

**Summary Reports on performance of the Republika Srpska Government and National Assembly**

 **January 1 - June 30, 2016**

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**INTRODUCTION**

The intention of this report is to show and to point out the principal results of monitoring performance of the Government and the National Assembly of Republika Srpska. Having in mind personal attendance of the members of the CCI’s monitoring team, as well as accessibility of all available documents from the sessions (minutes, stenographs, reports), given *Report* was generated after careful analysis whilst observing past practices of fair and correct reporting.

The first half of 2016, in the Republic of Srpska, was marked by

- Further radicalization of political conflicts, which got its manifestation form while organizing simultaneous rallies of the opposition and the authorities, in mid-May,

- The financial crisis, meeting the requirements of the IMF, and waiting for the approval of the loan, which would plug holes in the budget, and...

- Renewed deterioration in relations in the country, after a period of good cooperation and coordination between the entities' governments and the Council of Ministers.

An additional concern is that, in this pre-election period, no one has expressed a desire to calm the situation. Potential voters are tried to be animated by deepening conflicts, negative campaigns, disqualification of political opponents and the general destabilization of the situation, instead of the positive rhetoric, real economic projects and focus on the quality of life of the citizens.

The inability to reach a social consensus about elementary things (and the rule of law and its functioning is crucial, because it is associated with all the other problems), jeopardizes any possibility of improving the quality of life of all citizens of this country, and only privileged groups and individuals benefit from this.

**THE GOVERNMENT OF RS I-VI 2016**

**After REACHING NEARLY THE FIGURE OF 1000 MEASURES CONSIDERED AND 40 LAWS ESTABLISHED IN the final quarter of THE last year, in the first quarter of 2016 THE GOVERNMENT OF RS experienced severe declines in productivity, IT CONSIDERED 699 MEASURES AND ESTABLISHED 22 LAWS, and IN the second QUARTER OF 2016 IT kept almost identical LEVEL, CONSIDERED 696 MEASURES AND ESTABLISHED 23 LAWS.** In addition to this, the intensity of the Government’s work in 2016 was far below the demonstrated one in the last quarter of 2015. In fact, in both quarters of 2016 together, the government held only 20% more sessions than in the last quarter of 2015.

**RESULTS ACHIEVED IN THE FIRST HALF of 2016 are the worst semiannual results in the current term, but are above an average in the previous term, the respective period 2011-2014.** In the first half of 2015, the Government considered 1570 measure at 47 sessions of the Government, and in the second half of 2015 the Government considered 1654 measure at 51 sessions of the Government. In the first half of 2016, the Government considered 1395 measures at 36 session of the Government. The semiannual average of the previous term was 1021 measures at 33 sessions of the Government.

**both the INTENSITY OF work and the PRODUCTIVITY of the GOVERNMENT of rs IN THE FIRST HALF OF 2016 are lower than the results of the federal government.** In the reporting period, the Government of the Federation held 30% sessions more than the RS Government and considered 18% measures more. On the other hand, the RS Government established 3 laws more than the Federal Government, in this period (33 laws in the proposal and 12 in the draft, unlike the Federal 30 laws in the proposal and 12 in the draft).

**the BIGGEST PART OF MEASURES, which the GOVERNMENT is engaged in on daily basis, has an OPERATIONAL CHARACTER.** Different information, solutions, decisions, agreements, reports and plans and programs represent 83% of the total number of the measures considered. In addition, for example, out of total number of decisions, 25% of them are decisions on the approval of business trips of members of the RS Government and the state institutions, 22% of decisions refers personnel policy (appointment, dismissals, etc.), and 27% of decisions relate to interventions on budget funds through reallocations between different institutions of the RS Government. In the structure of the report, the most of them relate to executed business trips - 24%. Thus, a large number of measures that are adopted are in daily operational tasks that are of no importance to the citizens of the RS. Laws, on the other hand, represent only 3.7% of all the measures discussed. And strategy 0.6%. Still..

**DESPITE THE LOW PERCENTAGE OF REPRESENTATIVENESS IN THE TOTAL NUMBER OF MEASURES CONSIDERED, A SIGNIFICANT NUMBER OF STRATEGIES IS IMPLEMENTED.** In the first half of 2016, the RS Government identified 9 strategies, out of which 4 in the proposal and 5 in the draft. The overall impression is spoiled only by the fact that the Republic of Srpska still doesn't have its development strategy for the future, although the one was planned by the work programs of the RS Government and the Parliament for 2015.

**the work PROGRAM OF the rs GOVERNMENT wasn’t made on TIME; IT WAS LATE FOR over 100 days.** The program of work of the RS Government for 2016 was adopted on April 11, 2016 by which the Operating Procedure of the Government was violated, which specifically defines the obligation that the work program for the year is made before the end of the previous one. Although in all past 10 years non-compliance with the Operating Procedure can be observed, regarding adoption of the work program of the institution, still it is noticeable that this job was done with difficulties in the last two years, as the only ones in which the work programs were not adopted by the end of the first quarter.

**EXCEPT FOR THE FUTURE, THE RS GOVERNMENT PLANS ITS PAST TOO.** Failure to adapt a content of the work program to the fact of significant delay in its adoption, results in structural error in the program, which, among other things, calls the credibility of statistical data on its implementation into a question. Although it was adopted in April, the program of work of the RS Government for 2016 contains the plan for the first quarter, with even 145 different measures. This means that the "plan" for the period, which in the time of adoption of the work program was in the past, contains more than a third of the measures contained in the program. Even greater problem is that the program, which is by a definition the work plan for the coming period, contained the measures that had been implemented before the program was adopted. So the program, in fact, at the time of its adoption, has already been implemented in the percentage of 20%.

**FINANCIAL STABILITY IS SHAKEN AND IT DEPENDS ON THE LONG-AWAITED IMF LOAN, WHILE THE BUDGET STRUCTURE ITSELF IS ADVERSE.** The RS Government has a growing problem with public spending and filling the budget. Pending the outcome of negotiations on a new Stand-By Arrangement with the IMF, there are late payments from the budget on various grounds, and delay in payment of subsidies for farmers in RS is particularly concerning. Otherwise, most of the budget, by the RS budget for 2016, is planned for the area "Expenditures for Personal Incomes" - more than 720 million KM. Even 668 million KM is planned for paying debts off in 2016, which is compared to the previous year 2015 an increase of over 140 million KM. The opposition warns: "We came into a situation that nearly half of this year’s direct revenues will be spent next year for repaying the loan funds". And borrowing continues. And the public is not aware of the conditions under which it is done, or the plans that that the money will be spent. And this lack of transparency is extremely worrying, because if this credit goes to public spending as well, instead of the development of the economy and an increase in the number of working places in the country, we will definitely be in debt bondage. If we are not already.

**IN THE REPORTING PERIOD, VIOLATION OF THE OPERATING PROCEDURES AND LAWS BY THE RS GOVERNMENT WAS RECORDED.** Violation of the Operating Procedures of the RS Government was registered in the segment of liabilities of the Government to respond within the specified period to parliamentary questions and initiatives. Violation of the Operating Procedures has been continued through non-compliance with deadlines for adoption of the work program. The RS Government continues to violate the Law on Gender Equality in BiH, which regulates that that the minimum representation of under-represented sex is 40% and that everything else is considered discrimination. Let us remind you, the current representation of women in the Government of RS is 24%.

**TRANSPARENCY OF THE GOVERNMENT’S WORK IS ON AN ACCEPTABLE LEVEL, WITH SOME SERIOUS OBJECTIONS.** The RS Government should allow download of the materials discussed on the sessions, publish minutes and transcripts from the sessions on its website, which, along with availability of some reports and other materials that are not currently available, would make the RS Government to improve its level of transparency. CCI specifically expresses dissatisfaction with the length of time needed to obtain the minutes from the sessions of the Government - because we are submitted the ones even with several months delay.

**ACTION PLAN of RS FOR IMPLEMENTATION OF the reform agenda is not implemented as planned.**

RS Action Plan includes a total of 78 measures in six areas, and the realization plan is as follows:

• 2015 - 48 measures

• 2016 - 26 measures

• 2017 – 1 measure and

• 2018 - 3 measures.

Not all the measures planned for implementation in 2015 were implemented by the end of the first half of 2016.

**CURRENT RELATION BETWEEN THE RS GOVERNMENT AND THE RS NATIONAL ASSEMBLY, ALTHOUGH UNLIKE THE SITUATION IN THE FEDERATION, THERE ARE NO PROBLEMS IN THE RULING MAJORITY THAT WOULD LEAD TO A BLOCKAGE IN THE WORK OF INSTITUTIONS AND DISRUPT THE PROCESS OD ADOPTION OD MEASURES, ACTUALLY IS NOT THE MOST FUNCTIONAL.** The Government and the Assembly, in certain segments, negatively affect each other’s results.

Due to careless attitude towards the process of planning of the National Assembly of the Republic of Srpska, i.e. non-compliance with the needs that work programs of both institutions are adopted before the start of the year to which they relate, the National Assembly has a negative impact on its results, the Government’s results, as well as on the relevance of the documents and statistics on their implementation.

On the other hand, the lack of efficiency of the Government, both in the creation of documents as well as in their transfer from the form of the draft in the form of the proposal, results in a lack of implementation of the planned commitments of the National Assembly.

The problem also exists in the area of responses to parliamentary questions. The representatives receive answers within the time limit prescribed by the Operating Procedures, but according to a number of the deputies, the answers are not accurate, they are incomplete, the form is filled in, but the substance of issues is avoided. There are even situations that representatives get answers, completely out of the context of the question. This is why the representatives sometimes use their right to ask questions for repeating their questions that haven’t been answered in a satisfactory way by the relevant institutions responsible for a particular area. So, this is a waste of time because something has not been done properly in the first pass, which negatively affects the functioning of institutions.

**THE NATIONAL ASSEMBLY OF RS I-VI 2016**

**THE NATIONAL ASSEMBLY OF THE REPUBLIC OF SRPSKA, AFTER GOOD RESULTS IN THE LAST QUARTER OF 2015, ALSO EXPERIENCED DECLINES IN BOTH INTENSITY OF WORK AND PRODUCTIVITY.** However, unlike the Government, the drop was much more difficult, and, on the other hand, after the fall, there was no stagnation, but a recovery, although weak. From 87 measures considered in the fourth quarter of 2015 there was a drop to only 33 ones in the first quarter (which is one of the worst quarterly results in the last six years), from 26 laws adopted, there was a drop to only 8 lows, and from 21 sessions held, there was a drop to 12 sessions in the first quarter. In the second quarter there was a recovery – at 15 sessions held 59 measures were considered and 20 laws was adopted - but not enough for a significant result.

**RESULTS OF THE NATIONAL ASSEMBLY OF THE REPUBLIC OF SRPSKA, IN THE FIRST HALF OF 2016 ARE BELOW THE AVERAGE FOR THE PREVIOUS TERM.** 92 measures discussed and 28 lows adopted, which means 6 measures and 4 lows less than a half-year average for the period 2011-2014. On the other hand, in the first 6 months of 2016 more sessions were held, which means that the efficiency of the RS National Assembly, in the reporting period, was lower than the average in the previous term. Well ...

**PERMANENT POLITICAL SRYSIS WITHIN THE RULING COALITIONS IN THE OTHER BiH ENTITY, WHICH ALWAYS MAKE THE MOST DRAMATIC REFLECTION ON THE RESULTS OF THE PARLIAMENT, MADE THAT THESE MODEST RESULTS OF THE RS NATIONAL ASSEMBLY ACHIEVED IN THE FIRST HALF OF 2016 WERE BETTER THAN RESULTS OF THE PARLIAMENT.** Having spent twice as much time than the members of both Houses of Parliament of FBiH spent together on the sessions, representatives of the RS National Assembly adopted nearly twice as many laws - 28, compared to 15 laws adopted by the FBiH Parliament in the first half of 2016. At the same time the Parliament of FBiH did not discuss strategies, while representatives of the RS National Assembly did this 9 times.

**THE WORK PROGRAM OF THE RS NATIONAL ASSEMBLY AGAIN WAS NOT ADOPTED BEFORE THE BEGINNING OF THE YEAR TO WHICH IT REFERS.** The work program of the RS National Assembly 2016 was adopted only on March 15, 2016. Interestingly, the Operating Procedure of the RS National Assembly does not precisely define the deadline for adopting the annual work program. Instead of being understood in the sense that there is no need to enter the deadline for preparation of the annual work program since it implies that it should be adopted before the start of the year to which it relates, the leadership of the RS National Assembly see this as an excuse for the adoption of a program with serious delays. Well, not once in the last 10 years work program was adopted before the beginning of the year to which it relates (3 times is was adopted only in the fourth month).

**IMPLEMENTATION OF PLANNED ACTIVITIES IS EXTREMELY MODEST.** Regarding the measures under the work program of the RS National Assembly for 2016, which should have been implemented in the first half of the year, until June 30, only 46% were fully implemented (10% were partially implemented). After the end of the first quarter of 2016, 79% of the annual work program for 2016 left unrealized (fully or partially). Out of 177 measures planned, 121 were not considered at all, and another 18 were discussed, but not finalized and were "in the procedure". Out of 95 laws planned, 57 were not considered at all, and 15 were not realized fully.

**A NUMBER OF SIGNIFICANT MEASURES WAS NOT MADE, ALTHOUGH THE ASSEMBLY WAS OBLIGED TO DO SO ACCORDING TO THE PROGRAM OF WORK.** In the first half of 2016 the following should have been discussed and adopted, but it was not: Strategy for Improvement and Development of Support to Families in the Republic of Srpska, Strategy for Development of Culture of RS, Strategy for Trade Development, Strategy for Development of Mental Health in the Republic of Srpska, Law on Mining, Law on Sport, Law on Public Attorney's Office of the Republic of Srpska, Law on Food, Law on Veterinary, ...

**POOR IMPLEMENTATION OF PLANNED OBLIGATIONS PRODUCES ACCUMULATION OF OBLIGATIONS FROM THE PAST, PERMANENT DELAY IN ADOPTION OF PLANNED LAWS AND NARROWING OF THE SPACE FOR NEW LEGISLATION.** Even half (48 of 95) laws planned by the Work Program for 2016 are so-called "Transferred Laws" or laws that have been planned for implementation in one of the previous years, but have not been realized, but they have been included in the work program for this year. In the period January 1 – June 30, 2016 35% of the "transferred laws" and 13% of the new laws from the Work Program for 2016 were adopted. It is already evident that the "transfer" will continue in the following year as well.

**REPRESENTATIVES OF THE RS NATIONAL ASSEMBLY OFTEN VIOLATE THE OPERATING PROCEDURE OF THE ASSEMBLY.** At the Assembly’s sessions, representatives call each other thieves, criminals, talk about the private lives of other representatives in their discussions, interrupt each other while some of them has an official word and they are constantly on the edge of the incident. Also, very often, representatives use their 10 or 20 minutes to speak about something that has nothing to do with the current item on the agenda and thus obstruct the efficiency of their own work. Nevertheless, although planned in the last year's and this year's work programs of the RSNA, the Code of Conduct of representatives in the RSNA still hasn’t come to the meeting agenda.

**INDIVIDUAL ACTIVITY of a number of representatives is still at a very low level - there are still some representatives who do not use their position in the ASSEMBLY FOR ACTIVE representing the interests of the citizens who elected them to that responsible DUTY.** In the reporting period, 27 sessions of the RSNA were held, and only at 9 sessions all representatives were present. At regular sessions of the RSNA held, in the reporting period, a total of 120 questions and initiatives were raised. 27 representatives did not ask any question or launch any initiative. 68 measures were discussed, 12 representatives did not participate in any discussion.

**ON THE OTHER HAND, THERE ARE VERY ACTIVE REPRESENTATIVES, WHO OFTEN PARTICIPATE IN DISCUSSIONS, RAISE QUESTIONS, LAUNCH INITIATIVES …** We especially emphasize representatives who, in the reporting period, submitted proposals for legislative solutions to the RSNA. The Caucus of SDS - SRS RS proposed, and the Assembly’s majority rejected the Law on Conversion of Loans with Currency Clause in Swiss Franc. The Law on the Default Interest Rate, which came as the activity of the Caucus of SDS - SRS RS, NDP Caucus, PDP Caucus and the Caucus of Advanced Srpska and it was accepted in a draft form. The Caucus of Advanced Srpska initiated the adoption of the Law on Amendments to the Law on the Status of Officials of Local Self-Government and the Law on Amendments to the Law on Labor Relations in the State Bodies, by which abolition of the so-called. "White Bread" was planned. After the General Elections in 2014, payment for 28 former officials were made in the amount of 300 000 KM. We hope that this irritating privilege is about to be abolished.

**CONCLUSION**

**CENTERS FOR CIVIC INITIATIVES** are warning of the danger that the election campaign for local elections will give an additional negative impact on the results of the governments’ work in the coming period, and are inviting the Government and the National Assembly not to permit this, but to intensify their work, focusing on the key problems of citizens and resolution, the implementation of the Action Plan for the Reform Agenda and the European path of BiH, and the implementation of the obligations of their work programs for this year, in which (as we have presented, at today’s press conference) there was a serious backlog in the first half of the year. We also call all participants in the political and public life on responsible behavior, positive campaigns, not to increase tensions, and absence of condemnation and punishment of all forms of hate speech, regardless from whom it comes.