388,500.00
NIP	BAM 368,850.00
DF	BAM 300,850.00
SBB	BAM 260,800.00
SDS	BAM 247,500.00
HDZ BIH	BAM 243,550.00
PDP	BAM 239,500.00
DNS	BAM 213,800.00
NES BIH	BAM 197,850.00
NPS	BAM 186,650.00
US	BAM 180,300.00
OUR PARTY	BAM 179,100.00
SP	BAM 133,850.00
HDZ 1990	BAM 127,600.00
SPS	BAM 122,300.00

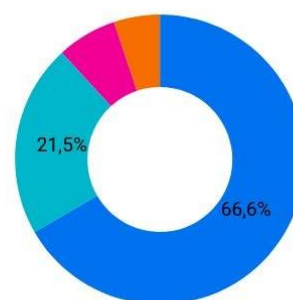
TABLE 5 VALUE OF PLACED BILLBOARDS IN THE CAMPAIGN BASED ON TI-BIH MONITORING

PARTY	BILLBOARDS	RALLIES	MEDIA	NETWORKS	TOTAL
SNSD	BAM 786,050.00	BAM 854,958.00	BAM 323,340.28	BAM 79,438.00	BAM 2,043,786.28
SDA	BAM 1,002,450.00	BAM 375,485.80	BAM 343,343.62	BAM 21,408.00	BAM 1,742,687.42
PDP	BAM 239,500.00	BAM 156,033.50	BAM 465,118.86	BAM 82,474.00	BAM 943,126.36
SDP	BAM 439,450.00	BAM 125,002.90	BAM 239,935.37	BAM 36,259.00	BAM 840,647.27
US	BAM 180,300.00	BAM 152,732.30	BAM 277,929.34	BAM 36,004.00	BAM 646,965.64
SDS	BAM 247,500.00	BAM 183,972.00	BAM 156,839.22	BAM 11,718.00	BAM 600,029.22
NIP	BAM 368,850.00	BAM 71,297.00	BAM 103,944.00	BAM 15,242.00	BAM 559,333.00
DNS	BAM 213,800.00	BAM 21,996.00	BAM 216,919.16	BAM 33,155.00	BAM 485,870.16
HDZ BIH	BAM 243,550.00	BAM 166,727.00	BAM 11,340.00	BAM 16,611.00	BAM 438,228.00
SBIH	BAM 388,500.00	BAM 34,689.00		BAM 11,090.00	BAM 434,279.00
SBB	BAM 260,800.00	BAM 51,068.00	BAM 66,309.34	BAM 10,051.00	BAM 388,228.34
DF	BAM 300,850.00	BAM 20,280.00	BAM 56,181.52	BAM 5,594.00	BAM 382,905.52
OUR PARTY	BAM 179,100.00	BAM 14,190.50	BAM 137,890.39	BAM 32,175.00	BAM 363,355.89
NES BIH	BAM 197,850.00	BAM 65,545.00	BAM 68,860.24	BAM 15,347.00	BAM 347,602.24
SP	BAM 133,850.00	BAM 116,014.00	BAM 47,854.84	BAM 8,784.00	BAM 306,502.84
Other	BAM 792,950.00	BAM 189,652.20	BAM 11,610.00	BAM 75,732.00	BAM 1,069,944.20
TOTAL	BAM 5,975,350.00	BAM 2,599,643.20	BAM 2,527,416.18	BAM 491,082.00	BAM 11,593,491.38

TABLE 4 COSTS OF PROMOTION AND ADVERTISING 2022 TIBIH MONITORING

Number of recorded advertising areas

3.550

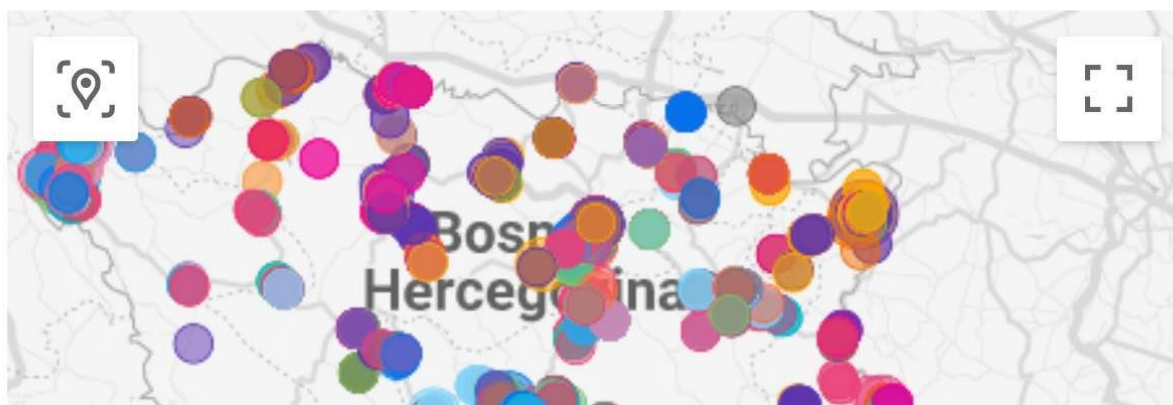


Types of advertising areas

- Billboard 500 x 250 cm
- External LED display
- Megaboard 1000 x 500 cm
- Wallscape

Municipality

Political entity



PEOPLE AND JUSTICE	202
SDS – SERBIAN DEMOCRATIC PARTY	178
DEMOCRATIC FRONT – DF	172
PARTY FOR BOSNIA AND HERZEGOVINA – SBIH	171
HDZ BIH – CROATIAN DEMOCRATIC UNION	168
ALLIANCE FOR A BETTER FUTURE BIH	160
DNS – DEMOCRATIC PEOPLE'S UNION	143
PDP – PARTY OF DEMOCRATIC PROGRESS	141
NES BIH – PEOPLE'S EUROPEAN ALLIANCE BIH	135

FIGURE 2 Interactive map of posted advertising billboards available at transparent.ba/monitoring-izbori-2022

although some advertisers point out that political marketing pays an additional 20%.

SDA, SNSD, SDP and NIP spent the largest amounts on this form of advertising. Since political parties do not specifically report the costs of this type of advertising through the CEC forms, it is not possible to make an exact comparison and determine the accuracy of the data reported by the parties.

However, it is evident that most parties report this type of costs under the items "costs of printing and putting up posters", "costs of printing, multiplying and sending election materials to voters", and in some cases parties report the largest amounts of campaign costs under the item "other propaganda costs".

Still, if the amounts that were cumulatively reported under these three items (excluding the costs of advertising on the Internet, in the media and pre-election rallies) are calculated, the parties reported BAM 5.38 million, which is about BAM 600,000 less than TI BiH determined only for advertising on billboards. This data clearly shows that the parties do not realistically report the amounts of this type of advertising, because under these three items, in addition to the billboards, they should also indicate the numerous other costs of the election campaign (printing posters, T-shirts, ...) that cannot be estimated.

5.2. MONITORING OF ADVERTISING IN THE MEDIA

The assessment of the advertising costs of parties in print and electronic media was made by TI BiH in cooperation with the media monitoring agency hired for the purpose of monitoring advertising. The assessment was made on the basis of following advertisements of the 15 largest political parties and media content on the 20 most important TV stations and eight daily and weekly newspapers.

Media advertising monitoring is based on monitoring:

- Duration of broadcasting of paid TV ads, guest appearances and broadcasts at agreed times at 20 TV stations (TV N1, RTRS, Hayat TV, TV K3, BN Television, TVSA, RTV TK, FTV, ATV, NOVA BH, Elta TV, RTV USK, RTV Zenica, OBN, BHT1, RTV HIT, O CHANNEL, FACE TV, TV Alpha, AJB)
- Print media – 31 printed publications were followed for the area of BiH and an estimate of advertising costs was made based on the area of the purchased space. As in previous years, parties based in Republika Srpska spent larger amounts on this type of advertising.

Thus, the greatest value recorded was advertising on the public broadcasting

Media	NUMBER OF PUBLICATIONS	AREA (CM2)	AVE (BAM)
Derventski list	21	26290.89	BAM 6,890.00
Glas Srpske	18	11340.47	17,260.19 KM
Euro Blic	18	8161.83	BAM 12,415.00
Nezavisne novine	14	1727.73	BAM 6,552.00
Kozarski vjesnik	8	3165.68	BAM 5,160.00
Oslobođenje	6	6880.42	BAM 8,004.00
Dnevni avaz	5	4082.13	BAM 9,280.00
Večernji list	5	4527.76	BAM 6,990.00
Blic Žena	1	413.27	BAM 1,000.00
Gracija	1	574.84	BAM 1,400.00
TOTAL	97	67165.02	BAM 74,951.19

TABLE 7 COSTS OF ADVERTISING PRINTING

service Radiotelevision of Republika Srpska (RTRS) as well as on BN Television. A similar trend was observed in print media, where significantly more advertisements were shown by RS media.

The monitoring monitored the advertising of the 15 largest political parties, which according to the media monitoring agencies spent BAM 2.57 million on advertising in the media, and the largest amounts were spent by the PDP, SDA, SNSD and United Srpska.

In the reports submitted to the CEC, political parties reported cumulatively

PARTIES	POST	AVE (BAM)	VALUE OF PRODUCTION	TOTAL
SDA	1197	BAM 300,343.62	BAM 43,000.00	BAM 343,343.62
SDP	699	BAM 225,185.37	BAM 14,750.00	BAM 239,935.37
SNSD	519	BAM 274,340.28	BAM 49,000.00	BAM 323,340.28
PDP	412	BAM 436,768.86	BAM 28,350.00	BAM 465,118.86
DNS	341	BAM 188,619.16	BAM 28,300.00	BAM 216,919.16
NS	268	BAM 129,540.39	BAM 8,350.00	BAM 137,890.39
SBB	241	BAM 64,809.34	BAM 1,500.00	BAM 66,309.34
US	223	BAM 258,629.34	BAM 19,300.00	BAM 277,929.34
SDS	182	BAM 142,339.22	BAM 14,500.00	BAM 156,839.22
SP	179	BAM 39,354.84	BAM 8,500.00	BAM 47,854.84
NES	165	BAM 59,610.24	BAM 9,250.00	BAM 68,860.24
NIP	11	BAM 88,944.00	BAM 15,000.00	BAM 103,944.00
DEMOS	7	BAM 7,610.00	BAM 4,000.00	BAM 11,610.00
HDZ	5	BAM 6,990.00	BAM 4,350.00	BAM 11,340.00
DF	2	BAM 54,006.62	BAM 2,175.00	BAM 56,181.62
TOTAL	4451	BAM 2,277,091.27	BAM 250,325.00	BAM 2,527,416.27

TABLE 8 TOTAL VALUE OF THE CAMPAIGN

Media	POST	DURATION	AVE (BAM)
TV N1	641	4:40:30	BAM 80,784.00
RTRS	608	7:34:51	BAM 537,552.37
Hayat TV	589	4:47:40	BAM 113,632.81
TV K3	473	7:02:42	BAM 166,224.65
BN Television	318	4:23:10	BAM 464,185.18
TVSA	224	2:40:26	BAM 63,132.75
RTV TK	220	1:24:30	BAM 26,129.97
FTV	220	1:19:05	BAM 118,269.13
ATV	185	2:53:32	BAM 86,946.54
NOVA BH	165	0:54:20	BAM 50,065.58
Elta TV	139	5:13:43	BAM 22,938.78
RTV USK	134	1:11:26	BAM 18,056.81
RTV Zenica	132	1:17:55	BAM 5,551.78
OBN	113	30-45	BAM 16,120.90
BHT1	84	0:27:35	BAM 38,170.75
RTV HIT	61	0:45:55	BAM 19,417.29
O KANAL	24	0:06:20	BAM 4,300.79
FACE TV	22	7:40:15	BAM 370,500.00
TV Alfa	2	00:40	BAM 160.00
TOTAL	4354	54:55:20	BAM 2,202,140.08

TABLE 6 COSTS OF ADVERTISING ON TV

POLITICAL PARTIES	NUMBER OF PUBLICATIONS	DURATION (HH:MM:SS)
BHRT	26	1:00:34
DEMOS	1	0:02:56
SDA	9	0:28:23
SNSD	16	0:29:15
FTV	80	3:39:55
DF	3	0:06:08
HDZ	3	0:17:59
List for Justice and Order	1	0:06:06
NDP	2	0:05:35
NIP	2	0:04:53
NS	3	0:11:36
PDP	1	0:02:24
SBB	1	0:01:09
SDA	29	1:05:56
SDP	1	0:04:39
SNSD	30	1:24:16
US	1	0:02:23
RTRS	298	21:36:23
DEMOS	2	0:04:04
NDP	3	0:07:16
PDP	1	0:04:45
SDA	2	0:03:26
SNSD	288	21:08:51
US	2	0:08:01
TOTAL	404	26:16:52

TABLE 14 TV APPEARANCES, PARTIES

BAM 3.86 million in advertising costs in the media, but since TI BiH did not have the resources to monitor media advertising of all political parties, as well as to monitor all television and print media, these two amounts cannot be cumulatively compared.

However, if viewed individually, significant deviations can be observed. The PDP reported a total of BAM 338,155 in advertising costs in the media, while the media monitoring agency hired by TI BiH estimated that this party spent BAM 436,768. Also, United Srpska reported about BAM 40,000 less advertising costs in the media compared to the amount that is determined by monitoring.

5.3. MONITORING OF INTERNET ADVERTISING

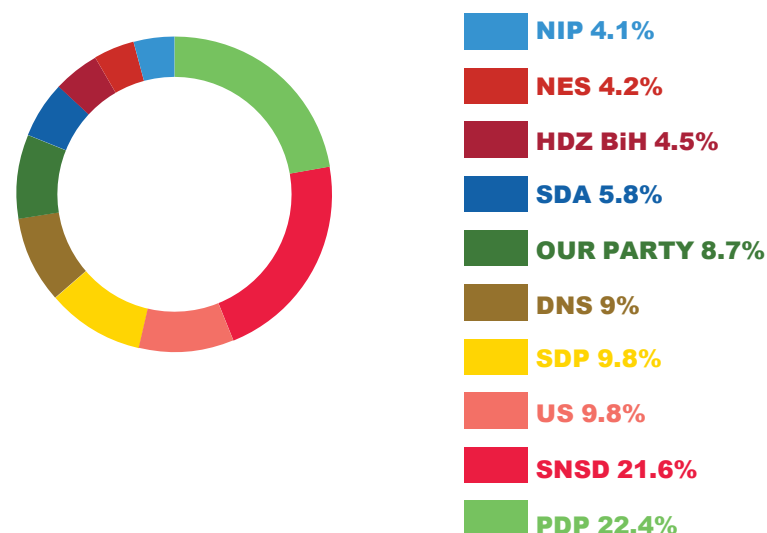
Rulebook on Amendments to the Rulebook on Annual Financial Statements of Political Parties and Rulebook on Amendments to the Rulebook on Pre-election and Post-election Financial Statements of Independent Candidates published in the Official Gazette of BiH no: 5/22 of 04. 02. In 2022, the content of cost form 4.2 (propaganda costs) was amended in such a way that the costs of advertising in printed and electronic media were separated from the costs of advertising via the Internet.

Explanations of the specified types of costs are also provided in the Rulebooks. Thus, when it comes to the costs of Internet advertising, political parties and independent candidates should enter the costs of advertising in this section through the internet portal, social networks (Facebook, YouTube, Instagram, Twitter, etc.), Viber, etc.

Cumulatively, political parties have shown up in post-election reports BAM 933,572 in advertising costs on the Internet. It is not possible to verify whether this information is true, given that significant amounts were spent on Google ads, which also include advertising on YouTube, but due to the unavailability of the information, this amount could not be estimated.

Meta made available the data from the Ads Library, so for the first time it was possible to do an assessment of advertising of political parties on social networks.

The data that Meta made available included only information about the entities that paid for the ads, and since advertising was paid from both party and candidate profiles, TI BiH calculated these data cumulatively to the parties that had to present them through reports. It is



GRAPH 4 CAMPAIGN COSTS ON FACEBOOK

done in such a way that the amounts paid from the special account of the candidate are added to the amount spent by their party. According to the data aggregated by TI BiH, the parties spent BAM 491,082 on Meta's Facebook and Instagram ads alone.

This amount is expected to be lower than the amount reported by the parties (BAM 933,572), bearing in mind that they do not include Google data, and it should also be pointed out that campaign management by third parties was observed, i.e. that some accounts and pages on Facebook and Instagram paid for promoting a number of candidates, but it was not possible to make a relevant estimate of the amount spent on the campaign by third parties.

The largest amounts for this type of advertising were spent by PDP and SNSD. However, in the case of the PDP, it is noticeable that the party reported only BAM 48,000 of the costs of Internet advertising, although the data from the Meta Ads Library shows that over BAM 82,000 were spent from the party's and candidates' accounts.

Also, United Srpska did not show a single Mark of Internet advertising costs, and according to publicly available data, it spent over BAM 36,000

PARTY	NUMBER OF EVENTS	AMOUNT
SNSD	89	BAM 854,958.00
SDA	125	BAM 375,485.80
SDS	45	BAM 183,972.00
HDZ BIH	31	BAM 166,727.00
PDP	37	BAM 156,033.50
UNITED SRPSKA	38	BAM 152,732.30
SDP	48	BAM 125,002.90
SOCIALIST PARTY	17	BAM 116,014.00
NIP	22	BAM 71,297.00
NES BIH	28	BAM 65,545.00
DEMOS	18	BAM 56,730.20
SBB	10	BAM 51,068.00
NPS	2	BAM 42,420.00
SBIH	14	BAM 34,689.00

TABLE 9 NUMBER AND COSTS OF EVENTS

to Meta's listings. The Socialist Party also did not show a single convertible mark of internet advertising costs, and spent more than BAM 8,700 on Meta's ads.

5.4. MONITORING OF PRE-ELECTION RALLIES OF POLITICAL PARTIES

As part of the campaign monitoring for the 2022 General Elections, TI BiH monitored the behavioral patterns of political parties throughout Bosnia and Herzegovina with 80 field observers who, among other things, observed the election rallies in order to be able to estimate the costs of this segment of the election campaign.

Unfortunately, with this number of observers, it was not possible to monitor and record the costs from all the election stands, bearing in mind that the parties and candidates held hundreds of smaller rallies in their constituencies every day. That is why TI BiH focused on monitoring larger and more significant election rallies, and during the month of the election campaign, 587 election stands were monitored on the ground.

The costs of their maintenance were calculated on the basis of the market value of space purchase, restaurant services, tent rental services, led panels, sound systems, food, beverages, and other contents, and the data were collected through observer's input and field monitoring. Also, a number of parties hired well-known performers, and the prices of their fees were calculated on the basis of the prices paid by public institutions through public procurement to these same performers for their performances.

According to the estimate of TI BiH, the parties spent at least BAM 2.59 million on 587 election rallies, but this amount is certainly higher, bearing in mind that TI BiH could not cover all election rallies, as well as record absolutely all costs.

On the other hand, political parties, through post-election reports, reported a total of BAM 1.1 million of the total cost of pre-election rallies, which is significantly less than the real cost of their maintenance.

The biggest difference was observed in the case of SNSD, which, according to TI BiH, spent over BAM 850,000 on election rallies, and reported only BAM 150,000 of the costs of holding election rallies.

This party reported in the report that it received a non-monetary donation, i.e. a gift in the amount of BAM 9,500 from Svetlana Ražnatović and BAM 9,000 was

“donated” to SNSD by Aleksandar Vuksanović, known as Aca Lukas.



FIGURE 3 Ceca Ražnatović performance at the SNSD event

FIGURE 3 PERFORMANCES OF CECE RAŽNATOVIĆ IN THE SNSD CAMPAIGN

The two of them performed at the final rally of the SNSD, and the reported amount is unrealistic, since the Olympic Center Jahorina paid BAM 78,000 for Svetlana Ražnatović's appearance in 2018.

Also, the SNSD held dozens of large pre-election rallies where citizens were provided with food, drink, music, etc., and the market value of these rallies exceeded the amount of BAM 150,000 reported by this party.

It should be noted here in particular that the United Srpska did not show a single convertible mark of the costs of the election rallies, although according to TI BiH's estimate, it spent about BAM 150,000 on this type of campaign. This party stated all campaign costs under two items (costs of advertising in the media and other costs).

In its report, the SDA reported about BAM 245,000 in election costs, which is also about BAM 130,000 less than the estimate²⁹ made by TI BiH after observing 125 rallies of this party. It should be further noted that

TI BiH mostly followed larger rallies of this party, which held even smaller rallies in local communities where a large number of municipal committees conducted their election activities.

TI BiH was not able to monitor all these rallies on the ground, so the assessment of TI BiH is based only on the rallies that were observed on the ground.

Significant deviations are also noticeable with the PDP, which presented BAM 71,758 of the costs of election rallies, and TI BiH estimates that this party spent about BAM 156,000 on this type of campaign.

6. COMPARATIVE ANALYSIS OF THE PRESENTED AND RECORDED COSTS OF THE ELECTION CAMPAIGN

Political parties in Bosnia and Herzegovina reported BAM 11.3 million in election campaign spending in post-election financial statements. On the other hand, through monitoring only three advertising segments and estimating the cost of election rallies, TI BiH calculated that the parties spent at least BAM 11.59 million.

The difference between what TI BiH has determined through monitoring is even greater if we take into account the fact that the data are not completely comparable because in internet advertising TI BiH did not have data for Google ads and in media advertising it did not have the capacity to monitor advertising of all parties in all media. If only the estimated cost of pre-election rallies and the cost of billboard advertising are compared, the parties have reported costs at least two million BAM lower than the estimate of TI BiH. The difference is probably even greater given that TI BiH could not calculate all the costs of external advertising as well as all the sets of political parties.

Looking at the individual reports of the parties, it can be seen that 12 political parties presented at least BAM 1.7 million lower total campaign costs compared to the TI BiH estimate, which is based on only four segments.

SNSD reported BAM 1.54 million of total campaign costs, although TI BiH estimated that this party spent at least 2 million BAM on billboards, ads in the media, Facebook and election rallies alone. SDA reported 1.5 million campaign costs, which is about 220,000 less than what was determined by the monitoring of TI BiH, and significantly less than the established amounts were reported by the PDP and SDS, especially in advertising in the media and organization of election rallies.

United Srpska, DEMOS and Socialist Party did not show a single mark of the costs of the election rallies, although the observers of TI BiH observed over 70 rallies of these parties. The US and SP also did not report a single mark of Internet advertising costs, although according to publicly available data, they spent significant amounts on Facebook ads. Significantly lower costs than those observed were reported by DNS and HDZ 1990.

Of the other parties, the largest campaign costs in their reports were stated by SDP, NIP, SBB, Our Party and HDZ BiH, and the reported amounts are higher than the TI BiH estimate, because the TI BiH monitoring covered only four campaign cost segments. However, when looking at certain items, it is evident that the SDP reported lower costs of advertising in the media than assessed by the media monitoring agency hired by TI BiH.

Also, the People's Party of Srpska (NPS), Darko Banjac, which was a parliamentary party after the elections, did not even submit a post-election financial report, and in the annual report it stated BAM 108,000 of election campaign costs. TI BiH estimated that this party has spent at least BAM 231,000. It is important to point out that the Successful Srpska Movement, which appeared with the NPS in the coalition, did not report a single convertible mark of campaign costs in the report, although the observers of TI BiH recorded billboards of this movement worth about BAM 24,000.

These data show that there is a significant difference between the reported and actual costs of campaign and it is evident from the financial statements that the parties do not have legal financing sources to justify such high campaign costs.

Despite the fact that the data are not complete due to the inability to estimate the cost of individual advertising segments, it is evident that political parties finance a large part of the campaign from the "gray zone", which requires systemic solutions in order to improve the control of party financing.

PARTY	ESTIMATE TI BIH	REPORTED COSTS	Difference
SNSD	2,043,786.28	1,544,851.29	-498,934.99
SDA	1,742,687.42	1,517,734.80	-224,952.62
PDP	943,126.36	726,961.67	-216,164.69
SDP	840,647.27	885,588.63	44,941.36
US	646,965.64	480,552.28	-166,413.36
SDS	600,029.22	363,014.11	-237,015.11
NIP	559,333.00	825,999.00	266,666.00
DNS	485,870.16	387,991.24	-97,878.92
HDZ BIH	438,228.00	507,689.68	69,461.68
SBB	388,228.34	550,065.62	161,837.28
SBIH	434,279.00	427,807.42	-6,471.58
DF	382,905.52	406,209.45	23,303.93
NŠ	363,355.89	538,997.14	175,641.25
NES BIH	347,602.24	308,635.54	-38,966.70
SP	306,502.84	356,080.56	49,577.72
NPS	231,191.00	108,156.75	-123,034.25
DEMOS	165,634.20	141,308.96	-24,325.24
SPS	160,063.00	232,140.93	72,077.93
HDZ 1990	131,360.00	47,999.66	-83,360.34
FOR NEW GENERATIONS	101,947.00	287,365.73	185,418.73
PROGRESS	44,196.00	40,852.73	-3,343.27
BI - KASUMOVIĆ FUAD	43,470.00		-43,470.00

TABLE 10 SHOWN AND RECORDED CAMPAIGN COSTS

7. USE OF PUBLIC FUNCTIONS FOR THE PURPOSE OF THE ELECTION CAMPAIGN (OFFICIAL'S CAMPAIGN)

An official's campaign is a term often used for the activities of public officials in the pre-election period, which are presented as regular, but are essentially part of the electoral promotion. A particular problem is that the media report on these activities of officials in much more watched news broadcasts, and not in election chronicles as required by the BiH Election Law.

In this way, the parties and candidates currently in power receive additional promotion, as the viewership of news shows is far higher than the party chronicles that serve to represent the candidates. The concept of the use of public office for election purposes in BiH is still not precisely regulated. Holders of public office who ran in the elections used their position for personal or party promotion.

It was precisely because of the "merging" of the candidate's role with the public functions that the candidates perform that there was an inequality between political entities from the ruling and opposition parties.

In the campaign itself, officials intensified visits to public facilities, social institutions, schools, hospitals, and this year there were frequent ceremonial openings of public facilities, public distribution of legally acquired rights of budget users for the purpose of promoting individual candidates. This resulted in increased promotional reporting on officials in the more watched news broadcasts, rather than in the election chronicles, as TI BiH also warned.

To show the clear scale of the phenomenon in the pre-election period, observers hired by TI BiH three months before the elections observed public events organised by the authorities. The aim of such monitoring was to show the extent to which institutions, public functions and public resources are used to promote parties and candidates through better access to the media.

In the observed three months, the observers of TI BiH attended and monitored 543 events organized by public institutions and public companies, and 415 events or 76.43% were attended by candidates in the general elections.

Number of public events related to the opening of infrastructure facilities	94	17.31%
Events where party features have been observed	88	16.24%
Public events where the attendees were addressed by the candidates in the local elections	283	52.31%
Public events where political messages were presented	137	25.37%
Public events where messages were presented against political opponents	37	6.86%
Public events whose nature is not within the competence/department of the attending official	192	35.69%
Public events where voter threats were made	5	0.93%
Events at which election promises were made	130	24,25%
Events of opening an object that has already been opened/promoted before	24	4.49%

TABLE 11 TIBIH MONITORING OF EVENTS

Also, it is especially important to emphasize that 11 public officials who performed the most important public functions, while also being candidates in the elections, had 198 activities during the 30 days of the election campaign. The largest number of these activities related to meetings, visits, attendance at various events as well as marking the beginning of works or commissioning of completed infrastructure works.

	HUMANITARIAN ACTIVITIES	TOUR	MARKING THE BEGINNING OF WORKS	VISIT	ATTENDING CULTURAL OR SPORTS MANIFESTATIONS	COMMISSIONING OF COMPLETED INFRASTRUCTURE FACILITIES	MEETING	RELIGIOUS EVENTS OR MEETINGS WITH RELIGIOUS DIGNITARIES	TOTAL
Milorad Dodik	2	2	5	11	4	3	15	6	48
Šefik Džaferović		1		6	7		23		37
Radovan Višković		4	2	3	7	3	9		28
Željka Cvijanović		2	4	8	2	3	3	2	24
Fadil Novalić	3	1		5	2		5		16
Marinko Čavara				5	7		1	1	14
Dragan Čović				6	2	2			10
Željko Komšić		1		3	3		2		9
Borjana Krišto				4	1	1			6
Zoran Tegeltija							3		3
Bakir Izetbegović					1		1		2
TOTAL	2	11	11	52	36	12	62	9	198

TABLE 12 ACTIVITIES OF OFFICIALS

7.1. ACTIONS OF THE CEC AND SANCTIONS FOR OFICIAL'S CAMPAIGN

Amendments to the Election Law of BiH imposed by the High Representative on 27 July 2022⁶ introduced penalties for misuse of public resources in the election campaign. One of the provisions also sanction what is considered an official's campaign.

In particular, misuse of public resources is considered to be "the collection of signatures or an election campaign carried out by persons who perform elected functions or are civil servants, during official activities or events organized by a public institution or body".

Under this provision, the Central Election Commission most often punished candidates who abused public events or public office for party promotion, and TI BiH reported 19 cases of misuse of public resources to the CEC under these provisions. The problem was providing the proof, so TI BiH submitted, along with the reports, videos, or photos, to the CEC showing the wearing of party features at a public event, etc.

In three cases, CEC BiH imposed sanctions. Zenica Mayor Fuad Kasumović has been punished for abusing a public event to open a bus line



FIGURE 4 Promotion of candidates at the opening of public works

⁶ [Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina](#)

for campaigning. He gave a pre-election speech at the public event, urged voters to change power at the cantonal level and promoted his party's candidates. The key evidence in this case were the messages that could be heard on the video that TI BiH submitted with the report.

The second sanction was imposed on SNSD candidate Dražen Vrhovac, who used the post of director of the RS IRB to campaign on social networks. In both cases, sanctions of BAM 3,000 were imposed for the parties and 5,000 for the candidates.

In the third case, The CEC punished Mayor of Laktaši Miroslav Bojić for misusing public resources during the election campaign because he created a party rally at the opening of public infrastructure works financed from the city budget. Along with the report to the CEC, TI BiH also submitted photos from the disputed event, as well as a poster inviting citizens to the election rally, and the poster itself contained the coat of arms of the City of Laktaši, the local community and the SNSD.

In its decision, however, the CEC concludes that this is precisely what is disputed and that Bojić abused public resources for his own use and promotion of the party because he allowed the event of opening infrastructure works, which should have been presented as an activity of the city of which he is mayor, to be presented as an activity of the party to which he belongs.



FIGURE 5 Public works in Kozarska Dubica



Figure 6 Promotion of candidates in HDZBiH in the hospital

at several events, some wore T-shirts that promoted the names of candidates from SNSD for members of the BiH Presidency and the President of the Republika Srpska.

Although the amendments to the Election Law prohibit the conduct of an election campaign at an event organized by public institutions, the CEC BiH states in its decision that there was no violation of the Election Law because the said event was not used to send pre-election messages.

In almost the same case, CEC BiH rejected the complaint against HDZ BiH officials who visited the local hospital before the election rally in Novi Travnik, and the candidates of this party, as can be seen in the photos, wore promotional badges with election slogans.

In addition, TI BiH submitted a recording of the event with statements in which election messages are sent. The CEC BiH decision is based on the assertion that the statements were not made in the hospital but in front of the HDZ premises, and the decision does not mention at all the party colors that HDZ candidates wore during the hospital visit.

As in the previous case of the SNSD in Kozarska Dubica, the CEC BiH ignored the essence of the complaints in its decision and completely omitted to give a judgment on whether wearing party features and materials that promote candidates at public events can be considered as conducting an election campaign.

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Borjana Krišto was also reported for the public event of the celebration of the anniversary of the Maestral operation in Jajce, where she was announced by the presenter as a candidate for the Croatian member of the Presidency. However, this complaint was also rejected by the CEC because the organizer of this event is not a public institution but an association "13. Rujan".

TI BiH also filed another complaint against Zenica Mayor Fuad Kasumović, who opened a football field at LC Lokvine and a football tournament on the newly built field. Then they organized the presentation of the candidates and the promotion of his party, which was made more appealing by the concert of the finalist from "Zvezde Granda".

CEC did not even consider the complaint and evidence submitted by TI BiH, since the same case was previously reported by one natural person who did not complete the complaint and submit evidence, so the case was closed and the same matter could not be decided again.

Considering that most of the observed abuses of public funds are not covered by the imposed amendments to the law, TI BiH did not file reports, although abuses in these cases were more evident. It is also important to point out that all bans on the misuse of public resources in the Election Law of BiH apply only to the period of the official election campaign duration of 30 days.

Numerous cases of misuse of public events for the promotion of parties and mayors were recorded before the start of the campaign, but also before the imposition of the decision of the High Representative partially sanctioning these occurrences.



FIGURE 7 Opening of the tournament and presentation of candidates



Figure 8 Municipality of Čelinac Day and candidate promotion

As an example should certainly be pointed out a concert organized on the occasion of marking the Day of the Municipality of Čelinac, where public funds paid for the performance of five artists, and before their performance, four SNSD candidates appeared on the stage who sang, gave speeches and invited the gathered citizens to vote.

What should also be noted is that the mayor of Čelinac, Vlado Gligorić, in his response to TI BiH, claims that the municipal administration did not organize a concert on the occasion of the Day and Baptismal Glory of the Municipality of Čelinac, at which Saša Matić, Ana Bekuta, Milica Pavlović, Ivana Selakov and Jovan Perišić performed, although

⁷ [The Municipality of Čelinac claims that it did not organize a concert on the occasion of the Day of the Municipality of Čelinac](#)



Figure 9 Day of Return to Bratunac and candidate promotion

everything, from the announcement, to the promotion of the event indicated that the municipal administration is the organizer.

Also, as a similar example of misuse of a public event for the promotion of the candidates, the Day of Return event supported by the FBiH government should be singled out, when Bakir Izetbegović and Edin Ramić's names were "pointed out on the LED billboard behind the stage" while they were speaking, "along with a graphic solution similar to the one under which the SDA has already embarked on the election campaign".

8. APPEARANCES OF OFFICIALS ON PUBLIC BROADCASTERS

During the observed period, a total of 365 reports were recorded, which indicated the positions of officials with their content, and gave them space for the presentation of their political views.

It should be pointed out that this is about the appearance of officials in the news and other shows who were not presented as candidates in the elections but used the space to promote their own and party's views.

The highest number of such performances was recorded on RTRS, as much as 78% of the total recorded content.

When it comes to broadcasting times, the highest incidence was recorded during central news broadcasts in the period from 7 p.m. to 8 p.m.

When it comes to parties, SNSD officials had the most space in the news broadcasts of all public broadcasters. This is not only the consequence of the editorial policy of public broadcasters, but also the intensification of the activities of public officials that the media covered through news broadcasts.

According to TI BiH, Milorad Dodik from SNSD had 48 public activities during the 30 days of the election campaign, so he and his party cumulatively had the most space in the news broadcasts of all three public broadcasters. However, it is noticeable that the largest number of reports (288 out of 334) in which the views of SNSD officials were promoted were recorded on RTRS.

According to the report of the ODHR Office for Democratic Institutions and Human Rights, during the campaign, public broadcasters complied with the legal obligation to provide free broadcasting to each candidate. However, such broadcasting was ensured outside the prime time slot, which significantly limited the potential ratings. While public and some private broadcasters offered political entities a platform to present their views through debates, many candidates decided not to participate in the debates, further limiting voters' ability to make decisions based on full information.

⁸ [ODHR Election Observation Mission, Final Report](#)



GRAPH 5 FEATURES ON TV BROADCASTERS

TV STATION	NUMBER OF ANNOUNCEMENTS	DURATION (HH:MM:SS)
BHRT	26	1:00:34
FTV	80	3:39:55
RTRS	298	21:36:23
TOTAL	404	26:16:52

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TABLE 13 FEATURES ON TV BROADCASTERS

8.1. RADIOTELEVISION OF BOSNIA AND HERZEGOVINA (BHRT)

The BHRT news broadcasts recorded 26 reports in which current officials promoted their views and policies.

Most of these reports concerned SNSD and SDA officials and candidates.

OFFICIALS	NUMBER OF APPEARANCES
Milorad Dodik	7
Šefik Džaferović	5
Fadil Novalić	5
Vojin Mitrović	3
Slobodan Stanarević	2

TABLE 15 APPEARANCE OF OFFICIALS AT BHRT



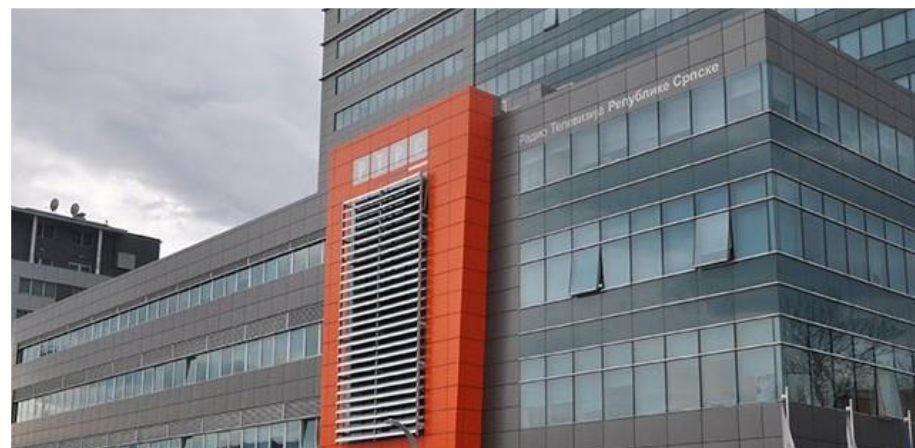
8.2. RADIOTELEVISION OF THE REPUBLIKA SRPSKA (RTRS)

During the election campaign, Milorad Dodik appeared 116 times in RTRS news broadcasts, and his views were cumulatively devoted to 5 hours and 50 minutes of programs in news broadcasts broadcast in prime time.

After Dodik, the most space on RTRS was given to RS President Željka Cvijanović and RS Prime Minister Radovan Višković, who were also candidates in the elections.

As far as the parties are concerned, RTRS has shown a clear bias in favour of SNSD by awarding the party 21 hours and 8 minutes of programmes in the framework of regular news broadcasts.

According to the ODHR report, this public service broadcaster reported on SNSD and its officials in a predominantly positive tone, and sharply criticizing the PDP and SDS.



POLITICAL PARTIES	NUMBER OF ANNOUNCEMENTS	DURATION (HH:MM:SS)
DEMOS	2	0:04:04
NDP	3	0:07:16
PDP	1	0:04:45
SDA	2	0:03:26
SNSD	288	21:08:51
US	2	0:08:01
TOTAL	298	21:36:23

TABLE 17 APPEARANCE OF PARTIES ON RTRS

OFFICIALS	NUMBER OF APPEARANCES
Milorad Dodik	116
Željka Cvijanović	77
Radovan Višković	47
Vlado Đajić	28
Alen Šeranić	24

TABLE 16 APPEARANCE OF OFFICIALS ON RTRS

8.3 RADIOTELEVISION OF THE FEDERATION OF BOSNIA AND HERZEGOVINA (FTV)

On FTV, 80 announcements were recorded, which, in their content, promoted the views of officials who were also candidates in the general elections.

The ODHR report states⁹ that “FTV has scantily and neutrally reported on other major candidates while being visibly critical of SNSD by dedicating

OFFICIALS	NUMBER OF APPEARANCES
Milorad Dodik	23
Fadil Novalić	13
Šefik Džaferović	10
Željko Komšić	5
Igor Crnadak	4

TABLE 18 APPEARANCE OF OFFICIALS ON FTV

48 percent of the program to that party in mostly negative or neutral tone. ”

In this regard, according to the data of TI BiH, the most space in the news on FTV was given to Milorad Dodik.

According to the parties, the most space next to SNSD officials in FTV’s news broadcasts was occupied by SDA officials.

POLITICAL PARTIES	NUMBER OF ANNOUNCEMENTS	DURATION (HH:MM:SS)
SNSD	30	1:24:16
SDA	26	0:57:48
Together for BIH	3	0:06:51
HDZ	3	0:17:59
DF	3	0:06:08
NS	3	0:11:36
NIP	2	0:04:53
NDP	2	0:05:35
US	1	0:02:23
List for Justice and Order	1	0:06:06
SBB	1	0:01:09
SDP	1	0:04:39
TOTAL	76	3:29:23

TABLE 19 APPEARANCE OF PARTIES ON FTV

9. VIOLATION OF ELECTION LAW AND ABUSE OF PUBLIC RESOURCES IN THE ELECTION CAMPAIGN

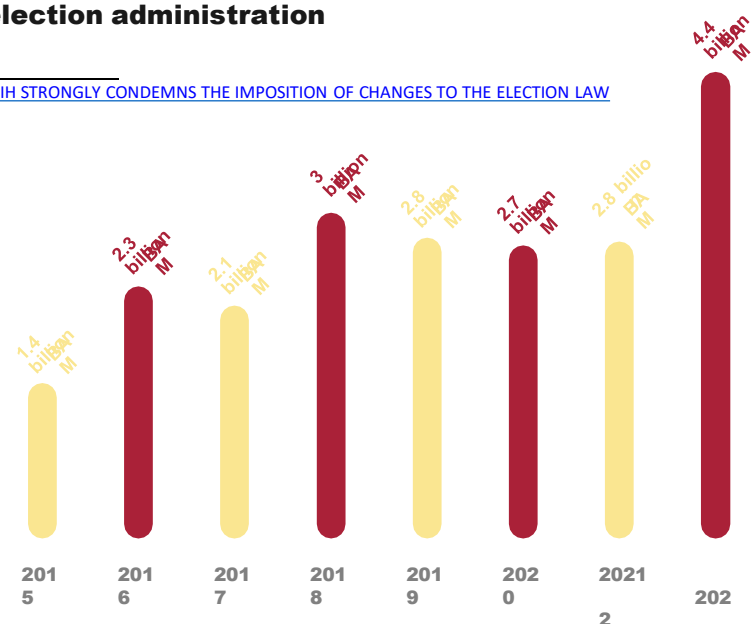
Transparency International in BiH has recorded 2,265 examples that can be characterized as misuse of public resources in the campaign, some of which relate to violations of electoral law. These phenomena, which were divided into 15 categories according to the pre-determined methodology, were recorded by field observers throughout Bosnia and Herzegovina.

- Distribution of special incentives, subsidies and money to certain categories of the population (Point 9.1 of the report)
- Intensification of public works in the election period (9.2.)
- Provision of special benefits, "free" check-ups, medicines, discounts on fees and bills, etc. for the promotion of the individual (9.3)
- Use of increased employment for election support in public enterprises and institutions
- Distribution of gifts, packages or money to voters by party activists or officials (item 9.5)
- Premature Campaigning (9.6)
- Paid advertising of local institutions and public enterprises that promote individual candidates or officials (item 9.7)
- Use of the premises of institutions/establishments/public enterprises for the promotion of parties and candidates (58 examples)
- Increase in salaries of public sector employees (23 examples)
- Advertising of parties and candidates in places where it is prohibited (6 examples)
- Pressures on public sector employees to vote for certain candidates (4 examples)
- Hate speech, threats to voters and all forms of pressure on voters (4 examples)
- Preventing individual political entities from carrying out their activities (3 examples)
- Child abuse for political purposes (25 examples)
- Other examples of misuse of public resources in the campaign (256 examples were recorded, mostly related to the biased reporting of local media in the campaign and the use of equipment of public institutions and companies for the needs of parties).

During the observed period, observers of TI BiH recorded a growing trend of misuse of public resources for the purpose of the election campaign of parties and candidates. Just over two months before the BiH General Elections, High Representative Christian Schmidt imposed changes to BiH's Election Law that for the first time recognised the category of misuse of public resources in the campaign.

TI BiH condemned the decision⁹ to impose laws because it violates basic democratic principles as well as the principle that the regulations affecting the conduct of elections are not to be changed after their announcement. In addition, TI BiH believes that the changes imposed by the High Representative have not substantially solved the problem of misuse of public resources in the campaign, because they do not include key forms of misuse through increasing public spending, while other relevant issues important for the oversight of the behavior of political entities were also not addressed, the independence of the election administration

⁹ [TI BiH STRONGLY CONDEMNS THE IMPOSITION OF CHANGES TO THE ELECTION LAW](#)



GRAPH 6 SPENDING ON PUBLIC PROCUREMENT DURING ELECTION YEARS.

and objectivity of the election process.

The imposed amendments define “misuse of public funds and resources” as any illegal use of funds and resources of the state of BiH, entities, cantons, Brčko District of BiH and other local government and self-government units, by the candidates in elections and electoral lists, as public or state officials, or directly elected persons, for the purpose of performing official duties. Resources, in terms of this definition, include movable and immovable property, as well as all human resources of public institutions that are being used within working hours.

Misuse of public funds is considered to be:

- the involvement of civil servants who are subordinate to the candidate in the performance of work during working hours in order to promote candidates or political entities;
- use of premises of public institutions and bodies for the performance of pre-election activities if the use of the same premises is not guaranteed to other candidates and political entities under the same conditions;
- use of means of communication, information services, office equipment of public institutions and electoral campaign bodies;
- use of means of transport owned by state, entity, city, cantonal or municipal authorities and organizations free of charge or at reduced prices for campaign activities.¹⁰
- collection of signatures or election campaign carried out by persons who perform selected functions, or are civil servants, during official activities or events organized by a public institution or body.

The imposition of these provisions ultimately did not lead to a significant reduction in the misuse of public resources in the campaign. Numerous violations of the law were difficult to prove, and even in some cases where there was evidence, the competent institutions had a very conservative interpretation.

According to the report of the Central Election Commission¹¹, after the entry into force of these provisions, the CEC BiH received 63 complaints/reports regarding the violation of Article 7.2a of the Election Law of BiH related to the prohibition of misuse of public funds. TI BiH forwarded a total of 19 reports to the CEC due to violation of this article of the law or misuse of public funds.

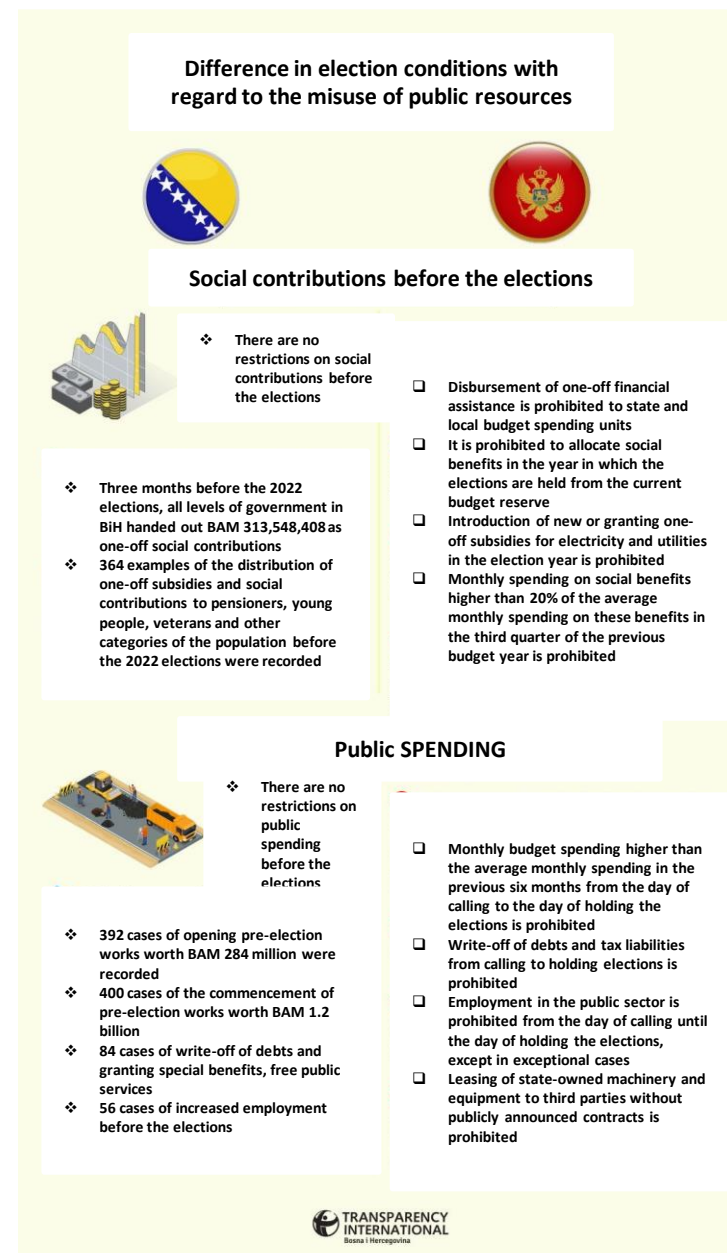


Figure 10 Campaign rules BiH, Montenegro

¹⁰This provision shall not apply to the transport of persons specifically protected under the law as part of the security measures applied in respect of senior officials subject to official protection provided by the competent authorities in the performance of their official duties or acting ex officio;

¹¹ [SETTLEMENT OF ELECTION DISPUTES, CASE LAW – 2022 GENERAL ELECTIONS IN BiH](#)

In the procedures for resolving complaints/reports, CEC BiH adopted 8 Decisions on imposing a financial sanction, of which 3 on the complaint of TI BiH (point 7.1 of the report), 19 Decisions rejecting the complaint as unfounded, 19 Conclusions on the suspension of the procedure, 4 Conclusions considering the submission as not submitted, 1 (one) Conclusion rejecting the complaint as submitted by an unauthorized person, 2 Conclusions rejecting the complaint because of late submission, 2 Conclusions rejecting the submission because it was previously resolved, 2 Conclusions on the merger of cases, and 10 Notifications informing the complainant that the case has already been resolved based the same complaint.

8 appeals were filed against the decisions of the Central Election Commission of BiH regarding the misuse of public funds to the Appellate Division of the Court of BiH. Of these, the Appellate Division of the Court of BiH rejected 6 appeals as unfounded, while 2 appeals were accepted. In one case it accepted the appeal and annulled the Decision of the CEC BiH, while in the other case it accepted the appeal and annulled the Decision of the CEC BiH as illegal.

Data on the number of sanctions for misuse of public funds clearly show that the decision of the High Representative did not substantially solve this problem because the bulk of the abuses that occur in the campaign and that were observed as a pattern of behavior of political parties are still not sanctioned. Compared to the neighboring countries, BiH has a fairly narrow definition of misuse of public funds, and TI BiH noted through the monitoring of the pre-election period in 2022 that the largest number of abuses refers to an increase in public spending because the disposal of public budgets gives a significant advantage to candidates who are in power.

In relation to Montenegro, where it is forbidden to pay one-time financial assistance before the elections or give one-time social contributions, increase budget spending before the elections, in BiH these are the most common forms of abuse that TI BiH recorded in the campaign. The division of one-off social contributions and the intensification of public spending on public works are the two most common patterns of behavior recorded in the observed period.

9.1. DISTRIBUTION OF SPECIAL INCENTIVES, SUBSIDIES AND MONEY TO CERTAIN CATEGORIES OF THE POPULATION

The most prevalent form of misuse of public resources in the pre-election period in Bosnia and Herzegovina is definitely the use of budget funds for the purpose of direct or indirect purchase of voter support.

In the three months leading up to the elections, 364 cases were reported

of giving one-off assistance to citizens before the elections, and many parties and candidates have built their own promotion on these contributions and thus indirectly bought election support with public funds. TI BiH has calculated through the monitoring of accounts the value of these one-time benefits from different levels of government, which amounts to as much as BAM 313 million.

It is important to note that this paragraph does not record examples of regular budget subsidies, where the rights of certain categories of the population have been resolved through a legal framework (such as regular annual subsidies given to agricultural producers, etc.). Through the monitoring, TI BiH tried to record only examples of giving one-off subsidies or new contributions that have not existed so far and were timed before the elections.

TI BiH published 364 examples of such benefits in the online database, the value of which, according to the media announcements by the holders of power, amounts to over BAM 313 million.

The most important are the one-off donations of entity governments of the Federation of BiH and the Republika Srpska to vulnerable categories. Specifically, the FBiH Government allocated approximately BAM 53 million for one-time assistance to pensioners and vulnerable categories in the amount of BAM 100 before the election, then BAM 27 million for one-time assistance to the unemployed of BAM 100, then BAM 7 million for electricity subsidy of BAM 100 for about 70,000 households in FBiH, 5 million for assistance of BAM 500 to vulnerable categories, etc.

Three months before the elections, the Government of the Republic of Srpska distributed BAM 36 million for one-time assistance to pensioners in two tranches of BAM 100, BAM 43 million for one-time assistance to veterans of BAM 100, and another BAM 14 million for assistance of BAM 1000 to other categories of veterans, then BAM 25 million for assistance to young people on two occasions of BAM 100, etc.

In addition to this, the assistance of the Government of the Tuzla Canton to all pensioners of BAM 100, the assistance of the Government of Herzegovina-Neretva Canton to the unemployed of BAM 100, the assistance of the Government of the Zenica-Doboj Canton to mothers of BAM 1,000 KM (a total of BAM 11 million), the assistance of the Municipality of Prnjavor to young people for going on excursions, and one-off assistance to medical workers in Banja Luka, Drvar, and Prijedor should also be pointed out.

It is important to note that all these benefits were introduced for the first time before the elections were held and that they were directly used to promote candidates and parties that had public resources. Increased budget spending in the pre-election period is something that TI BiH has been pointing to for many years and it can be brought into direct connection with some kind of purchase of voter support.

9.2. INTENSIFICATION OF PUBLIC WORKS IN THE ELECTION PERIOD

The most common trend as in previous years was an increase in public spending before the elections, and observers of TI BiH recorded 1,137 cases of intensification of public works before the elections. Observers of TI BiH recorded public works that were started or completed in the period of three months before the elections, and on the online map of TI BiH published data on all works that were recorded throughout Bosnia and Herzegovina.

The value of the works that were completed and opened before the elections amounts to about BAM 284 million, and there were 392 individual cases of completion of public works before the elections, many of which were accompanied by opening ceremonies at which citizens gathered and officials sent pre-election messages.

Also, the value of the works that began before the elections amounts to over 1.2 billion and mostly refers to the start of construction of two sections of the highway, which was officially marked in the pre-election period by the Republika Srpska authorities.

The mass rallies organised on this occasion were used to send pre-election messages. When it comes to larger infrastructure facilities, the events organised to mark their opening were mostly accompanied by the promotion of both local and cantonal, entity and state officials.

It is important to point out that public spending in the pre-election period is not limited in BiH in such a way that it must be tied to the same period last year. That's why the comparison is important, which shows that the total value of public works in the pre-election period of 2022 exceeded the annual value of all works that, according to the data of the Agency for Public Procurement, were contracted for the whole of 2021..

The data of TI BiH include only public works that have been recorded in the field, or the information on their beginning or completion has been published in the observed period on the websites of institutions or in the mass media.

For a more detailed comparison, it is certainly necessary to analyze the reports on the implementation of the budget of all levels of government in BiH in the part related to capital investments.

In this regard, it is interesting to point out that, according to the report on the implementation of the budget of Republika Srpska, a record BAM 231.3 million was spent on public investments in 2022 on a total of 134 projects financed from the RS budget. In 2021, BAM 109 million were allocated for these purposes, in 2020 BAM 32 million, and

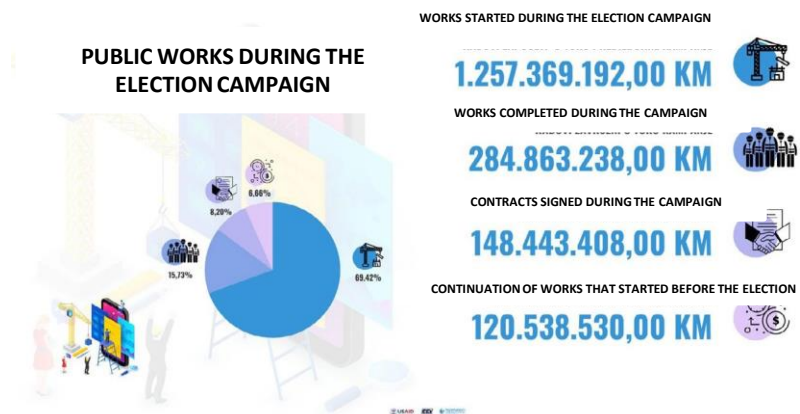


FIGURE 12 Public works during the campaign

2019, BAM 28 million.

Also, a record BAM 78 million was spent for this purpose before the 2018 General Election. Most of these projects, which are financed from the budget through public investments, refer to the projects that, according to the TI BiH monitoring, are most often abused for the promotion of parties and candidates, such as projects of road infrastructure, water supply, construction of religious buildings, etc.

It is also interesting to point out that the data of the Public Procurement Agency of BiH show that total public spending in the year of holding the general elections significantly increases compared to the average consumption in other years, and in 2022 a record 4.4 billion were spent through public procurement.

Given that the same pattern of behavior has been observed at other levels of government, it is evident that BiH must find a modality that would limit public spending in the pre-election period in order to prevent the misuse of public resources and ensure that all participants in the electoral process are equal.

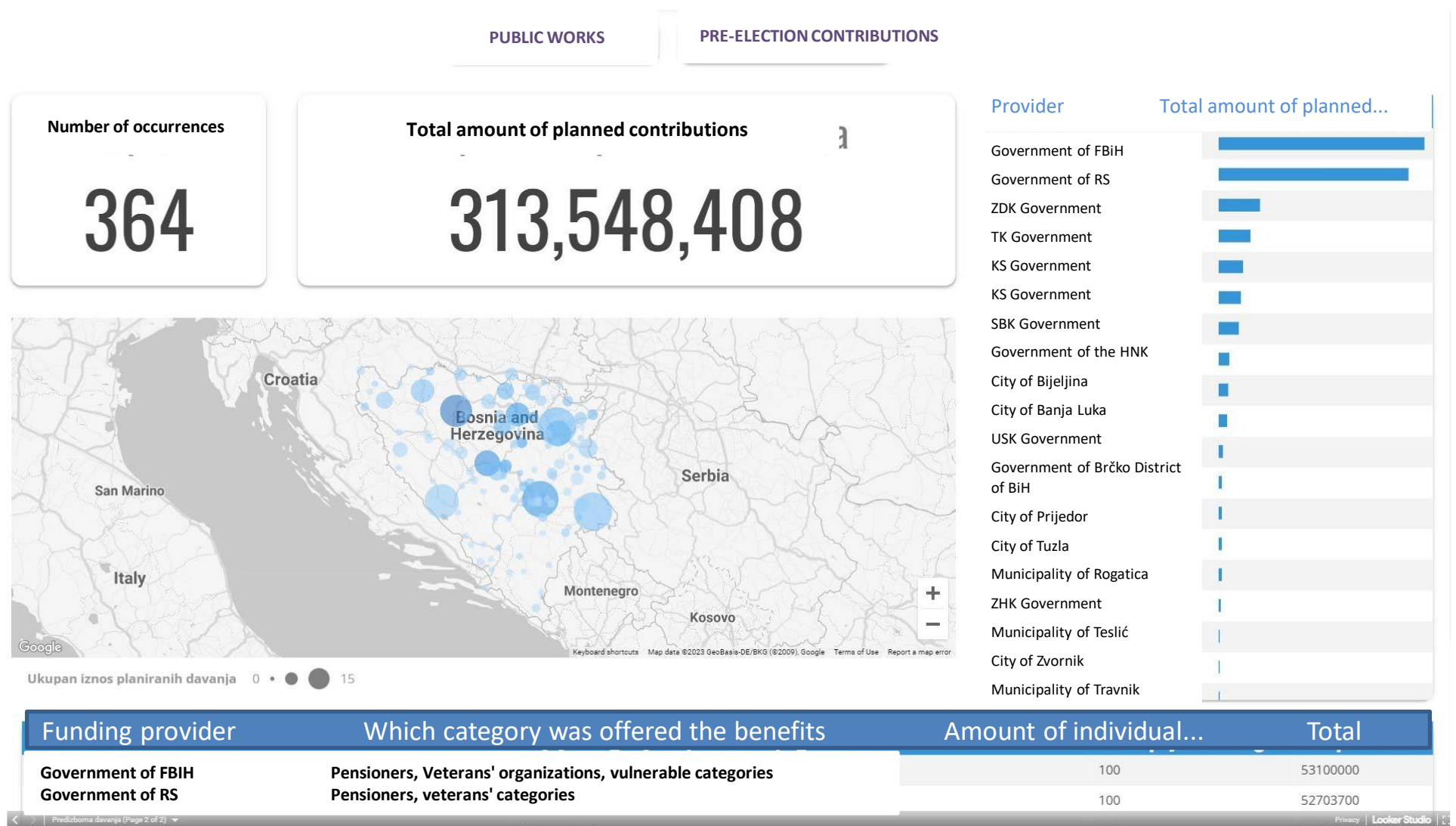


Figure 11 Interactive map of monitoring of incidents and public works available at transparentno.ba/monitoring-izbora-2022

PUBLIC WORKS

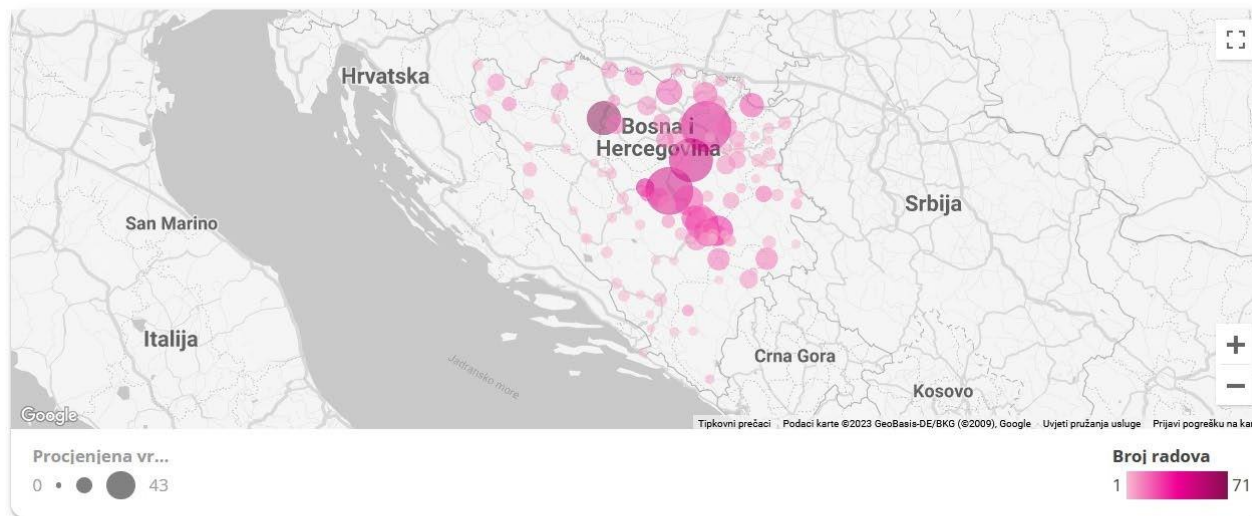
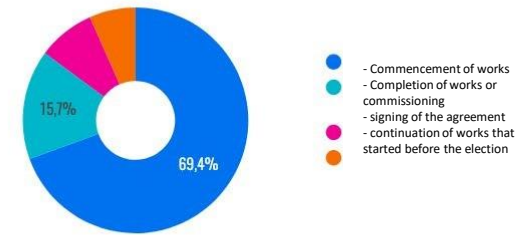
PRE-ELECTION CONTRIBUTIONS

Number of works

1.137

Estimated value of works (in BAM)

1.811.131.564



Location of works	Amount of works
BRČKO DISTRIKT BIH	71
BIJELJINA	15
BANJA LUKA	10
NEUM	8
TRAVNIK	5
VLASENICA	4
FOČA (RS)	3
GRADIŠKA	2
GRAD MOSTAR	2
DOBOJ	1
SRBAC	1

Status of works	Type of works	Location of works	Estimated price of works
Commencement of works	Road Infrastructure	Section Vukosavlje Brčko	650.000.000
Commencement of works	Road infrastructure	Velika Obarska near Bijeljina	258.000.000

FIGURE 13 Interactive map of public works available at transparentno.ba/monitoring-izbora-2022

9.3. PROVIDING SPECIAL BENEFITS, "FREE" CHECK-UPS, MEDICATION, DISCOUNTS ON FEES AND BILLS, ETC. TO PROMOTE THE INDIVIDUAL

During the monitoring, TI BiH observers recorded 84 examples of providing special benefits, "free" check-ups, medicines, textbooks, public services and similar phenomena that were offered to citizens during the pre-election period. For this purpose, the resources of public institutions, such as health institutions, were most often used.

In most of the recorded cases, public resources were used for the purpose of promoting individual candidates. We highlight only some of the examples that were recorded in the observed three months before the 2022 General Election:

- The UKC RS organized a free excursion for retired workers of this institution, where the director, Vlado Đajić (SNSD), who was also a candidate for the MP, distributed cards that provide former workers with priority during medical check-ups.
- The mayor of Zenica, Fuad Kasumović, staged a ceremonial distribution of backpacks and textbooks in the City Arena on the first day of the school year. The pupils were given blue balloons in the colors of his party, The Bosnian-Herzegovinian Initiative.
- The Mayor of Travnik, Kenan Dautović, gave free tickets to the employees of the Turbe Fire Department for the concert of Halid Bešlić at the Pirot stadium in Travnik as part of the event "Days of the Diaspora"
- In the election campaign, Banja Luka Mayor Draško Stanivuković promised free legalization for all illegally built facilities in the city of Banja Luka. The service was promoted on the city billboard with a photo of the mayor, and the case was reported to the CEC by TI BiH due to the misuse of public means of communication for the election promotion (point 9.7 of the report)
- At the end of the election campaign, the FBiH government gave the Federation of BiH Highways approval for a temporary suspension of toll collection on motorways on the section from Vlakovo to Bradina in the period from September 23 to October 30.
- The City of Banja Luka allocated BAM 100,000 from the budget for free transport of pensioners with a pension lower than BAM 285.
- The municipality of Jablanica provided free transport for young people to the Jablanica Lake in the pre-election period



FIGURE 14 Formal distribution of backpacks and textbooks in the City Arena

- The Municipality of Zavidovići has formed a team for the free certification of documentation for teachers without permanent employment
- The director of the UCC RS, Vlado Džajić, gave support to the work of the newly opened family medicine clinic in Donja Kola, which is under the jurisdiction of another institution and offered citizens free blood tests.
- In the pre-election period, the municipality of Šekovići concluded a contract with the Ministry of Health for free examinations of the elderly population
- Tomislavgrad Health Center provides all women from the Canton 10 area with free mammograms
- At the election rally in Foča on September 5, 2022, Željka Cvijanović promised a free prenatal test for all pregnant women in RS
- Preventive health checks for the locals of Glogovac (Bijeljina) - organized at the initiative of the director of the Health Center Danijela Đukin, who was the SNSD candidate in the elections

9.4. USE OF INCREASED EMPLOYMENT FOR ELECTORAL SUPPORT IN PUBLIC ENTERPRISES AND INSTITUTIONS

The occurrence of mass employment in public institutions and companies in BiH cannot be adequately monitored due to the lack of adequate administrative sources or the lack of public tender procedures. In three months, TI BiH recorded 56 examples of mass employment through monitoring, where there were ads for hiring 10 or more workers in the pre-election period.

However, many institutions and public enterprises are not obliged to announce a public competition, so it is difficult to determine the actual extent of increased employment.

Data on the number of employees in public institutions and companies in 2021 and 2022 show the trend of a certain increase in the number of employees in the public sector, but as all financial indicators have not yet been published, it was not possible to provide a relevant estimate until the conclusion of this report.

TI BiH has a database of public institutions in BiH¹² that includes data on the work of 2,048 institutions, and financial indicators are updated every year. By the time of the conclusion of this report, 133 institutions submitted data from which it is evident that 77 of them increased the number of employees in the election year 2022 and that today there are 501 more workers. The budgets of these institutions, which are mostly spent on salaries of employees, increased by BAM 49 million in the election year.

As for public enterprises, not all financial statements have yet been published in order to make a relevant comparison of the number of employees in the election and non-election year, but it is noticeable that the most profitable public enterprises have increased the number of employees.

Thus, according to TI BiH data, eight large public enterprises had 312 more employees in 2022 than in 2021, of which Igman Konjic (105) Elektroprivreda HZHB (60), VIK d.o.o. Sarajevo (31) Elektroprivreda RS Parent corporation (24), RITE Ugljevik (27), Sarajevo-šume (24), BH Pošta (16), Pošta Srpske (25).

9.5. DISTRIBUTION OF GIFTS, PACKAGES OR MONEY TO VOTERS BY PARTY ACTIVISTS OR OFFICIALS

In addition to budget allocations, numerous examples of mass distribution of gifts, packages or money to voters by party activists or officials have been recorded through monitoring. 109 such cases were recorded, which cannot be linked to direct donations from the budget, because the candidates most often distributed personal money to voters, gifts or other types of benefits. Here are just a few examples:

- The Association of Women of PDA Tuzla organized a social gathering at which there was also

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¹² [Public Institutions database](#)



Figure 15 Distribution of packages to pensioners in Ugljevik

a raffle with gifts for attendees.

- The youth activist group from the NPS with the support of the party president, Diko Cvjetinović, has implemented the campaign of donating sports equipment to the Taekwondo Club. The youth activist group from NPS from Kozarska Dubica also awarded donations to two families in the village of Međeđa. NPS Ugljevik distributed gift packages to pensioners.
- Milorad Dodik handed out BAM 50 and BAM 100 banknotes to children before the SNSD rally in Ugljevik.
- The MP in the House of Representatives of the Parliamentary Assembly of BiH, Obren Petrović, has donated BAM 2,000 for the construction and completion of works on



Figure 16 Gifting money to children before a party rally

the locker room and organization of the "Days of Return" Ševarlije tournament.

- **OO SPS Teslić organized a campaign through which it provided school accessories for primary school students of grades 1-5**
- **Municipal Councillor in Novi Travnik Besim Belagić presented a donation of 40 jackets to the Judo Club "Zmaj" Novi Travnik**

9.6. PREMATURE CAMPAIGNING

During the monitoring period of two months before the start of the election campaign, TI BiH reported 34 cases of paid advertising of parties and candidates to the CEC before the official start of the campaign. After the complaints of TI BiH, CEC imposed 14 sanctions in the total value of BAM 38,100.

Most of the sanctions were imposed on parties and candidates who carried out paid advertising on social networks before the start of the campaign. In these cases, the CEC imposed sanctions ranging from BAM 1,000 to 4,000, and the most punished were the parties that repeatedly violated this article of the Election Law.

Also, after the amendments to the Election Law imposed by the High Representative on 27 July, the parties were imposed higher penalties for violating this Article of the Election Law. Interestingly, certain sanctions were imposed on the United Srpska, which did not show a single mark of the cost of paid advertising in its report.

As in the cases of paid advertising on billboards before the start of the campaign, which are partially described in point 8.6 of the report, the CEC also rejected complaints against candidates and officials who performed paid advertising before the start of the campaign if the announcement did not directly promote the party program or election slogan.

This is also a change in the CEC practice that existed during the 2020 campaign, where penalties were imposed for all forms of paid candidate advertising, regardless of whether the announcement directly promotes the election program or slogan. This new approach is also the main reason why the CEC has suspended 20 procedures for the premature campaigning initiated by TI BiH.

9.7. PAID ADVERTISING OF LOCAL INSTITUTIONS, PUBLIC ENTERPRISES PROMOTING INDIVIDUAL CANDIDATES OR OFFICIALS

During the observed period, the TI BiH recorded 17 cases of paid advertising of public institutions and companies aimed at promoting the parties and candidates in the General Election. However, unlike the previous elections, when the Central Election Commission imposed penalties for the premature campaigning on candidates promoted in public institutions' advertising campaigns, this time the CEC assessed the contents of these advertisements and where the party's features or slogan were not strictly emphasized, this was not considered a party promotion.

When resolving the complaints submitted by TI BiH, the CEC approach was a much more conservative interpretation compared to the 2020 elections and did not consider it a premature campaigning to promote candidates who were promoted in advertisements paid from public funds before the official start of the campaigning.

In a concrete example, the CEC rejected the complaint of TI BiH against the MP candidate for the NSRS Vlado Đajić, who was promoted in his constituency before the start of the election campaign on the billboards of the public service broadcaster RTRS, which released a film about the workers of the UCC of RS "From Vision to Victory".

Radio television of Republika Srpska said it had not paid for the billboards to promote the film "From Vision to Victory", which it broadcast shortly before the start of the election campaign, and which directly promoted the director of the UCC RS Vlado Đajić, who was a candidate in the upcoming elections. The UCC also stated in its statement to the CEC that it did not pay for the billboards, but that they represent a donation from three companies that rent advertising space.

TI BiH reported the case for violating Article 16.14 of the Election Law relating to the premature campaigning, and the complaint reminds on the earlier decisions of the CEC in the case of former mayors of Bijeljina and Banovići who were sanctioned for the same thing for the 2020 local elections when they used taxpayers' money to pay for public campaigns in which they were promoted.

However, the CEC this time did not find a violation of the election law, concluding that the statement does not refer to the electoral promotion because it does not contain the electoral slogan and party insignia.

The CEC judged that the billboards did not contain a pre-election message (logo and slogan of a political entity) that could affect voters in the upcoming elections, and for this reason there was no violation of the Election Law, according to the decision.

The CEC also adds that there was no violation of the article related to the misuse of public resources because the advertisement was placed before the official start of the election campaign and the ban on the misuse of public resources applies only during



Figure 17 Advertisement for which the CEC imposed sanctions before the 2020 elections due to premature campaigning

the official duration of the campaign.

The same stance was taken by the CEC when deciding on the complaint of the TI BiH against the director of the PI National Park Sutjeska, who was a candidate in the General Election. At the expense of this public institution, just before the start of the campaign, billboards were set up containing the image of Director Pavlović, and these billboards also represented his personal promotion.

The CEC states in the decision however that it is not evident that this is public advertising with the aim of promoting Radomir Pavlović, who was a candidate in the General Elections, since the billboard "does not show in its description the promotion of his electoral program because it is evident that it does not refer to his candidacy, but it all refers to the regular promotion of PI Drina National Park".

It's added that the billboard does not contain the party insignia and that the reference to "director Radomir Pavlović" does not represent a promotion of his candidacy.

TI BiH also reported the case of billboards that were set up in the election campaign by the City of Banja Luka, where citizens were offered free legalization of illegally built buildings, and on the billboard itself there is a picture of Mayor Draško Stanivuković, who was a candidate for MP in the General Elections.

Considering that this is a campaign financed by the City of Banja Luka, that the advertisement was placed on a billboard owned by the city administration and from which only the messages of the city are sent, TI BiH reported the case in the context of misuse of public funds, which also implies a ban on the use of the means of communication of public institutions and bodies. However, in the decision the CEC briefly states



Figure 17.1 Advertisement that the CEC did not consider a premature campaigning before the 2022 elections

that it is not an abuse of public funds without any detailed explanation as to why the abuse of the billboard owned by the city used to promote one candidate and his election promises is not considered an abuse of the means of communication owned by the city.

From all three of the above cases, it is evident that in the future, paid advertising of institutions that indirectly promote candidates in the elections will not be considered a violation of the Election Law by the CEC in the context of either premature campaign or misuse of public funds, unless these messages directly contain party features or an election slogan.

TI BiH believes that this is a practice that can become a big problem in the future, because many current officials, presenting the "successes of their work so far", could run the election campaign with public funds without receiving fines.

Other recorded cases of paid advertising of institutions promoting candidates to the fullest extent relate to sponsorships of certain sports



Figure 17.2 Advertisement for which the CEC imposed sanctions before the 2020 elections due to premature campaigning



Figure 17.3 Campaign of NP Drina that was not sanctioned by the CEC in 2022



Figure 18 Promotion of candidates at the football tournament in Dobož

events at which the parties and candidates were promoted. However, due to the unavailability of data on monetary allocations for sponsorships of these tournaments, it was difficult to prove a violation of the article of the Election Law related to paid advertising before the official start of the election campaign.

In the case of SNSD in Dobož, this is a phenomenon that has become a pattern of behavior of this political party, which conducted an election campaign in this way throughout the summer of 2022, organizing a dozen or so major tournaments that often turned into an election campaign, where political parties were promoted and candidates gave speeches and sent election messages to voters. TI BiH reported one such case to CEC and it is a football tournament in LC Lipac.

Dobož, where the sponsor of the tournament was the City of Dobož and SNSD and the Local Community were the organizers. The party had a team of participants composed mainly of candidates in the elections. The CEC decided to suspend this procedure due to the fact that the City of Dobož stated that it did not finance the mentioned event even though it was listed as a sponsor, and that the tournament was financed by "locals and sports fans".



Figure 19 Candidate promotion at the volleyball tournament in Gradiška

In almost the same manner, SNSD MP Denis Šulić appeared at the volleyball tournament in Gradiška, sponsored by Elektroprivreda RS, IRB RS, PE Šume RS and the utility company Vodovod a.d. Gradiška. The TI BiH observer noted that Šulić was presenting messages at the event that asserted to his candidacy in the upcoming elections, and since the case occurred before the official start of the election campaign, it was not possible to report it in the context of misuse of public resources.

9.8. OTHER EXAMPLES OF ABUSES AND VIOLATIONS OF ELECTION LAW

Of the other recorded cases, it should be noted that the observers of TI BiH noted 58 examples of the use of the premises of the institutions for the promotion of parties and candidates. Through the decisions of the High Representative, a provision defining the misuse of public funds was also included in the Election Law of BiH, which also considers the use of the premises of public institutions and bodies for conducting pre-election

activities if the use of the same premises is not guaranteed to other parties and political entities under the same conditions.

Since institutions do not publicly disclose the prices at which they rent the premises to political entities, it is necessary to conduct extensive research and collect data on which parties have used the premises of public authorities and under what conditions. TI BiH sent 145 letters to local communities requesting information on the prices and conditions under which the premises were rented to political parties.

A third of local communities failed to respond in time, and 43 letters were sent urgently. Until the conclusion of this report, 10 local communities did not submit answers, and in some cases the municipal authority directed the TI BiH to contact certain departments within the same municipal administration.

Some of the responses that have been received so far state that the premises of public institutions are renting at different prices to political parties, which is a violation of the aforementioned provision of the law. A large part of the municipalities responded that they were renting halls and business premises to political parties without any compensation.

256 examples were recorded, mostly related to the biased reporting of local media in the campaign and the use of equipment of public institutions and companies for the needs of parties. In some cases, TI BiH submitted complaints to the CEC, since the Amendments to the Election Law prohibit, among other things, the use of equipment of public institutions and bodies for the election campaign.

In one of the cases, the complaint of TI BiH was rejected, regardless of the fact that the photographs of SNSD Teslić show that the fire engine was used for the transport of equipment for the needs of the "Kotličijada" organized by this party.

Six examples of advertising by parties in places not designated for this purpose were also recorded, with the same number of complaints submitted. There were also 23 recorded examples of salary increases for public sector employees before the elections, and 4 cases of pressure on public sector employees to vote for certain candidates as well as 4 cases of pressure on voters were reported to TIBIH through the Reflektor application by citizens.

Due to lack of evidence, these cases could not be forwarded to the relevant institutions.

There have also been 25 reported cases of child abuse for political purposes where



Figure 20 Using a fire engine to organize a party rally in Teslić

candidates mostly visited schools during the election campaign, photographed with children and posted these photos on social media. During the last local elections campaign, TI received a recommendation note from the Ombudsman for the Children in Republika Srpska, which clearly states that political activities are prohibited in schools and that the competent ministry has made a number of omissions. However, this recommendation in this election campaign was again not respected in both Republika Srpska and the Federation of BiH.

In addition to the observed phenomena related to the pre-election period, TI BiH received a number of citizens' reports through the Reflektor application and the free legal aid line related to fraud with counting votes, ballots and voter lists. TI BiH forwarded these reports to the competent institutions, and during the monitoring, a total of 79 reports related to the electoral process were sent, which include 165 irregularities observed.

TI BiH sent two cases of hate speech to the competent prosecutors, and it is important to point out that an order was issued not to conduct an investigation in the case of Mahir Dević, the head of the SDA Club in the CS Assembly, who threatened political opponents at the pre-election rally.

“It's true, I have that Intex pool, two by three meters, roughly, from my girls, and that's where, God willing, we're going to drown them (opponents) on October 2 in the election,” said

Dević¹³ but the competent Prosecutor's Office did not consider that there were any indications of a criminal offense.

There is still no prosecution decision in the case of TI BiH's complaint against SNSD candidate Srđan Milović, who threatened voters in Gacko that "no one will be forgiven" unless Milorad Dodik and Željka Cvijanović win.

It is important to point out that TI BiH also sent two complaints to the CEC covering several cases of trade in electoral boards. It was mostly about cases where political parties had members of the electoral boards in places where they did not even have municipal boards. In the proceedings conducted by the CEC, three financial sanctions were imposed on political parties, two financial sanctions on individuals and two measures prohibiting participation in the electoral administration.

13 Mahir Dević and electoral "suffocation"

OCCURRENCE	NUMBER OF CASES OBSERVED
Intensification of public works in the election period	1229
Use of increased employment for electoral support in public enterprises and institutions	56
Use of the premises of institutions/public enterprises for the promotion of parties and candidates	58
Advertising of parties and candidates in places where it is prohibited-	6
Providing special benefits, " free" examinations, medication, discounts on fees and bills, etc. to promote the individual	84
Preventing individual political entities from carrying out their activities	3
Other examples of the use of public funds	256
Paid advertising of local institutions, public enterprises promoting individual candidates or officials	17
Paid advertising outside the election campaign period (premature campaigning)	25
Distribution of gifts, packages or money to voters by party activists or officials	109
Increase in salaries of public sector employees	23
Threats to voters and all forms of pressure on voters	4
Pressures on public sector employees to vote for specific candidates	4
Distribution of special incentives, subsidies and money to certain categories of the population	366
Child abuse for political purposes	25
TOTAL	2265

TABLE 20 MISUSE DURING THE MONITORING OF THE CAMPAIGN FOR THE 2022 GENERAL ELECTIONS

GROUNDS FOR THE COMPLAINT	THE NUMBER OF COMPLAINTS	REPOR TED TO	TOTAL AMOUNT OF SANCTIONS IMPOSED	DECLINED COMPLAINTS	UNRESOLVED	NOTE:
Misuse of public resources	19	CEC	BAM 23,000	15	1	Fuad Kasumović was fined BAM 3000 and BHI PARTY BAM 5,000. Dražen Vrhovac was fined 5,000 and SNSD was fined 3 000 Miroslav Bojić and SNSD were fined BAM 3,500 each
PREMATURE CAMPAIGN	34	CEC	BAM 38,100	20		
Violation of election silence	4	CEC	BAM 35,000	1		Party for Brčko was fined BAM 3,000, DNS 7,000 and two candidates Marko Kubatlija 3,000 and Željko Dubravac 4,000, SDA BAM 4,000, SDP BiH 4,000 and Amin Djulabić BAM 4,000, SNSD 3,000 and candidate Boris Pašalić BAM 3,000
Hate speech	2	CEC			1	1 order not to conduct an investigation
Ballots	4	CEC/ Prosecutor's office				4 orders not to conduct an investigation
Trade with Electoral Committees	2	CEC	BAM 16,000		1	HDZ was fined BAM 4000, Party for BiH 4,000, SD BiH 4,000, Dragan Dokić 2,000 and a ban on running for election, one president of the election commission was fined 2,000, two members punished with a ban to engage in the electoral administration.
Vote Count	2	CEC			2	
Voter lists	3	CEC			3	
No putting up posters	9	CIK/CIEC/ME C				Posters removed after the complaints were forwarded to the communal inspection
Total	79		BAM 112,100	36	8	

10. CONCLUSIONS AND RECOMMENDATIONS

A consistent pattern is observed in the election years, where political parties are constantly finding new and innovative strategies to circumvent legal regulations. At the same time, laws and bylaws do not follow this rapid evolution and fail to effectively prevent such behavior. Detailed information on the costs of political parties is unavailable, which creates aggravating circumstances in monitoring the costs of political parties, while on the other hand, avoiding to report all sources of income allows political parties to avoid responsibility for proper reporting of their financial activities.

This situation highlights the need for stronger scrutiny and updating of the legislation to ensure compliance with the new circumvention methods that political parties are continuously developing. It is also vital to ensure timely and effective oversight that will enable access to relevant information and ensure compliance with legal regulations during the election process.

The Group of States of the Council of Europe for the Fight against Corruption (GRECO) in the third round of the evaluation of the second addendum to the Second Compliance Report of Bosnia and Herzegovina, published in September 2022, on the topics of "Incrimination" and "Transparency in Party Financing", notes that Bosnia and Herzegovina has not made significant progress since the adoption of the Addendum to the Second Compliance Report.

In its report, GRECO made nine recommendations to Bosnia and Herzegovina on the topic of transparency of political party funding. Overall, only one recommendation was implemented in a satisfactory manner regarding the publication of data on the finances of political parties and political entities participating in the elections.

However, the remaining recommendations were not fully met, but partial solutions were proposed in response to shortcomings identified in the evaluation report. For example, political parties are obliged to keep records of membership fees and voluntary contributions, issue certificates thereof, include income from affiliates in financial statements and establish internal financial control mechanisms.

However, the use of the banking system

for payments to political parties needs to be further promoted, the principle of a single account for interest needs to be introduced, transparency of accounts and activities of entities related to political parties must be increased, and defined, effective and proportionate sanctions for violation of election financing rules, which would include all persons involved must be applied.

Monitoring the costs of the election campaign conducted by TI BiH has clearly shown that political parties report significantly lower amounts than they really spend on their election promotion. This practice allows the parties not to disclose the actual revenues they have at their disposal to cover the costs of the campaign, while at the same time reducing the expenditure shown in the reports.

Also, since CEC BiH does not have direct authority to revise the expenditures of political parties, they have the ability to conceal actual expenditures and sources of funding.

In order to improve the situation, it is necessary to establish a higher degree of transparency and accountability in the financing of political parties. Also, it is necessary to strengthen the supervision of the process, provide sufficient resources for the implementation of supervision and apply adequate sanctions for violation of regulations. Only in this way will fair and transparent financing of political parties be ensured, which is crucial for the integrity of the political system and public confidence.

Furthermore, the monitoring of the 2022 General Elections once again revealed shortcomings in the Election Law and the Law on Financing of Political Parties, especially in relation to the prohibition of the use of public functions and institutions for promotion during the election campaign. Practice in Bosnia and Herzegovina shows an increase in the number of activities of public officials during the election campaign. Cases of the linking of candidates or political parties with campaigns of public authorities financed directly from the budget are characteristic.

Although the Decision of the High Representative adopting the Law on Amendments to the Election Law of BiH defines for the first time the misuse of public resources and funds, it is still necessary to work on improving the legal provisions in order to prevent these misuses.

Different competences of individual institutions interfere with effective supervision, while at the same time the mandates of supervisory institutions (such as audit offices and the Public Procurement Agency) are weakened, which results in a situation in which their recommendations and findings remain without real impact.

In order to overcome these problems, it is necessary to reform the relevant policies in order to clearly define the mechanisms for preventing abuse

of public funds, public functions and public institutions during the election campaign. These changes should cover key forms of abuse, such as irregular employment and unintended public spending.

The introduction of restrictions on budget spending is also important, whereby this spending should not be significantly higher than the average of the previous six months in the period from the announcement of elections to the holding of elections. At the same time, they should ensure greater transparency in the use of public funds during this period, by prescribing the obligation of public authorities to weekly publish analytical cards from all accounts they hold on their website (the Law on Financing of Political Entities and Election Campaigns of Montenegro can be considered as an example).

Also, restrictions should be placed on employment in public administration, public enterprises and funds for a period of three months before elections are held. At the same time, exceptions for employment should be clearly prescribed for the smooth functioning of the administration and the company, in accordance with the prescribed systematization.

Detailed provisions should delineate public functions from party functions, i.e. the appearance of officials in public functions or as candidates in elections. Restrictions on appearing in public functions for the purpose of pre-election promotion may be introduced or breaks may be introduced in the performance of high public functions during the official election campaign, since such functions are subordinate to pre-election activities.

It is also important to ensure the independence of the election administration and the objectivity of the election process, in order to ensure the equality of all political entities and the integrity of elections.

In addition to all of the above, in the Election Law it is also necessary to improve the provisions relating to:

- **Incompatibilities (introduce a ban on performing double mandates and in the case of a technical mandate, through the introduction of a substitute mandate in legislative bodies, in order to avoid a conflict of interest, more precisely define Article 1.8, paragraph 1, which refers to the candidacy of officers and the obligation to resign from office)**
- **Election Committee and MEC (introduce non-party presidents and vice-presidents of election committees, improve transparency of appointments and composition)**
- **Protection of electoral rights (expand the right to complaints and extend the deadline)**

for individual offences)

- **Bank accounts (elaborate provisions related to the registration of accounts through which the election campaign is financed)**
- **Pressures on voters and the purchase of votes (define in more detail the provisions relating to the prohibition of the purchase of votes and pressure on voters, in such a way that the prohibitions apply to any form of giving gifts in the form of money or goods, or even indicating some benefit, the provisions from Article 7.3. and in general, the provisions related to the rules of conduct in the election campaign (Chapter 7) should be extended to the period from the announcement of elections, and provisions related to pressure on voters and threats from the position of public office and in the form of public appearances should be introduced)**
- **Financial statements (Provisions of the Election Law related to the submission of financial statements of political entities, it is necessary to delimit the items for all individual forms of advertising; the Law should regulate greater transparency of the costs of the campaign through the publication of all transactions and suppliers; Modify articles 15.7 and 15.8 in such a way that the obligation to submit statements of property status is harmonized with other legal acts governing this area; Financial sanctions for violation of the provisions of the Election Law should be significantly increased, because the existing ones are not proportional to the profit that political entities may have by violation of the law)**

Transparency International in Bosnia and Herzegovina has also drafted a set of amendments to the Law on Financing of Political Parties, which seek to improve the Law, and the amendments relate, among other things, to the following:

- **Introduction of clear CEC responsibilities with regard to the audit of the costs of the parties;**
- **Introduction of the obligation to use single bank accounts, i.e. one account for regular financing, and another for financing the election campaign;**
- **Introduction of the obligation to do business exclusively through bank accounts, which also applies to donations and all other transactions;**
- **keeping the obligation to draw up annual financial plans and programs, and their publication, together with the financial statements, within the set deadlines, as well as prescribing sanctions for non-disclosure;**
- **Publication of complete financial statements including all transactions;**
- **Extension of prohibited sources of contributions to other public bodies, including legal entities receiving incentives, etc.**

- **Introduction of provisions prohibiting the use of public resources for the purpose of promoting the party;**
- **Defining deadlines and content of reports that the parties themselves publish on the websites;**
- **A more detailed breakdown of violations in the segment of prescribed sanctions, and an increase in the range of sanctions;**
- **Introduction of suspension of payment of budget funds as one of the sanctions for violation of the provisions on prohibited activities;**
- **Detailed definition of affiliated/third parties;**
- **Introducing the obligation to report and join party reports and financial statements of candidates, i.e. campaign costs that they have financed themselves;**
- **Introduction of the prohibition:**
 - 1. on using of official or social or actual influence in order to maintain political or any other form of pressure on legal and natural persons in connection with the provision of voluntary contributions to political parties;**
 - 2. on making promises or indicating any privilege or personal benefit to the contributor to a political party;**
 - 3. on using public resources, including financial resources at the disposal of public authorities, employees of public authorities and public functions performed by members of political parties, for the implementation and organization of party activities, and the promotion of political parties;**
 - 4. on financing of political parties through loans by legal and natural persons;**
- **Keeping the obligation to draw up annual financial plans and programs, and their publication, together with the financial statements, within the set deadlines, as well as prescribing sanctions for non-disclosure;**
- **A more detailed breakdown of violations in the segment of prescribed sanctions, and an increase in the range of sanctions;**
- **Introduction of suspension of payment of budget funds as one of the sanctions for violation of the provisions on prohibited activities;**

Bearing in mind these shortcomings, as well as the fact that numerous recommendations - both from international institutions and organizations and from civil society - have not yet been met, especially when it comes to the GRECO recommendations, it is necessary to start new amendments to the Law on Financing of Political Parties and the Election Law as soon as possible, but by doing that, ensure that the changes really go in the direction of substantial improvement, and not cosmetic changes, as has been the case so far.





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