



**CENTRI CIVILNIH INICIJATIVA
ЦЕНТРИ ЦИВИЛНИХ ИНИЦИЈАТИВА**

**MONITORING OF THE GOVERNMENT AND PARLIAMENT OF THE FEDERATION
OF BIH**

JANUARY 1- MARCH 31, 2014

EVEN THOUGH THE PROTESTS IN FEBRUARY DID NOT LEAD TO DISMISSAL OF THE GOVERNMENT, THE PROTESTS MADE THE GOVERNMENT TO FINALLY START DOING ITS JOB. Comparisons of the results achieved in the first quarters of the last 8 years indicate that the Government of the BiH Federation achieved the best results in the first quarter of 2014. Nevertheless this is stated bearing always in mind that the results from previous years were more than disappointing, and that this is a comparison between poor and the worse.

- The Government of the BiH Federation in the first quarter of 2014 was in session more times than during first quarters of 2013 and 2012 together. February 2014 is the month in which for the first time in 8 years we recorded that this institution has sessions every day. Unfortunately the problem on its agenda was not unemployment or poverty, but it discussed present situation related to the citizens' protests – the situation created by previous passivity of the Government;
- In the first quarter of the year the BiH Federation Government realized two times more measures for the same period than last year. In the last 8 years it never happened that BiH Federation Government realized more than 500 measures in the first quarter, as it was the case in 2014.
- The positive influence of the protests on the government's work might be most visible in the area of realization of the laws – before the protests in the BiH Federation this institution determined 6 different laws, and after that from February 13 to March 31, 2014 another 23 laws – thus achieving the best results in this area in the last 8 years.

THANKS TO THE PROTEST, THE KEY PROBLEMS OF THE CITIZENS WERE FINALLY ON THE GOVERNMENT'S AGENDA. In the first quarter of this year the citizens were the loudest in the last 8 years when it comes to underlining their priority problems, which finally caused higher engagement of the BiH Federation Government in this area. The results of 21 significant measures out of 562 that were realized in the first 3 months of this year is the best result in regard to the compared periods during the last 8 years, and it is even 3 times better results in regard to the last year.

FIRST TIME IN THE LAST 8 YEARS THE WORKING PROGRAM OF THE BIH FEDERATION GOVERNMENT WAS ADOPTED IN TIME IN ACCORDANCE WITH THE OBLIGATIONS SET IN THE RULES OF PROCEDURES. UNFORTUNATELY QUALITY WISE IT DOES NOT DIFFER VERY MUCH FROM THE PREVIOUS WORKING PROGRAMS OF THIS INSTITUTION, AND AT THE SAME TIME IT DOES NOT TAKE INTO CONSIDERATION HOLDING OF GENERAL ELECTIONS IN BIH.

Realization of even 40% of the complete legislative plan for this year was planned for the last quarter, namely for the period after the General Elections in BiH are held. This casts a shadow of pre-election marketing onto the entire Working Program making it yet another fluid pre-election promise instead of making it a pre-election concrete result.

THE STRUCTURE OF WORKING PROGRAM INDICATES YEARS LONG CONTINUITY OF INEFFICIENCY OF AUTHORITIES IN THE FEDERATION. Almost half of the laws that the BiH Federation planned to determine during 2014 were found in the working plans of this institution in the previous years. The highest number of transferred laws is the one not realized from the plans for 2012 and 2012, and it is interesting that we have 7 laws whose realization was originally planned in 2009.

PROBLEM OF CONSTANT INEFFICIENCY IN REALIZATION OF PLANNED OBLIGATIONS AND REASONABLE DOUBTS THAT THIS YEAR'S PROGRAM WILL BE REALIZED IS VISIBLE IN THE FACT THAT AT THE END OF FIRST THREE MONTHS OF THIS YEAR HALF OF THE MINISTRIES DID NOT REALIZE EVEN 15% OF THE ANNUAL PLAN. For the first three months of 2014 a total of 80 planned measures were realized, which represents 18% of what was planned for the entire year. For example, the BiH Federation Government in 2014 planned to adopt 12 strategies, and after the end of first quarter none of these was realized. Out of 84 planned laws, only 14 were determined (i.e. 17% of the annual plan). When it comes to degree of realizing activities that are positioned in the first quarter of 2014 according to the plan, the highest number of realized activities from the quarterly Working Program has the BiH Federation Ministry of finance – A total of 13 realized measures out of 21 planned measures for the first quarter.

OPPOSITE TO POOR REALIZATION OF PLANNED OBLIGATIONS THERE IS DISPROPORTIONATELY HIGH REALIZATION OF RANDOM OBLIGATIONS.

ABSURDLY THE BIH FEDERATION GOVERNMENT ALREADY IN THE FIRST QUARTER DETERMINED MORE RANDOM THAN PLANNED LAWS, WHICH INDICATES THAT THE GOVERNMENT HAS SERIOUS PROBLEMS WITH PLANNING SINCE IT DOES NOT MANAGE TO DESIGN ITS WORK IN ONE OF THE MOST IMPORTANT SEGMENTS, NOT EVEN FOR A FEW MONTHS AHEAD. Namely 15 random laws were realized in the first quarter of 2014 besides 14 planned laws.

THE BIH FEDERATION GOVERNMENT HAS DURING THE LAST MANDATE FAILED THE MOST SERIOUS TEST – TO SECURE PRECONDITIONS THAT WOULD LEAD TO INCREASE OF EMPLOYMENT RATE IN THIS ENTITY. IN THE BOTTOM LINE THIS IS WHAT CAUSED THE PROTESTS IN FEBRUARY AND WHICH ACTUALLY NOW CANNOT BE COMPENSATED BY ANY MEASURES AT THE END OF THE MANDATE THAT HAS BEEN WASTED ON POLITICAL GAMES AND PARTY CONFLICTS.

- Since the present government came into the office (March 2011) until the end of February, 2014 the number of **employed persons in the BiH Federation reduced for 1.938.**
- At the same time **the number of unemployed increased for almost 30.000 people.** According to the information from the BiH Federation Bureau of statistics since the beginning of this government's mandate more than 800 new persons are found on unemployment lists every month in the BiH Federation.
- The maximum number of reported unemployed persons in the FBiH in the period when CCI conducts monitoring – last 8 years – was actually recorded in February 2014 and it was an all-time record of 396.350 persons who are recorded in the BiH Federation statistics as persons seeking job. The number of unemployed at the BiH Federation level only in regard to the same month last year increased for almost 10.000 persons.

THE PARLIAMENT OF THE FEDERATION OF BIH I-III 2014

IN THE FIRST QUARTER OF THE LAST YEAR IN OFFICE SOLVING KEY PROBLEMS OF THE CITIZENS HAS COME SECOND TO THE PROBLEM OF TAKING OVER KEY POSITIONS AND ESTABLISHING NEW PARLIAMENTARY MAJORITY.

Last year of the mandate started by irrevocable resignation of the speaker of the House of Representatives of FBiH Parliament, Fehim Škalji (SBB). This act made official the dissolution of the parliamentary majority, which for 18 months consisted of four parties: SDP BiH, SBB BiH,

HDZ BiH and HDZ 1990. As the new parliamentary majority was not established, and none of the parties gave proposal for a new speaker, the election of the new key person of the Parliament was prolonged and has not been completed in the period encompassed by this report.

HALF OF THE MANDATE OF THE PRESENT BIH FEDERATION PARLIAMENT PASSED WITHOUT DEFINED WORKING PROGRAM. Different to the previous 2013 year for which the Working program of the BiH Federation Parliament was not prepared due to the fact that the latter was not prepared by the FBiH Government as the proposer of the highest number of documents that are sent to the parliamentary procedure, the BiH Federation Government created the 2014 Working program, but in the period encompassed by this report the BiH Federation Parliament did not accede to meet the obligation set forth in the Rules of Procedure. Such attitude brought the BiH Federation Parliament amongst 5 out of 13 institutions of legislative authority in BiH, if observing state, entity and cantonal level that failed to meet the obligations legislative planning that are set forth by the Rules of Procedure. We should recall that the main reason for lack of funds in the budgets of the BiH institutions of legislative and executive government, besides debt servicing and excessive spending, is insufficient dedication to the segment of work programming/planning.

LEGISLATIVE ACTIVITY IN THE BIH PARLIAMENT OR ITS FINAL RESULT INDICATES DEEP DISFUNCTIONALITY OF GOVERNMENT IN THE BIH FEDERATION.

- In the first three months of 2014 only one law passed procedure in both houses of the Parliament. It is the Law on changes and addenda to the Law on budgets of the FBiH, which was sent into the procedure by the Club of SBiH representatives in the House of Representative with the proposal to the law considered under an urgent procedure. The procedure was completed for other 3 laws, which in 2014 passed to the harmonization procedure, and one of them was sent into the procedure in 2009.
- On the other hand, even 5 laws were rejected – two in the House of Representatives, and 3 in the House of Peoples of the BiH Federation Parliament. One of them represents alignment with the EU regulations and the foundation for the use of IPA funds. These are: the Law on changes and addenda to the Law on incentive to development of small businesses, the Law on minor offences of the BiH Federation, the Law on civil service of the BiH Federation, the Law on changes and addenda to the Law on ministerial, government and other appointments of the BiH Federation, the Law on changes and addenda to the Law on internal trade. This only continues the practice of non-adopting unusually high number of laws in the FBiH Parliament, which in 2013 led to rejection of 14 laws.

IT IS EXACTLY DISFUNCTIONALITY OF THE GOVERNMENT, AND THE ABSURD SITUATION THAT A GOVERNMENT SURVIVES WITHOUT OR EVEN AGAINST THE WILL OF PARLIAMENTARY MAJORITY THAT ANNULS ALL RESULTS OF THE GOVERNMENT, MAKING EVERYTHING THAT IS DONE SENSELESS, WHICH SPECIALLY RELATES TO THE LAWS. It sounds almost incredible, but in the first three months of 2014 the BiH Federation Parliament did not discuss any of 29 laws the Government determined in the first quarter of this year.

Here we should recall that the FBiH Government determined 78 different laws during the last year, whereof only 16 of them was adopted by the end of 2014 in the Parliament, in both Houses, as a proposal and without need for subsequent harmonization of the texts.

COMPARISON OF THE RESULTS ACHIEVED IN THE FIRST QUARTERS OF ALL 4 POST-ELECTION YEARS SHOWS DRASTIC DIFFERENCE BETWEEN THE RESULTS ACHIEVED IN THE SITUATION WHEN THERE IS NO RULING MAJORITY OR ITS INCONSISTENCY WITH THE GOVERNMENT'S COMPOSITION AND THE RESULTS ACHIEVED IN, FOR PARLIAMENTARY DEMOCRACY, A NORMAL ENVIRONMENT OF SYNERGY BETWEEN THE GOVERNMENT AND THE PARLIAMENT. In 2011 the procedure was completed only for 1 law, in 2013 for none, and in 2014 for one again (not counting harmonization of earlier adopted laws). In the first quarter of 2012, when the initial parliamentary majority was still functioning, whose reflection of will was the Government, the process was completed for 14 laws.

AS POSITIVE IT HAS TO BE OBSERVED THAT THE HOUSE OF PEOPLES OF THE BIH FEDERATION PARLIAMENT CONTINUES TO INCREASE DEGREE OF TRANSPARENCY, SETTING AN EXAMPLE TO OTHER INSTITUTIONS. The official web page of the BiH Federation Parliament contains the information on incomes of the delegates (professionals and non-professionals) for the period January 1 – March 31, 2014 and a notice that the information will be updated every three months, making it the first institution in BiH that in a very detailed way shows incomes of its members individually. Also, the House of People of the FBiH Parliament enabled web streaming of the plenary sessions on its web page with an option of reviewing earlier video records. The House of People of the FBiH Parliament contrary to the House of Representatives solved the problem of maintaining records on presence of its delegates at the sessions, and if requested the records are available to the public.