

“Old” FBiH House of Peoples Unable to Adopt Temporary Financing Bill



Recent proposals to recall the House of Peoples of the Federation of Bosnia and Herzegovina (FBiH) in its old composition to pass a decision on temporary financing in the FBiH reflects the desperate situation of citizens who rely on Federation and Cantonal services, but the proposals flaunt the most basic principles of democracy. It ignores the will of the electorate expressed on 1 October last year. Setting such a precedent would be dangerous and should be unthinkable.

Izmir Hadziavdic, the Secretary of the FBiH House of Peoples, and Slavko Matic, the Chair of the FBiH House of Peoples, have during the last week suggested that recalling the old FBiH House of Peoples to adopt the FBiH temporary financing bill would alleviate the FBiH's looming financial crisis brought about by the failure to adopt a budget for 2007.

A temporary financing decision would fill the gap, but the outgoing FBiH House of Peoples does not have the legitimacy to make such a decision. Once elections have taken place and been certified, the “old” House of Peoples no longer has a democratic mandate to pass legislation. Only a new FBiH House of Peoples can adopt legislation.

The FBiH House of Representatives, in its new composition, adopted temporary financing legislation on 5 January. This

legislation needs to be adopted by the FBiH House of Peoples before it can come into effect.

The solution to this funding crisis lies not in employing democratically dubious measures, but in convoking the new House of Peoples as soon as possible. That means that the Cantonal Assemblies must complete the election of delegates to the House of Peoples of the FBiH Parliamentary Assembly.

The election results were announced in October last year. Under the FBiH Constitution, the new House of Peoples is obliged to meet within 20 days of the announcement of the election results. Individuals and parties elected to Cantonal Assemblies are responsible for safeguarding the interests of citizens and ensuring the financing of key services.

The Office of the High Representative and EU Special Representative takes the view that the House of Peoples can convene as soon as a sufficient number of delegates have been certified to constitute a quorum.