

THE RS GOVERNMENT IN THE FIRST 9 MONTHS OF 2011 - SUMMARY

After ratification of the newly elected RS Government by the RS Constitutional Court on 31 January 2011, since 03 February 2011, when it held the first session in the new assembly, until the end of September the Government held a total of 45 sessions – 33 regular, 4 special and 8 thematic. In these sessions, including 3 sessions of the RS Government in technical mandate, a total of 1704 items on the agenda were discussed, of which 1684 items at regular sessions.

Compared to the previous assembly of RS Government, which, in the first year of the mandate discussed about 34 points on the agenda per held session, on the average, the RS Government, under the leadership of Aleksandar Dzombic, gets more job done and discusses 47 items on the agenda per (regular) session (which is by as much as 38% more). The current RS Government is in session, including the special and thematic sessions, 5 times a month on the average, that is to say, it holds one meeting more on the average compared to the previous Government in the first year of its mandate. It is also indicative that prime minister Dzombic was absent only 2 times in the first 9 months of 2011, while his predecessor Milorad Dodik was absent from as many as 16 sessions in the first 9 months of 2007.

There is also a big difference regarding the approach to work between this Government and the previous, also speaking of its activity in the RS National Assembly. Ministers' replies in the Assembly sessions have become a regular practice, while in the last assembly of ministers and parliament members these were mainly isolated cases. The ministers very diligently defend the work of their competent ministries and enthusiastically argue that their positions be accepted by the Parliament.

Unfortunately, some negative practices from the previous period have continued in the year 2011. Thus, the work program was adopted only on 17 February, by which the Rules of Procedures of the RS Government were again violated. The budget was adopted again without a more serious inclusion of the public in its creation, and even with a delayed submission of the material to NP members, which made their work additionally more difficult. On top of everything, the work of the RS Government is getting more and more non-transparent as the crisis aggravates. The public is deprived of certain information, that would make processes more visible and democratic and that would remove suspicions about some possible illegitimate activities. For example, the members of the opposition often express their utmost surprise at the fact that they are unable to get the information about the balance on the escrow account managed by the RS Government, which is a worrying fact, having in mind that the RS NA, as a legislative body, is beyond the RS Government. The RS Government publishes the information on its web site very selectively and delivers certain abbreviated versions of the minutes, only after the expiry of the quarter, i.e. quarterly, which makes the work on monitoring of this institution, that is to say, informing the public about the work of the Government in a quality way, much more difficult.

The practice of insufficient efforts made by the Government on solving the most burning problems of RS citizens has continued. Of total number of adopted items on the agenda, in the meetings of the

current RS Government, only 17% are in a certain way connected with the life problems of common citizens. Speaking of that, the number of measures, implemented by 30 September 2011, that could really make the life of citizens in RS better, was only 3.6% of total number, which is even less than the percentage implemented by the previous assembly of RS Government – it had between 4 and 5% of such measures on the average in each year of its mandate.

In this extremely difficult year the RS Government showed its lack of social awareness of the needs of the citizens who live at the minimum or below the minimum of existential needs: subsidies for electricity for social categories of the population have been suspended, in the last year the average pension was increased by 1 KM, while the minimum pension was not even increased this much, but it remained at the level of 160 KM (the pensioners with the lowest pension in FBiH annually receive 1.800 KM more than their colleagues in RS), personal care assistance also remained at the level of 41 KM. At the same time, according to the data of the RS Unions Association, the cost of the consumer basket for September 2011 is higher by 107 KM compared to the same month of 2010. Besides, the RS Government cut the subsidies for the employment of the young from 2 million KM to 200.000,00 KM, as part of the budget of the Ministry for Family, Youth and Sport. Subsidies for agriculture were reduced by as much as 20 million KM.

Of important measures adopted by the RS Government, something that is surely noteworthy is the RS Employment Strategy and the Action Plan for Employment for 2011, that was however, unacceptably delayed. The Strategy was adopted in April and the Action Plan that relates to 2011, only at the end of July. At the same time, it was set extremely unambitiously – in fact it represented only recapitulation of what is already being done in the West and by the employment agencies, and that has proved to result in an increase rather than decrease of unemployment in this entity.

As of December 2008 until today, the number of the unemployed in the Republic of Srpska has increased by 16.691 person, i.e. by as much as 12.5%. According to the data of the Republic of Srpska Statistics Institute, the number of the unemployed from the elections until the end of August of this year, increased by 7.377 persons (and amounts to 149.765 persons). In average terms, by months, from the election day to the end of August, approximately 740 persons were laid off in the Republic of Srpska.

A serious decrease in the number of the employed in the Republic of Srpska is even more worrying, of which there is no monthly records kept at all by the competent institutions in this entity.

We can say that the RS Government is making certain efforts in various fields of its activities in order to boost the prospects for increasing foreign investments, to start or improve production or increase the number of the employed, however, political insecurity that has lasted for many years, with traditional large number of administrative obstacles, puts off the investors from investing in this area.

The problems mentioned above were recognized in the previous Progress Report for 2011, developed by the European Commission, in which it was stated that the labour market in both BH entities was fragmented and inefficient, which poses a big obstacle for an efficient response to unemployment. Complicated laws and regulations, that overlap in the field of labour and employment, prevent the

employers and foreign investors from investing in new job creation. At the same time, the employed persons do not have the same rights in the whole country, which seriously precludes the workforce mobility.

As for the program obligations, as of 30 September 2011, the RS Government adopted 185 measures, which is 62% of the planned at the nine-month level or only 48% of the overall annual plan.

RS NATIONAL ASSEMBLY IN THE FIRST 9 MONTHS OF 2011 - SUMMARY

During the analyzed period the RS NA held seven regular and two special sessions. In the first 5 months of 2011 the MPs worked very little (their total time in session was 12 days), and then they continued by significantly increasing the intensity of work so that, by the end of September, even with a one-month break in August they had almost twice as many days spent in the sessions.

With an increased volume of session in meetings there was an increase in efficiency too, in the sense of the number of the measures implemented. In the first 5 months only 13 laws were discussed, while in June only, in two sessions, during 10 days, as many as 10 proposals and 20 draft laws were adopted.

Insufficient work in the first half of the year has resulted in poor performance of program obligations. Of total 129 measures planned from the Program of Work for Nine-Month Period, the MPs implemented only 75 measures or only 58% of the planned (or the modest 41% of the annual plan).

The Work Program for 2011 was adopted by the RS NA only on 23 March 2011, in its 5th regular session, thus continuing the tradition of delays in adoption of annual plans – as many as 3 times in the previous NA mandate, the Work Program was adopted at the end or even after completion of the first quarter.

RS NA Work Program for 2011, with 103 planned laws, is more extensive compared to the Work Program for the last year (2010), however it is far less ambitious compared to the Program for 2007, the first year after the last General Election – the difference is in as many as 44 laws.

The RS NA did not manage to distance itself from what is otherwise a very common practice in BH institutions, i.e. incorporation of the data that relate to the period which is already over at the moment of adoption of the Work Program. Thus, in this-year's Program, adopted on 23 March, there are 5 laws planned for adoption in the first quarter, all 5 of which, at the moment of Program adoption, had already been adopted – two of them as long ago as in February. Such "back-planning" represents a serious obstacle for the authenticity of statistical data, because "the realization of the planned obligations" in 1st quarter 2011, according to the Program designed in such a way – is 100%. However, the efficiency of the RS NA is far from this figure.

Putting this irregularity in designing the Program aside, we can determine that the members of the RS National Assembly, in the first 9 months of this year, to which this report relates, adopted 36 of 68 laws

planned for adoption after the end of the first three quarters, which is 53% of the planned for this period. 12 more laws were adopted as draft and submitted to further procedure.

With insufficient implementation of the planned obligations by 30 September 2011, the number of laws that the RS NA should realize in the last quarter 2011, rose to as many as – 65 (which is 63% of total planned for the implementation in the year 2011), which makes the realization of the obligations planned by the NA Work Program for 2011 completely unrealistic.

Apart from insufficient intensity of work of the NA, another problem is in insufficient efficiency of the Government, which, on the one hand, fails to approve sufficient number of draft laws and is delayed in the realization of plans, and on the other hand, is slow in transposing the laws determined in the form of the draft and accepted by the Assembly into a final form of the proposal. This all has a devastating effect on the results of the work of the NA.

However, the responsibility is divided, because the NA persistently accepts an inferior position. It does not require the Government to submit to it the reports on its work, it does not define the tasks or guidelines for the work of the Government, nor does it direct that work, it does not exercise any control of it, all of which actually represents its prescribed obligations. On the contrary, we have an opposite situation, so the RS Government in its regular session discusses the realization of the Work Program of the RS NA.

Essentially, the problem with efficiency is reflected in the fact that of 65 laws that remained in the Program after 9 months of work of the NA, only 15 were accepted as drafts. This is simply insufficient for the Program to be realized in a high percentage.

According to the planned realization of the program obligations, the MPs should continuously, in the course of the year, discuss a considerable number of draft laws before the laws are planned to be adopted in the final form, according to the Work Program again. There are a certain number of laws that should go through the period of public debates, so that this is an additional argument for a requirement concerning the timely making of drafts of planned laws.

In addition to the laws contained in the Work Program for 2011, the members of the RS NA adopted 5 unplanned laws. The same number of draft laws was adopted, by which the total number of adopted laws in RS NA, in the period until 30 September 2011, rises to 43, with 20 laws accepted in the form of a draft.

Something that is specific about the work of the NA, which can be interpreted differently, is that not even a single proposed law was rejected by the members of the RS NA in assembly discussions or in voting (only 1 draft law was rejected, which was however initiated by the MPs from opposition parties).

Speaking of the work of the RS National Assembly in the context of solving the most burning problems of citizens, we must mention that in any case there is a lack of measures that could improve the quality of life of RS citizens in a long term, first of all that could solve the problem of too high unemployment and improve the unfavorable ratio of the employed on the one hand and the unemployed and the pensioners in the Republic of Srpska on the other hand.

Of the adopted in the previous period, we should emphasize the final adoption of the RS Employment Strategy for the period of next 4 years, which ensued after the same Strategy spent three years in the work programs of both the RS Government and RS NA and after it was withdrawn from the regular assembly session in May last year. The final result that is expected from the RS Employment Strategy in the period of the next 4 years is an increase in employment by 8%. However, the opposition in the RS National Assembly is skeptical toward possible effects of this strategy, due to the lack of financial resources in the entity's budget for starting any new projects or programs aimed at employment, professional development, requalification of workers, development of small and medium enterprises, etc.

We should remind that unemployment is one of the most significant problems in the RS. Moreover, the situation deteriorates from one month to another – according to the data of the Republic of Srpska Statistics Bureau, from the day of elections until the end of August, the number of the unemployed in the Republic of Srpska increased by approximately 740 persons a month. The problem is further aggravated by the fact that, unlike BiH Federation, in which an increase in the number of employed was registered, the number of employed in the RS decreases.

It is also noteworthy that the members of the RS NA find themselves more and more in a situation to adopt the decisions by which the RS, i.e. its citizens, assume additional debts on various grounds. When these measures are discussed, the members of the opposition remind that almost all money from privatization of RS Telecom was spent in the past period by the representatives of the ruling coalition, without turning to the National Assembly to ask for the opposition members' opinion on how to spend that money. On the other hand, they now remember the Assembly when they want to share the responsibility of incurring so much debt by the RS. The amount of the funds in question is huge, and it will soon become payable, which will be certainly felt by all the RS citizens, in one way or another.

At the end we should mention that the practice has shown the deficiencies of the new NA Rules of Procedures, in the sense of the abuse of parliamentary majority. Namely, when the opposition Parliament members warn about the violation of the Rules of Procedures, during the time of adoption of the agenda or during the session itself, then an MP has to precisely invoke the Article of the Procedures that was violated, after which the chairman of the Parliament puts the opposition motion on violation to vote, which is as a rule rejected by parliamentary majority. Unless there is an obvious violation of the Rules of Procedures when there is no quorum in the parliament hall. In this case the chairman immediately reacts and calls for a break until the conditions are created for continuation of work. In the first 9 months of 2011, on five occasions, the Parliament had to resort to breaks due to the lack of serious attitude of MPs, who simply went to the Parliament canteen or took a walk, instead of attending the parliament session.

Total planned budget expenses of the Republic of Srpska National Assembly for 2011 were planned in the amount of 10.264.772 KM. The allocation of the funds for the RS NA, through the budget was planned in the following amounts:

- 5.766.000 KM – for gross salaries and compensation of expenses of the employed and the MPs
- 380.000 KM – for gross compensation of expenses and other personal income of the employed

- 1.149.500 KM – for gross benefits of the MPs.

Compared to the previous assembly of the RS NA, in this assembly there are 16% more professional MPs, i.e. in the previous assembly there were 53 MPs who made their mandate professional, now this number is 65.

Something that is interesting is that the budget allocated for the RS president, after its enormous increase in this year, is higher than that total budget available to RS NA with all its related services. The budget of the RS president is 10.919.759 KM.