



Ref.no: 13-14-13-1137/17  
Sarajevo, 18 December 2017

**Mr. Sanjay Pradhan, CEO**  
**Open Government Partnership Initiative**  
**Support Unit**  
**1110 Vermont Avenue NW, Suite 500**  
**Washington, DC 2005**  
**USA**

Dear Mr. Pradhan,

I would like to use this opportunity to inform you that the Council of Ministers of Bosnia and Herzegovina adopted at its 124<sup>th</sup> session, held on 12 December 2017, the Information concerning the activities on the implementation of the *Open Government Partnership Initiative* in Bosnia and Herzegovina, proposed by the Ministry of Justice of Bosnia and Herzegovina.

Namely, the Council of Ministers of Bosnia and Herzegovina adopted at its 77<sup>th</sup> session, held on 13 October 2016, Decision on the Establishment of the Advisory Committee of the *Open Government Partnership Initiative*. The Advisory Committee of the *Open Government Partnership Initiative* has the advisory and coordination role aimed at promotion of transparency and openness of the public administration bodies, as well as the involvement of citizens and civil society organizations in designing of public policies in accordance with the *Open Government Partnership Initiative*. Having in mind the constitutional arrangement and powers of different levels of government in Bosnia and Herzegovina, which would eventually implement the Action Plan, the Decision provides that the Advisory Committee of the *Open Government Partnership Initiative* consists of four representatives of the Council of Ministers of Bosnia and Herzegovina (two representatives of the Ministry of Justice BiH and two representatives of the Public Administration Reform Coordinator's Office), two representatives of the Government of the Republika Srpska, two representatives of the Government of the Federation of Bosnia and Herzegovina, two representatives of the Government of the Brčko District of Bosnia and Herzegovina and four representatives of the civil society organizations.

Main task of the Advisory Committee is to prepare proposal of the Framework Action Plan which would include the Action Plan of the Council of Ministers of Bosnia and Herzegovina, Action Plan of the Government of the Republika Srpska, Action Plan of the Government of the Federation of Bosnia and Herzegovina and Action Plan of the Government of the Brčko District of Bosnia and Herzegovina.

Therefore, on 4 January 2017, the Ministry of Justice of Bosnia and Herzegovina requested from the Public Administration Reform Coordinator's Office of the Council of Ministers of Bosnia and Herzegovina, Government of the Republika Srpska, Government of the Federation of Bosnia and Herzegovina and Government of the Brčko District of Bosnia and Herzegovina, to appoint, within 30 days, two representatives as members of the Advisory Committee, which would enable

convocation of the constitutive session of the Advisory Committee and preparation of the Framework Action Plan.

The Government of the Federation of Bosnia and Herzegovina appointed two representatives as members of the Advisory Committee on 16 February 2017.

Ministry of Justice of Bosnia and Herzegovina and Public Administration Reform Coordinator's Office of the Council of Ministers of Bosnia and Herzegovina established criteria for selection of representatives of the civil society organizations in the Advisory Committee and on 6 January 2017 published the Public Call for the civil society organizations to nominate four representatives for the members of the Advisory Council.

By the deadline set out in the Public Call, a total of eight applications of the civil society organizations were received. The Commission reviewed all received applications of the civil society organizations and, in accordance with the Public Call criteria, selected four representatives of the civil society organizations for the members of the Advisory Committee of the *Open Government Partnership Initiative*.

Taking into account the deadline set before Bosnia and Herzegovina for the preparation and submission of the Action Plan and that the appointment of the members of the Advisory Committee on behalf of the Government of the Republika Srpska and Brčko District of Bosnia and Herzegovina was not made within the set deadline, the Ministry of Justice of Bosnia and Herzegovina sent the urgency letters, on 10 March 2017, to the mentioned Governments for the purpose of urgent establishment of the Advisory Committee and fulfilment of the tasks provided by the Decision and by the commitments Bosnia and Herzegovina assumed by joining the international initiative *Open Government Partnership*.

On 7 June 2017, the Government of the Brčko District of Bosnia and Herzegovina appointed representatives as members of the Advisory Committee on behalf of the Government of the Brčko District of Bosnia and Herzegovina.

At the invitation of the civil society organizations, appointed as members of the Advisory Committee, in order to coordinate activities and plan of developing the Action Plan, representatives of the Public Administration Reform Coordinator's Office and the Ministry of Justice of Bosnia and Herzegovina held a number of meetings in the period January – July 2017, which were also attended by the representatives of the Government of the Federation of Bosnia and Herzegovina appointed as members of the Advisory Committee. The meetings discussed the next steps to be taken in order to implement the commitments facing Bosnia and Herzegovina as a member of the international initiative *Open Government Partnership*.

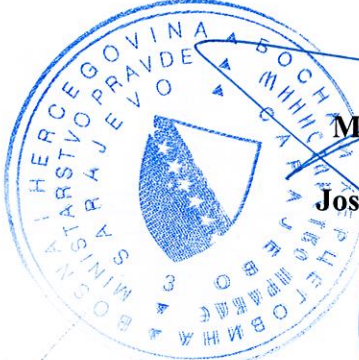
Having in mind that the Government of the Republika Srpska has not yet appointed its representatives to the Advisory Committee and that the constitutive session of the Advisory Committee cannot be convened, it is not possible to start preparation of the Framework Action Plan in accordance with the Decision and to submit it within the set deadline to the Steering Committee of the *Open Government Partnership Initiative*.

Ministry of Justice of Bosnia and Herzegovina and the Public Administration Reform Coordinator's Office of the Council of Ministers of Bosnia and Herzegovina invest all necessary efforts to overcome the situation.

If the Advisory Committee does not meet in the forthcoming period, the Ministry of Justice of Bosnia and Herzegovina will suggest to the Council of Ministers of Bosnia and Herzegovina to withdraw the Decision on the Establishment of the Advisory Committee of the *Open Government Partnership Initiative* and it will propose a new solution, in cooperation with the Open Government Partnership Initiative Coordinator for Bosnia and Herzegovina, which will meet the conditions required from Bosnia and Herzegovina as a member of the Initiative.

I hope that you will take into consideration the mentioned reasons due to which Bosnia and Herzegovina could not start developing the Action Plan and that the status of Bosnia and Herzegovina in the Initiative will remain active until this new situation is resolved.

Sincerely yours,



**MINISTER**  
**Josip Grubeša**

Broj: 13-14-13-1137/17  
Sarajevo, 20.12.2017. godine

**Mr. Sanjay Pradhan, CEO**

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Poštovani gosp. Pradhan,

Koristim ovu priliku da Vas informiram da je Vijeće ministara Bosne i Hercegovine na 124. sjednici održanoj 12. prosinca 2017. godine, na prijedlog Ministarstva pravde Bosne i Hercegovine, usvojilo Informaciju o aktivnostima na implementiranju Inicijative "Partnerstvo za otvorenu vlast" u Bosni i Hercegovini.

Naime, Vijeće ministara Bosne i Hercegovine je na 77. sjednici održanoj 13.10.2016. godine, donijelo Odluku o osnivanju Savjetodavnog vijeća Inicijative „Partnerstvo za otvorenu vlast“. Savjetodavno vijeće Inicijative „Partnerstvo za otvorenu vlast“ ima savjetodavnu i koordinacijsku ulogu s ciljem poticanja transparentnosti i otvorenosti tijela javne uprave, te uključivanja građana i organizacija civilnog društva u oblikovanje javnih politika sukladno Inicijativi "Partnerstvo za otvorenu vlast". Uzimajući u obzir ustavno uređenje i nadležnosti nivoa vlasti u Bosni i Hercegovini, a koji bi u konačnici implementirali Akcijski plan, Odlukom je predviđeno da sastav Savjetodavnog vijeća Inicijative "Partnerstvo za otvorenu vlast" čine četiri predstavnika Vijeća ministara Bosne i Hercegovine (dva predstavnika Ministarstva pravde BiH i dva predstavnika Ureda koordinatora za reformu javne uprave), dva predstavnika Vlade Republike Srpske, dva predstavnika Vlade Federacije Bosne i Hercegovine, dva predstavnika Vlade Brčko distrikta Bosne i Hercegovine i četiri predstavnika organizacija civilnog društva.

Glavni zadatak Savjetodavnog vijeća je da pripremi prijedlog Okvirnog Akcijskog plana koji bi bio sastavljen od Akcijskog plana Vijeća ministara Bosne i Hercegovine, Akcijskog plana Vlade Republike Srpske, Akcijskog plana Vlade Federacije Bosne i Hercegovine i Akcijskog plana Vlade Brčko distrikta Bosne i Hercegovine.

S tim u svezi, Ministarstvo pravde Bosne i Hercegovine je 04.01.2017. godine zatražilo od Ureda koordinatora za reformu javne uprave Vijeća ministara Bosne i Hercegovine, Vlade Republike Srpske, Vlade Federacije Bosne i Hercegovine i Vlade Brčko distrikta Bosne i Hercegovine da u roku od 30 dana imenuju dva predstavnika za članove Savjetodavnog vijeća, kako bi se mogla sazvati konstituirajuća sjednica Savjetodavnog vijeća i započeti izrada Okvirnog Akcijskog plana.

Vlada Federacije Bosne i Hercegovine je 16. veljače 2017. godine imenovala dva predstavnika za članove Savjetodavnog vijeća.

Ministarstvo pravde Bosne i Hercegovine i Ured koordinatora za reformu javne uprave Vijeća ministara Bosne i Hercegovine su utvrdili kriterije za izbor predstavnika organizacija civilnog društva u Savjetodavno vijeće i 06.01.2017. godine objavili javni poziv organizacijama civilnog društva za predlaganje četiri predstavnika za članove Savjetodavnog vijeća.

Do roka utvrđenog Javnim pozivom pristiglo je ukupno osam prijava organizacija civilnog društva. Povjerenstvo je razmotrilo sve pristigle prijave organizacija civilnog društva i sukladno kriterijima iz javnog

poziva izvršila izbor četiri predstavnika organizacija civilnog društva za članove Savjetodavnog vijeća Inicijative „Partnerstvo za otvorenu vlast“.

Uzimajući u obzir rok koji je postavljen pred Bosnu i Hercegovinu za izradu i podnošenje Akcijskog plana, te da imenovanja predstavnika/ca za članove Savjetodavnog vijeća ispred Vlade Republike Srpske i Vlade Brčko distrikta Bosne i Hercegovine nisu pristigla u predviđenom roku, Ministarstvo pravde Bosne i Hercegovine je svojim aktom od 10.03.2017. godine uputilo urgencije navedenim vladama, a u svrhu što hitnijeg formiranja Savjetodavnog vijeća i ispunjavanja zadataka predviđenih Odlukom i obvezama koje je Bosna i Hercegovina preuzela pristupanjem međunarodnoj inicijativi „Partnerstvo za otvorenu vlast“.

Vlada Brčko distrikta Bosne i Hercegovine je 07. lipnja 2017. godine imenovala predstavnike za članove Savjetodavnog vijeća ispred Vlade Brčko distrikta Bosne i Hercegovine.

Na poziv organizacija civilnog društva koje su imenovane kao članice Savjetodavnog vijeća, a u cilju koordiniranja aktivnosti i plana izrade Akcijskog plana, predstavnici Ureda koordinatora za reformu javne uprave i Ministarstva pravde Bosne i Hercegovine su u periodu siječanj – srpanj 2017. godine održali niz sastanaka na kojima su sudjelovali i predstavnici Vlade Federacije Bosne i Hercegovine koji su imenovani za članove Savjetodavnog vijeća. Na sastancima se razgovaralo o predstojećim koracima koje je potrebno poduzeti u cilju realiziranja obveza koje stoje pred Bosnom i Hercegovinom kao članicom međunarodne Inicijative „Partnerstvo za otvorenu vlast“.

Imajući u vidu da Vlada Republike Srpske do danas nije izvršila imenovanje svojih predstavnika u Savjetodavno vijeće i da se još uvijek ne može sazvati konstituirajuća sjednica Savjetodavnog vijeća, nije moguće pristupiti izradi Okvirnog Akcijskog plana sukladno Odluci i isti uputiti do predviđenog roka prema Upravnom vijeću inicijative „Partnerstvo za otvorenu vlast“.

Ministarstvo pravde Bosne i Hercegovine i Ured koordinatora za reformu javne uprave Vijeća ministara Bosne i Hercegovine ulažu sve potrebne napore za prevazilaženje nastale situacije.

Ukoliko se Savjetodavno vijeće ne sastane u narednom periodu, Ministarstvo pravde Bosne i Hercegovine će predložiti Vijeću ministara Bosne i Hercegovine povlačenje Odluke o osnivanju Savjetodavnog vijeća Inicijative „Partnerstvo za otvorenu vlast“, te predložiti novo rješenje, u suradnji sa koordinatom Inicijative „Partnerstvo za otvorenu vlast“ za Bosnu i Hercegovinu, a koje će zadovoljiti uvjete koji se stavljaju pred Bosnu i Hercegovinu kao članicu Inicijative.

Nadam se da ćete uzeti u obzir navedene razloge zbog kojih Bosna i Hercegovina nije mogla pristupiti izradi Akcijskog plana, te da će status Bosne i Hercegovine u Inicijativi ostati aktivan dok se ne riješi novonastala situacija.

S poštovanjem,

