



**CENTRI CIVILNIH INICIJATIVA
ЦЕНТРИ ЦИВИЛНИХ ИНИЦИЈАТИВА**

**Summary of the Report on monitoring performance
of the Government and the National Assembly of
Republika Srpska
during the term of office October 12, 2014 – June 30,
2018**

INTRODUCTION

The intention of this report is to show and point to the principle results of monitoring performance of the Government and National Assembly of Republika Srpska. Considering personal attendance of the members of the CCI's monitoring team and accessibility of all available documents (minutes, stenographs, reports), the Report was generated after careful analyses, while observing the practice of fair and correct reporting.

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The current term of office in Republika Srpska went by in an atmosphere of political instability and permanent conflicts between the position and the opposition, the situation whose roots are in a contentious way the government was founded at the beginning of the term and in the case of potential political corruption regarding the buying of MPs (known as the Two Douchebags Affair), which has never been resolved. The fact that the only victim of the police investigation was the media outlet that published the footage, while the actors of the affairs were not processed even after the experts confirmed the authenticity of the footage, revealed the depth of this problem in our country. Because, of course, this specific case is not an exception, it is a rule of conduct in BiH politics. This seriously undermines even the small level of public confidence in the institutions, as well as democracy behind which these political elites hide.

The only changing elements were the ways of how conflicts between the two monolithic political blocks in Republika Srpska manifested during this term of office – ranging from verbal insults (frequently unfit for the public sphere and derogatory for the institutions of RS), boycotting of the work of the National Assembly, organization of mass protests, demands for snap elections to threats made by the opposition to leave the Assembly and engage in the fight outside the parliament, which they like to call the fight against the “regime”.

Government has shown repeatedly its propensity to actions that are in disharmony with the standards of developed democratic societies that respect human rights of their citizens as well as media and other freedoms.

Already at the beginning of the term, we witnessed passage or attempts to pass laws about which both the domestic public and the international organizations warned, as they could potentially reduce human rights in Republika Srpska. Attacks on non-governmental organizations that have dared to go public and criticize various social happenings and government's actions were also constant (including the threat that these NGOs will be proclaimed foreign agents) as well as inappropriate influence on the public media, the so called open pressure on independent institutions (such is the Office of Public Auditor or courts) are, mildly said, alarming; the way that citizens' protests and independent media are treated is brutal, and the National Assembly at one point even adopted the conclusions which opened the possibility to proclaim political actions that are in disharmony with the ruling majority in RS criminal activity. Which is, to say the least, opposite to the fundamental norms of a democratic society.

NATIONAL ASSEMBLY OF REPUBLIKA SRPSKA REGISTERED A CONSTANT DECLINE IN INTENSITY OF ITS WORK AND PRODUCTIVITY DURING THIS TERM OF OFFICE (LOOKING AT THE ANNUAL LEVEL).

It started with 214 considered (various) measures in 2015, 158 in 2016 and 146 in 2017, down to only 63 measures that were considered in the first half of 2018. Viewed through monthly averages, it is a drop from 18 measures at the beginning of the term down to only 10 measures considered on a monthly basis (on average) at the end of the term.

GENERAL PRODUCTIVITY IN THE CURRENT TERM IS LOWER COMPARED TO THE PREVIOUS TERM.

Compared to 808 measures discussed during the previous term of office, the current term considered 703 measures (until June 30, 2018).

A CONSIDERABLE DECLINE IN THE REALIZATION OF LAWS IS ESPECIALLY TROUBLING.

The result of 182 laws passed during the current term of office is by 72 laws (or 28%) less than the number of laws passed during the previous term of the National Assembly.

THE NUMBER OF ADOPTED STRATEGIES (19) ARE IN THE SAME LEVEL WITH THE PREVIOUS TERM.

However, not even a half of the strategies anticipated in the annual work plans of the Assembly were realized during the four years of the current term. On June 30, 2018, there were as many as 28 strategies that were not adopted in the National Assembly.

REALIZATION OF THE PROGRAMMED OBLIGATIONS WAS AT A VERY LOW LEVEL DURING THE ENTIRE TERM OF OFFICE.

It is only during 2016 that the Assembly realized more than 50% of its annual work plan (even then it was only 51.4%). Realization of the legislative segment of the work plan was even lower: 38 out of 93 planned in 2015; 39 passed out of 95 planned in 2016; 32 passed out of 96 planned in 2017 and 20 passed out of 47 planned in the first half of 2018.

THE NATIONAL ASSEMBLY FAILED TO RESPOND TIMELY AND EFFICIENTLY TO CCI'S WARNINGS PRESENTED IN THE QUARTERLY REPORTS REGARDING SIGNIFICANT BACKLOGS IN THE CERTAIN PERIODS.

There was no initiative to increase dynamics of the work or the number of measures to try to cushion the failures and backlogs from the previous period. The Assembly, passively and without a visible initiative toward the executive government, waited for the documents that needed to be discussed. And it is the responsibility of the Assembly's leadership that is the greatest.

NOT ONCE DURING THE CURRENT TERM OF OFFICE DID THE NATIONAL ASSEMBLY ADOPT ITS WORK PLAN IN A TIMELY FASHION, BEFORE THE START OF THE YEAR TO WHICH IT RELATES. AND THE ASSEMBLY DID NOT THINK THAT THE SOLUTION TO THE CONTINUING DELAYS -- TO WHICH CCI POINTED PERSISTENTLY -- SHOULD BE IMPROVEMENT OF EFFICIENCY, A TIMELY REALIZATION, IMPROVEMENT OF RESPONSIBILITY OR INTRODUCTION OF SANCTIONS FOR A LATE REALIZATION OF OBLIGATIONS. INSTEAD, THE ASSEMBLY PASSED THE REGULATION TO PROCLAIM THESE DELAYS A TIMELY ADOPTION.

The new Rules of Procedure define that the final deadline for adoption of a Work plan is the end of the first quarter to which the Work plan relates. Hence, the National Assembly made it possible to work without the annual work plan during the first three months, making it all legal and according to rules (as our politicians like to say). However... even though something is in line with the rule, it does not necessarily mean that is it all right. Annual work plan should be approved before the start of the year to which it relates. All other solutions have no strongholds in logical thinking. And they have negative effects on the results of the National Assembly and the credibility of statistics data regarding its work.

ABSENCE OF THEMATIC SESSIONS TO FOCUS ON THE MOST SERIOUS EXISTENTIAL PROBLEMS OF CITIZENS AND COMMUNITY AS A WHOLE IS A SPECIAL PROBLEM IN THE WORK OF THE NATIONAL ASSEMBLY. NOT A SINGLE THEMATIC SESSION WAS ORGANIZED DURING THE ENTIRE TERM OF OFFICE.

No special session was held to discuss the situation in the healthcare. There were no special sessions to discuss the situation in economy, the protection of domestic production, the situation in the real sector, corruption, collapse of the banking system in RS, education, natality, etc. And finally, there was no special session dedicated to the alarmingly large problem of young people and working age population leaving the country due to economic and other reasons.

ALMOST TWO THIRDS OF MPS IN THE NATIONAL ASSEMBLY PROFESSIONALIZED THEIR STATUS. 53 of 83 MPs receive a monthly salary for performing MP functions i.e. they are on the Assembly's payroll. The largest portion of the budget is spent on personal incomes of the employees – 65%.

BUDGET WAS ADOPTED ON TIME ONLY IN THE LAST YEAR OF THE TERM OF OFFICE. In all other years of the term the budget was adopted before the start of the year to which it relates, but with delays and thus violating the timeline prescribed in the Law on the Budget System of RS (which prescribes that the National Assembly should pass a decision to adopt the Budget for the following fiscal year by December 15 of the current year).

DURING THE CURRENT TERM OF OFFICE, THE WORK OF THE NATIONAL ASSEMBLY WAS INTERRUPTED ON ONE HAND BY PROTESTS OF THE OPPOSITION AND ON THE OTHER HAND BY NOT ALLOWING THE SESSIONS ON CERTAIN TOPICS TO BE HELD OR BY POSTPONING CERTAIN ISSUES TO BE PUT ON THE AGENDA. In 2017, we witnessed the opposition's (unsuccessful) attempt to block the work of the National Assembly, as response to the ignored request that the National Assembly should discuss the report of the Principal Office of Public Auditor of RS. It is the Report that stirred the political scene and the public in Republika Srpska, to which the government fiercely reacted, due to which the Chief Auditor and his deputies resigned under serious and unacceptable political pressure.

ONE OF THE MOST IMPORTANT DECISIONS OF THE NATIONAL ASSEMBLY MADE IN THE CURRENT TERM IS PREVENTING THE RS GOVERNMENT TO SELL THE LJUBIJA IRON ORE MINE. This is perhaps the first, serious demonstration of strength and self-consciousness of the National Assembly that, unfortunately, usually acts as a service and not a controller and corrector of the executive government, which in fact is one of its constitutional functions.

RULES AND PROCEDURES OF THE NATIONAL ASSEMBLY WAS VIOLATED DURING THE ENTIRE TERM OF OFFICE BY HOW MPS CONDUCTED THEMSELVES AT THE SESSIONS. Lack of respect and acknowledgement among MPs and in communication between legislative (National Assembly) and executive government in RS (Government and President) is a continuing problem in RS. It is an utterly unacceptable vulgarization of the political scene for which all actors in the conflict should be responsible; however, the senior officials should bear the utmost responsibility. It is simply unbelievable that senior officials do not understand the need to protect dignity of the institutions.

DURING THE FIRST YEAR OF THE CURRENT TERM OF OFFICE, INCOMPLETE COMPOSITION OF THE NATIONAL ASSEMBLY VIOLATED BOTH THE RULES OF PROCEDURES AND THE CONSTITUTION. AND IT WAS AT THE END OF 2016 THAT THE ASSEMBLY ELIMINATED THE PROBLEM OF INCOMPLETE PRESIDENCY OF THE NATIONAL ASSEMBLY, TO WHICH REPEATEDLY POINTED. After almost one year during which the Assembly functioned without a representative of the Croat people and without any woman in its composition and as of May 2015 without a representative of the largest opposition party, the leadership of the Assembly was finally complete, with subsequent improvement of its gender structure as well.

NONCOMPLIANCE WITH DECISIONS OF THE CONSTITUTIONAL COURT WAS OBSERVED IN THIS CURRENT TERM OF OFFICE. Opposite to the decisions of the Constitutional Court of BiH, the National Assembly of RS at the session in July 2016 passed a Decision to call a referendum. The results of which the Constitutional Court annulled by the subsequent verdict.

TRANSPARENCY OF THE WORK IS AT A HIGH LEVEL. The National Assembly worked with OSCE for two years on developing a new web page. The web page is functional, with a respectable level of information. However, we cannot help but notice that the authorities in RS do not mind foreign financial and professional assistance when it is provided to them, but only when it is provided to government critics.

CHANGES IN POLITICAL PARTY AFFILIATIONS CAUSED POWER SHIFTS IN THE RELATIONS BETWEEN CERTAIN PARTIES AND COALITIONS AND AFFECTED THE POLITICAL SITUATION IN REPUBLIKA SRPSKA IN THE CURRENT TERM. Unlike the period after 2006 and 2010 General elections, when it was rare to see MPs leaving political parties that secured them their mandates, political party loyalty considerably declined during this term of office. Every tenth MP in the National Assembly left the political party on whose list he/she stood as a candidate for the Assembly. It is indicative that they are all from the opposition parties and some serious allegations of political corruption were made with regards to some cases of floor-crossing.

A special emphasis among the measures adopted by the National Assembly of RS during this term of office is on the Declaration condemning hate speech, which was adopted in late 2016, as a document that treats an area of extreme importance for both the RS and BiH, primarily for citizens of this country who have far too often been victims of unacceptable behavior in the public space, from internet to the statements made by the highest public officials.

The Declaration calls for the bodies at all levels of authority and all public office holders to fight against hate speech.

And, (unfortunately) it is imperative to remind of the Declaration condemning hate speech during the election campaigning period, when politicians do not choose their words carefully and when the public discourse is heavily congested with passionate statements, while civility and political correctness, and even basic logic, seemed to have disappeared under the gusts of arrogance and political egoism. And when one reaches for unacceptable means during the political fight.

THE RS GOVERNMENT 2014-2018

THE GOVERNMENT OF REPUBLIKA SRPSKA, THE FIRST-FORMED GOVERNMENT AFTER THE OCTOBER 2014 ELECTIONS, CONTINUED TO THIS DAY TOGETHER WITH ITS PRIME MINISTER, DESPITE DIFFERENT EXPECTATIONS OF POLITICAL ANALYSTS. Even though there were repeated speculations of government dismissal i.e. its prime minister, in a way that happened to the previous prime minister Aleksandar Džombić, such scenario did not take place. Her loyalty to the party leader kept her in power and secured her the position of a candidate for President of RS in the upcoming elections. Yet...

THE INTENSITY OF WORK IN THE CURRENT TERM OF OFFICE WAS MORE OR LESS AT THE LEVEL OF INTENSITY DURING THE PREVIOUS TERM. By June 30, 2018, the Government held 277 sessions, with 194 being regular sessions. On average, the Government held one session per week, as prescribed in the Rules of Procedure.

YEAR 1 OF THE CURRENT TERM WAS ALSO THE LAST YEAR OF THE CONTINUING GROWTH IN THE PRODUCTIVITY OF THE GOVERNMENT OF REPUBLIKA SRPSKA SINCE 2011. In 2015 the Government considered more than 3,000 measures, which is the result that it did not succeed to achieve in any of the subsequent years.

IN THE TOTAL NUMBER OF CONSIDERED MEASURES, THE SHARE OF THE ONES THAT SYSTEMATICALLY AND IN A LONG-TERM BENEFIT THE QUALITY OF CITIZENS' LIVES IS VERY SMALL. Various decisions, consents, approvals and conclusions make up 55% of the total number of the measures considered. Reports, information and plans and programs make up another 31%. On the other hand, laws make up only 3,4% and strategies only 0.5% of the measures considered during this term of office.

THERE IS A NOTICEABLE DECLINE IN REALIZATION OF LAWS COMPARED TO THE PREVIOUS TERM. During this term of office, the Government of RS endorsed 227 laws (224 in a form of proposal and 23 in a form of draft), which is by 57 laws (20%) less compared to the previous term. On the other hand, ...

27 STRATEGIES WERE ENDORSED, WHICH IS BY 6 MORE THAN IN THE PREVIOUS TERM. However, as it is the case in the National Assembly, half of the strategies anticipated in the Work plans remained unrealized during this term of office (of 45 different strategies, 20 were endorsed in a form of proposal and 4 in a form of draft).

NOT ONCE DURING THE CURRENT TERM OF OFFICE DID THE RS GOVERNMENT PASS ITS WORK PLAN ON TIME. IN FACT, THERE IS A NOTICEABLE DETERIORATION COMPARED TO THE PREVIOUS TERM OF OFFICE, BOTH IN RESPECT TO ADOPTING THE WORK PLAN AND THE DEGREE OF REALIZATION OF THE MOST SIGNIFICANT MEASURES. Instead of adopting a Work plan before the start of the year to which it relates, as prescribed by the Government's Rules of Procedure, the Work plan was adopted half way into the fourth or fifth month of the year to which it relates. Besides...

WITH INADEQUATE CONTENTS OF ITS WORK PLANS, THE SO CALLED “PLANNING HISTORY” THE GOVERNMENT ALSO CONTINUES TO STULTIFY THE STATISTICS REGARDING THE REALIZATION OF ITS PLANNED ACTIVITIES. Even though the work plans are adopted in Quarter 2 of the year to which they relate, the Work plans of the RS Government also contain the plans for Quarter 1. And even bigger problem is that the Program, which, by definition, is a Work plan for forthcoming period, includes the measures that had been realized before the Work plan was adopted. So, a significant percentage of the Work plan is already realized at the time of its adoption. Which is the same as starting a 100 m race 20 m into the race track and trying to report such outcomes as official result.

AS A RESULT OF POOR REALIZATION OF THE PLANNED OBLIGATIONS THERE IS NO REALIZATION OF SOME VERY IMPORTANT MEASURES THAT WOULD POTENTIALLY HAVE POSITIVE IMPACT ON THE QUALITY OF LIVES OF RS CITIZENS. Let us mention some of the programmed but unrealized strategies: Strategy of life-long learning, Strategy of improving health and social care for elderly, Strategy for the public administration reform, Strategy for cyber security, Strategy for development of special industry in Republika Srpska, Strategy for sport development, Strategy for establishment and development of internal financial control in the public sector in Republika Srpska, Strategy for improvement of sexual and reproductive health, Strategy for improvement and protection of rights of national minorities in Republika Srpska.

THE GOVERNMENT ALSO FAILED TO FULFILL TIMELY ITS OBLIGATIONS REGARDING THE BUDGET, CAUSING DEADLINE VIOLATIONS BY THE ASSEMBLY. Firstly, the Government endorsed the budget according to the law only once during its entire four-year time (and even then, after the deadline). In all other years, the procedure of adopting the budget was, needlessly, urgent. This, among other things, prevents a transparent process of adoption of the budget and a broad public discussion that would allow RS citizens to voice their opinions and suggestions regarding the budget proposal to influence its contents. Still...

A CHRONIC INSOLVENCY OF THE BUDGET AND ITS DEPENDENCE ON BORROWING ARE UTTERLY TROUBLING AS WELL AS CONSEQUENCES THAT THE BORROWING HAS ON THE BUDGET AND REPUBLIKA SRPSKA AS A WHOLE. From little over 500 million KM in 2015, debt repayment expenditures in the budget of Republika Srpska grew to over 750 million KM in 2018.

THE GOVERNMENT OF REPUBLIKA SRPSKA DID NOT FIND ANSWERS TO CITIZENS' KEY PROBLEMS THE CAUSE OF WHICH LIES IN POOR LIVING STANDARDS (WHICH AFFECT NATALITY AND EMIGRATION, CURRENTLY THE ALARMING AREAS). The situation in Republika Srpska is probably best described by information that average salary does not even cover half of the consumer basket costs and that the number of loans for general consumption increased i.e. borrowing to ensure bare survival. This type of loans at the end of the first quarter of 2018 stood at two billion and 59 million KM.

IN 2017, INSTEAD OF RESIGNATIONS OF THE MINISTERS WHOSE WORK WAS FOUND TO BE FULL OF IRREGULARITIES, RESIGNATIONS WERE FILED BY THE CHIEF AUDITOR AND HIS DEPUTY AFTER THE PUBLICATION OF THE AUDITING REPORT. Of 16 ministries in the Government of RS, only three, according to the Auditor's findings, worked in line with financial rules and regulations. And the Government, according to the Auditor's findings, did not objectively disclose the situation regarding deficit. Unfortunately, the public in Republika Srpska was denied international expertise (which CCI advocated for) that would show clearly whose data was correct – the government's or the data from the Auditor's reports. The Government was satisfied with the removal of an unpleasant critic of its work, without any sense of accountability to citizens.

EXCEPT FOR ITS OWN RESULTS, THE GOVERNMENT BEARS A SIGNIFICANT, IF NOT EVEN CRITICAL, RESPONSIBILITY FOR THE RESULTS OF THE ASSEMBLY. The National Assembly has capacity to process and realize fast all documents delivered by the Government. And unlike the Government of other BiH entity or the Council of Ministers of BiH, the documents almost have an unhindered flow within parliamentary procedure. That is why this poor realization of the planned obligations is primarily a result of the insufficient efficiency of the Government, i.e. insufficient number of laws, strategies and other documents, which are created by the Government and sent to parliamentary procedure. Responsibility of the Assembly is that it accepts this situation and its subordinate position instead of exercising pressure, demanding respect of deadlines, controlling the work of the Government and dismissing the ministers who are not responding to the tasks set before them.

TRANSPARENCY OF THE WORK OF THE GOVERNMENT DURING THE CURRENT TERM WAS NOT SATISFACTORY. The information was released selectively (as noted by several media outlets), and the minutes

of the sessions were not posted on the official website of the Government. Rather than being published right after their adoption at the following session, the minutes were not available for months (and some the CCI did not receive even after multiple requests).

THE GOVERNMENT VIOLATES THE RULE OF PROCEDURES OF THE NATIONAL ASSEMBLY BY FAILING TO ANSWER PARLIAMENTARY QUESTIONS WITHIN THE PRESCRIBED DEADLINE. The opposition MPs repeatedly pointed to this phenomenon and the President of the National Assembly asked the Government to act in line with the Rules of Procedure. MPs have also occasionally complained about the quality of the answers received from the Government, deeming them inadequate.

IN ADDITION TO THE RULES OF PROCEDURE AND THE LAW ON THE BUDGET SYSTEM, THE RS GOVERNMENT CONTINUES TO VIOLATE THE LAW ON GENDER EQUALITY OF BIH. In the Government of RS, women occupy less than a quarter of positions (4 out of 17), which is in violation of the Law that sets forth that the lowest percentage of representation of the underrepresented gender is 40%. And that everything else is considered discrimination that in line with this law must be eliminated.

CONCLUSION

Government, in the nature of its position and power that is concentrated in its hands, bears the key responsibility for the results achieved.

Simply, that is what it is – responsibility for the results comes with privileges that power brings.

We close this press conference with the same words that we used to close the press conference on performance of the Government of FBiH:

Ahead of these elections, the parties that (also) made the backbone of the government during the past period, show that they do not know how and do not have the intention to change either their vocabulary or politics.

By relying on corrupt parts of the society, on this mass entrenched in public institutions and companies, they neglected the needs of the so called “ordinary” normal citizens of the country, and rather than working to find solutions to the real existential problems they continue to engage in politicking, nationalistic and chauvinist excesses to generate conflicts. They are focused exclusively on remaining in power, regardless of the consequences for the citizens or the country.

However... “Every people have the government they deserve”. And we will know after the upcoming elections if we want or deserve better. Or if we deserve exactly what we have.
