



**CENTRI CIVILNIH INICIJATIVA
ЦЕНТРИ ЦИВИЛНИХ ИНИЦИЈАТИВА**

**MONITORING OF THE CANTONAL ASSEMBLIES AND CANTONAL
GOVERNMENTS IN BIH**

JANUARY 1 - MARCH 31, 2014

IN THE FIRST QUARTER OF 2014 MOST OF THE CANTONAL ASSEMBLIES HAD MODEST INTENSITY IN THEIR WORK AND HAD REACHED UNSATISFACTORY RESULTS. The delegates of 5 cantonal assemblies – Canton 10, West Herzegovina Canton (WHC), Herzegovina-Neretva Canton (HNC) and Posavina Canton (PC) – in the first quarter of 2014 did not held even one session in a month on average – Canton 10 held only one session in 3 months, and remaining 4 held two sessions respectively.

The Assemblies of the above mentioned cantons in the first quarter had considered less than 15 measures at the sessions that were held. On the other hand, Assemblies of Tuzla Canton (TC) and Canton Sarajevo (CS), with total of 110 considered measures, have achieved almost as much as all remaining cantonal assemblies together. Also, the TC Assembly even achieved a higher number of measures for 4 and a half time less spent in the sessions.

In the first quarter of 2014 the delegates of 7 cantonal assemblies in the sessions have worked monthly less than one eight-hour working day on average. The delegates in C10 in total for three months only 4 hours, and delegates of WHC 6 and a half, PC 8 and a half hours.

THE CANTONAL ASSEMBLIES HAVE COME INTO THE LAST YEAR OF PRESENT MANDATE MOSTLY VIOLATING PROVISIONS THAT REGULATE THEIR OBLIGATIONS, IN THE CONTEXT OF ADOPTING KEY DOCUMENTS FOR THEIR WORK. Only the Sarajevo Canton Assembly began the year 2014 by adopting the 2014 working program in accordance with the obligations defined by the Rules of procedure. The assemblies of PC and TC adopted their working programs at the end of January; Assembly of Goražde Canton (GC) in the second part of February, assemblies of Una-Sana Canton (USC) and Zenica-Doboj Canton (ZDC) in March, and even 4 assemblies did not adopt their working programs by the end of first quarter of 2014.

MOST CANTONAL GOVERNMENTS AND ASSEMBLIES DO NOT ADHERE TO THE LAW – ONLY FOUR CANTONS ADOPTED THE BUDGET FOR 2014 ON TIME AND IN ACCORDANCE WITH THE LAW: ZDC (23.12.2013), GC (30.12.2013), CENTRAL BOSNIA CANTON (CBC) (30.12.2013) AND TC (18.12.2013). The first three cantons were amongst 4 cantons that adopted the budget on time the year before. Another three cantons adopted their budgets almost at the end of the legally set deadline, before the Decision on interim financing became ineffective- WHC (07.02.2014), CS (31.03.2014) and USC (31.03.2014). Other

three cantons– HNC, PC and C10 – had adopted their budgets after the Decision on interim financing became ineffective, i.e. after the first quarter had expired.

Only the budget of USC was decreased in regard to its last year's budget by amendments filed at the Assembly's session, contrary to the Government's requests. Two budgets – PC and WHC – are at the level of last year's budgets, and all remaining budgets were increased in regard to the last year's budgets.

REALIZATION OF OBLIGATIONS PLANNED BY THE ANNUAL WORKING PROGRAMS IS CATASTROPHIC. This statement is supported by the information that the best result in the first quarter has ZDC Assembly with only 14% of obligations from the annual working program realized for the first three months of 2014. That is the only result above 10%. In general TC Assembly realized only 1%, CS 3%, GC 4%, USC 5% for quarter of a year!

When it comes to realization of the laws, and the planned working programs, the best result was achieved by the ZDC Assembly, with modest 3 laws adopted as a proposal, which represent 15% of the completely realized laws from the Program, and as much partly realized laws (adopted as drafts). The USC Assembly completely realized 2 laws, TC and CS Assemblies one law each, and PC and GC Assemblies in the first quarter did not adopt any laws planned in their working programs for this year.

A total of 7 planned laws (out of 136 laws planned by the adopted working programs) were adopted in all cantonal assemblies for the first three months 2014.


REALIZATION OF RANDOM LAWS IN A CERTAIN WAY IMPROVES THE IMPRESSION ABOUT LEGISLATIVE ACTIVITIES OF CANTONAL ASSEMBLIES IN THE FIRST QUARTER OF 2014. Three times more random than planned laws (in the final form of proposal) were adopted in the first 3 months of 2014 in all cantonal assemblies. Thus the total number of laws adopted in the cantonal assemblies in the first three months of 2014 is 29 (together with 12 laws adopted as proposal/draft).

The Assembly of CBC adopted the highest number of laws – 7 (with 1 accepted draft) – and none of the laws was planned, because the Assembly failed to adopt its working program for this year during the period that is taken into consideration. Next are TC Assembly with 5 laws, WHC with 4 and ZDC and USC with three adopted draft laws respectively. GC, NHC and CS assemblies adopted 2 laws each, C10 one, and PC assembly did not adopt any laws in the first three months of 2014.

DURATION OF LEGISLATIVE PROCESS IN CANTONAL ASSEMBLIES IS QUITE UNEVEN. There are laws that are adopted at the same session during which they were proposed, and there are also laws that spend a whole year in the procedure of adoption.

The longest procedure of all laws adopted in the first quarter (counting from the period when the law was formulated at the government's session to adoption of the proposal in the assembly) had the Law on maintenance and management of common building property, which was adopted by the CBC Assembly on 647th day after it was formulated by the government as a draft. The next is the Law on changes and addenda to the Law on geological surveys of the HNC, adopted by the HNC Assembly after being 525 days in the procedure, the Law on inspection in the education sector in WHC, adopted after being 374 days in the procedure, and the Law on forests, which was adopted by Canton 10 Assembly after 352 days after it was formulated by the government as a draft.

REGARDLESS OF, GENERALLY SPEAKING, MODEST RESULTS, 3 CANTONS HAD IN FIRST QUARTER OF 2014 ACHIEVED THEIR BEST RESULTS IN REALIZATION OF LAWS IF ONE IS TO OBSERVE ALL FIRST QUARTERS DURING THE PRESENT MANDATE. These were CBC, WHC, and C10, which reached its mandate maximum with only 1 adopted law, because in the first quarters of previous 3 years they failed to adopt any laws. On the other hand, PC, GC and HNC suffered a steep drop in regard to their last year's results.



CANTONAL GOVERNMENTS I-III 2014

IN THE FIRST QUARTER OF 2014 UNDER HUGE PRESSURE OF CIVIC PROTESTS A TOTAL OF FIVE CANTONAL GOVERNMENTS RESIGNED – IN TC, ZDC, CS, USC AND GC – AND IN HNC SPEAKER OF THE ASSEMBLY AND THE MINISTER OF INTERIOR ALSO RESIGNED FROM THEIR OFFICE. Discontent of the citizens with their social status, with the general situation in the society and with the behavior of the government and the political elite in general, led to a domino effect in all its strength. Unfortunately, political elites did not grasp this as a moment to become aware of the situation and to turn towards citizens' interests (to solve their problems and meet their needs), but yet again they (even during the protests) showed that they take more care of themselves, their personal and party interests than of citizens and interests of the community. Most of the resignations were either rejected (GC) or silently ignored, and the governments that have resigned are still in the office. Only in TC the government was changed, and with extraordinary cooperation from the Assembly the new government was elected in accordance with the demands heard at the protests and citizens' plenums – as an apolitical “government of experts”.

DIRECT CONSEQUENCE OF THE PROTESTS IS REDUCED PRIVILEGES OF THE ELECTED OFFICIALS IN SEVERAL CANTONS – UNFORTUNATELY NOT IN ALL OF THEM AND NOT IN THE VOLUME IT SHOULD HAVE BEEN DONE. Incomes (under various grounds) of the politicians, who are paid from the budget, i.e. with the citizens' money, have to be adapted to the average incomes in the environments in which they perform their duties, i.e. the incomes have to be adapted to the social-economic situation in the community for which they are directly (co)-responsible. The incomes should also be adapted to the work load and the effects produced by the work they perform, since it is utterly immoral and unacceptable to take monthly wage from the budget for only several working hours in a month (this being a practice in some cantonal assemblies) or for not doing any work (when the governments due to inter-party conflicts – “meet” only using conference calls) or for evident catastrophic results in the situation of difficult economic situation in which most of the citizens are found.

IN FIRST QUARTER OF 2014 CANTONAL GOVERNMENTS WORKED WITH UNEVEN INTENSITY. Here it is really difficult to make a connection between the frequency of the sessions and civic protests, if observed as a pattern, since situations and reactions were different, but in certain cases the connection was really apparent. So in CBC and CS the number of sessions in regard to February 2013 multiplied as an reaction to the protests (in CS for 2.5 and in CBC for 3.5), and in TC

the situation was opposite – due to resignation of the government only one session was held in February 2014 in regard to 7 sessions that were held in February 2013. There is also great disproportion in the number of measures considered in the sessions of the cantonal governments. For example the number of measures considered by the Government of CS in the first quarter of 2014 (490) is even 9 times higher than the number of measures that were considered by the Government of WHC (53) in the same period.

NONE OF THE CANTONAL GOVERNMENTS ADOPTED 2014 WORKING PROGRAM ON TIME AND IN ACCORDANCE WITH OBLIGATIONS AND PROVISIONS REGULATING THEIR WORK. Instead of having annual working program adopted before beginning of the year to which it refers (so in this case by the end of December 2013) even 7 cantonal governments did not adopt their working program even by the end of the first quarter. Only working programs of CS, GC and USC were adopted by March 31, 2014.

REALIZATION OF OBLIGATIONS PLANNED BY THE ANNUAL WORKING PROGRAMS OF THE THREE CANTONAL GOVERNMENTS, WHICH WERE THE ONLY ONES THAT HAD WORKING PROGRAMS IN THE FIRST QUARTER OF 2014, IS QUITE MODEST – BELOW 15%. The governments of Sarajevo Canton and Goražde Canton had realization of the total planned obligations at 13%, and Una-Sana Canton at 11%. In realization of planned laws the order is somewhat opposite. Namely, most realized laws, both nominally and in percentage, has Government of the Una-Sana canton – 5 out 21 planned laws (whereof 3 were proposals and 2 were drafts). The next is Government of Goražde Canton with 3 out of 29 realized laws (2 as proposals, and 1 as draft). The last is Government of Sarajevo canton with only 1 law adopted as proposal out of 23 laws planned by the 2014 Working Program.

FAILURE TO ADOPT WORKING PROGRAMS BY MOST OF THE CANTONAL GOVERNMENTS LED TO DISPROPORTION IN REGARD TO ADOPTED PLANNED AND RANDOM LAWS IN THE FIRST QUARTER OF 2014. In all cantonal governments for the first 3 months of 2014 three and a half times more random than planned laws was determined – 21 random law proposals against 6 planned and 11 random draft laws, against 3 planned. The total number of laws determined in the cantonal governments in the first three months of 2014 is 41 (27 proposals and 14 drafts).

The highest number of laws was determined by the Government of HNC – 10 (5 as proposals and 5 as drafts) and none of these laws was planned, since the Government in the viewed period failed to adopt its working program for this year. Next are governments of WHC with 6 laws, USC with 5 laws, and GC, CS and C10 with 4 determined law proposals each. Governments of TC and ZDC determined 3 laws each, CBC 2, and PC Government together with the PC

Assembly did not have any legislative activities during the viewed period, i.e. it did not determine any law.

MORE THAN HALF OF THE LAWS DETERMINED BY THE CANTONAL GOVERNMENTS IN THE FIRST QUARTER OF 2014 ARE SO-CALLED BASIC LAWS.

Total 22 out of 41 laws determined by the cantonal governments in the first quarter of 2014 are so-called basic laws, and remaining laws are only changes and addenda to the existing legislative documents. The Government of HNC determined most of the basic laws – 6, and Government of ZDC determined none of the basic laws out of three that were determined in this period, and Government of PC did not determine any law in this period.

COMPARISON OF NUMBER OF DETERMINED LAWS IN THE LAST SEVERAL YEARS GIVES NEGATIVE RESULTS FOR MOST OF THE GOVERNMENTS.

Only one government, USC, in the first quarter of 2014 achieved results that were better than the last year's results in the same period. The results of Canton 10 Government, when it comes to determining the laws, are identical to the last year's results. Remaining 8 governments have poorer results than last year and the drop is quite dramatic in most of the governments (e.g. in PC from 5 to 0, in TC from 8 to 1, in GC from 9 to 3). A total of 5 cantons in the first quarter of 2014 achieved (or equated) the worst results in realization of the laws in the entire mandate, if one observes the first quarters.

