

IPA National Programme 2009 Part II – Bosnia and Herzegovina

Fiche 2 "Constitutional Reform"

1. Basic information

1.1 CRIS Number: 2009/021-650

1.2 Title: Support for the Constitutional Reform

1.3 ELARG Statistical code: 01.36 – Political criteria/Political criteria

1.4 Location: Bosnia and Herzegovina

Implementing arrangements:

1.5 Contracting Authority: European Commission

1.6 Implementing Agency: European Commission

1.7 Beneficiary:

Main beneficiary: Ministry of Justice BiH

Other beneficiaries: All line BiH ministries and entity level ministries, Constitutional Courts, Constitutional Commissions, Constitutional-Legislative Commissions, Legislative Commissions, Ad hoc commissions, Legislative Office, FBiH Government Head office, HJPC, CSOs

SPO:

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Financing:

1.8 Overall cost (VAT excluded): EUR 1 000 000

1.9 EU contribution: EUR 1 000 000

1.10 Final date for contracting: Two years following the date of the conclusion of the Financing Agreement

1.11 Final date for execution of contracts: Two years following the end date of contracting

1.12 Final date for disbursements: One year following the end date for the execution of contracts

2. Overall Objective and Project Purpose

2.1 Overall Objective

To support BiH efforts in the process of improving national legislation in the process of the constitutional reform, aimed at ensuring that BiH is a democratic and functional state.

2.2 Project purpose

To provide continuous support to the capacity building of an entire range of BiH institutions that will take part in the preparation of constitutional reform process including the state, entity and local level ones together with the NGO sector, associations of citizens, , and media.

2.3 Link with AP/NPAA / EP/ SAA

Bosnia and Herzegovina is in the early stage of developing the NPAA, as an action plan that would provide very extensive lists of all the legislative activities to be carried out in order to implement the provisions from the Stabilisation and Association Agreement. The constitutional reforms are included as one of the key priority issues in the European Partnership for BiH.

One of the Medium Term Priorities outlined in the European Partnership adopted in 2008 (i.e. to be accomplished within 3-4 years) is as follows:

“Continue the process to agree on and adopt changes to the constitution of Bosnia and Herzegovina that will contribute to creating more functional and fiscally sustainable institutional structures, improving respect for human and fundamental rights and supporting the process of European integration.”

European Partnership among its short term priorities identifies:

“Strengthen administrative capacity in preparation for implementing Stabilisation and Association Agreement (SAA) and Interim Agreement (IA) commitments.”

“Take measures to achieve more functional and sustainable institutional structures and better respect for human rights and fundamental freedoms, including by agreeing and adopting changes to the constitution of Bosnia and Herzegovina, as necessary.”

2.4 Link with MIPD

In the MIPD 2009 – 2011, as a key strategic document that defines priorities to be financed under the IPA in BIH it is outlined:

“Community assistance will support Bosnia and Herzegovina to comply with the political criteria of the European Partnership. Priority will be given to assistance with the aim at strengthening administrative capacity and to support domestic efforts on constitutional reform, ensuring that Bosnia and Herzegovina becomes a more democratic, sustainable and functional state.”

The MIPD 2009-2011 gives strategic choices for IPA assistance over the period 2009-2011. Under Political criteria it is stated:

“IPA will support the public administration reform, including support to the customs and

taxation administration, the reform of the judiciary and of the police. The emphasis will be on institution building. **It will support domestic efforts on the constitutional reform process.** Bosnia and Herzegovina will be supported in implementing these reforms in a fiscally responsible way i.e. through assistance to identify and implement savings at all levels of Government.”

In the subsection “2.3 Multi-annual planning by component: Political Criteria” it is stated that:

“IPA supports the public administration reform and **offers assistance to the reform of the Constitution.** In line with the lessons learned on the need to increase local ownership, IPA will support the structures for the decentralisation of the assistance. Assistance can be provided to strengthen the rule of law and to support the social inclusion of vulnerable groups and returnees. Further target groups of IPA support are the **civil society** and the **media**. In addition IPA will assist Bosnia and Herzegovina to protect its **cultural heritage** in the context of the "Ljubljana Process.”

Under subsection “Objectives and choices” it is stated:

“- Constitutional reform: Support domestic efforts on constitutional reform”

Under subsection “Expected results and indicators” it is stated:

“- Constitutional Reform: The process of constitutional reform starts and leads to changes to the Constitution which contribute to more functional and sustainable institutional structures and to a smoother decision-making process.”

2.5 Link with National Development Plan

The Country Development Strategy (CDS) for the period 2008-2013 is currently in the final phase of preparation. Together with the Social Inclusion Strategy (SIS) it will serve as a basis for the development of a National Development Plan (NDP).

3. Description of project

3.1 Background and justification

The EC Progress Report as of November 5th, 2008 for Bosnia and Herzegovina's under the heading Constitution presents the following text:

"Bosnia and Herzegovina's constitution, which is contained in Annex IV to the Dayton/Paris Peace Agreement (DPA), establishes a complex institutional architecture. The DPA put an end to the war and brought peace and stability to Bosnia and Herzegovina. Although progress has been made under the current constitutional structure, it still prevents swift decision-making and therefore hinders reform and the capacity to make rapid progress towards the EU."

"Since the Bosnia and Herzegovina Parliamentary Assembly rejected a package of proposed constitutional amendments in April 2006, no further attempts have been made to amend the constitution. Consequently, there has been little progress in addressing the key European Partnership priority, requesting Bosnia and Herzegovina to establish more functional and sustainable institutional structures. There remains wide disagreement between the political parties on the scope of the future constitutional reform."

"Overall, nationalist rhetoric has prevailed and Bosnia and Herzegovina's leaders have

made no progress towards creating, through the reform of the constitutional framework, more functional and affordable State structures which support the process of European integration.

As stated in previous chapters it is clear that BiH must honour the principles of democratic governance if it desires to join the family of EU nations, while at the same time it also must introduce the principle of efficiency in the activities of its institutions if it wants to properly address issues of employment, labour, education, fiscal sustainability and launch a higher rate of economic growth, concerning equal opportunities for women, for people with disabilities and for people belonging to minority groups.. One of the essential preconditions would be the accomplishment of a new constitutional set up that would have the effect of setting the conditions where all the strategic goals would be easier to accomplish, while any policy initiative would be easily converted into a viable benefit for the citizens.

These pressing issues driven by and whilst intending to keep Bosnia on the right track and not let it lag behind the other countries in the region on its path of EU integrations, the idea of the project is to give direct support to the agreed and institutionalised platform for pursuing a comprehensive and locally owned constitutional reform process in Bosnia and Herzegovina¹.

The project presents continuing support started through the project of the local capacity building for the process of Constitutional reform. Likewise the project itself would be solely process driven and process oriented in a sense that all the stakeholders that would have some interest in the process of constitutional reform would be considered as the beneficiaries mainly on the entities and local self-government level. One thing that should be considered before the start of the project is seeking consultative guidance from the Venice Commission by asking for revised opinion on the process.

Identification of stakeholders and beneficiaries would take into account gender equality to ensure that problem analyses reflect different interests and needs of man and woman, and that both women and men are represented in the consultations.

The project would provide to the stakeholders the whole range of different support activities in terms of getting the relevant domestic and international expertise, especially expertise in constitutional law. Furthermore, project would also facilitate organisation of many public events, round tables, public discussions where number of civil society players would speak on their own position on constitutional reform. Finally, project would facilitate, also, different beneficiaries with purpose of launching the most suitable media campaign that would cover various aspect of constitutional reform so that greatest number of people would be provided adequate and timely information on every aspect of process of constitutional reform.

In terms of pointing out results to the beneficiaries, they are divided in the four groups. The first intervention provided by the project would be support for the operational strengthening [institutional and/or capacity building] of the organisational units responsible for facilitating the reform process. It can support the units by providing direct assistance in carrying out the activities of the units (preparing an action plan, facilitation of working groups, support in the development of a media campaign, organisation of discussion sessions, drafting of

¹ It is anticipated that a number of international donors will contribute support to the BiH Constitutional Reform process. The modalities of this support are still in the making, however it can be envisaged that the process will be co-financed, and in the context of the process being owned by BiH, the projects resulting should be to the greatest degree possible developed and managed through the local institution made responsible for the overall process. In this respect, the potential modality of the implementation of the EC funds should include the full range of possibilities under IPA including TA, Twinning and Grants amongst other. It will support the Executive and/or the Parliament with the localisation and initial support in the formal establishment of an institutionalised platform that will be endowed with the facilitation of the constitutional reform process, involving all stakeholders (rulebook, recruitment/temporary secondment, necessary changes in legislative acts, etc).

expert/opinion papers, etc), as well as support organisational/administrative activities of the units and/or the provision of complementary expertise.

The second intervention provided by the project would deal with assistance of what is likely to be a most vital part of a process of constitutional reform, and that is facilitating the establishment of the working bodies in charge of certain topics of constitutional reform and the activities of a secretariat for constitutional reform. However, having in mind the scope of work to be done at this stage it is likely that there would be an authorised drafting group making recommendations on certain constitutional topics. For that purpose, assistance will be needed in terms of providing relevant knowledge and expertise in the area. Furthermore, one should also take into account the necessity of having a resident adviser within a secretariat for constitutional reform who would be providing advices on a regular basis. In addition, project support could also be given through assigning local persons to provide expertise within the local working bodies making sure that the inputs of the relevant non government players are taken on board when discussions between the working bodies take place. Finally, university professors from BiH in the area of constitutional law, social and political sciences could also be hired to provide for local expertise in order to provide assistance to various activities of the working bodies.

The third intervention and fourth intervention could assist to the activities of the civil society sector, so that they could make stronger impact in the course of process of constitutional reform in a sense that their positions and views are known and possibly feed the relevant ideas into the process, while the media briefings and coverage would assure that different views of the stakeholders are properly covered.

This project should be viewed in context of continuance to the effort started through project submitted to be seconded out of IPA 2007 funds. Once terms of reference are completed, they could be used as a reference point for developing the scope of the project.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact

In the sense of generating a stream of positive benefits once the process of constitutional reform is brought to an end, and constitutional amendments for which all the stake holders have issued its consent are adopted at all required government levels, we might try to determine certain forecasts.

Successfully carried out process of constitutional reform would facilitate the process of implementation of the PAR strategy, since the conditions for rapid advancement of the Public administration reform would be in place. Legislation activities would be carried out with less holdups and harmonisation of laws at all levels would be less cumbersome. Lots of ongoing reforms that currently are not progressing as anticipated would gain momentum and increase the pace of its reform activities. This would be due to the fact that new policy making preconditions and the new systemic set up would be in place.

The process of constitutional reform would facilitate implementation of the BiH Gender Action Plan in view of the recent efforts in mainstreaming gender equality as a segment of human rights in the constitutional changes, which have resulted with recommendations and amendments for gender equality provisions in the constitutions of BiH.

Cooperation between the entity institutions would be upgraded, which over the medium and long run would result in the increase of savings, having more budgetary funds on its disposal for capital investments. In that regard, BiH authorities would be able to accomplish its macro fiscal goals and macro economic projections more easily.

State and Entity Statistics institutes would improve their cooperation; EU provisions on four freedoms of movements would be easily implemented, which all together would make most of the obligations from the SAA (Stabilisation and Association Agreement) less difficult to embark upon. Finally, cross cutting issues such as equal opportunities and non discrimination, together with minorities concerns would be addressed more thoroughly due to this anticipated domino effect of the reforms resulting in the improvement of the overall governance and functioning of the state institutions.

Moreover, it is assumed that a successful accomplishment of a comprehensive constitutional reform process would eventually lead to convergence of tinkering between the various constituent parts of the country on the strategic direction and development of the country as a whole, paving the way for more harmonised and sustainable development, more effective policy making, coordination and implementation and increased absorptive capacity for development funds.

3.3 Results and measurable indicators

Result 1 – Established platform for Constitutional Reform through the project

Indicators:

- Action plan on the basis of which the organisational unit at entities level would carry out its activities;
- Number of consultancy inputs of how to facilitate the activities of the working bodies;
- Number of relevant experts selected and assigned in charge of coordinating groups;
- Number of public fora/forum discussions;
- Range of daily activities within the secretariat for constitutional reform;
- Number of consultations between the relevant parties involved in the process.

Result 2 - Smooth development of the constitutional reform process itself achieved through the whole range of institutional and administrative capacity building activities for the entities and local self-government authorities

Indicators:

- Number of sessions held by the working bodies;
- Number of relevant documents on different constitutional topics;
- Number of discussion sessions and arranged opinion pools;
- Increased level of inputs produced as a result of activities of the working bodies;
- Number of experts supporting members of the working bodies, by gender.

Result 3 – Ensured civil society involvement throughout the process of constitutional reform itself

Indicators:

- Number of organised NGO workshops and round tables;
- Amount of inputs from the civil society;
- Number of civil society representatives in a secretariat for constitutional reform.

Result 4 - Adequate media outreach present throughout the whole process of constitutional reform

Adequate media briefings and coverage of wide range of activities different stakeholders, interested parties, citizens associations, etc through the whole process of preparation and development of constitutional reform.

Indicators:

- Number of public forums established;
- Number of TV reports; printed journal reports and interviews;
- Number of different types of publications and promotion materials;
- Number of public hearings on constitutional topics.

3.4 Activities

The project intends to set an inclusive process on constitutional reform. Given the nature of the project and its political sensitivity, at this point of departure the detailed list of activities is not fully set. Clear list of project activities would be elaborated during the inception period and on start-off project supporting capacity building to state level relevant bodies in the IPA 2007 project, once the situation is clearer and relevant preconditions necessary for project beginning are met.

The following components are planned to deliver the specified results:

- Preparation and practical operationalisation of concrete steps/activities from the action plan on the basis of which the whole process of technical support to the constitutional reform process would be carried out.
- Institutional and administrative capacity building targeting different working bodies with the aim to facilitate their functioning, provide advice and coordination
- Developing and supporting measures to facilitate adequate civil society involvement through their inputs, views and suggestions in the process of the constitutional reform.
- Support to the preparation and realisation of adequate gender sensitive media campaign that best fits the purpose and nature of the process of constitutional reform as well as adds value to its transparency and clarity.

The activities will be carried out through Technical Assistance/Services Contract.

3.5 Conditionality and sequencing

Main conditionality relates to gaining political consensus on the process of constitutional reform at state level. Same will serve as starting basis for the opening discussions at entity level.

Once having established platform for Constitutional Reform through the project and in accordance with conditions defined in the initial stage of the project, a comprehensive work plan will be developed and adopted. The process will run in parallel with ensuring civil society involvement throughout the process of constitutional reform itself and ensuring adequate media outreach.

3.6 Linked activities

Some aspects of constitution are bound to change in context of European partnership. However, the EC progress report mentions clearly in the section 2.1 that the evolution of BiH constitution has stagnated but for the benefit of eminent EU integration processes it is necessary to happen. The MIPD 2009-2011 recognises that constitutional reform is one of the key issues on the way of Bosnia and Herzegovina towards EU integration.

In addition, the COUNCIL JOINT ACTION 007/87/CFSP, as of 7 February 2007, amends and extends the mandate of the European Union Special Representative in Bosnia and Herzegovina making him responsible for providing political advice and facilitation in the process of constitutional reform.

3.7 Lessons learnt

During the BiH engagement with EU institutions, while working in negotiation and implementation of specific aspects of BiH integration process, the BiH institutional set up repeatedly has been appearing as the major obstacle, particularly in a scenario of misuse of the current constitutional provisions and insufficient political will to compromise to respond to a number of EU-related requirements. The evolution of the constitutional framework is necessary to limit blocking mechanisms that have been used by all parties to prevent reforms necessary for BiH to move forward in the EU integration process.

This is also momentum when the SAA provisions with regard to respect of human rights and equal opportunities for women and men, within the new economic and social requirements, should be applied through integration of gender equality issues in the constitution reforms process in BiH.

4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	%(2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1	X											
contract 1.1 (service)	-	-	1 000 000	1 000 000	100							-
TOTAL IB			1 000 000	1 000 000	100							
TOTAL INV												
TOTAL PROJECT			1 000 000	1 000 000	100							

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Total** Expenditure (column (a))

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1 (service)	Q2/2010	Q1/2011	Q1/2012

All projects should in principle be ready for tendering in the 1st Quarter following the signature of the FA

6. Cross cutting issues

6.1 Equal Opportunity

Equal participation and equal opportunities would be respected throughout the entire duration of the project. Gender equality issues relevant to the project purpose are to be identified. This initiative supports:

Gender equality aspects will be addressed in further developing the scope of the project taking in consideration that the recent package of reforms does not include specific provisions on gender equality and equal opportunities. It will support the ongoing efforts of gender institutional mechanisms to mainstream gender in constitutional reform process in BiH (comparative analyses of the constitutions in the wide region, regional conferences/seminars with members of state and entity parliaments in 2007 and 2008 and other stakeholders; all resulted with recommendations and amendments to include gender equality provisions in the constitutions of BiH).

The project will support both, the national government policies and legislation (BiH Gender Equality Law, Gender Action Plan) and EU policy commitment to gender equality as well as the EC's participation in the global movement for gender equality. It will also support the implementation of the relevant provisions of the SAA (Article 99) and MIPD (cross-cutting issues) which call for respect for equal opportunities and non-discrimination as regarding gender as well as minorities in the IPA programming.

The gender mainstreaming activities should include following:

- As the project intends to set an inclusive process on constitutional reform, the gender institutional mechanisms (state Gender Equality Agency and entity Gender centres, state and entity Parliamentary gender commissions) should be involved in the activities within the results 1 and 2, to ensure that gender equality issues are properly addressed in the process.
- Participation of the gender experts in the working bodies to do gender analyses of the constitutional provisions
- Involve non-governmental organizations which participated in the recent activities on constitutional reform from gender perspective (2007, 2008).

6.2 Environment

N/A

6.3 Minorities

There is no doubt that once the constitutional reform process is successfully brought to an end, the conditions for protection of minorities together with ability of minority groups to exercise their rights are likely to be improved.

ANNEXES

- 1 - Log frame in Standard Format
- 2 - Amounts contracted and Disbursed per Quarter over the full duration of Programme
- 3 - Description of Institutional Framework
- 4 - Reference to laws, regulations and strategic documents:
- 5 - Details per EU funded contract

ANNEX I: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Programme name and number <u>IPA National Programme 2009</u> <u>Part II – Bosnia and Herzegovina</u> <u>Fiche 2</u>	
Project. Support for the Constitutional Reform CRIS Number: 2009/021-650		Contracting period expires: Two years following the date of the conclusion of the Financing Agreement	Disbursement period expires: One year following the end date for the execution of contracts
		Total budget : EUR 1 000 000	
Overall objective	Objectively verifiable indicators	Sources of Verification	
To support BIH efforts in the process of approximating national legislation in the process of the constitutional reform with acquis communautaire aimed at ensuring Bosnia and Herzegovina is a democratic and functional state	Progress made in meeting EC requirements. Amendments on BiH constitution adopted at all levels.	EC Progress report Various independent reports	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
To provide continuous support to the capacity building of the entire range of BIH institutions that will take part in the preparation of constitutional reform process including the state, entity, local level ones together with the NGO sector, associations of citizens, consumers, and the media.	<ul style="list-style-type: none"> Identified beneficiaries at entities and local self-government level enabled to carry out its “constitution-reform-related activities” and by so doing add the quality inputs to issues of constitution’s reform; Constitutional reform of Bosnia and Herzegovina carried out in fiscally responsible way. 	<ul style="list-style-type: none"> Project report; EU Annual progress report on BiH. Document of framework budget; (Public Investment program) PIP report. 	<p>Political stability</p> <p>Political consent on promoting and advancing constitutional reform.</p>

Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>Result 1. Established platform for Constitutional Reform throughout project</p> <p>Result 2. Smooth development of the constitutional reform process itself achieved through the whole range of institutional and administrative capacity building activities for the entities and local self-government authorities</p>	<ul style="list-style-type: none"> • Action plan on the basis of which the organisational unit at entities level would carry out its activities; • Number of consultancy inputs of how to facilitate the activities of the working bodies; • Number of relevant experts including gender experts, selected and assigned in charge of coordinating groups; • Number of Public fora/forum discussions; • Range of daily activities within the secretariat for constitutional reform; • Number of consultations between the relevant parties involved in the process. • Number of sessions held by the working bodies; • Number of relevant documents on different constitutional topics; • Number of discussion sessions and arranged opinion pools; • Increased level of inputs produced as a result of activities of the working bodies; • Number of experts supporting members of the working bodies including gender experts. • Number of organised NGO workshops and round tables; • Amount of inputs from the civil society; • Number of civil society representatives in a secretariat for 	<ul style="list-style-type: none"> • EC Progress report • Project reports • BiH Entities official gazettes • Minutes from responsible working bodies sessions • Various independent reports by gender • Minutes from joint public presentations of civil society association on relevant constitutional topics. • Reflection in the national media and communication means. Various types of booklets on different constitutional topics. 	<p>Political stability</p> <p>The process of the Constitutional reform extends to entities level government authorities</p> <p>Continued interest of all relevant parties in the constitution reform</p>

<p>Result 3. Ensured civil society involvement throughout the process of constitutional reform itself</p> <p>Result 4. Adequate media outreach presented throughout the whole process of constitutional reform</p>	<p>constitutional reform.</p> <ul style="list-style-type: none"> - Number of public forums established; • Number of TV reports; printed journal reports and interviews; • Number of different types of publications and promotion materials; • Number of public hearings on constitutional topics. 		
Activities	Means	Costs	Assumptions
<ul style="list-style-type: none"> • Preparation and practical operationalisation of concrete steps/activities from the action plan on the basis of which the whole process of technical support to the constitutional reform process would be carried out. • Institutional and administrative capacity building targeting different working bodies with the aim to facilitate their functioning, provide advice and coordination • Developing and supporting measures to facilitate adequate civil society involvement through their inputs, views and suggestions in the process of the constitutional reform. • Support to the preparation and realisation of adequate gender sensitive media campaign that best fits the purpose and nature of the process of constitutional reform as well as adds value to its transparency and clarity. 	<p>Technical Assistance</p>	<p>EUR 1 000 000</p>	<p>Political stability and interest</p>

ANNEX II: Amounts (in EUR) Contracted and disbursed by quarter for the project

Contracted	Q1/2011	Q4/2011	Q2/2012
Contract 1	1 000 000		
Cumulated	1 000 000		
Disbursed			
Contract 1	400 000	300 000	300 000
Cumulated	400 000	700 000	1 000 000

ANNEX III: Description of institutional framework

A variety of stakeholders is to be included in the process of constitutional reform. The beneficiary of this present assistance project is the Ministry of Justice of Bosnia and Herzegovina whose schematic structure is presented below:

- Minister of Justice BiH
- Deputy Minister of Justice BiH
- Secretary General of Ministry of Justice BiH
- Sector for Personnel, General and Financial-Material Affairs
- Sector for Judicial Bodies
- Department of Court Police
- Sector for Execution of Criminal Sanctions and Work of the Penal Institutions
- Sector for International and Inter-Entity Legal Assistance and Cooperation
- Sector for Administration
- Administrative Inspectorate
- Sector for Strategic Planning, Aid Coordination and European Integrations
- Detention Unit and Institute for Execution of Criminal Sanction, under construction
- Department of Prison Police at the State Level
- Sector for Civil Society

The composition of the Parliamentary Assembly of Bosnia and Herzegovina is as follows:

The Parliamentary Assembly of Bosnia and Herzegovina consists of two houses: House of Representatives and House of Peoples. The mandate of its members is four years.

The House of Representatives has 42 members, of which two thirds are directly elected from the Federation BiH and one third from Republika Srpska. The quorum is made by majority of all members elected to the House of Representatives. The following committees are operating within the House of Representatives:

- Constitutional and Legal Committee
- Foreign Affairs Committee
- Foreign Trade and Customs Committee
- Finance and Budget Committee
- Transport and Communication Committee
- Gender Equality Committee
- Committee for Preparation of Election of the Council of Ministers

The House of Peoples consists of 15 delegates, out of which two thirds (five Bosniak and five Croats) are delegates from the Federation of BiH and one third (five Serbs) are delegates from Republika Srpska.

Nominated Bosniak or Croat delegates from the Federation BiH are appointed by the Bosniak and Croat delegates in the House of Peoples of the Parliamentary Assembly of the Federation

of BiH. Republika Srpska delegates are appointed by the Republika Srpska National Assembly.

The following committees are operating within the House of Peoples:

- Constitutional and Legal Committee
- Foreign and Trade Policy, Customs, Transport, and Communication Committee
- Finance and Budget Committee

Joint committees of both Houses:

- Joint Defence and Security Committee
- Joint Supervisory Committee over the Intelligence and Security Agency of BiH
- Joint Committee for Economic Reforms and Development
- Joint Committee for European Integration
- Joint Committee for Administrative Issues
- Joint Committee for Human Rights, Children's Issues, Youth, Immigration, Refugees, Asylum and Ethics

Ad-hoc committees are created for specific and temporary assignments.

ANNEX IV: Reference to laws, regulations and strategic documents:

Reference list of relevant laws and regulations

1. General framework agreement on peace in Bosnia and Herzegovina (Initiated in Dayton Ohio, USA, on November 21st 1995, and signed in Paris, France on December 14th 1995).
2. Law on the BiH Council of Ministers BiH (Official Gazette No. 38/02).
3. Law on the ministries and other administration authorities of BiH (Official Gazette No. 05/03).
4. Decision on proclamation and Constitution of Bosnia and Herzegovina; (Constitutional Court BiH - Dayton Peace Agreement, 14 Dec 1994).
5. Decision on proclamation and Constitution of Federation Bosnia and Herzegovina; (Constitutional Court FBiH - US no. 1/94, 30 March 1994); (Constitution FBiH - Official Gazette No. 1/94,13/97,16/02,22/02,52/02).
6. Law on Constitutional Court RS and Constitution of Republika Srpska ; (Constitutional Court RS - RS Official Gazette No.12/93,29/94,23/98,97/04,22/05); (Constitution RS - RS Official Gazette No. 3/92,6/92,8/92,15/92,19/92).
7. Gender Equality Law of BiH. (Official Gazette No. 16/03).

ANNEX V: Details per EU funded contract

Technical Assistance/Service Contract (Contract 1):

Result 1: – Established platform for Constitutional reform through the project

- Preparation of an action plan on the basis of which the activities of the organisational unit would be carried out;
- Operationalisation and realisation of concrete activities/steps from the action plan;

Under the project it would be preferable to be provided with expertise in field of constitution law in particular from transition countries that have heritage of continental law. For the strategic planning and running a project based reform process it would be preferable to have the similar expertise.

Result 2: Smooth development of the constitutional reform process itself achieved through the whole range of institutional and administrative capacity building activities for the entities and local self-government authorities

The whole range of external experts activities, based on the need will be engaged among university professors, international and local experts in the area of constitutional law, political and social science.

- Hiring the local support / administrative staff with the secretariat for constitutional reform;
- Organisation of the working bodies, preparation of their plan of activities, providing advices on profile of their members;
- Providing advices to the chairman and secretaries of the working groups;
- Providing advices on drafting of position papers by including the inputs of all the relevant stakeholders and how to negotiate them with other working bodies;
- Support to the coordination of the working bodies groups so that their activities are complementary to the overall outcome of completing the constitutional reform;
- Organising tailor made study visits to the parliaments with similar or identical state structure in order to see in the practice of functioning of the complex constitutional structure if needed;
- Follow ups of those study visits: preparation of research papers on how to apply the best experience into the outputs of the working bodies as a process requires;
- Providing advices on how to incorporate activities and outputs of the working bodies into the single amendment documents while taking into account of the best experience of the countries with similar constitutional structures;

Required expertise would be in administrative capacity building in particular dealing with governmental administrative organisation issues. Potential involved experts will have experience in: running workshops and especially establishing work groups in administrative organisations, negotiations, development of tailor made study visits, development of research paper and its implementation into administrative body structures. Expertise in Constitutional Law would be asset.

Result 3: Civil society involvement throughout the process of constitutional reform itself

- Organisation of number of public events such as round tables, public discussions, public forum, workshops with the civil society representatives and experts on various constitutional topics;
- Organising joint presentations of civil society associations on certain constitutional topics;
- Drawing a guidelines and manuals to the civil society representatives to make sure that the results of their workshops add the quality to the of the overall discussions held within the working bodies at the government level, contributing to the process;
- Establishing channels of communication and maintaining the regular contact between the civil society and the secretariat for constitutional reform;
- Assigning the responsible person in charge of contacting the civil society within secretariat for constitutional reform.

Expertise needed in organising large public events, debates, round tables, workshops and in development of manuals and guidelines. Expertise also needed in coordination of the reform process between government and CSO.

Result 4: To insure adequate media outreach throughout the whole process of constitutional reform

External expert activity

- Drawing a general framework on the communication and media campaign in regards of constitutional reform;
- Assigning the responsible person for the media activities by the responsible body;
- Preparing the description of activities for the person responsible for contact with media;
- Dissemination of various types of information to the general public using all media forms;

Expertise needed in developing and implementation of media communication campaign.