



**CENTRI CIVILNIH INICIJATIVA**  
**ЦЕНТРИ ЦИВИЛНИХ ИНИЦИЈАТИВА**

## **PARLIAMENT OF FBiH I-III 2013**

### **FAILED ATTEMPTS TO CHANGE THE GOVERNMENT AND VIOLATIONS OF THE CONSTITUTION MARKED THE FIRST QUARTER OF 2013**

During the February special sessions, the new parliamentary majority, which in the attempts to implement the changes envisioned, lacks the majority in the Bosniak Caucus in the House of People, tried to turn down the government and disown the current one until the election of the new one. However, the Constitutional Court recently ruled that the decisions by which the House of Representatives assumed the executive competences are in conflict with the Constitution.

**POLITICAL GAMES ALMOST PARALYZED THE GOVERNMENT.** Both Houses of the FBiH Parliament held nine sessions during the first quarter of 2013, with most of them being special sessions. The final result of the three-month work is as follows: eight measures realized in the House of Representatives and four in the House of People, which equals the performance of an unambitious parliamentary session at the cantonal level.

**THE FBiH PARLIAMENT IS THE TOP INEFFICIENT GOVERNMENT INSTITUTION IN THE COUNTRY.** After an initial period of successful performance of both the executive and the legislative government, when almost all statistical indicators of parliamentary work registered improvements, the dissolution of the ruling coalition turned the Parliament once more into the most inefficient government institution in the country. And this time, it brought the executive government down as well.

**LAW MAKING AS THE FUNDAMENTAL FUNCTION OF THE PARLIAMENT IS COMPLETELY NEGLECTED.** During the first quarter of 2013, no laws were approved by the Parliament of FBiH. However, as many as 80 laws are in parliamentary procedure pending for the Parliament's decision. Among them there are some laws that entered parliamentary procedure during the previous term. Not to mention the almost identical number of laws that were supposed to be included in the plan for this year.

**POLITICAL GAMES INTERFERED WITH THE ELECTION OF THE CONSTITUTIONAL COURT JUDGES.** Hence, as contributed by the FBiH Parliament, the Constitutional Court is not operating in full composition, with no possibility to function in full capacity.

**BOTH HOUSES HAVE VIOLATED THE OBLIGATIONS LISTED IN THE DOCUMENTS REGULATING THEIR WORK.** Neither house adopted the 2013 work program, despite being obligated to do so by the end of last year.

**THE PARLIAMENT DOES NOT FIND ANY TIME FOR SIGNIFICANT TOPICS, THE ONES OF PRIMARY IMPORTANCE FOR THE CITIZENS OF FBiH.** Three thematic sessions focusing on the employment issues and the situation in health care and youth issues initiated late last year are still on stand-by. The realization of many conclusions from the previous thematic sessions is also still pending, as well as additional initiatives calling for thematic sessions.

**BASED ON THE PARLIAMENT'S DECISION, AS PROPOSED BY THE GOVERNMENT, THE FEDERATION OF BIH IS CONTINUING TO BORROW.** 300 million KM, which are expected this year from the IMF and the EC, unfortunately will not be used to boost economic growth or employment. The funds will be used to cover budget holes and maintain unrealistic public spending. By looking at this year's budget, which is the highest ever, and its total expenditures for salaries and employee costs, we can see that the amount is up by 4.764.658 KM compared to the year of 2012, and as currently planned, the amount of 214.927.482 KM will be spent for that purpose, which is almost 10 percent of the total budget.

**PARTY CONFLICTS BRING INTO QUESTION THE FORMS OF EXPRESSING EQUALITY AND CONSTITUTIONALITY OF THE PEOPLE, WHICH ARE DEFINED BY THE CONSTITUTION.**

Despite being far into the second half of the term of office, due to the failure of political parties to reach an agreement, the position of the vice speaker of the House of People is still not filled with the representative from the Serb People Caucus.

**THE PARLIAMENT DEMONSTRATES LACK OF CAPACITY TO DEAL WITH SOME OF TECHNICAL ISSUES AND IMPLEMENT ITS OWN DECISIONS.** Expensive electronic vote system is still not in operation, therefore the public does not have access to information regarding individual voting on policies. There is no effective recordkeeping of MPs' presence, absence or early leaving of sessions. On the other hand, the House of Representatives, even a year and a half later, failed to honor the initiative launched by MP Mirza Ustamujić, which was adopted at the session in November 2011, that all questions, answers and initiatives launched by MPs should be publicized on the Parliament's web site. And the implementation deadline was 30 days.

**CATASTROPHIC PERFORMANCE RESULTS OF THE FBiH PARLIAMENT ARE EXPENSIVE FOR THE CITIZENS OF FBiH.** The highest losses are not the salaries paid for the poor results of MPs, i.e, their slacking and obstructions. The highest losses are manifested in the repercussions of such slacking, expressed in terms of seriousness of the economic situation in the country, the number of the unemployed and the poor quality of living standards.



**THE GOVERNMENT OF FBiH, AMONG OTHER THINGS, IS A PERFECT EXAMPLE OF WHERE POLITICAL IRRATIONALITY AND IRRESPONSIBILITY CAN LEAD TO.** In terms of the performance during the first half of its term, the current government of FBiH did not only turn into the worst one; it turned into a nightmare and the exit is nowhere in sight.

**THE RESULTS ACHIEVED IN THE FIRST QUARTER OF 2013 ARE THE WORST IN THE PAST SIX YEARS.** During the first quarter of 2013, the FBiH Government spent twice less time in sessions as compared to the same period of last year, and realized 209 policies less during the current year, showing a dramatic drop by 43 percent.

**THE SITUATION IS EXTREMELY BAD WITH REALIZATION OF LEGISLATIONS.** During the entire first quarter of 2013, the FBiH Government adopted only four laws. This is by five times less than in the same period of last year. Also, three out of the four laws are changes and amendments to the existing laws, and not one of the laws adopted passed parliamentary procedure during the period observed.

**IT SEEMS THAT THE GOVERNMENT DOES NOT EXIST FOR SOME MINISTRIES.** There are as many as nine ministries in the Government of FBiH that realized less than 10 measures during the sessions. Three of them, Ministry of Trade, Ministry of Interior, and Ministry of Environment and Tourism, realized as little as two policies each during the three-month period.

**IN A COUNTRY WHERE VIOLATIONS OF THE CONSTITUTION HAVE BECOME ALMOST AN EVERY DAY PHENOMENON, IT SEEMS INCONVENIENT TO WARN ABOUT GOVERNMENT'S FAILURE TO COMPLY WITH THE RULES OF PROCEDURE THAT REGULATE ITS OBLIGATIONS; HOWEVER, IT IS NOT. AND WE ARE CONVINCED THAT THE VIOLATIONS OF THE CONSTITUTION ARE THERE BECAUSE THERE IS NO MECHANISM FOR SANCTIONING VIOLATIONS OF THE DOCUMENTS SUCH AS LAW ON THE BUDGET OR RULES OF PROCEDURE. IN OTHER WORDS, IT IS BECAUSE POLITICIANS HAVE GOTTEN USED TO THE UNACCEPTABLE, THAT IS, THEY CAN VIOLATE LAWS AND FACE NO CONSEQUENCES.**

In 2013, the FBiH Government violated its own Rules of Procedure, by failing to implement the Regulation for strategic planning, annual planning and reporting", because it failed to adopt its work program for 2013, despite the obligation contained in the Rules of Procedure, listing December 31, 2012 as the deadline. (Out of 16 ministries, only the Ministry of Interior publicized its Work plan for 2013). The Article 19 of the Law on the Budget in FBiH is being continually violated. Over the past seven years, the FBiH Government not once submitted budget proposal in line with the deadline - by Nov 1. In 2013, the FBiH Government violated the Law on Budget in FBiH by failing to adopt the Report on the realization of the 2012 budget in a timely manner. The Regulation for strategic planning, annual planning and reporting" from 2011, in the article 15 defines that the Government is obligated to accept the Government's report for the previous year by Feb 10, which would include individual reports of the ministries. This also was not done by the end of the 1st quarter of 2013 (once

again, only the Ministry of Interior publicized the report on its work for 2012). The Regulation also prescribes that, starting 2011, the ministries are obligated to create three-year strategic plans for the period that will be in line with the Budget Framework Documents, and to publish the plans on their web sites. Not one ministry (16 in the FBiH Government) published its three-year strategic plan.

**DRAMATIC DROP OF GOVERNMENT EFFICIENCY IN 2013. (IN FACT, SINCE MID LAST YEAR) AND ITS COMPLETE LACK OF ORIENTATION, WILL UNDOUBTEDLY LEAVE CONSEQUENCES FOR THE LIVES OF THE FBiH CITIZENS AND THE COUNTRY AS A WHOLE.** Simply put, during the global crisis, we have a government that, instead of working frantically to find solutions and ways to get out the crisis, it is preoccupied with itself and pushes the country further into abyss. It obviously lost its touch with reality. The Draft Work Program for 2013 does not contain a special chapter addressing the unemployment problem in BiH. Nor does it provide clear directions and success indicators for the current year. And one of the potentially important laws - Law on Intermediation in Employment and Unemployment Benefits - is anticipated to be adopted by the Government by the end of 2013, only in the form of a draft.

**POLITICAL BLOCKADES OF INSTITUTIONS HINDER IMPROVEMENTS OF THE QUALITY OF LIFE AMONG CITIZENS.** On one hand, there is a dysfunctional government, dealing with its internal conflicts between the two constituting and irreconcilable blocks, and on the other hand, there is a blockade within the Parliament of the policies the Government adopted while it was functional, and which, eventually, if implemented, could bring some improvements. More than two thirds of the approved laws are in parliamentary procedure, and citizens can not feel any positive effects. At the same time, the realization of strategies depends on the pace of approving new laws and subordinate legislations in target areas. In addition to financial stability, the coordination between cantonal and federal level is also constantly being brought into question, which is another serious problem faced by the Federation of BiH.