

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED

BY BOSNIA AND HERZEGOVINA

ARTICLE 6 UNCAC

PREVENTIVE ANTI-CORRUPTION BODY OR BODIES

BOSNIA AND HERZEGOVINA (FIFTH MEETING)

I - Information requested from States parties in relation to mandates of anticorruption body or bodies in respect of prevention (art.6)

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1. The adoption of the Law on the Prevention of Corruption and Coordination of the Fight against Corruption in December 2009. is implemented separate body specialized in combating corruption, provided with an Article 20 of the Criminal Law Convention on Corruption of the Council of Europe and Article 6 of the UN Convention against Corruption. These Conventions require that the Agency will first need to be independent, both politically and financially, and to have knowledgeable and professional staff to effectively combat corruption.

**LAW ON THE AGENCY FOR THE PREVENTION OF CORRUPTION AND
THE COORDINATION OF THE FIGHT AGAINST CORRUPTION**
Article 10

(Responsibilities of the Agency)

The Agency shall be responsible to:

- a) Develop the Anti-Corruption Strategy, and develop the Corruption Prevention Action Plan;
- b) Coordinate and monitor the implementation of the Strategy and the Action Plan, and provide opinions and guidelines on the matter of implementation of the Strategy and the Action Plan;
- c) Coordinate the work of the public institutions in preventing corruption and conflict of interest, and make analyses of the final decisions of the competent authorities in charge of processing conflicts of interest in order to look into the instances of corruptive practices, inform the competent institutions about the situation detected, as well as take all necessary measures as provided by law;
- d) Monitor the instances of conflict of interest, provide recommendations for the strategy of managing the conflict of interest on a case-to-case basis, and issue the guidelines for the policy of managing the conflict of interest in government institutions;
- e) Prescribe a uniform methodology for collection of the data about financial situation of public servants;
- f) In coordination with the competent authorities, analyze the delivered data in order to detect the instances of corrupt practices, and take necessary measures as provided by law.
- g) Collect and analyze statistics and other data, and inform all relevant stakeholders in Bosnia and Herzegovina of the results of the inquiry;

- h) Take action upon receiving the submissions that contain indications of a corruptive conduct pursuant to the applicable regulations;
- i) Coordinate the work of the institutions with public authorities in combating corruption;

- j) Monitor the effects of laws and bylaws aimed at preventing corruption and provide opinions and guidelines on the issue of their implementation, initiate activities in relation to amending the current legislative arrangements and harmonize them;
- k) Cooperate with the national scientific and professional organizations, public media, and NGOs on the issue of corruption prevention;
- l) Cooperate with international organizations, institutions, initiatives and bodies;
- m) Establish and maintain the database containing the data collected in accordance with this Law;
- n) Develop educational programs on the issue of prevention of corruption and fight against corruption, and monitor their implementation;
- o) Issue publications to inform the public about the corruption situation;

- p) Inform the competent institutions and the public of the obligations contained in international legal acts and give recommendations for their realization in relation to corruption prevention;
- q) Prescribe a uniform methodology and guidelines for making integrity plans and providing assistance to all public institutions in their implementation; and
- r) Perform other activities relating to corruption prevention.

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2.

It can be said that some progress in the implementation of the Action Plan of the Strategy has made, and it relates to the fulfillment of the provisions on which all institutions at all levels of government should prepare its own action plan against corruption.

In May 2012. was adopted General Plan of the fight against corruption in the Federation of BiH, which contains very specific tasks and measures to be taken in the next two years. Also, the Brcko District of Bosnia and Herzegovina in February 2012. adopted its Action Plan for the Implementation of the Strategy for the Fight against Corruption (2009 - 2014). A number of institutions also have their own plans to combat corruption or working on their adoption.

Also one of the measures of the Action Plan was implemented in July 2012., when the Council of Ministers gave its approval to the proposal of the Agency's Code of Conduct, the Council of Ministers adopted a Code of ethics for civil servants in Bosnia and Herzegovina, which was also one of the measures of the Action Plan. Since March 2012. became available web page of Agency for the Prevention of Corruption and Coordination of the Fight against Corruption, where one can find all the information on its establishment, mandate and work. Therefore Implementation of the Integrity plans in all institutions at the state level, creating Integrity Plan for all state institutions, online ethics training for all civil servants on the website: www.apik.ba., in Republic of Srpska assignment of Decisions for the company's work within 3 days, with no initial capital. It is in force from 01.12.2013. as a set of three laws. In January this year was entered into force the Law on the Protection of whistleblowers in the institutions of Bosnia and Herzegovina, which was unanimously adopted by the Parliamentary Assembly, referring to the state institutions and legal entities who establishes institutions of Bosnia and Herzegovina, etc.

3.

Implementation of the Integrity plans in all institutions at the state level as specific challenges.

