

**Procedures for Dealing with Queries, Complaints and Appeals**  
**Relating to the Administration of**  
**Electoral Laws, Rules and Regulations in Bosnia-Herzegovina**

**Preface:** The OSCE Mission BiH has established the **Office of Resolution** in the Political Party Services unit of the Elections Division which will handle queries, complaints and appeals relating to the administration and enforcement of the rules and regulations governing the September 14 elections in Bosnia and Herzegovina.

**A. Guidelines and Procedures for Submitting a Query, Complaint or an Appeal**

**1. Who can submit a query, complaint or an appeal?**

- a. Political Parties
- b. Candidates
- c. Voters
- d. Others (e.g., NGO's, Monitors, LEC's, etc.)

**2. What types of queries, complaints and appeals will be handled?**

Those concerning:

- a. provisions on elections in the General Framework Agreement for Peace in Bosnia and Herzegovina, and
- b. Rules and Regulations of the Provisional Elections Commission, including:
  - i. Additions, Deletions or Changes in the Provisional Voters' List,
  - ii. Standards of Professional Conduct for Media and Journalists,
  - iii. Regulations concerning the Obligations of Governments in Relations to the Media in Bosnia and Herzegovina,
  - iv. The Electoral Code of Conduct for Political Parties, Candidates and Election Workers,
  - v. Rules for Registering Political Parties and Independent Candidates, and
  - vi. Any other Rules or Procedures, including polling and counting procedures, established by the Provisional Election Commission.
  - vii. Any other activities relating to the electoral process

### 3. What is the procedure to submit a query, complaint or an appeal?

- a. All appellants must complete the following two steps:
  - i. Fill out an OSCE **Resolution Form** (RF) in any language recognized in Bosnia and Herzegovina or in English. (RF's will be available in these languages at all OSCE Regional Centers and Field Offices.) ***All official queries, complaints and appeals must be made in writing.***
  - ii. Submit the RF and any additional necessary paperwork to an OSCE Regional Office or Field Office.

### 4. How will queries, complaints and appeals be handled/processed?

- a. Upon receiving RF's, OSCE Regional Centers will determine whether or not the problem can be resolved at the Regional Center and/or Field Office level: If this is possible, then the Regional Center will inform the Office of Resolution (as part of a weekly report) of the action(s) taken to resolve the issue and the case will be considered closed. An attempt should be made to find a solution at the **lowest level possible** in order to most quickly provide a resolution.
- b. If a Regional Center determines that they cannot solve a query, complaint or appeal, a copy of the RF and all attached paperwork will be forwarded to the Office of Resolution. The Office of Resolution will then review the submitted materials and forward them to the appropriate Directorate which will then attempt to resolve the problem.

#### OSCE Directorates

- a. Voter Registration
- b. Refugee Voting
- c. Political Party Services
- d. Election Services
- e. Voter Education and Training
- f. Elections Supervision
- g. Election Appeals Sub-Commission
- h. Election Observation
- i. Human Rights
- j. Media Experts Commission

**5. How long will it take to receive a response?**

- a. Each correctly completed RF will be assigned a file number and become part of a Regional Center's and, if forwarded to the Office of Resolution for resolution, the Office of Resolution's permanent records.
- b. Within a period of not more than two (2) days following the assignment of a file number, each RF will be assessed and evaluated by the RC Senior Elections Officer. Efforts will be made and actions taken to effect a resolution to resolve the matter during this same time period, including forward the RF to the Office of Resolution if necessary.
- c. Appellants will be informed in writing by the Regional Center within three days to explain the actions taken to resolve the matter.
- d. Upon receipt of the RF by the Office of Resolution, the RF will be reviewed and forwarded to the appropriate Directorate within 24 hours.
- e. The responsible Directorate will make efforts or take actions to resolve the query, complaint or appeal within three (3) days. This Directorate will also inform the appellant, in writing, of the actions taken within the same period.

## **Regional Center/Field Office Procedures for Handling Queries, Complaints and Appeals**

**Preface:** Regional Centers and Field Offices have the authority/ability to resolve most of the concerns presented to them. In order to provide appellants with a timely response, RC's and FO's are encouraged to answer queries and resolve complaints whenever possible. Queries, complaints and appeals should **only be forwarded** to the Office of Resolution in Sarajevo **when all attempts to resolve these issues at the RC or FO level have been exhausted or when the seriousness of a complaint is considered to be grounds for an appeal.** Queries and complaints received by OSCE Sarajevo which could be dealt with at the RC or FO level will be returned to the appropriate RC for resolution.

### **Procedures:**

If an FO is presented with a question/problem which it is unable to answer/resolve, it should:

- 1) ensure that the appellant fills out an RF,
- 2) retain a copy of all paperwork for its files and
- 3) forward the RF and all necessary additional paperwork to the RC within three days.
- 4) inform the appellant in writing that the RF has been forwarded to the RC

If an RC is presented with a question/problem (from an FO or other source) which it is to unable answer/resolve, it should:

- 1) number the RF and attached paperwork (see instructions on numbering below),
- 2) retain a copy of all paperwork for its files and
- 3) forward the RF and attached paperwork to the Office of Resolution within three days.
- 4) inform the appellant in writing that the RF has been forwarded to the Office of Resolution

All RC's and FO's are responsible for choosing a staff member responsible for handling queries, complaints and appeals. **All RC's must submit a weekly report to the Office of Resolution detailing (a simple format of bullets or paragraphs is fine) the type and number of queries/complaints received and what actions have been taken to resolve them.**

### **Numbering System:**

RC's classifications are as follows:

Sarajevo	- SA
Tuzla	- TU
Banja Luka	- BL
Mostar	- MO
Bihac	- BI
Sokolac	- SO

Numbering should begin with "001." For example, Tuzla will number its forwarded RF's in the following manner: TU001, TU002, TU003 etc. **All** paperwork should be numbered on the **upper right-hand corner**.

**Organization for Security and Co-operation in Europe**  
**Mission to Bosnia and Herzegovina**

**PROVISIONAL ELECTION COMMISSION (PEC)**  
**ELECTION APPEALS SUB-COMMISSION (EASC)**

**APPEAL FORM**

APPELLANT

SURNAME		FIRST NAME	
ADDRESS		PHONE	
DOB	M <input type="checkbox"/>	F <input type="checkbox"/>	ID NUMBER

ORGANIZATION  
OR  
PARTY

NAME	PHONE
ADDRESS	FAX

DATE OF VIOLATION	LOCATION OF VIOLATION
TIME	

ALLEGED  
VIOLATOR

SURNAME	FIRST NAME
ADDRESS	PHONE

ORGANIZATION  
OR  
PARTY

NAME	PHONE
ADDRESS	FAX

DESCRIBE INCIDENT IN DETAIL AND STATE SUGGESTED RESOLUTION

(Use extra paper if necessary)

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WITNESSES

NAME	ADDRESS	PHONE

SIGNATURE

DATE