



**CENTRI CIVILNIH INICIJATIVA
ЦЕНТРИ ЦИВИЛНИХ ИНИЦИЈАТИВА**

**Monitoring of the Parliamentary Assembly of BiH and the
Council of Ministers of BiH**

January 1 - March 31, 2014

THE COUNCIL OF MINISTERS OF BIH

JANUARY - MARCH 2014

IN 2014, BIH GOVERNMENT, DESPITE ALL THE PROBLEMS, ITS PENDING OBLIGATIONS AND A RATHER DIFFICULT SITUATION IN THE COUNTRY, CONTINUED TO BE OCCUPIED ONLY WITH THEMSELVES. The conflicts among political parties, playing games behind the curtains, false coalitions and government's unwillingness to define the common goal and face the real citizen's problems marked the entire term of office of the state government following the last general elections in BiH. In the first quarter, after the SDA members were kicked out of the Council of Ministers, and then the SDS members, SBB faced the same faith, i.e. its leader Fahrudin Radonicic.

DELAYS IN THE ADOPTION OF THE WORK PROGRAM ARE A LONG-TERM PRACTICE OF THE COUNCIL OF MINISTERS OF BIH. In the past eight years, the only Work program that the Council of Ministers timely adopted was the Work program for 2012. Since the 2014 Work program was adopted on January 22, 2014, it meant another "violation" of the Rule of Procedure. In other words, the Councils' continued its practice of failing to adopt the Work program by the beginning of calendar year.

IN THE FIRST QUARTER OF 2014, THE COUNCIL OF MINISTERS MAINTAINED LAST YEAR'S FREQUENCY OF SESSIONS, HOWEVER, WITH SIGNIFICANTLY FEWER CONSIDERED MEASURES. At 10 sessions held from January to March 2014, the Council realized 204 measures --101 measures in January, only 3 in February and 100 measures in March 2014. This is the second worst result in the last eight years, because the only time when the Council realized fewer measures was in 2007 (the first year of office of the previous Council).

WITHOUT THE REALIZATION OF THE LEGISLATIVE PLAN OF THE COUNCIL OF MINISTERS IN THE FIRST QUARTER. The legislative plan for 2014 included the adoption of 46 laws or 23 laws less than in 2013. In the first quarter of 2014, the Council planned to adopt 12 laws. However, not one law was adopted by March 31, 2014!

NO ONE MINISTRY IN THE COUNCIL OF MINISTERS REALIZED ITS LAWS FROM THEIR ANNUAL WORK PLANS, BUT THE MINISTRY OF JUSTICE ADOPTED THREE NON-PLANNED LAWS AND THE MINISTRY OF TRAFFIC AND COMMUNICATION ADOPTED ONE NON-PLANNED LAW. These four laws, carried over from last year and adopted in the first quarter of 2013, are twice less the number of laws realized in the first quarter of 2013, given that a total of nine laws were adopted in the first quarter of 2013.

THE GOVERNMENT'S OBLIGATIONS TOWARDS ITS CITIZENS AND EU CONTINUE TO ACCUMULATE, WHILE THE GOVERNMENT IS NOT DOING ANYTHING TO REALIZE THEM. NO IMPORTANT OBLIGATIONS WERE COMPLETED IN THE FIRST QUARTER OF 2014. The obligations assumed under the "Road map" are still pending. They include some important strategies and legislations such as the Social inclusion strategy of BiH, the unified Law on the Court of BiH, the Law on Free Legal Aid in BiH, Rural development strategy, harmonization of the BiH Customs law with the EU Customs Code, the state Law on Improvement of the Small and Medium Enterprises and Entrepreneurship, a comprehensive

Energy strategy for BiH (including improvement of energy efficiency and renewable energy sources), as well as the new anticorruption laws, in line with the EU standards and other important laws and strategies that may significantly contribute to creating a positive environment for faster employment and greater investments in BiH, and accelerated road to EU integrations.

THE COUNCIL'S TRACK RECORD IS FAR WORSE THAN THE TRACK RECORDS OF OUR CLOSEST NEIGHBORS. In the first three months of 2014, the Council of Ministers of BiH adopted only four laws. At the same time, Montenegro's government adopted 14 laws and Croatia's government as many as 55 - 14 times more than the Council of Ministers of BiH.

THE PARLIAMENTARY ASSEMBLY OF BIH JANUARY - MARCH 2014

NOT TAKING INTO ACCOUNT THE FIRST YEAR OF THE CURRENT PARLIAMENT'S TERM OF OFFICE, WHEN THE PROCESS OF CONSTITUTING THE PARLIAMENTARY MAJORITY WAS NOT EVEN COMPLETED, THE FIRST THREE MONTHS OF 2014 IS THE QUARTER WITH THE WORST RESULTS ACHIEVED AT THE START OF A YEAR SO FAR. Only two laws were adopted. There are no new laws - both laws are in fact changes and amendments to the existing legislations.

IT IS EVIDENT THAT THE CURRENT GOVERNMENT IS DYSFUNCTIONAL -- IN ADDITION TO ITS LONGTERM POST-ELECTION INABILITY TO EVEN FORM THE GOVERNMENT, CONSTANT POLITICAL CRISES AND CHANGES IN THE GOVERNMENT MAJORITY, THIS PARLIAMENT IS WELL KNOWN BY ONE OF THE WORLD'S CURIOSITIES - IT REJECTS MORE LAWS THAN IT ADOPTS. In 2011, the Parliament adopted 12 laws and rejected 15 laws. The practice continued throughout 2012, when the Parliament adopted six laws but rejected seven laws, the same as in the first quarter of 2013, when the Parliament adopted five and rejected six laws. This negative particularity is also present in the first quarter of 2014, when the Parliament adopted only two laws, but rejected three laws; with three more laws that were withdrawn from procedure, (such is the Law on the Prevention of Money Laundering and Financing of Terrorist Activities, which is a rather important legislation for further EU integrations).

BIH PARLIAMENT CONTINUES TO REGISTER SOME DEVASTATING RESULTS IN COMPARISON WITH THE NEIGHBORS. In the first quarter of 2014, Montenegro's parliament adopted 19 laws during six sessions, or 10 times more laws than the BiH Parliament, while Croatia's parliament adopted 71 laws or 35 laws more than the Parliament of BiH. Hence, while the Parliament of BiH rejects more laws than it adopts, the number of rejected laws in Croatia's parliament is only 4% of the total number of laws voted by the Parliament.

DESPITE THE FACT THAT THE PREVIOUS PARLIAMENT AND THE ONE BEFORE THE PREVIOUS ONE WERE UTTERLY INEFFICIENT, THE CURRENT PARLIAMENT IS WORSE THAN BOTH OF THEM. With regards to the legislative plan, the previous Parliament was as twice as effective in the first quarter of its last year in office than the current parliament, while the parliament before the last one was as five times as effective in the first quarter of 2006, the last year of its term of office, although both of them also achieved some modest results - only 10 adopted laws.

THE PARLIAMENTARY ASSEMBLY OF BIH FAILED TO ADOPT TIMELY ITS ORIENTATION PLAN FOR 2014. The orientation plan of the House of Representatives for 2014 was adopted after a month's delay, and the orientation plan of the House of People for 2014 has not been adopted by the end of this quarter.

THE PARLIAMENT'S RESULTS OF THIS YEAR'S FIRST QUARTER ARE EQUAL TO THE EFFORTS INVESTED. From January 1 to March 31, 2014, the members of the House of Representatives held three plenary sessions (in 2 continuations) spending 37.5 hours, which is equivalent to a less than five eight-hour work days. The members of the House of People held only one plenary session IN THREE MONTHS, spending only four hours.

THE LAWS PASSED IN THE BIH PARLIAMENT ARE STILL THE MOST EXPENSIVE LAWS IN THE REGION, IN COMPARISON WITH THE LAWS PASSED IN OUR NEIGHBORHOOD. MPS IN BIH ARE DOING THE LEAST WORK FOR THE HIGHEST SALARIES. Currently there are several laws and initiatives in the procedure with an aim to reduce the salaries of the members of BiH parliament. These initiatives are in fact demands from the February protests, however, none of them has been adopted yet and the salaries still range from 4.800 to 7.000 KM and as such are in complete discord with the social and economic situation in the country and the results achieved by the Parliament. If we link MPs' average net monthly incomes in the first quarter of 2014 with the number of laws passed and sessions held, it is easily calculated that in the election year the Parliament of BiH passes the most expensive laws in the region -- each law passed in the first three months of 2014 cost around 428 000 KM.

DISCRIMINATION OF BIH CITIZENS CONTINUES TO TAKE PLACE IN THE HIGHEST GOVERNMENT INSTITUTIONS. The Parliament of BiH still functions as an institution that violates human rights of its own citizens failing to remove discriminatory provisions from the BiH Constitution, despite being obligated to do so by the ruling of the International Court for Human Rights issued four and half years ago. Besides disfranchising its citizens based on ethnic principle and the shame it brings to the country, and being the only European country that is condemned for systemic discrimination, by not implementing the ruling the Parliament also blocks the European trajectory of the country, preventing the country from qualifying for a candidate status for EU membership and preventing the SAA that was signed almost 6 years ago from entering into force. All this incredibly and irreversibly harms the citizens of this country.