



Follow-up questions

Information requested by the European Commission
to the Council of Ministers of Bosnia and Herzegovina
for the preparation of the Opinion
on the application of Bosnia and Herzegovina
for membership of the European Union

June 2018

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Introduction – methodology of the follow-up questions

The purpose of these follow up questions is to clarify what has been provided by Bosnia and Herzegovina authorities in the answers received by the European Commission on 28 February 2018 as well as to request missing information. In addition, a number of follow up questions request country-wide aggregated data which is missing in the answers received and for which specific tables, with breakdown for each level of governance in the country, has been provided now, for Bosnia and Herzegovina authorities to fill in.

Regarding the numbering of the follow up questions, and for easy reference by Bosnia and Herzegovina administration, the bracketed numbers at the beginning of each question indicate – when applicable - the question(s) they are referring to from the initial Questionnaire sent in December 2016.

Regarding the answers to be received, it is expected from Bosnia and Herzegovina authorities to ensure the following, [particularly in the economic criteria](#):

- Throughout the follow up answers, unless specified otherwise in the question, please kindly provide all tables – when applicable - as a spreadsheet in .xls or Open Office .ods format.
- Please extend time coverage of provided data, including information on 2016 and 2017, as far as available.
- If data is not available, please indicate this explicitly, e.g. by mentioning "N.A." in the respective date field.
- Also please indicate, if required data is provided in another part of the submitted package of replies, e.g., such as in the case of data on enterprise structure. Cross-referencing chapters if the information needed is provided elsewhere is strongly encouraged.

The Commission looks forward receiving Bosnia and Herzegovina follow up answers within the next three months.

POLITICAL CRITERIA

Democracy and the rule of law

I. Constitution

1. What is the legal basis for the establishment of the Federation entity Constitutional Court?
2. How was the Constitution of the Federation entity established and what are the respective checks and balances that it provides for?
3. Would the Constitution allow the primacy of EU law over domestic law upon accession?
4. How does the Constitution define the repartition of competences between different levels of governance across policy areas?
5. What is the procedure for the determination of a vital national interest and how does this apply at state-level? What is the Constitutional Court role in this respect?
6. What are the reasons for the non-implementation of the 13 Bosnia and Herzegovina Constitutional Court rulings that remain to be implemented to date?
7. How many cases of non-implementation of Bosnia and Herzegovina Constitutional Court rulings have led to criminal proceedings for delays or refusals to implement the decisions of the Constitutional Court? Please provide data.
8. What is the legal basis for the principle of “constituent peoples” and how does it relate to the principle of equality of all citizens irrespective of their ethnicity as provided for under the EU *acquis*?
9. Please list all Bosnia and Herzegovina institutions and agencies where ethnic related provisions are included in the legislation establishing them and/or in their rules of procedure in addition to Bosnia and Herzegovina Presidency, Council of Ministers and Parliamentary Assembly?
10. How are the independence of the Human Rights Ombudsperson institution and Central Election Commission guaranteed?
11. How does the Federation entity guarantees the independence of independent institutions stemming from its Constitution?
12. What is the procedure for adoption of amendments to the Federation entity Constitution? Has the Federation entity Constitution been amended to date?

13. Are there Constitutional provisions which could prevent Bosnia and Herzegovina from aligning with European standards and/or EU *acquis* and require amending the Constitution? Please provide a list of such provisions if applicable. Please consider the EU primary legislation such as the EU Treaties and not only the EU secondary legislation (directives, regulations, decisions).

II. Parliament

14. At the Federation entity level, are there procedures to dismiss the entity government following a no-confidence vote in the entity Parliament?

15. What is the procedure for adoption of legislation in the Federation entity House of Representatives?

16. How often have fast track procedures for adoption of legislation been used in Parliaments over the past five years (since 2013 included)? Please fill in the following table summarising the use of such a procedure for each of the 14 levels of governance.

Level of governance	Fast track procedure
State level	
Federation entity	
<i>Republika Srpska</i> entity	
Una-Sana canton	
Tuzla canton	
Zenica-Doboj canton	
Bosnian Podrinje canton	
Sarajevo canton	
Posavina canton	
West Herzegovina canton	
Central Bosnia canton	
Herzegovina-Neretva canton	
Canton 10	
Brčko District	
<i>Countrywide total</i>	

17. To what extent do the Rules of Procedure of the Parliaments at the Federation entity, Republika Srpska entity as well as Brčko District regulate the issue of gender balance? Please elaborate beyond the establishment of a gender equality commission.
18. Please specify how Cantonal Parliaments' Rules of Procedure regulate gender balance issues in the West Herzegovina, Herzegovina Neretva and Central Bosnia Cantons.
19. With respect to strategic planning of Parliaments, please provide for the referenced documents – these were referenced but are missing from the documents received on 28 February 2018 by the Commission.
20. How is the implementation of the Strategic plans for the Parliaments monitored?
21. Over the past 5 years, how many laws adopted at Federation and Republika Srpska entities level contained impact assessments? Please fill in the table below:

Level of governance	Adopted laws which include impact assessments
Federation entity	
<i>Republika Srpska</i> entity	

22. What are the capacities of the Parliament of the Federation entity to assess the compliance of all relevant legislation in Parliamentary procedure with the EU acquis? How many staff in the Federation Parliament are in charge with EU acquis compliance?
23. Out of the legislation adopted over the past 5 years, how many draft bills were of parliamentary initiative (as opposed to governmental initiative)? Please fill in the table below summarising the situation for each level of governance.

Level of governance	% legislation adopted upon parliamentary initiative
State level	
Federation entity	
<i>Republika Srpska</i> entity	
Una-Sana canton	
Tuzla canton	
Zenica-Doboj canton	
Bosnian Podrinje canton	
Sarajevo canton	
Posavina canton	
West Herzegovina canton	

Central Bosnia canton	
Herzegovina-Neretva canton	
Canton 10	
Brčko District	
<i>Countrywide total</i>	

24. Please provide in the summarising table below the time (in days) dedicated to law scrutiny for each level of governance. Please provide both the total average time in Parliaments as well as the specific time for scrutiny in committees.

Level of governance	Average time dedicated to law scrutiny in Committees (in days)	Average time dedicated in total to law scrutiny (in days)
State level		
Federation entity		
<i>Republika Srpska</i> entity		
Una-Sana canton		
Tuzla canton		
Zenica-Doboj canton		
Bosnian Podrinje canton		
Sarajevo canton		
Posavina canton		
West Herzegovina canton		
Central Bosnia canton		
Herzegovina-Neretva canton		
Canton 10		
Brčko District		
<i>Countrywide total</i>		

25. Please list the competences of Parliamentary committees for both houses of the Parliament of the Federation entity.

III. Government

26. In the Federation entity, do the cantons consult with the Federation authorities (executive or legislative) in the preparation of legislation that may affect other cantons or the Federation entity as a whole? Please provide examples if applicable.

IV. Local self-government

27. Please elaborate on the organisational aspects of the associations of municipalities and cities in both entities. How many staff work for each association?

28. Is a fiscal impact of the implementation of new legislation on the budget of municipalities carried out in the Republika Sprska entity? If yes, please explain how and give examples, unrelated to the funding of the municipalities.

29. Please explain how the administrative boundaries of the municipalities are regulated and defined in the Federation entity? Which are the applicable law(s) and at which governance level are they adopted and enforced?

30. Does the Council of Ministers consult with municipalities in any formal way in the context of preparation of legislation which will either affect them or in which they will be involved in the implementation? Please provide examples if applicable.

V. Civil Society

31. (63) Why administrative fees are different for registration office even in cases where same law applies?

32. (63) Is registration of Civil Society Organisations easy, timely and inexpensive? Please complement concerning the Federation entity, Bosnian Podrinje Canton Gorazde and Sarajevo Canton.

VI. Public Administration

33. (72) Provide evidence to demonstrate political support to the development of new PAR strategic framework until today by describing the following (e.g. any commitments, plans, etc.):

a. For all government levels, provide evidence on regular political and administrative

- coordination meeting (i.e. meetings of the Common Platform in the last years)
- b. Level of coverage of PAR objectives and costs of implementation in the Medium Term Budget Framework?
 - c. Mention which public administration reform (PAR) objectives are reflected in strategic documents (i.e. Working Programme of the government etc).
34. (79, 81) With regard to the replies to question 79 and 81, please complete the answer by providing the following missing information:
- a. What is the focus of reports of medium-term / annual plans / programmes?
 - b. Describe the extent to which guidelines on strategic planning ensure the alignment of government work programme objectives with sectoral policy objectives and outline the institutional mechanisms that ensure such implementation in *Republika Srpska* entity, Federation entity and cantonal level and Bosnia and Herzegovina state level;
 - c. What legislative framework and institutional mechanisms ensure the links between financial and policy planning? Clarify how the measures foreseen in the Programme can be reflected in the annual budget and medium term budget.
35. (80) With regard to the reply to question 80, please complete the information on the course of the legislative procedures related to all the various types of legal acts for all government levels and please complete as well the answer for Bosnia and Herzegovina state level for all other types of legal acts than laws.
36. (86, 88, 90) With regard to replies to question 86, 88 and 90, please provide further missing information
- a. Describe the senior management structures within the public administration in Bosnia and Herzegovina, including positions not covered by civil service but by other (*lex specialis*) legislation;
 - b. Identify which management categories in public administration apply in institutions to a certain category, such as political appointee, civil servants and public servants;
 - c. Identify the main structures under the coordination of each function and the authority to whom the relevant manager reports;
 - d. Also please provide general organisational charts of civil service authorities, including independent authorities and those within the ministries.

Levels	Positions/ Categories		Legal basis	Management categories (name / functions) that fall under a certain category	Structures under managerial coordination	Authority to whom the manager reports
Bosnia and Herzegovina	(a)	(1)				
		(2)				
	(b)	(3)			/	/
		(4)			/	/
Federation entity	(a)	(1)				
		(2)				
	(b)	(3)			/	/
		(4)			/	/
Cantonal level	(a)	(1)				
		(2)				
	(b)	(3)			/	/
		(4)			/	/
Republika Srpska entity	(a)	(1)				
		(2)				
	(b)	(3)			/	/
		(4)			/	/
Brčko district	(a)	(1)				
		(2)				
	(b)	(3)			/	/
		(4)			/	/

(a) Managerial (top, middle and low): (1) Political appointees; (2) Civil servants

(b) Non managerial : (3) Public servants (4) Support staff, non public servants

37. (87, 88) With regard to replies of questions 87 and 88, please complete the missing information as below, with regard to the vertical scope (i.e. which positions are covered and not by civil service in which institutions) and horizontal scope of the civil service law (CSL), i.e. which public administration institutions are covered by civil service law and which not? For the positions and institutions not covered by civil service legislation, please complete the information on the other legislation that covers them (*lex specialis*).

	Horizontal scope		Vertical Scope	
	Institutions covered by the CSL	Institutions not covered by CSL and describe which other legislation	Positions in the institutions covered by the CSL	Positions in the institutions not covered by the CSL
Bosnia and Herzegovina				
Federation entity				
Cantonal level				
<i>Republika Srpska</i> entity				
Brčko district				

38. (91) With regard to the reply on the question 91 and 94, please complete the answer on missing information by not only describing the legal provision on the delegation of power from the senior to lower levels in civil service, but how as well such system of delegation of power is implemented and works in practice from higher to lower levels in the management structures (i.e. are there ministerial rule books that prescribe such functions and as well is there a transparent by describing under which conditions functions are delegated and what type of functions).

39. (95) With regard to question 95, please complete the answer with missing information on the list of all institutions which are responsible for monitoring and reporting on the recruitment/appointment procedure in Bosnia and Herzegovina for civil service. Please describe what do the respective institutions undertake, in cases of violation or irregularity of application of civil service procedures, in order to ensure that meritocratic procedures are respected in practice.
40. (96) Please confirm whether there is an annual recruitment plan, who prepares it and how is its implementation monitored.
41. (97) With regard to question 97, please complete the reply with the missing information on specific eligibility requirements for access to employment in public administrations positions in following areas:
- a. Is there alignment of the principle of proportional representation in public administration, as defined in constitutional provisions in Bosnia and Herzegovina with the principle of meritocracy in civil service legislation through constitutional provisions?
 - b. How are civil service procedures organised in order to respect both such principles without violation of meritocracy in civil service? Please describe the procedures and the criteria for access and promotion in civil service that reflect such provisions
 - c. Please provide a list of institutions and public administration bodies at all levels of governance that have specific eligibility requirements in place.
42. (102) With regard to the reply in question 102, please provide missing information on the following areas related to dismissals of civil servants in all public administration institutions:
- a. outline the grounds of dismissal of civil servants other than disciplinary procedure
 - b. describe the conditions under which disciplinary procedures or other grounds apply
 - c. describe the right to appeal to administrative authority and court appeal

43. (104) With regard to question 104, please provide missing information along the answer provided by Bosnia and Herzegovina state level on the type and content of training for civil servants, including the update on statistics for *Republika Srpska* entity, Federation entity and cantonal level and Brčko district, as similarly done for the statistics at Bosnia and Herzegovina state level.
44. (105) With regard to the reply to question 105, please complete the information in specifying the following areas
- a. describe which other legislative provisions regulate the integrity of civil service across levels
 - b. how many self-declarations on civil service integrity have been conducted across levels
 - c. how is the application monitored for Bosnia and Herzegovina state level and how many disciplinary proceedings were conducted across the levels?
 - d. did the verification of integrity of civil service lead to dismissals across levels? If so how many dismissals occurred in 2016 and 2017?
45. (106) With regard to replies on question 106, please provide information on how well does career development (promotion, transfers, mobility etc.) work in practice for the civil servants? Please complete the data provided on the following areas
- a. number of promotions, transfers and
 - b. total number civil servants for all government levels.
46. (107) With regards to replies on question 107 and 108, please complete the information on
- a. the overall frequency of performance appraisal and its impact on career development
 - b. the number of promotions carried out due to good performance appraisal
 - c. the total number of promotions.

47. (109) With regard to the remuneration system, please complete the information on how transparent and fair the remuneration system is by providing following information:

- a. what are the main distinctions in remuneration levels across government authorities (i.e. provide data for how much are civil servants paid across types of civil servants and across government levels)?
- b. is the salary scheme fixed for each job classification along the categories defined in civil service law?
- c. does the salary scheme vary across the same management structure in public institutions that are covered by civil service law (i.e across ministries and subordinated agencies etc)
- d. is the incremental increase in salaries linked to good performance appraisal or more training and therefore, promotions?

48. (110) With regard to replies provided in question 110, please complete information in the table below on how independent oversight of the civil service is guaranteed,
- a. by outlining which independent institutions oversee the rightful implementation of civil service law and what are their functional tasks
 - b. capacity of such institutions (i.e budget and personnel number for 2016 and 2017)
 - c. total number of inspections and scope of inspections in implementation of civil service law (i.e. which level and which institutions are inspected, number of inspections, and identified topics of irregularity in implementation of civil service)
 - d. number of released administrative measures due to such inspections (i.e through written decisions released)
 - e. number of implemented administrative measures.

Data for 2016 and 2017	Oversight institutions in civil service law implementation and functional tasks	Capacity of such institutions	Total number of inspections and scope of inspections	Number of administrative measures released	Extent of administrative measures implemented in practice. Describe and provide data
Bosnia and Herzegovina					
Federation entity					
Cantonal Level					
<i>Republika Srpska</i> entity					
Brčko district					

49. (113) With regard to replies in question 112 and 113, please complete the information in the following areas:

In the first table:

- a. specify the typology of administrative bodies by elaborating on the scope of regulation that covers entity them
- b. provide an overview on which institutions are subordinated to which other institutions on the executive branch (starting for the Prime minister's office to ministries and Council of Ministers)
- c. describe the relevant body oversight such subordinated institutions and as well the method of supervision in control of policy process

In the second table, please describe and outline the legal provisions and institutional responsibilities for

- a. the appointment and dismissal of personnel in sub-ordinated agencies
- b. recruitments/ dismissals/ promotions of employees
- c. approval of the annual plans and annual reports
- d. budget allocation and management

And elaborate on the information in the table below.

List of subordinated bodies (according to their legal status/typology)	Typology (legal status)	Relevant regulation	Reporting to parent ministry (indicate the ministry)	Reporting to the Parliament	Reporting to the Council of Minister	Relevant oversight body and typology of supervisory controls performed
1.						
2.						
3.						
n. (add lines as necessary)						

List of subordinated bodies (according to their legal status/typology)	Legal provisions and institutional authority on appointment/dismissal of the head of subordinated body	Legal provisions and institutional authority on recruitments/dismissals/promotions of employees	Legal provisions and institutional authority in approving the annual plans and annual reports (if required)	Legal provisions and institutional authority in budget allocation and management
1.				
2.				
3.				
n. (add lines as necessary)				

50. (114) With regard to question 114, 115, 116, 117 and 118 please provide following missing information on access to information in public administration in Bosnia and Herzegovina: by describing the following aspects of the legal framework:

- a. restrictions in access to public information established in the special laws (other than laws on access to public information);
- b. appeal procedure against refusal of access, including right to submit complaint to the court.
- c. describe institutional set up to guarantee access to information.
- d. In particular, please specify which bodies perform the following functions: a) collecting statistical data on access to information; b) setting binding standards and issuing recommendations; c) imposing sanctions for non-compliance; d) promoting proactive transparency of administrative bodies.
- e. Please elaborate on the table below by providing both information and statistics for the relevant areas

Criteria	Bosnia and Herzegovina	Federation entity	Republika Srpska entity	Brčko district (for what not regulated by the Bosnia and Herzegovina law)
List of bodies which are out of the scope of the legislation on access to information, if any	List of bodies + ref. to articles			
Restrictions in access to public information established in the law on access to public information	Cases for restriction + ref. to articles			
Restrictions to access to public information established in the special laws (other than laws on access to public information) - (also ref. to legal documents and articles)	Cases for restriction + ref. to legal documents and articles)			
N. of requests of information received (in 2016 and 2017 separately)	Number			
N. of requests of information granted in a timely manner/with delay (in 2016 and 2017 separately)	Number			
N. of requests of information received (in 2016 and 2017 separately)	Number			
Justification of the request of information is necessary (also ref. to articles)	Yes/No (+ ref. to articles)			
Statutory deadlines to provide requested information	Number of days +ref. to legal documents and articles)			
Assurance of the right to appeal against refusal of access, including right to submit complaint to the court (also ref. to articles)	Yes/No + ref. to legal documents and articles)			
N. of requests of information appealed (in	Number			

2016 and 2017 separately);				
Clear definition of information which must be proactively disclosed and institutions covered	List of information + institutions covered + ref. to article			
Obligation to appoint access to information co-coordinators share of institutions covered which actually appointed them				
Number of institutions which have appointed co-ordinators for access to information out of the total number of institutions covered by the legislation on access to information	Numbers and share			
Obligation to establish registers for access to information	Yes/No (+ ref. to articles)			
Obligation to publish statistical data on access to information	Yes/No (+ ref. to articles)			
N. of institutions which have established registers out of the total number of institutions covered by the legislation on access to information	Numbers and share			
N. of institutions which publish statistics out of the total number of institutions covered by the legislation on access to information	Numbers and share			
Bodies with responsibility to impose sanctions for non-compliance	List of bodies			
N. of sanctions imposed for cases related to access to information	Number			
Bodies in charge of promoting proactive transparency of administrative bodies	List of bodies			
Number of institutions which maintain a webpage displaying information which	Numbers and share			

<p>must be proactively disclosed out of the total number of institutions covered by the legislation on access to information</p>				
<p>For each institution covered by the law provide information on completeness of information published in the websites (according to the outlined categories)</p>	<ul style="list-style-type: none"> • organisational structure (organigram) of the institution • names and contact details of heads of organisational units • contact details with postal address and e-mail • tasks and competences of the institution • annual budget of the current year • annual work plan of the institution for the current year • annual report of the previous year 			
<p>For each institution covered by the law provide information on the datasets actually disclosed on-line according to the legal requirements</p>	<p>Yes/No/NA + list of information (make reference to the following standards)</p> <ul style="list-style-type: none"> • consolidated versions of all primary laws • state budget of the current year • results of last national elections published aggregated on one website (i.e. the number of votes cast for all candidates in every constituency and appointed representatives) • updated national statistics on GDP and unemployment • the government's annual (or multi-annual) work plan covering the current year • the government's annual report for the previous year 			

	<ul style="list-style-type: none"> • legislative proposals of the government as sent to parliament • public tenders announced by central government aggregated on one website • results of all public tenders awarded by central government aggregated on one website • company registry • land registry • salaries of individual senior civil servants (directors general, general secretaries, heads of units) in all ministries available on the ministries' websites or government's portal. 			
<p>For each institution covered by the law provide information on regularity of monitoring of compliance of the webpages with the standards</p>	<p>Regularity in months</p>			

51. (121) With regard to the reply on question 121, please clarify the following areas on administrative courts:
- a. Are there any types of administrative acts and/or actions that are excluded from the jurisdiction of the courts.
 - b. Explain whether the administrative cases are handled by judges specialised only in administrative cases, despite lack of separate administrative courts? If yes, please specify how this specialization is ensured (e.g. special training and qualification procedure).
52. (128) With regard to the reply on question 121, provide information on the strategy to reduce the backlog of cases to be reduced by Ombudsman. As the number of recommendations implemented is decreasing significantly, please provide some explanation of this problem and information about the type of cases (and institutions) where the response rate is the lowest.
53. 1. (130) With regard to the reply to question 130, please complete the answer with missing information on what are mechanisms or structures for inter-governmental policy coordination in service delivery and their modus operandi?
54. With regard to replies on question 132 and 134, please provide the following information
- a. What is undertaken to upgrade service in full digitalisation (is there any plan to progress in digitalisation of public services)?
 - b. Complete the answer in providing the list of services delivered through one stop shops

VII. Civilian oversight over security forces

55. (152) Please elaborate on awareness within the security forces of issues such as human rights and non-discrimination as follows:
- a. Number and nature of related countrywide complaints filed over the past 5 years with relevant oversight bodies and/or police on alleged human rights violations or discriminatory behaviour from the side of security officials. Information should list nature of allegation and outcome of procedures.
 - b. Inform on the number and scope of awareness raising measures and related initiatives carried out over the past 5 years in the field of freedom of assembly and freedom of speech with respect to security forces.

VIII. The Judiciary (questions covering also Chapter 23)

56. As regards the organisation and structure of the court and prosecutorial system, please:

- a. Provide detailed information on courts that are too small for objective case allocation, including a description of the areas concerned.
- b. Clarify i) the total figure of attorneys throughout the country,,ii) the distribution of the number of bailiffs and notaries between the two entities and the District of Brčko, iii) the disaggregated number of judges in terms of persons belonging to national minorities, iv) the disaggregated number of attorneys by gender, v) the disaggregated number of attorneys in terms of persons belonging to national minorities.

57. As regards independence, please:

- a. Clarify the issue of possible complaints about the independence of the judiciary and the autonomy of prosecutors (Were there any complaints? If so, how were they handled?)
- b. Clarify the interaction between the Court of Bosnia and Herzegovina and the entity-level judiciary and whether verdicts of the Court of Bosnia and Herzegovina affect the jurisprudence of other courts in the country.
- c. Clarify whether the prosecutors have the possibility to contest the hierarchical instructions from chief prosecutors / express disagreement about their decisions.
- d. Clarify the measures available to the High Judicial and Prosecutorial Council (HJPC) for protecting judicial independence and prosecutorial autonomy.
- e. Provide detailed information on the basic salaries of the Federation entity Supreme Court President, Heads of department and judges and the Prosecutor's Office Chief Prosecutor, Deputy Chief/ Heads of section and prosecutors.
- f. Provide, for each level of governance, detailed information in a common format on the ratio judges/ prosecutors to legal associates/ advisers/ trainees and as to whether there are sufficient human resources.

58. As regards impartiality, please:

- a. Provide detailed references to legislation addressing impartiality at all levels of governance.
- b. Clarify how the integrity of judges and prosecutors is checked throughout their

carrier.

59. As regards accountability and discipline, please:

- a. Provide detailed information on how legislation on courts at all levels of governance addresses civil liability issue.
- b. Provide detailed information on the existence and implementation of a strategy to fight corruption in the judiciary.
- c. Provide detailed information on sanctions pronounced, respectively, against judges, prosecutors and other employees of the judiciary by clarifying the nature of sanctions pronounced.

60. As regards professionalism and competence, please:

- a. Provide detailed information on the average time spent annually in training and the trainings received over the last 5 years by categories at all levels of governance.
- b. Provide detailed information on i) the number of trainees in each body providing Judicial and Prosecutorial Training, ii) the total financing of the Republika Srpska entity Judicial and Prosecutorial Training Centre, iii) other training facilities in the Brčko District and the Bosnia and Herzegovina state level judiciary, iv) the sustainability of the bodies delivering trainings.
- c. Provide detailed information on the training of clerical staff at all levels of governance.

61. As regards quality, please:

- a. Provide detailed information on the overall budget figure and also the budget of the judiciary per inhabitant for each level of governance.
- b. Provide detailed information on the electronic case database (including selection criteria) and the archiving system concerning court decision and related access rights.
- c. Clarify i) the "measures to ensure transparency of the justice sector" beyond "recorded trials" and "trials open to public, notably in the area of administrative court disputes, ii) whether in the civil and criminal procedural codes it is specified who (judge, panel of judges, etc...) can exclude the general public and what are the modalities.
- d. Clarify the role and tools available to court presidents and chief prosecutors to

monitor on a daily basis the number of incoming cases, number of decisions, number of postponed cases and time frames for judicial proceedings.

62. As regards efficiency, please:

- a. Clarify whether there is any certification process of court experts at Republika Srpska entity level.
- b. Provide detailed information on the budget for court experts at Court of Bosnia and Herzegovina.
- c. Clarify whether a centralised e-criminal register is accessible throughout the country by all relevant authorities.

63. As regards domestic trials for war crimes, crimes against humanity and genocide, please:

- a. Please provide detailed information on the financial and human resource dedicated by relevant Bosnia and Herzegovina authorities to the processing war crime cases and on the measures to ensure the financial sustainability regarding future processing of war crime cases.
- b. Provide an updated overview on the implementation of the amendments to the National Strategy for Processing War Crime Cases
- c. Provide detailed disaggregated information on a) complex war crime cases involving senior or mid-level officials, b) the measures taken by the authorities to monitor or track those cases.
- d. Clarify the measures undertaken to ensure the sustainability of all war crimes related trainings.
- e. Provide detailed information on the exchange of evidence in war crimes cases between prosecutors' offices in BiH and the countries in the region (number of cases).
- f. Provide detailed information on ongoing war crimes court proceedings pending due to the non-availability of the accused.

IX. Anti-Corruption (questions covering also Chapter 23)

64. (259) Please provide specific cases under law enforcement agencies investigation and at court level infs the year 2017 for all levels of governance, incl. reference to the official data source.
65. (261) Please clarify financial disclosure obligations of senior ranked public officials/political appointees.
66. (262) Please provide an update on the preparation/adoption/implementation of integrity plans by institutions from all levels of governance.
67. (264) Please provide information on the concrete performance and reporting of checks in the area internal control and audit.
68. (267) Please provide information on specialised units in police, prosecution service and courts.
69. (267) Please clarify whether there is an assessment of the impact of the knowledge gained through training for the work of law enforcement agencies, prosecutors or judges.
70. (291) Please provide the average duration of criminal proceedings involving corruption.

Fundamental rights

I. Substantive rights

71. (292) Please fill the following table with the Constitutional-level provisions for the protection of fundamental rights at all levels of governance.

	BiH State-level	Federation entity	Republika Srpska entity	Brčko District
Right to life				
...				

	Canton 1	Canton 2	Canton 3	...
Right to life				
...				

72. (296) Please provide details on the competences of the Bosnia and Herzegovina Ombudsman institution for the protection of the rights of specific groups, including its competence to initiate judicial proceedings, its investigative powers, and the procedures ensuring its financial independence. Please provide data wherever possible.

73. (300) Please explain the composition, selection process and decision-making mechanism of the Bosnia and Herzegovina Ombudsman institution. Please indicate which changes are needed to bring the Bosnia and Herzegovina Ombudsman institution in compliance with the Paris Principles, and how the GANHRI recommendations stemming from the reaccreditation process are being implemented.

74. (305) Regarding Art. 2 of the EU Charter of Fundamental Rights and Art. 2 of the European Convention of the Human Rights, please provide an overview of the legislation on the duty to refrain from unlawful deprivation of life (outside of the context of the death penalty), the duty to investigate suspicious deaths, and the duty to take steps to prevent avoidable losses of life (in certain circumstances).

75. (305, 306) Please mention the relevant case law of the European Court of Human Rights concerning the right to life in Bosnia and Herzegovina. Please provide an overview of legislation and case law in reference to the practice of law-enforcement agencies and custom/border guards related to the protection of the right to life.
76. (307) Please provide information about extrajudicial killings, i.e. the execution of persons by governmental authorities without the sanction or any judicial proceeding or legal process. Please mention the prosecution of war-time extrajudicial killings as war crimes as well as the search for missing persons, with reference to the track record of cases for both subjects. Please also mention the prosecution of extrajudicial killings in the post-war period, with special reference to ECtHR case law and rulings of the Constitutional Court. Please include a list of cases with no judicial follow-up to date.
77. (316) Please provide information about the availability and application of psychosocial support services to victims, of both short-term character (pre-investigative, investigative and trial stages) and long-term character (referral mechanisms, centres for social welfare, centres for mental health), across the whole country. Please also include information concerning referral mechanisms and the availability of safe houses, as well as about both procedural rights and psychosocial support services for victims available by Bosnia and Herzegovina state-level institutions.
78. (317, 319) Please mention the Constitutional and legislative provisions for the prevention of the occurrence of slavery, servitude and forced or compulsory labour, including relevant labour laws, at all levels of governance, including the Brčko District. Please provide a table for all the relevant levels of governance on the track record in the prosecution of cases of slavery, servitude and forced or compulsory labour in the past five years.
79. (326) Please mention the specific policy measures undertaken to fight and prevent early and forced marriages. Please include data on cases of early and forced marriages at all levels of governance in the past five years, wherever available.

80. (362) Please provide concise information, in the form of a table, on the legislative and policy instruments in place (if any) to prevent discrimination based on:

	BiH State-level	Federation entity	Republika Srpska entity	Brčko District
Membership of a national minority				
Ethnic or social origin				
Sex				
Race				
Colour				
Genetic features				
Language				
Religion or belief				
Political or any other opinion				
Property				
Birth				
Disability				
Age				
Sexual orientation				
Gender identity				

81. (363) Please provide updated information in relation to implementation of ECtHR ruling on Sejdic-Finci and related rulings against Bosnia and Herzegovina on non-discrimination, including the measures planned to ensure their full implementation.

82. (371) Please provide precise references, in a tabular form, to the articles of the Criminal Codes dealing with hate-motivated crimes, as below:

	BiH State-level	Federation entity	Republika Srpska entity	Brčko District
Definition				
Aggravating circumstances				
Stand-alone offences				
Penalties				

83. (371) How is the legislation on hate-motivated crimes implemented in practice? Please provide statistics as available.

84. (374) What is the current situation concerning the “two schools under one roof” practice in the Central Bosnia Canton? What has been done or is planned to be done to implement the 2014 Federation entity Supreme Court ruling that ordered the Herzegovina-Neretva Canton to establish uniform, integrated, multicultural schools with a single curriculum? When will such ruling be implemented? Please provide a timeline.

85. (375) Please provide information on the implementation of the recommendations issued by the Bosnia and Herzegovina Agency for Preschool, Primary and Secondary Education on the application of the learning outcome based Common Core Curriculum developed and approved by the agency. Please also provide information on the activities already undertaken and planned in order to implement such recommendations.

86. (376, 377) Please provide information on the protection in practice of the right to property and peaceful enjoyment of possession, including statistics on judicial protection. Please specify the eventual limitations for certain types of property and exceptions to such limitations. Please provide information on the relevant ECtHR rulings against Bosnia and Herzegovina on the right of property. Please provide the following legislative references in tabular form:

	Federation entity	Republika Srpska entity	Brčko district
Justifications for restrictions of the right to property			
Bodies that may impose such restrictions			
Main elements of expropriation legislation			

87. (387) Please provide information on the available specialized services to combat gender-based violence. Does a victim-oriented referral mechanism exist and function? Please describe its legal basis and list institutions at all levels of authority encompassed by it. Please elaborate on the relationship between institutions and CSOs within the referral mechanism including the legal basis and overall supervision. Please provide quantitative data on number and type of referrals, as well as on ownership and update of databases. Please provide information on witness support offices at courts and prosecutor's offices providing psychosocial support in cases of gender-based violence and domestic violence, including geographic coverage and number of victims/witnesses treated per each jurisdiction over the course of each of the past three years.
88. (387) What are the institutional mechanisms to ensure due diligence to prevent, stop and investigate acts of violence against women?
89. (388) Please provide consolidated data on criminal prosecution of gender-based violence at all levels of governance in a single table, including overall number of cases, convictions and sentencing data for each level of authority for each of the past five years separately.
90. (403) What is the average length of time for enforcement of criminal sanctions until incarceration? If there is a backlog problem, please describe the issue and the strategy implemented to address it.
91. (407) Are there rules in place ensuring the access to a lawyer before police questioning and once a person is deprived of liberty?

II. Procedural rights

92. (421) Are there rules in place ensuring the right to remain silent and the right not to incriminate oneself? Is the right to be present at one's trial ensured? Describe under which conditions a trial can be held in the absence of the accused person.
- Is an accused person informed about his procedural rights and the right of access to a

lawyer? Does a person deprived of liberty get access to the documents which are essential to challenge the lawfulness of the arrest?

93. (425) Is the right to an effective legal remedy ensured?

94. (426) Please clarify the issue of the most lenient sentence in *Republika Srpska* entity.

95. (428) How are the rights of victims of all crimes treated in the criminal law legislation and judicial practice in terms of participation in the criminal proceedings, protection and support and assistance to victim? Please structure your reply according to the chapters and provisions of the Victims' Directive 2012/29/EU.

How are the general and specialist victims' support services organised and financed in the country? How is training provided for competent authorities and officials (judges, prosecutors, judicial and police staff) on how to deal with victims?

96. Please provide a comprehensive and consolidated reply to question 430 at all levels, including the references of relevant legislation at entity level

III. Respect for and protection of minorities and cultural rights

97. (432) Please provide information on the Constitutional provisions for the protection of minorities at entity, cantonal and Brčko District level. Please provide information on the institutional framework within executive authorities (which ministry is entrusted with the portfolio at each level of governance?). Please mention any discriminatory provision on passive electoral rights of members of minorities.

98. (433, 434) Please provide information on the implementation of the Framework Convention for the Protection of National Minorities at entity, cantonal and Brčko District level. Please provide information, if possible in a table, on how the implementation of the Convention is monitored at each level of government. Please clarify whether and which strategic and policy documents exist at entity, cantonal and Brčko District level.

99. (436) Please provide information on the applicable legislation on professional restrictions for minorities at all levels, including *de facto* professional restrictions, e.g. on holding public office.
100. (439, 444) Please provide information on measures taken at all level to ensure representation of minorities in public administration, civil service (including management positions), judiciary, health and social services, etc.
101. (443) Please provide information on the situation at the entity, cantonal and Brčko District level concerning measures taken to improve inter-ethnic relations, methodology used to identify incidents (conduct of law enforcement in reporting and prosecutorial follow-up). Please report on the number of complaints received.
102. (450) Regarding the five priority areas for Roma inclusion (education, employment, health, housing, civil documentation), please provide updated information in tabular form about the distribution of competences among all levels of governance (state, entities, Brčko District, cantons, and where relevant municipalities) as well as about the responsible institutions, their guiding policy documents (action plans), and allocated budgets for 2017 at each level.
103. (451) Please provide information on the coordination mechanisms on Roma inclusion issues at Federation entity level, on how the Federation and the cantonal levels cooperate, and on the cooperation mechanisms within and among municipalities.

IV. The EU Fundamental Rights Agency

No additional questions

V. Protection of personal data

104. (475) Please provide information on the process of upgrading Bosnia and Herzegovina data protection law to align it with the new EU *acquis* in this area, including the General Data Protection Regulation 2016/679 and the EU Directive 2016/680. Please provide information on the legal framework in the Federation entity.

Regional issues and international obligations – Regional cooperation and good neighbourly relations

105. (496) Could you please clarify if there is an agreement on dual citizenship between Bosnia and Herzegovina and Croatia as information provided is contradictory between in pages 2177 and 2180 of the answers received? If an agreement is in place, please provide the dates of signature and ratification as well as how it is implemented in Bosnia and Herzegovina.
106. (504) The *Republika Srpska* entity mentioned a number of 127 indictees without precising whether they are Bosnia and Herzegovina citizens, or not, and indicted by the ICTY, or not. Could you please give more details?

ECONOMIC CRITERIA

General comment: In the overall picture, there should be more information on the coordination role of relevant state level ministries and it is intended to improve such coordination. If there is framework legislation at state level, is this properly reflected in entity legislation? Are the laws complementary or in contradiction? In that vein, when providing replies to additional questions, less focus should be on providing separate replies by each level of government, and more on coordinated replies. When replying to a question, it will be important to agree among all levels of government on a common methodology to reply and to refer to the same set of comparable data, as well as to use a consistent terminology.

The existence of a functioning market economy

I. Macroeconomic stability

1. (1) Main economic trend

Please update annex tables 1-7 with data for 2016 and, as far as possible with 2017 data. Please provide requested data on inflation, including subcategories (table 1 in text), and including share of administrated prices in CPI. Please provide information on the weights of the various CPI components (COICOP major groups) in the price basket.

2. (2) Macroeconomic report

Please provide the 2017 report

3 (3): Socioeconomic data

(3b) Is there demographic data according to regional classifications other than the entities/Brčko District level, e.g. cantons? For example, what's the share of population living in urban areas (cities)? Please aggregate population data to also indicate the working age population and provide data on the labour force for the reporting period.

(3c) Please update table 2 (text, p.64/65) with data on 2016 and, if available with 2017 data. Please calculate average wage in public sector (NACE rev.2 categories

O+P+Q) and of private sector (non O+P+Q). Please also provide the requested wage data for the Federation entity and the Brčko district. 3c) As regards Federation entity level reply, can a breakdown between the public and the private sector be provided?

(3d) Please try to provide a consolidated reply on the wage formation process for the country as a whole, with reference to the specific sectors indicated in the question.

4. (6): Scope of public finances

(a) Is the public sector data (presented in table 2, p.22 ff) comprehensive and complete, i.e. does it include all Extra-Budgetary Funds (EBFs) and State Owned Enterprises (SoEs) at Entity level and also information from different entities, agencies and local authorities? Are 2017 figures available yet? If yes, please provide them in a tabular form.

(b) What is the position on arrears – please provide figures for arrears for Bosnia and Herzegovina, Federation entity, *Republika Srpska* entity and Brčko District for the latest years available, including for 2017.

5. (7): Extra-budgetary funds (EBF)

(a) Please provide aggregated data (on country level and on the level of the four budgetary institutions, i.e. (state-level institutions, Federation entity, *Republika Srpska* entity and Brčko district) on total revenues, spending, balances and of the main revenue and spending categories of all EBF categories (pension fund, employment agency/funds, health insurances, *Republika Srpska* children's protection fund, and all road directories) from 2006 onwards.

(b) What is the current position in Federation entity regarding extrabudgetary funds (EBFs) – have they all been fully included in the budget and treasury operations?

(c) What is the total size of the EBFs that will remain at cantonal level and not included in the Federation entity budget?

(d) In *Republika Srpska* entity, is the deficit in the Health Fund, outlined in the table on page 111, met by a central government grant?

(e) In *Republika Srpska* entity, are the pension employment and children protection funds now fully integrated into the budget and the treasury system?

(f) What are the measures being undertaken to integrate EBFs (in particular Health Insurance Fund and Pension Fund) into the general budget?

(g) In Brčko District has any progress been made on integrating the EBFs into the general

budget?

6. (8) Budgetary system

- (a) Please provide information on the budgetary procedures at cantonal and municipal level.
- (b) Please provide a table for Bosnia and Herzegovina, *Republika Srpska*, Federation of Bosnia and Herzegovina and Brčko district, giving the dates on which the budget was approved by Government, submitted to parliament for approval and the date of the final approval by parliament for the budget years 2016, 2017 and 2018?
- (c) When was the Fiscal Council in *Republika Srpska* entity appointed and when did it begin its work?
- (d) How many people work for the *Republika Srpska* Fiscal Council and have they published any material on fiscal matters including reports etc.?
- (e) Please elaborate on the sub-question "What are the implemented/imminent systemic reforms to enhance long term fiscal sustainability"?

7. (10) Public debt

- (a) Please extend data coverage including 2017 and please also provide quarterly data.
- (b) There is an asterisk in the heading referring to Maastricht debt (p. 142) – what does the asterisk refer to in this instance?
- (c) Where the external debt of state owned enterprises was transferred could you explain to where the transfers were made.
- (d) What is the position on internal debt of majority state owned enterprises – are they included in the Entity levels of debt?

II. The functioning of product markets

8. (11): Size and main features of corporate sector

Please update requested data to include 2016 and possibly 2017) on country and entity level on

- a) the number of registered companies,
- b) the number of employed persons in the corporate sector,

- c) their size structure in terms of value added and employment,
- d) their distribution according to sectors (NACE rev.3)

9. (12): Market entry and exit requirements

- (a) Please provide data on the number of steps required and the length of the registration procedures since 2006, aggregated on entity and countrywide level. Please provide the latest available data and go back in time until 2006, if data is available.
- (b) Please provide consolidated information on the number of initiated and completed bankruptcy procedures, according to respective (regional) entities, providing the most recently available information and going back until 2006, if possible.

10. (13): Property rights, contract enforcement, real estate registration

Replies have been provided in an inconsistent way and not covering all relevant levels of government. In particular:

- (a) Please provide clear and consolidated information/data in terms of the time required and the costs for registering property.
- (b) How did those parameters evolve during the time period 2006-2017?
- (c) What is the degree of registration of real estate property rights, at local and country wide level.
- (d) How has this parameter evolved during 2006-2017?
- (13e) Are there any ongoing activities to increase/accelerate the registration of real estate property?

11. (17): Public sector: share in economy, dominance in sectors entity, plans

- (a) Please provide data on the value added and employment in the "public sector". According to NACE rev. 2 classification, this sector largely consists of the sectors O (Public administration and defense, compulsory social security), P (Education) and Q (Human health and social work activities). Please provide this information on country-wide and on entity and – if necessary - on local level (cantons, municipalities), for the period 2006 - 2017).
- (b) Are there any public and/or state owned companies, which are not included in those 3 sectors, e.g. state owned electricity companies?
- (c) Please complete table on state-owned/dominated companies (worksheet 3a in the table, annexed to Questions 1) with data covering the *Republika Srpska*. Does the table include

companies, located in Brčko district? If not, please also add this information.

(d) What is the total, in terms of asset value as a percentage of GDP, for all majority owned state companies in Bosnia and Herzegovina, Federation entity, and *Republika Srpska* entity? (Disaggregated data given in above mentioned table, annexed to Question 1).

12. (19): State Aid

Please provide, if already available, state aid report for 2017

13. (20): Privatization

Please aggregate the provided information into summary tables, covering the period 2006-2017 and containing the following information on entity level:

- a) Name of privatized company
- b) Number of employees
- c) Sales value
- d) Year of privatization
- e) Privatization method

Furthermore, please provide a similar table, covering companies which are planned to be privatized, containing information on entity level:

- a) Name of company to be privatized
- b) Number of employees
- c) Capital value (market value) if available
- d) Year of decision to privatize this company
- e) Planned/estimated date of privatization
- f) Privatization method

14. (22): Aggregates profits/losses of state-owned or state-dominated enterprises

Please aggregate the provided data into a summary table (on entity level), presenting the total amount of profits/losses of state-owned or state-dominated enterprises and indicate, which (level of) budget is affected (entities, cantons, municipalities, ...).

III. The functioning of the financial market

General remark: Please update provided data to include also 2017 and submit data in machine-readable format (spreadsheets).

15. (26): Access to international financial markets

(a) Please provide information on the role of foreign loans for the countries' economy (country wide and entity level, differentiated between corporate sector, households and public sector).

(b) Do lower levels of government (cantons, municipalities) have to right to access international capital markets? If yes, are there any preconditions for them to do so? Which institution is tasked to check/confirm if these preconditions are met?

(c) What are the conditions (interest rates, credit length, etc.) at which international markets provide funds to the country? How did those conditions evolve over time?

16. (34):

(a) Please provide data on credit growth according to recipients (corporate, household, total) for the period 2006-2017, i.e., in the case of the Federation also for the years before 2012.

(b) Please provide data on bank profitability during the reporting period (2006-2012) for both entities. In case there have been special factors affecting the sector's profitability (legislation, business cycle, external and domestic shocks, ...) please provide the necessary information.

17. (37): Interest rate spreads and bank profitability

(a) Please provide (as a spreadsheet) the actual (all available) interest rate time series during the period 2005-2017 for both, household and the corporate sector.

(b) Could you please explain how the data in the table on page 303 describing the "range of loan and deposit rates" is calculated? Is the lower value in each credit category the 5 year average of the deposit rate and the higher value the average rate of loans? How has been the annual development during this time period?

18. (44): New banking legislation

Has there been new legislation (including secondary/implementing legislation) and when it has come into effect since the submission of the replies?

19. (55): Capitalised pension system

(a) please complete the reply by also elaborating on the situation in the Brčko District, including if and how Brčko residents can join an entity pension system.

(b) Please provide more succinct information on entity and country wide level and in comparison to first pillar, such as the magnitude of funds/accumulated amounts available for the "third pillar", participation rate among the population etc.

IV. The functioning of the labour market

General remark:

Please update provided information with data on 2016 and 2017 in "machine-readable" format, i.e. .xls or .ods spreadsheet.

20. (57): Unemployment

(a) Is skills mismatch an important factor for unemployment?

(b) Please provide data on whether payment gaps between women and men are significant.

21. (58): Participation rates

(a) Please provide data on participation rates according to sectors.

(b) Please provide a short explanation on the main determinants of labour participation in the *Republika Srpska* entity. Are there significant differences to other levels of governance, i.e. the Federation and the Brčko district?

(c) Please provide the requested information also for the Brčko district.

22. (59): Employment

Please provide also the absolute numbers underlying table 1 (as a spreadsheet), also including total employment, and also according to regions (Federation, Republika Srpska, Brčko district), if available.

23. (60): Policy challenges and main steps, taken or planned

Please provide consolidated information on key challenges related to the labour market (which also includes information from Federation entity which appears missing), on the implementation status of ongoing reforms and on the timeline for planned reforms

The capacity to cope with competitive pressure and market forces within the Union

I. Education and innovation

24. (61): Key figures

- (a) Please provide the data on investment in education and R&D for the whole reporting period (2006-2017), on country-wide and entity level as a spreadsheet.
- (b) Please provide information on how many researchers are there per 1000 labour force and how many patents are issued per year?

25. (62): Enrolment and completion rates

- (a) Please aggregate data on country-wide and entity level and cover at least the last 5 school years (also including data from Brčko district).
- (b) Please also provide completion rates

26. (65): Training

If available, please provide information from cantons and Brčko District about percentage of employed persons receiving training. Also provide information on the number of companies providing training.

II. Physical capital and infrastructure

27. (66): Infrastructure

- (a) Please update provided tables with most recent data, such as 2017 (as spreadsheet) and present the tables also as percentage of total investment.
- (b) In case there are specific reasons for changes in the structure, please provide the underlying information.

28. (67): Digitalization

Please provide consolidated information/data (as e.g. *Republika Sprska* and Brčko District have not provided a reply). The reply should include number of broadband users, number of internet connections etc. (countrywide, but also on the level of the entities, including Brčko district).

III. Sectoral structure of economy and enterprise policy

29. (68): Main priorities for structural reforms

Please spell out the country's structural reform priorities.

30. (69): Structural change

- (a) Please update provided table (to also include 2016 and 2017) and submit the tables as a spreadsheet.
- (b) Also include data on Brčko district.

31. (70): Company structure

Please update provided data (answer to question 74 of chapter 20) to include 2016 and 2017.

32. (72): Trade structure

- (a) Please update provided data to include 2017, calculate growth rates and shares of total (exports and imports) and submit the data in the form of spreadsheets.
- (b) Please provide a short explanation of the main factors, driving noteworthy changes to the trade structure (new export markets, new products, foreign investors, ...)

33. (74): Labour productivity, Unit labour costs, international competitiveness

- (a) Please provide data on labour productivity (levels and year-on-year growth) on a country wide level and on the level of the Federation entity, (based on available data on value added and employment).
- (b) If possible, provide data on the changes of unit labour costs during the reporting period.
- (c) Are there any other indicators for the country's relative international competitiveness?
How has the country's competitiveness performed during the reporting period?

ABILITY TO ASSUME THE OBLIGATIONS OF EU MEMBERSHIP

CHAPTERS OF THE EU ACQUIS

Chapter 1: Free movement of goods

I. General principles

1. (1, 2) With regard to replies to questions no. 1 and 2, please explain the relationship between the Law on Technical Requirements for Products and Conformity Assessment (at the state level) and the Law on Technical Regulations in the *Republika Srpska* entity.
2. (2) With regard to reply to question no. 2, please complete the missing parts of the table providing an overview of conformity of the legislative framework with EU legislation, in particular where the compliance of certain laws was mentioned in the text.
3. (5) With regard to response to question no. 5, please provide the relevant missing information for Federation entity (e.g. no reference made to medical devices, chemical products etc.) and Brčko district.
4. (12) With regard to reply to question no. 12, please explain how coordination between different levels of administration is ensured countrywide. Please also clarify how the authorities ensure the organisation and coordination of two QI schemes provided separately by the Bosnia and Herzegovina Institute of Metrology and the *Republika Srpska* entity?
5. (13) With regard to reply to question no. 13, please explain how the *Republika Srpska* entity Institute for Standardisation cooperate on market surveillance. In addition, please specify the competences of the Cantons in this area.
6. (15) With regard to reply to question no. 15, please provide the missing translated copies of the relevant agreements.
7. (19) (32) With regard to replies to questions no. 19 and 32, please provide the relevant missing information for Federation entity and Brčko district.
8. (22) With regard to reply to question no. 22, please complete the answer for the Federation entity level as information is missing.

II. Horizontal measures

9. (33) With regard to reply to question no. 33, please clarify how many, and which technical regulations have been adopted (there is a discrepancy between the number of the regulation in the text and in the annex).
10. (43) With regard to reply to question no. 43, please clarify the relationship between the acts forming the legal basis for metrology as explained in pages 9-12 and 86-88 of the replies, as well as between the different constituent entities and Bosnia and Herzegovina. It is noted for example that the Units of Measurements Legislation, which issued at the level of Bosnia and Herzegovina (Law on measuring units of Bosnia and Herzegovina that is meant to transpose Directive 80/181/EEC on units of measurement), applies to the whole country. However, there are also Laws on Metrology in *Republika Srpska* entity and Federation entity and the relationship between them and the one at the state level is not clear.
11. (47) With regard to reply to question no. 47, please explain how the system of ensuring that products on the market throughout the country meet standard requirements works in practice. Please provide information how the Law on Control of Quality of Certain Products is implemented. Please also include the list of products that are subject to the import and export quality control as well as information on how that control is carried out.
12. (49) With regard to reply to question no. 49, please provide the relevant information with respect to Federation entity and Brčko district as information is missing in the answers provided.
13. (52) With regard to reply to question no. 52, please provide the relevant information for the Federation entity level as information is missing in the answers provided.

III. Old approach product legislation

14. (57) With regard to reply to question no. 57, please provide the English version of the Rulebook on Labelling Footwear (Official Gazette of the *Republika Srpska* entity /17) and Rulebook on Labelling and Marking Textile Products (Official Gazette of the *Republika Srpska* entity 36/16). With regard to reply to question no. 57 (c), please confirm if the new Law on Chemicals (planned in National Assembly Work Programme for 2017) has been adopted and if so, please provide us with the copy together with other pieces of legislation (mentioned in the annex), which aim to align the legislation with REACH. Furthermore, with regard to the competent authorities in the sector of chemicals, please explain the size of their administrative capacities allocated to REACH implementation and enforcement as well as

whether training programmes on REACH have already been carried out. Finally, please specify how many of 225 companies trading chemicals in Bosnia and Herzegovina also are also manufacturing them.

15. (58) (59) (60) With respect to questions 58, 59 and 60 we suggest Bosnia and Herzegovina updates the answers given with the current EU legislation such as the 2014 Directives and not only against older EU directives. With regard to reply to question no. 58, please explain the interrelationship between competencies of different levels of the administration in each of the sectors covered by the question

IV. New and global approach product legislation

16. (59) With regard to reply to question no. 59, please complete the answer for the Bosnia and Herzegovina and the Federation entity level as information is missing in the answers received.

17. (60) With regard to reply to question no. 60, in several parts of reply the input from Federation entity and Brčko District is missing. Please provide the relevant information.

V. Procedural measures

18. (62) With regard to reply to question no. 62 (b) and (l), please provide the relevant information for the Federation entity level as information is missing.

19. (65) With regard to reply to question no. 65, please clarify if there is a legal institutional framework related to unlawful removal of cultural goods from EU Member States. Please describe how the UNESCO Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property and other conventions referred to in the reply are implemented in Bosnia and Herzegovina.

20. (66) With regard to reply to question no. 66, please clarify how the applicable conventions are applied in the context of ensuring the return of cultural goods in Bosnia and Herzegovina.

21. (108) (109) (110) With regard to supplementary questions no. 108, 109, 110 of Annex 1, please provide information on specific activities concerning industrial production structure, exports and imports in:

- a. textiles (including knitwear);
- b. clothing industry;
- c. leather and leather products;
- d. footwear.

Chapter 2: Freedom of movement for workers

I. Access to labour market (general principles)

1. (5) Which are the domestic institutions (ministry, independent commission, national courts etc.) tasked with ensuring free movement of workers within the country?
2. (12) Please complement the information regarding the housing rights of EU workers taking into account that housing not only includes property but also access to rented accommodation by the EU workers.
3. (13) Please provide information on the right to higher education in the Brčko District, Sarajevo Canton for the children of EU workers as information is missing for these levels of governance in the answers received.
4. (26) Please complement and clarify, for the Federation entity, the information on the right to join a trade union and the right of the trade union to engage on behalf of or in support of the mobile worker in judicial and administrative proceedings, since these are two different things as information is missing for this level of governance in the answers received.
5. (34) Please explain if there are any rules on waiting or vesting periods on acquisition of supplementary pension rights.
6. (35) Please provide complete information on supplementary pension scheme regarding the dormant rights for scheme leavers and the prorated equal treatment of dormant members with active members? Please specify if there are any preservation standards.
7. (36) Please provide complete/covering all levels answer regarding the availability of the information provided by the supplementary pension schemes to members on the impact of mobility on their rights.

II. EURES (regulation 2016/589)

8. (41) Please specify for Brčko District if there are any special rules and administrative structures regarding cross-border mobility as information is missing for this level of governance, as information is missing in the answers received.

9. (42) Please describe, if any, specific services provided to frontier workers (i.e. workers who reside in one state and work in another). Please clarify whether the term mobility used in the replies indicates mobility between cantons/entities/foreigners.

III. Co-ordination of social security systems

10. (49) Please provide information for Brčko District on the waiting period for entitlement to benefits equivalent to those covered by the scope of the EU Regulations as information is missing for this level of governance in the answers received.
11. (49) Please provide information on the waiting period for entitlement to benefits equivalent to those covered by the scope of the EU Regulations, with an emphasize on the reasons why the waiting period in practice last 12 months instead of 60 days as law provides.
12. (53) Please provide a complete answer regarding the administrative structures that will be responsible for applying the co-ordination rules for the various chapters of the EU Regulation. Also, provide clear information on the number of institutions involved.
13. (56) Please provide complete answer regarding the electronic case handling system(s) in place for internal or external files related to the benefits covered by Social Security Coordination Regulations: is there a central system for the data collection? Are there standardised forms used? Are all data stored electronically or are there also paper files?

Chapter 3: Right of establishment and freedom to provide services

I. Right of establishment and II. Freedom to provide cross border services

1. (1) With regard to reply to question no. 1, please clarify the distribution of competencies between different levels and relevant institutions as well as the existing enforcement mechanism.
2. (2) With regard to reply to question no. 2, please describe and indicate the nature of all barriers to the free movement of services within the country.
3. (4) (5) With regard to reply to questions no. 4 and 5, please explain if a complete screening of legislation was undertaken at all levels of governance to identify the relevant requirements.
4. (7) With regard to all service activities and not only the examples provided in the question no. 7, please clarify whether, in cases where an obligation exists for service providers to subscribe to professional liability insurance, there is recognition of equivalent insurance or guarantee requirement from the home country of the provider.
5. (8) With regard to reply to question no. 8, please indicate the respective laws governing employment in the Federation entity, as information is missing for this level of governance in the answers received.
6. (9) With regard to reply to question no. 9, in relation to the Federation entity please clarify the possibility for provision of services without establishing a subsidiary. In relation to Brčko District, please clarify if the legislation distinguishes between the requirements applicable to EU companies wishing to provide services from an establishment in Bosnia and Herzegovina and those who wish to provide cross-border services from an establishment in a EU Member State.
7. (12) With regard to reply to question no. 12, please provide the missing information for the remaining cantons. In relation to Brčko District, please clearly specify the existing authorisation schemes (including the information on the sector).

III. Postal services

8. (20) With regard to reply to question no. 20, please provide the following information for Federation entity on Universal Service Providers (USP):
- a. How are the obligations of the Universal Service Providers defined at the entity level?
 - b. When was the relevant legal framework adopted and what form does it take?
 - c. Please list the relevant legal provisions.
9. (25) With regard to reply to question no. 25, in relation to the Federation entity please clarify if the systems for the supervision and control of accounting requirements for Universal Service Providers (systems for cost accounting and accounting separation) are already in place? If not, please provide the time schedule for their implementation.
10. (26) With regard to reply to question no. 26, in relation to the Federation entity, please explain who sets the quality standards for service providers and supervises them at entity level.

IV. Mutual recognition of professional qualifications

11. (44) With regard to reply to question no. 44, please clarify how the recognition of foreign professional qualifications is achieved. Does the Federation entity have competence to recognize foreign professional qualifications of healthcare professionals while the cantons can decide on all other qualifications? Please provide the missing information for the remaining three cantons.
12. (46) (47) With regard to replies to questions no. 46 and 47, in relation to Brčko District please provide information on the alignment with the Directives 77/249/EEC, 98/5/EC and Directives on toxic products (74/556/EEC and 74/557/EEC) respectively.

Chapter 4: Free movement of capital

1. (1) Please confirm that the list of responsible/competent institutions is exhaustive for all levels of authority. Please clarify the scope of the powers of the Central Bank of Bosnia and Herzegovina or of other authorities' to introduce restrictions to movements of capitals "when such restrictions seem necessary to fulfil obligation under international law"
2. (2) Please provide a timetable when short-term capital transaction will be liberalised
3. (3) Please further clarify the reason for the existing restrictions in the military and media sector.
4. (8) Please elaborate if there are any measures to boost sustainable investments.
- 5.(9) Please clarify whether public authorities maintain "golden shares" in the companies after privatization.
6. (10) Please clarify if there are contacts and cooperation with the European Supervisory Authorities.
7. (12, 13) Please clarify the conditions for foreigners to acquire real estate (distinguishing among agricultural, forest, industrial, residential and security areas) for each level of governance, indicating to what extent the related state and entity legislation is harmonized. Please clarify the progress made in setting up an updated land register.

Chapter 5: Public Procurement

I. Regulatory framework for public procurement

1. (17) The reply to question no. 17 merely states that the Public Procurement Agency does not have information on the requested statistics. Please confirm whether or not this information is available elsewhere.

II. Institutional set-up (administrative capacity)

2. (23) With regard to reply to question no. 23, please provide us with:
 - a. the recently adopted rulebook on training of public procurement officers;
 - b. information on activities conducted in the area of guidance;
 - c. Information on guidance/training the area of concessions and PPPs.
3. (24) With regard to reply to question no. 24, please provide information on the setup and capacity of the Tuzla Office/Office for Joint Affairs as well as on information on activities conducted (i.e. number of procedures, volume of procurement).

III. Publication

4. (27) With regards to reply to question no. 27, please confirm if there are any legal requirements on the publication of signed contracts and contract amendments regarding concessions.

IV. Remedies

5. (32) The reply to question no. 32 only refers to the Law on Public Procurement. Please provide the information on the existing formal means of coordination between the institutions, as this is missing in the reply to the question.

Chapter 6: Company law

I. Company law

1. (5) With regard to reply to question no. 5, please provide information on the current state of establishment of electronic business registers at all levels of authority.
2. (8) With regard to reply to question no. 8, as regards the Federation entity and Brčko District, please specify whether consultation fees are paid for access to all information or there is some information that can be accessed free of charge.
3. (9) With regard to reply to question no. 9, as regards Federation entity, please describe the procedure to obtain documents. With regard to the Federation entity and Brčko District please clarify if the fees are limited to cover administrative costs incurred.
4. (10) With regard to reply to question no. 10, which only relates to the official gazette, please confirm if there are other means for disclosure of documents and particulars, and if so, how is it carried out.
5. (13) With regard to reply to question no. 13, please specify if there is a legal obligation to submit financial statements to the business registers.
6. (20) With regard to question no. 20, as regards the *Republika Sprska* entity please specify how documents can be obtained.
7. (33) With regard to reply to question 33, please clarify the rules applicable to the disclosure, evaluation and adoption of the draft terms of merger in the Brčko District. In the Federation entity, please specify if the publication of the draft terms of merger is mandatory.
8. (34) With regard to reply to question no. 34, please specify the role of the courts in the merger procedure in the Federation entity.
9. (44) With regard to reply to question no. 44, please confirm if it is obligatory to publish the draft terms of division in the Federation entity and Brčko District.
10. (66) With regard to reply to question no. 66, please specify whether there are any derogations in the state-level legislation pursuant to Article 4 section 5 of the Directive 2004/25/EC.
11. (89) With regard to reply to question no. 89, concerning the Federation entity please indicate the size of the departments within the respective authorities. In relation to all levels of authority, please explain the role of respective securities commissions and their

administrative capacities (indicated under question no. 66 as responsible for supervision of respective laws on takeover of joint-stock companies).

II. Corporate accounting and audit

12. (104) With regard to reply to question no. 104, where it is stated that in the Federation entity legal entities are obliged to abide by the rules and procedures of the annual consolidation financial statements, which are regulated by IAS and IFRS – please confirm if that is equivalent to the obligation for legal entities to apply IAS/IFRS as issued by the International Accounting Standards Board (IASB).
13. (97) With regard to reply to question no. 97, please clarify small company thresholds (Art. 3 of the Accounting Directive) for Federation entity, *Republika Sprska* entity and Brčko District. With regard to Federation entity, and Brčko District, please explain the compliance with Art 16(3) of the Directive (cap on the amount of information required in the footnotes) as well as with Art 4(1) of the Directive on limitation of financial statements for small companies to balance sheet, the profit and loss account and the notes to the financial statements.
14. (106) With regard to reply question no. 106 please explain if the compliance with the special reports created at the request of the Statistics Institute/Agency for Statistics is mandatory and what type of information is included in those reports.
15. (119) With regard to reply to question no. 119, concerning the Brčko District please confirm if the accounting and Auditing Board is the same body as the accounting and Auditing Council (mentioned in the reply to question 125). Please clarify the composition and independence requirements of the Board.
16. (120) With regard to reply to question no. 120, with respect to *Republika Sprska* entity and Brčko District please provide clarifications on the rules in place to ensure independence and objectivity of the quality assurance system.
17. (121) With regard to reply to question no. 121, as regards Brčko District please clarify if other professional chamber/body is involved in public oversight (given the composition of the accounting and Auditing Council).
18. (124) With regard to reply question no. 124, please provide the information on the number of inspectors (and their qualifications) in Federation entity and *Republika Sprska* entity.

Chapter 7: Intellectual property law

I. Copyright and neighbouring rights

1. (18) With regard to reply to question no. 18, please provide information on the courts competent in the area of intellectual property law in the Federation entity.

II. Industrial property rights

2. (20) With regard to reply to question no. 20, please confirm if the legislation is also aligned with the “Bolar clause” (notably art. 10(6) of Directive 2001/83/EC).
3. (21) With regard to reply to question no. 21, please clarify if the Commission notice on certain articles of Directive 98/44 has been taken into account.
4. (25) (30) (38) With regard to replies to questions no. 25, 30 and 38, please provide separate statistics on litigations on: (a) patents; (b) trademarks; (c) models and design.

III. Trade secrets

5. (39) With regard to reply to question no. 39, please confirm whether Bosnia and Herzegovina has aligned its legislation with the Directive 2016/943.
6. (40) Please provide the reply to question no. 40 for the level of the Federation entity, as this is missing.

IV. Enforcement

7. (43) With regard to reply to question no. 43, please provide information on the courts competent in the area of intellectual property law in the Federation entity.
8. (53) (61) Please provide replies to questions no. 53 and 61 for the Federation entity level, as this is missing.

Chapter 8: Competition policy

I. Antitrust including mergers

1. (24) As regards the decision making process of the Competition Council, please explain why is it necessary to have a favourable vote of at least one representative of each constituent people in order for the Council to be able adopt a legally effective decision. Please also provide the rationale behind the rules on appointment of members of the Competition Council (i.e. three members appointed by the Council of Ministers of Bosnia and Herzegovina, one from each of the three constituent peoples, two members by the government of the Federation entity and one member by the government of the *Republika Srpska* entity). Please also explain the conflict of interest rules applicable in the operation of the Competition Council, in particular with respect to the Members of the Competition Council.

II. State aid

2. (44) (45) With regard to replies to questions no. 44 and 45, please clarify if the state level and Brčko District authorities adopted the relevant by-laws implementing the State Aid Law. If not, please explain how the respective decisions are made.
3. (46) With regard to reply to question no. 46, please provide more information on the institutional set-up of the institutional set-up of the State Aid Council (SAC), in particular, please explain if its secretariat is attached to or is part of another administration (e.g. ministry). Given that the SAC members do not have the status of employees, please explain if they are (or can have the status of) employees in another body/elsewhere. Please also provide the rationale behind the rules on appointment of members of the SAC (i.e. three members appointed by the Council of Ministers of Bosnia and Herzegovina, two appointed by the by the government of the *Republika Srpska* entity, two appointed by the government of the Federation entity and one by the government of Brčko district). What are the conflict of interest rules applicable in the operation of the SAC, in particular, as regards Members of the SAC and its Secretariat? Furthermore, please provide information on the decision making process of the State Aid Council, including whether in order for

the Council to adopt a legally effective decision, it has to be supported by at least one representative of each constituent people as in the case of the Competition Council. If so, please explain why this is necessary

4. (55) With regard to reply to question no. 55, please provide information on the rules applicable at the state level, as information is missing for this level of governance in the answers received.

5. (53) (57) With regard to replies to questions no. 53 and 57, please explain if there is a system in place to examine complaints by third parties; please note that a complaint may concern an alleged aid measure that has not yet been assessed by the SAC. Can third parties (competitors) lodge such complaints to the SAC? If so, please explain whether they are aware of such a possibility and how many complaints about the alleged State aid measures were lodged in the recent years.

Chapter 9: Financial services

I. Banks and financial conglomerates

1. (1) Please clarify whether the legislation allows a credit institution based in a EU Member State, without a registered business entity/unit in the country, to supply services across the border in Bosnia and Herzegovina, and under which conditions.
2. (6) a) Please provide statistics on the current size of the deposit insurance fund (absolute amount of available financial means, available financial means relative to covered deposits in %).
(b) Are banks required to mark eligible deposits in a way that allows an immediate identification of such deposits?
(c) Are contributions of banks to the deposit insurance fund calculated based on size only (amount of covered deposits) or also on the basis of a risk based methodology?
3. (8) (a) Please provide more details on the systematic supervisory reporting of solvency, liquidity, leverage ratio and financial data, non-performing and forborne exposures, etc. For example, please mention the frequency of the supervisory reports. When replying, please take into account the supervisory reporting package that has been adopted in the EU (Implementing Regulation 680/2014) and which lays down the specific data points, reporting frequency, and remittance dates.
(b) Please confirm whether supervisory reporting is mandatory at individual level and at request of the supervisor for the bank consolidated level.
4. (9) Please provide more information on how the additional requirements defined by the "rulebooks on the content and form of financial statements for banks" interact with (are compatible with) or overrule the recognition and measurement requirements of IFS (International Financial Reporting Standards)?
5. (16) Please clarify the coordination arrangements in "situations where multiple authorities exist...to ensure that implementing of the Insurance Core Principles (ICPs) within the jurisdiction occurs in an accountable framework." (see www.iaisweb.org)
6. (20) Please elaborate on the implementation of the guidelines of the Basel Committee on Banking Supervision (BCBS) on "Prudential treatment of problem assets - definitions of non-performing exposures and forbearance".

7. (27) Please clarify:

(a) What is meant with the "48 hours temporary suspension" when describing the resolution tools. What actions or operations are in the scope of this suspension, at what point in the process can it be applied and what is the link with the resolution tools described (sale of assets tool, special purpose bank, asset separation tool and bail-in tool)

(b) Who holds moratorium powers, i.e. the power to temporarily suspend payment obligations for the bank? Does this power apply before normal insolvency proceedings or before/after resolution action?

(c) Whether domestic banks / groups are compelled to hold a minimum requirement for eligible liabilities (MREL) when the respective institution holds critical functions that need to be saved, it cannot be credibly placed in liquidation under normal insolvency proceedings, and its resolution strategy involves the bail-in tool.

(d) What mechanism is being used to enforce resolution decisions taken by the authorities to contracts/liabilities issued under third country laws

(e) In the reply to question no. 27, there is a description of the resolution regime, powers and actions mainly applicable when acting in the role of "home" resolution authority. Please describe how these powers / roles change when you are a "host" authority, meaning when you deal with an institution which is the subsidiary of a foreign bank in your country. What are the cooperation mechanisms put in place when dealing with the foreign home authority? Do you envisage recognizing the "single point of entry" and "multiple point of entry" resolution strategies and how do you make these strategies operational in cooperation with the home authorities?

II. Insurance and occupational pensions

8. (33) Can you indicate the recent trends of the premium earned by the branch offices of insurance companies from one entity in the other (i.e. premium earned by companies from the Federation of Bosnia and Herzegovina established in *Republika Sprska* and vice versa)? Can insurers request a life and non-life license at the same time?

9. (37) Please provide information on the status of legal harmonization (among entities) and of (possibly joint) citizen's awareness-rising programmes on the market liberalisation in the field of compulsory motor vehicle insurance, following the Insurance Agency of Bosnia and Herzegovina Guidelines.

10. (38) Can the management board of the supervisory authority be dismissed by the government?

11. (51) Please describe/explain the specific provisions regulating (conditions for) cross-entity engagement of insurance intermediaries operating in Bosnia and Herzegovina based on the residence and registration of intermediary.

III. Financial market infrastructure

12. (78) Please assess the degree of alignment of the legislation in the *Republika Srpska* entity with all mentioned EU Directives, as this information is missing in the answers received.

IV. Securities markets and investment services

13. (87) Please provide information on the state of implementation of the legislation adopted in the area of securities markets and investment services.

14. (90) In order to better understand the number and size of actors active in the country, please indicate the number of investment firms within the meaning of Directive 2004/39/EC (and whether some of them subsidiaries of EU groups?) in BiH, the magnitude of business they are conducting in Bosnia and Herzegovina, i.e. turnover, number and volumes of transactions on the two stock exchanges and the number of issuers. Please explain if the two stock exchanges are public, partially-public or private companies? What are the interactions currently with EU enterprises? Are there EU investment firms trading in Bosnia and Herzegovina stock exchanges?

15. (107) Please confirm whether it is mandatory to put in place risk management processes in the Brčko District (p. 250).

16. (108) Which requirements apply for the depository? Please provide information on the possibility to delegate depository tasks.

Chapter 10: Information society and media

I. Electronic communications and information technologies

1. (10) Please provide information about the procedures for investors to rely on the existing regulatory framework – How can they use their rights under the legal framework, and/or how can they appeal against decisions - for example, if they disagree with the 'Utilisation Plan for the Radio-Frequency Band' or actions coming out of this.
2. (21) Please provide more information on the existing infrastructure. The answer has to contain more information on the point a) Infrastructure, including all alternative infrastructures.
3. (23) Please provide information on the Brčko District regarding the manufacturers and manufacturing activities for network equipment and terminals to have a country-wide overview.

II. Information society services

4. (29) Please provide information on the institutional framework of the information society services in the Brčko District.
5. (31) Please provide information on how a coherent implementation of information society policies is ensured at country-wide level.
6. (38) Please provide consolidated data on the penetration/usage rates of services.

III. Audiovisual policy

7. (59) Please provide a timeline for completion of the digital switchover.
8. (107) Please describe measures which have been taken in order to improve media literacy, addressing also new forms of media consumption.

Chapter 11: Agriculture and rural development

I. Horizontal

1. (All replies). Please update text (where relevant) with references to the state of implementation of the country-wide Strategic Plan for Rural Development adopted in 2018.
- 2, (2) Please clarify the distinction of competences between the Cantons and the Federation entity. Please clarify the distinction between earmarked and actually granted funds.
3. (3) Please provide information on whether export licences and/or safeguard clauses are in place. Please provide information on trade arrangements with other countries (e.g. Russia, China, Gulf countries). Please provide more detailed information on export/import schemes (regulation, implementation etc.)
4. (4) Certain categories of measures mentioned in the question are not covered in full in the reply. Please provide a differentiated overview of direct and indirect input subsidies, as well as information on social policies, policies on land privatisation, tariff quotes, credit subsidies, measures developing a land market and risk management related information.
5. (5) Please provide information starting from the year 2000. Please clarify what is covered by "other – general services" mentioned in the tables.
6. (6) Please provide more detailed information on the mechanisms for administering and monitoring the land cadastre system.
7. (9) Please confirm that the legal acts referred to in the reply have all been adopted.

II. Market measures

8. (12) Please provide a full description of the policies applied or planned by the *Republika Sprska* entity for the full range of products mentioned in the question..

9. (13) Please provide missing information on eligibility criteria, basis for payments including determination of regions, amounts spent since 2000, and taxes or levies.

10. (14) Please provide missing information on the processing of fresh fruits and vegetables with specific regard to if, how and by whom the mentioned legal acts have been implemented.

11. (15) With regards to both parts (a) and (b) of the question, please provide information on administrative and enforcement arrangements. Also please provide information on international standards schemes.

12. (17) Please provide additional information on the implementation by the Bosnia and Herzegovina authorities of rules to target direct payments to active farmers as well as on specific payments or rules concerning the young farmers.

13. (17) Please provide a definition of the category "other direct payments" in the overview tables.

III. Direct payments for farmers

14. (20) The reply states that "unlike in the EU, in Bosnia and Herzegovina there is no classification of rural areas pursuant to generally accepted criteria". On the other hand, it is also indicated in the reply that "still the support for rural development is implemented through measures that have the same character as rural development measures of the EU". The reply also concludes that "for the purpose of providing an answer to this question, the classification of measures in Bosnia and Herzegovina follows the classification of support measures in the EU". Please clarify whether or not criteria for classification of rural areas exist, and whether rural development measures and support measures are implemented.

15. (20) Please clarify which measure are covered by "Axis 4". Furthermore, the answer provides a list of measures, amounts of support and realisation of support as well as number of beneficiaries. However, please clarify if the indicated amounts of support refer to allocated, committed or distributed sums (or other).

V. Quality policy

16. (21) Please clarify the distribution of competences between all levels of governance in the area of quality policy.

17. (23) The reply indicates that "with regards to the control of the product quality, the Institute has no direct competence, but it represents the authority in charge of keeping the register in terms of recognition and maintenance of the authorised user status."). Please provide an organigramme of administrative structures and their inter-linkage with a sequenced flow of their functions and responsibilities and/or a detailed description thereof. Furthermore, while the reply makes reference to certain quality related programmes / donor driven projects, please provide a list of actual existing quality schemes is missing.

VII. Agricultural statistics

18. (28) In the reply it is indicated that "The 2017-2020 Statistical Programme of Bosnia and Herzegovina is pending adoption by the Bosnia and Herzegovina Council of Ministers and is expected to be adopted in the first quarter of 2017." Please provide an update.

Chapter 12: Food safety, veterinary and phytosanitary policy

I. General

1. Bosnia and Herzegovina has always maintained that legislation of the entities has to be compliant with legislation adopted at the state level. However, it does not seem that this compliance is checked by any legal body.

- a) Please clarify the legal situation of texts adopted at state level and texts adopted by the entities on the same issues in the area of food safety, veterinary and phytosanitary policy.
- b) Is any legal body in charge of checking the legal consistency/compliance between legal texts adopted at entity level with legal texts at state level in the area of food safety, veterinary and phytosanitary policy?
- c) Please provide a Table of Concordance providing an overview of this legal compliance (state/entities level) in the area of food safety, veterinary and phytosanitary policy?

2. (1) The reply provides a fairly complex graphic overview of the distribution of competences. In particular, it would be helpful if – instead of as now all levels of authority being placed on an equal footing – the overview could indicate levels of subordination and control, and how cooperation and coordination is ensured country-wide. Furthermore, the requirement in the question that "...degree of decentralisation...should be defined" is not reflected in the reply. Please clarify.

3. (3) The reply and attached diagrams do not show who the relevant Bosnia and Herzegovina institutions are for "coordinating, formulating, monitoring and supervising the implementation of food safety, veterinary and phytosanitary policies". In the reply, all authorities are presented at the same level, without clear information on cooperation and coordination. Please clarify.

4. (3) The state level refers to its structures "with competences in this field", but there is no information on which specific competences, nor on how implementation takes place across the policy area. Please clarify.

5. (6) With regard to sub-point (a) laboratories etc., please provide more detailed information on where Bosnia and Herzegovina stands with preparations for relevant legislative act(s) to provide for the enforcement of reference laboratories.

II. Veterinary policy

6. (10) The first paragraph of the reply mentions that "in Bosnia and Herzegovina the internal control...is under the competences of inspection authorities of the entities, cantons...Brčko District and in the *Republika Sprska*, municipal inspection bodies". This seems to be contradictory to the subsequent paragraphs where specific controls (of drug residues and contaminants, certain diseases in aquatic animals, also zoonoses like brucellosis and rabies etc.) are regulated at the state level whereas inspection services (and laboratories for the sample testing) implement it across different administrative levels. Please clarify.

7. (11) Please provide further information about the interconnectivity, information flow, coordination and monitoring in the area of control system for imports, in particular as the Veterinary Office of Bosnia and Herzegovina provides for administration and management arrangements in a number of aspects covered by the question (border inspection controls, safeguard measures, traceability/TRACES etc.). Furthermore, under "General Information" please clarify what is meant by "border veterinary inspection posts and customs authorities". Which particular institutions/administrations are you referring to and how do they operate? Finally, under "General Information" the reply mentions that "Municipal (in the *Republika Sprska*), cantonal (Federation entity) and the Brčko District veterinary inspectors who inspect consignments at the place of their unloading are also included in the control system of imported consignments." Who does what and how do these various actors interact?

8. (11) On live animals, please clarify the linkage between the customs authorities and the obligatory veterinary health certificate. Is there any reporting obligation for the customs authorities to the veterinary authorities? Furthermore, on products including food, feed and animal by-products, please define what is meant by "relevant authorities". Under the same point, please clarify how in case of a trade prohibition a consignment can be "already released to circulation prior to receiving test results" and then be withdrawn.

9. (12) Please provide a written explanation of Picture 12.1 "Registration process of animal registration and movement control", clarifying who does what and if there is any kind of subordination, if the system is harmonised across the various administrative levels of the country, if coding is unified, and how data from lower administrative levels' registries is shared with the state level system/database at the Veterinary Office of Bosnia and Herzegovina. Furthermore, please clarify how local veterinary organisations (LVOs) report back, and how they are structured and positioned within the overall system. Finally, please clarify why the system of identification and registration for sheep, goats and pigs is not operational.

10. (15) It is indicated that "legislation at the level of Bosnia and Herzegovina directly or indirectly..." regulates the zootechnical area. Please clarify what is means by "indirectly".

11. (16) Please provide expenditure information for a number of missing areas such as welfare (aquaculture and fisheries included), animal by-product management, food safety and facilitate conditions, border veterinary inspection and veterinary inspection, agency for animal identification etc., including for the *Republika Sprska* entity.

III. Placing on the market of food, feed and animal by-products

12. (18) Please provide detailed information with regard to official controls and present precise indications of who does what across the various administrative levels as well as information on how those structures feed into the country-wide system.

13. (19) Information on Federation entity laws is missing. Please provide this information. With regard to cases of non-compliance, please provide information/reference to legislative plans to achieve compliance.

14. (20) The reply to question 20 (a) is fairly general. Please provide more specific information presenting the situation concerning agri-food establishments and microbiological quality of raw milk.

15. On question 20 (b), Control Rules, statistics on the number of establishments applying HACCP is not given "according to the activity" but cumulatively, except for the Federation entity level. Please provide the missing information.

VI. Phytosanitary policy

16. (34) With regard to the legislative tables:

- a) please clarify what "National act" refers to, as indicated in the column on "EU legal act CELEX)" in the Bosnia and Herzegovina national legislation tabular overview
- b) please clarify what is meant by "entity regulation" or "entity act" in the *Republika Sprska* legislative table in the column on "conformity assessment"
- c) Please provide information on any new acts for Federation entity.
- d) Some fields in the overview table on legal acts of the *Republika Sprska* entity are not filled in. Please provide this information.
- e) *Republika Sprska* does not make reference to the national legislation whereas the Federation entity and Brčko District do. Please provide the missing information from *Republika Sprska*.

17. (35) Relating to general control measures, please clarify:

- a) what is meant by “control or participate in supervision”
- b) what is meant by “the inspector in charge”
- c) how sampling is performed to reach the laboratory testing stage
- d) which “appropriate stipulated measures” the inspector orders
- e) how the information flow and reporting chain operates, also towards the state level administration (Administration of Bosnia and Herzegovina for Plant Health Protection)
- f) if the manual of the phytosanitary inspection services mentioned is in use across all relevant inspection services at all levels.

18. (35) Please clarify:

- a) if the state-level guidelines for inspection and sampling of laboratory testing for special survey of harmful organisms for various categories, and the procedure of inspection of quarantine harmful organisms, are in use across all inspection services at all levels
- b) if any specific protected zones have been defined in Republika Sprska. Furthermore, please clarify the linkage between the single state,level register of operators of Bosnia and Herzegovina and those managed at the entities and Brčko District levels
- c) which preconditions for the start of issuing plant passports have still not been met and by whom
- d) which border crossings are staffed with phytosanitary inspectors
- e) how import data is shared between entities, Brčko District and the state-level administration (Administration of Bosnia and Herzegovina for Plant Health Protection).

VII. Genetically modified organisms

19. (42) Please clarify what is meant by "Entity Regulation" in the "Conformity Assessment" column in the *Republika Sprska* entity legislative table.

Chapter 13: Fisheries

I. General

1. (1) Please clarify:

- a) how Bosnia and Herzegovina harmonises the different rules, procedures and practices at national and entity level with the EU *acquis* in fisheries, taking into account the administrative structure and distribution of competences between all levels of government.
- b) how the Law on agriculture, food and rural development is implemented countrywide with regard to fisheries, in particular in view of the competences of the state-level Ministry of Foreign Trade and Economic Relations (MoFTER).
- c) the relation between the state-level Law on Veterinary Medicine and the *Republika Srpska* entity-level Law on Veterinary Medicine?
- d) the relation between the Law on Inland Fisheries of the Federation entity and the laws on inland fisheries adopted in two cantons? How is competence between entity and cantons distributed in the matter?
- e) Please confirm that a legal framework on marine fisheries only exists at the level of one canton (Herzegovina-Neretva canton that covers the sea coastal line), with no entity (Federation entity) and state-level legislation in place.

2. (1) Please provide more detailed information on how the similar administrative competences - “administrative supervision over implementation of this Law...”, as well as inspection services – “inspect the implementation of provision of this Law” - are distributed between the Federation entity and the cantonal level.

3. (2) The reply provides information across different administrative levels of the country. Please provide information about the countrywide dimension of the fisheries administration and inspection.

4. (4) Please provide further information on the functions and responsibilities of state-level institutions like the Food Safety Agency and the Veterinary Office of Bosnia and Herzegovina, in particular in relation to implementation of their decisions.

5. (5) Please indicate if any case of improper information flow have been identified. Also please provide more detailed information on available mechanisms for countering deficiencies in this field, either at state or at entity level.

6. (6) The reply seems to indicate that there is no countrywide market policy administration in place. Please confirm and clarify.

7. (7) The reply is quite generic and leaves the impression that Bosnia and Herzegovina does not have a structural policy for fisheries. Please clarify. Furthermore, it is indicated that "in a broader context of aid to development to fisheries sector, resources for aid to the fisheries sector are paid from the budget of the entities, cantons and Brčko District". Please provide more detailed information on which budgets are used to finance which types of aid, and for which specific purposes.

8. (9) Please provide further information with regard to the countrywide dimension where for example at state level only partial data is presented and only on aquaculture from a survey from 2010. Also please provide more detailed information on the evolution of catch quantity across all the services.

II. Resource and fleet management

9. (1) (5) (17) (18) (33) (43) (44) (60) (70) In the replies, reference is made several times to "Management Plan(s)". Please explain the legal basis, contents and role of such "Management Plans".

10. (21) Is there a presence of diadromous species in the fresh waters of Bosnia and Herzegovina? If so please provide data.

III. Inspection and control

11. (39) (40) Can you confirm that the currency referred to in all the tables is BAM (thousands)?

V. Market policy

12. (24) With regard to producer organisations the notion of "groups" is mentioned. Are these groupings of independent companies or rather individual companies engaged in economic activities?

13. (68) Please provide the following information:

- a) has Bosnia and Herzegovina transposed Regulation (EU) No 2406/96 on common marketing standards for certain fishery products?
- b) please provide more details on the specific Bosnia and Herzegovina provisions on consumer information and how close Bosnia and Herzegovina rules are to the provisions of Art 35 of Regulation (EU) No 1379/2013.
- c) please clarify if the provisions on consumer information of the Law on Food of Bosnia and Herzegovina (ref. the answer to Question 25) are applicable also to the *Republika Sprska* entity.
- d) with regards to marketing standards, which standards have been defined with a view to placing products on the market according to their origin and type?
- e) please confirm if the weight classes defined are in line with Regulation (EU) No 2406/96. Please clarify if there are freshness classes (also refers to reply to question 26)
- f) please clarify if the geographical scope of application of the Bosnia and Herzegovina marketing standards provisions is the entire country (also refers to reply to question 26)
- g) please clarify if the Rulebook transposing Regulation (EC) No 2406/96 is already adopted or only in preparation.
- h) please clarify if the standards set out in the Rulebook on quality of fish, crustaceans, bivalves, gastropods and their products are based on international standards – in which case which standards? (Also refers to reply to question 26)
- i) please clarify if turtles are considered a fish product in Bosnia and Herzegovina and if there are specific provisions on the trade of this animal (also refers to reply to question 26).
- j) please provide information on which products fall within the definition of 'fish' and 'fish products' in Bosnia and Herzegovina (also refers to reply to question 26).
- k) please provide statistics on the production/sale by product presentation (whole, filleted, etc.) and preservation (fresh, frozen, etc.).

Chapter 14: Transport policies

I. Basic Trends and Data of the Transport Sector

II. Strategy for the Sector

1. (4) Do the legal acts that were "not subject to alignment" with EU legislation (e.g., Rulebook for establishing the framework for the creation of the Single European Sky under Official Gazette of Bosnia and Herzegovina, 45/10) prevent the implementation of EU legislation (e.g., the Single European Sky?)
2. (5) Bosnia and Herzegovina should provide remaining translated texts of agreements in the field of transport. Please specify also bilateral road transport agreements with EU Member States (as well as water, air, infrastructure)

III. Market Structure and Basic Trends for Each Mode of Transport

A. Public Service Contracts and State Aid

3. (10) Information to be completed for Federation entity and Brčko District, in particular for rail public service obligations.

B. Road Transport

Conditions of Access to Profession and Market

4. (11) Please elaborate further on the conditions of "good repute" and "professional competence" that a transport operator must fulfil in order to obtain a license for the international transport of goods and passengers. Is "good repute" based solely on criminal record? What are the contents of the professional competence exam?
5. (13) Please explain why is it that "special regular services are provided under the provisions for contracted occasional services" in Federation entity while special regular services are defined as a particular type of regular service as per Regulation 1073/2009?
6. (15) Does the reference in the first paragraph that "there is no legislation regulating the hire of vehicles without drivers for the carriage of goods by road" relate only to the state level?

Social and Technical Rules and Vehicle Registration Data Exchange

7. (17a) Please provide more detailed information on the minimum age for some categories (C and CE, D and DE and subcategories D1 and D1E) bearing in mind the minimum age for each category as defined in Directive 2006/126/EC. (17b) Please provide more clarification on Category C that "comprises motor vehicles for carriage of goods with maximum authorised mass exceeding 7 500 kg" while bearing in mind that Directive 2006/126/EC states that Category C licenses are required for motor vehicles " whose maximum authorised mass is over 3 500 kg and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver". (17c) Are there differing provisions for each vehicle category in terms of the practical and theoretical driving exams?

8. (20) Please specify "the scope of technical vehicle inspections" covered by Bosnia and Herzegovina's Rulebook on technical inspections (Official Gazette of Bosnia and Herzegovina, 13/07, 72/07, 74/08, 3/09, 76/09 and 29/11). It would be preferable to use EU type-approval designation of vehicles. Which are the "certain motor vehicles" that undergo controls every six months? Please provide further information on when and why "non-regular controls" are carried out: Are there situations set out by law (e.g., after an accident)? Is there a limited scope or might all vehicles be subject to non-regular control? Please provide further information on the procedure leading to "the technical roadworthiness test at the roadside" in the Federation entity. What is checked exactly? How? Is there a document issued to the driver when the vehicle is submitted to the non-regular inspection? Do you issue a document after a check if the vehicle will not be submitted to further inspection? Is it only for domestic vehicles or also foreign vehicles are subject to this? What is the follow-up procedure after the non-regular inspection? Please also provide further information on the procedure leading to "mobile technical inspections" conducted by the Automobile and Motorcycle Association of the *Republika Srpska* entity. What are the competencies of this organisation and what is its relation to the responsible ministry or government authority?

9. (21) Please specify the relation between a "vehicle ownership certificate" and a "registration certificate" concerning the participation in road traffic. What is their role in terms of re-registration of changes of ownership or holdership within and outside Bosnia and Herzegovina (i.e. are both documents obligatory for these procedures)?

Bosnia and Herzegovina replied that "motor vehicles and trailers registered in a foreign country are allowed to participate in the traffic of Bosnia and Herzegovina only if [...] they

also possess the international country code of the registration country." Council Regulation 2411/98/EC does not mandate the use of the distinguishing sign as set out by its Annex.

It does however mandate the recognition of such distinguishing sign used by other Member States as any other distinguishing sign if the use of the distinguishing sign is required. In this sense,, please provide more information on whether and how Bosnia and Herzegovina recognises the distinguishing signs of motor vehicles registered in a foreign country as well as how distinguishing signs are registered in Bosnia and Herzegovina.. 10. (23) Please provide information on whether there is legislation in place regarding the refurbishment of existing tunnels so as to upgrade their level of safety and the implementation of road infrastructure safety management. Please provide information on financing plans for these activities.

11. (24) What rules are applied to N2 and M2 vehicle categories?

12. (26) Which aspects of the Law on Fundamentals of Road Traffic Safety in Bosnia and Herzegovina (Official Gazette of Bosnia and Herzegovina, 6/06, 75/06, 44/07, 84/09, 48/10 and 18/13) are not aligned with EU law? Please specify the provisions applying to children under five, the types of child restraint systems that can be used as well as the specific provisions for buses.

13. (29) Please describe how the cooperation and exchange of information between national bodies engaged in the implementation and enforcement of the road transport social rules is organised.

Road and Other User Charges

14. (31) Please clarify: What do classes I, II, II, IV of vehicles correspond to? Are tolls for trucks varied according to EURO classes, as required by Dir 99/62? Do the annual vehicle taxes respect the minimum values provided for vehicles >12t in Annex I of Dir 99/62? Do tolls for trucks >3.5t respect the requirement of Dir 99/62 for non-over recovery of infrastructure costs? Are tolls for trucks based on a calculation of the infrastructure costs attributable to trucks, and don't they exceed the maximum value thus calculated? Is there present or planned legislation that will allow European Electronic Toll Service (EETS) providers to enter the market in Bosnia and Herzegovina, as foreseen in Decision 2009/750/EC?

14. (33) Please indicate which specific aspects of laws and regulations covering charges to heavy goods vehicles (i.e. the Law on Public Road in the *Republika Srpska* entity) are aligned and which are not aligned with EU Directives.

C. Rail Transport

Social and Technical Rules and Standards

15. (36b) Please provide further explanations if any of the legal acts listed in reply to 36a cover procedures to issue safety authorisations. (36c) Please provide the planning regarding adoption/publication of other TSIs. Please explain why for NOI Bosnia and Herzegovina refers to OTIF document, while for WAG Bosnia and Herzegovina refers to EU TSI.

16. (41) Please provide explanations on what actual measures were taken to ensure the independence of Railway Regulatory Board. Please provide more information on how the competent ministries at all levels are involved in the management of any railway undertaking or infrastructure manager operating in Bosnia and Herzegovina. What is the Minister's involvement in the decision-making of Railway Regulatory Board? Please specify if the Railway Regulatory Board has enforcement/supervision powers over safety requirements. Please explain whether and which entity issues safety authorisations.

Conditions of Access to Market and Profession

17. (43) Please specify whether the two licensed railway undertakings have been granted also safety certificates.

18. (47) Can the Railway Regulatory Board (RRB) launch investigations (i.e., related to the regulation and functioning of the market) on its own initiative? What specific measures have been taken to ensure the independence of the safety authority and the investigation body? How is the Final Investigation Report made public as per Article 24 of Directive 2016/798?

19. (48) Please specify the enforcement powers of the Railway Regulatory Board of Bosnia and Herzegovina.

D. Maritime and Inland Waterway Transport

20. (53) Please provide information on a master plan, as requested.

21. (56) Please provide correlation tables for relevant provisions across all levels of governance with EU law.

22. (59) As regards the four maritime vessels, please provide more information regarding age, size, length, flag, classification society and whether these ships have an IMO number; and if not why. Please provide information on numbers and categories of vessels (registered) in a consistent and consolidated form. Please provide information regarding the port of Neum, including statistics corresponding to EUROSTAT tables.

23. (60) Please provide more information on plans and timeline for ratification of all relevant IMO Conventions concerning maritime safety and prevention of pollution at sea.
24. (61) Please provide additional information on whether seafarers training institutions exist. Please specify whether legislation regarding minimum requirements for training for seafarers on board sea-going vessels is in place. Please also indicate if any seafarers trained in Bosnia and Herzegovina work on vessels flagged in other countries. Provide a plan for the full transposition of relevant EU acts including timeline for the adoption of relevant legal and administrative provisions.
25. (62) Please clarify whether the information provided concerns only maritime vessels or also inland navigation vessels.
26. (63) Please provide more information on the “Federation of Bosnia and Herzegovina Administration for inspection affairs” and how this authority conducts inspections of sea-going vessels (number of personnel, qualifications etc.). Please provide information on the responsibilities of each competent authority.
27. (64) Please provide more information regarding the “ship register” in Neum – do you mean the “Maritime Navigation Captaincy” or what is the responsible authority for the register and how is it organised? Please provide information on the responsibilities of each competent authority.
28. (65) Please explain why according to the reply Federation entity does not have a fleet (which contradicts with the reply to Q59) but issues certificates (reply to Q64).

E. Inland Transport of Dangerous Goods (road, rail, inland waterways)

F. Multimodal and Combined Transport

29. (76) Please submit a copy of the studies referred to; are there more recent studies available or new studies planned?
30. (77) Please clarify if the Combined Transport Directive has been aligned to/implemented or not.
31. (78) Please provide more details if available, e.g. in terms of monitoring of multimodal terminals, tracking/tracing of vehicles/vessels used in logistics?

G. Air Transport

32. (81) Please indicate the public service obligations that are in place.

Access to Market and Profession

33. (84) Why is there a requirement to submit information on fares and rates? Are there any rules on price transparency?
34. (85) Please elaborate on the link between the applicable EU regulations and how national regulations transpose them.
35. (87) Please elaborate on the appointment of an independent slot coordinator.

Technical and Social Standards

36. (93, 94) Please elaborate on the link between the applicable EU regulations and how national regulations transpose them.
37. (99) What specific measures have been taken to ensure the independence of the national supervisory authority in air traffic management (i.e., the Bosnia and Herzegovina Directorate of Civil Aviation, BHDCA)? Please elaborate on BHDCA's capabilities and resources.
38. (102) Please indicate the current status of the implementation of the flexible use of airspace concept.

Chapter 15: Energy

1. (1) Please provide consolidated countrywide data as requested, ensuring that data provided by the two entities are reflected in a single countrywide table.
2. (2) Please provide comprehensive countrywide data on the privatisation process.
3. (3) Please provide a clear overview of division of competencies per sector in a comprehensive manner using a countrywide approach.
4. (4) Please update the table (comments and timelines) and include more details in the assessment.
5. (6) Please provide a comprehensive overview for all fiscal measures in place for all levels of governance. In case of Federation entity, if only one canton has regulation in place it should be clearly stated that others do not have a regulation; if this is not the case others should be identified as well.
6. (7) Please provide missing data on the Environmental Protection and Energy Efficiency Fund of the *Republika Sprska* entity.
7. (8) Please provide a comprehensive countrywide breakdown on likely investment needs up to 2030 for the various energy sub-sectors.
8. (9) Please provide a comprehensive countrywide breakdown on likely investment plans up to 2030 for the various energy sub-sectors.
9. (23) Please specify the concrete legal acts/measures aligning Bosnia and Herzegovina legislation with the Regulation (EC) 714/2009.
10. (24) Please provide a single comprehensive reply to gas network development in Bosnia and Herzegovina (including funding).
11. (25) Please clearly refer your answer to existing duties under the Energy Community Treaty (including the infringement cases under the Energy Community Treaty with explanations on steps taken to implement the relevant commitments including calendar/timetable).
12. (29) Please provide additional information on appointment procedure including appointment of selection committee for appointment of respective commissioners.
13. (31) Please complete by streamlining the answer, the current reply is fragmented and inconsistent indicating differences between the entities' legislative frameworks.
14. (32) Please provide a clear calendar for the implementation of the planned measures, as requested.

15. (33) Please provide a clear calendar for adoption of framework and secondary legislation, as requested.
16. (37) Please complete reply with information on *Republika Srpska* entity. Please provide timetables on the gradual adoption and application of EU rules.
17. (39) Please provide a calendar/timetable for the adoption of the legislation, as requested.
18. (40) Please update on adoption of the National Energy Efficiency Action Plan (date).
19. (41) Please update on signature of the MoU with UNDP for development of energy efficiency plans.
20. (43) Please elaborate on the current main inconsistencies with Directive 2011/70.
21. (44) Please update on the publication of the most recent updated list of dual-use goods (date?).
23. (46) Please complete the reply with details about the structure and activities of the technical services in *Republika Srpska* entity and in Sarajevo University

Chapter 16: Taxation

I. Indirect taxation

1. (1) On car taxation, two types of taxes are usually levied on cars: (1) upon first registration of a car (irrespective of whether the car is new or used) - often called registration tax; and (2) on a yearly basis upon the owner of the car - often called circulation tax. All EU Member States and the Commission consider these taxes to be indirect taxes. Please clarify whether the same are considered as direct or indirect taxes in Bosnia and Herzegovina, and indicate the competent domestic authority or authorities in this regard.

2. (2.b) Please confirm that when you write: "Under the provisions of the Law on VAT, a tax refund on exported products cannot exceed 17% of taxes paid on such products domestically" you mean that the said refund is equal to the whole of the VAT paid in the country.

3. (4) Please provide the following information:

- a) What rules apply to the supply of e-services and to the hiring of means of transport?
- b) Re: (4. b): Please specify the VAT liability of supplies of immovable property.
- c) Re: (4. c): Territorial scope of the tax. Please specify the rules that determine whether a supply of goods or a supply of services is liable to VAT in Bosnia and Herzegovina.
- d) Re: (4. d): How are goods taxed when a suspension regime ends?

4. (5) Can you confirm that the exemption for specific quantities of tobacco/alcohol/etc. also applies to excise and VAT? We note that the list does not mention beer or cigars. Why is this?

5. (7) The reply indicates that "at this stage, certain problems are anticipated in areas governing the VAT exemption for the supply of certain goods, taxation of provision of e-services, and civil engineering". Could you please specify what those problems are for each of those three areas?

6. (9) Please provide the following information:

- a) alcohol taxation: beer and wine: are beverages below 2% alcohol taxed? Is denatured alcohol exempt?
- b) tobacco taxation: is there a separate rate for fine-cut tobacco or is the rate the same as

for smoking tobacco? Is there a separate rate for cigars/cigarillos?

- c) energy taxation: any exemptions for households or agriculture? Are there any exemptions on products used as input in metallurgical/mineralogical processes/chemical reactions? Are there any exemptions / reductions for energy intensive businesses? Are there any exemptions / reductions for energy products used as inputs in the production of electricity? Do differentiated levels of taxation apply based on the quality of the energy product? Are there any exemptions / reductions for energy products used in public transport?
- d) The excise rates presented do not reflect an increase introduced in December 2017 by an Amendment to the Law on excise. Please provide the updated rates.

7. (11) Please provide detailed information on the duty guarantee system.

8. (23) Please provide timeline on alignment in the area of excise.

I. Direct taxation

9. (37) Please include the *Republika Sprska* entity Law on Personal Income Tax in the legislative annex. Does the submitted text of the Federation entity Law on Personal Income Tax include all amendments (reference to amendments published in the Official Gazette 7/13 and 65/13 are not made in the text of the Law)?

10. (39) Please provide more detailed information relating to the liability to pay taxes in more than one jurisdiction. In particular, what mechanisms exist to ensure that revenue is never liable to be taxed in multiple tax jurisdictions?

II. Administrative cooperation and mutual assistance

11. (40) The replies concerning the entities refer only to “legal assistance” rather than “administrative assistance”. Are entity tax administrations able to provide the latter?

12. (41) “...has taken steps to determine BiH attitude towards...”. Please specify what steps/what commitments. Also, please provide further information re. Bosnia and Herzegovina's level in general when it comes to promotion of good governance on tax matter,

and on the level of the Federation entity in relation to exchange of information and fair competition.

13. (45) Please provide information on restrictions. Please provide a reply to the question "what is the policy of Bosnia and Herzegovina as regards access to beneficial ownership information?"

III. Tax policy and administration. Operational capacity and computerisation

14. (47) Please provide information on legal coordination in taxation matters among the different levels of governance. Only the last paragraph of the answer refers to cooperation between the different levels but only on avoidance of double taxation (international agreements). Only the reply from the *Republika Srpska* entity and Brčko District make reference to the MoU between tax administrations which governs a quite narrow area (types of data to be exchanged) while the question concerns legal coordination in taxation matters among different levels of governance in general.

15. (53) The reply contains no explanation of the audit process but only of the internal control process. Please provide the missing information.

16. (56) The question has only been answered partially. It is briefly mentioned that in the Federation entity the implementation of indirect taxation legislation is checked through tax assessments, and that in Brčko District reference is made to the MoU signed in 2016 on data exchange between tax administrations. Please provide a more detailed reply.

17. (60) Please provide the following information:

- a) ITA –information on sentences imposed and on police investigations.
- b) Federation entity: information on recovered amounts, on sentences imposed and on police investigations.
- c) *Republika Srpska* entity: sentences imposed and police investigations.
- d) Brčko District: information on police investigations.

18. (62) Please provide more detailed information on control strategies and on the role of risk analysis in the preparation of control strategies.

Chapter 17: Economic and monetary policy

I. Economic policy

1. (1) Please provide a more detailed description of competences at different levels of government. List more specifically entity competences (such as direct taxation) and exclusive state level competences (such as foreign trade policy, customs policy etc).

2. (2, 4)

a) Please describe the role of the Central Bank.

b) In addition to the formalistic response and comprehensive description of the ERP process provided, please provide more information on how the coordination and cooperation between all levels of governance and stakeholders to define economic policy is implemented in practice. The reply should include a factual assessment of the coordination and cooperation process, including the effectiveness of implementation of the three-year Medium Term Budgetary Framework (Budget Framework Papers, BFPs) of the institutions of Bosnia and Herzegovina, Federation entity and *Republika Sprska* entity. Please elaborate on the shortcomings and implemented improvements.

c) Has there been any case in which the Global Framework of Fiscal Balance and Policies in Bosnia and Herzegovina was not adopted or enforced, and what were the consequences?

d) In addition to the mentioned coordination fora/instruments in fiscal and monetary policy, please elaborate on what are the coordination fora, existing legislation and other ongoing efforts to strengthen coordination/cooperation in planning and implementing structural reforms to strengthen competitiveness and growth, including strengthening of a single economic space in areas such as business environment and other areas, at least those covered by the structural reforms section of the ERP.

3. (5) Please elaborate on measures foreseen to strengthen political ownership of reforms and the cooperation and coordination among different levels of government, also in view of an improved coordination of economic policies with EU Member states and also in the context of the Regional Economic Area. Please make an effort to reply to the question in a way which goes beyond the ERP process.

4. (8) a) For Bosnia and Herzegovina, Federation entity, *Republika Sprska* entity and Brčko district, for 2016 and 2017, could details be given of the number, if any, of budget revisions and the amounts involved in excess of €1m?

b) For Bosnia and Herzegovina, Federation entity, *Republika Sprska* entity and Brčko District is there a monthly report prepared for the respective Ministries for Finance on the evolution of the Budget - both for revenue and expenditure? Where this does not take place monthly then does it take place quarterly and, if so, how many days after the end of a quarter is the report either published or delivered to the political authority?

c) Are Extra Budgetary Funds in the Federation entity, *Republika Sprska* entity and Brčko District included in the monthly or quarterly reporting of their revenue and spending?

5. (10) Please describe if the sanctions in place to comply with the fiscal rules which are present in the Federation entity and *Republika Sprska* entity are adhered to/used.

6. (11)

a) What is the current position in Bosnia and Herzegovina, including *Republika Sprska* entity, Federation entity and Brčko District, regarding the establishment of an independent authority to monitor fiscal and economic policy? Is there a Fiscal Council in the Federation entity?

b) Can you please describe in more detail how countrywide coordination of fiscal policy works in practice (via the Fiscal Council of Bosnia and Herzegovina)?

7. (12)

a) Is there a countrywide consolidated Medium Term Budgetary Framework ("Budget Framework Paper"), even if the law on Fiscal Council does not stipulate this?

b) Please elaborate on implementing mechanisms for the BFPs.

c) Please provide a comparative overview of the last five years of fiscal targets contained in the BFPs and actual budget performance.

8. (13) Please elaborate how does the Medium Term Budgetary Framework (Budgetary Framework Programme) reflect the cantonal level, and who/how sets cantonal priorities and spending targets?

9. (14) Information has been provided by various levels of government only – please elaborate on the countrywide objectives/target figures for the general government deficit and

debt and projections for major expenditure and revenue items.

10. (15) Please elaborate on a countrywide sensitivity analysis (how are the "partial" sensitivity analysis conducted at entity level consolidated)? Please indicate how the identified risks are considered in the sensitivity analysis and the impact of the analysis on economic and fiscal planning.

11. (16) Is the execution of the budget consistent with the provisions of the medium term expenditure projections? how frequent and significant (in percentage of the whole budget) are the eventual amendments to the annual budget?

12. (17) Please explain the budgetary responsibilities of public authorities related to Extra-Budgetary Funds (EBFs). Are extra-budgetary funds at all levels of government included in the Medium Term Budgetary Framework ("Budget Framework Paper")?

13. (18)

a) Following the expiry of the National (statistics) Project 2012 that ended in December 2016, is the classification fully completed?

b) For clarification, in relation to *Republika Srpska* entity is the Health Insurance Fund covered in the data made available for the compilation of General Government data as part of the mandatory social insurance funds referred to in the answer? If the data is "mostly" aligned with Government Finance Statistics (GFS) what are the gaps in the data?

c) Do all cantons submit economic and fiscal data under GFS standards to the Federation entity?

14. (19) Please clarify and elaborate if the provided information concerns the General Government (consolidated) or Central (i.e. State-level) Government only. If only the latter is meant, please provide a consolidated reply to the question. A timeline should also be indicated.

15. (20) Beyond the formalistic response provided focusing on legislation, please explain in a harmonised/consolidated way if accounting rules and procedures are consistently applied across all sub-sectors of general government and how it works in practice.

16. (21, 22) The reply is insufficient (including the assessment of likely non-compliant legislation). Please provide for a detailed analysis on provisions non-compliant with the acquis. While an analysis of the Central Bank law compatibility with the acquis has been provided, the analysis should also cover a more consolidated analysis of potentially non-compliant legislation at all levels with other parts of the acquis, including Directive 2011/85 which lays down the requirements for the budgetary frameworks. If available, concordance tables should be submitted.

II. Monetary policy

17. (36) Please provide a copy of the amendments to the Federation entity Law on Leasing.

Chapter 18: Statistics

1. (1) a) Please provide a clear description of the coordination mechanism between BHAS and other statistic bodies. b) Are the legal regulations at state and entity levels complementary and harmonised? c) Please provide a comprehensive list of which statistics is produced at state and entity level. d) Please explain which statistics data produced at entity level feed into the statistics at state level and how this is channelled. Please provide a comprehensive overview as those issues are presented across the text in separate contributions. e) Please explain the arrangements in place ensuring that the methodology for statistics produced at entity level is consistent across the entities and does not bias the aggregated results at state level. f) Please explain which statistical institute compiles statistical data for the Brčko District. g) Please provide an overview table listing statistical activities of the Central Bank and the state-level Ministry of Finance and Treasury.

2. (3) a) Please explain in detail the governance of the statistical system. b) Please explain the professional independence and the coordinating role at the state level. c) Please elaborate on strategy / plans to pass an amendment of the statistical law to align it with the EU statistical law, in particular as concerns the coordinating role of the National Statistical Institute (NSI), independence of the Director General and access to administrative data. d) Please present activities to strengthen the governance of statistical system (including concrete steps to address the apparent issue of lack of human resources).

3. (4) a) Explain which regulations ban the destruction of the image of the scanned questionnaires. b) Provide information progress in updating the master sample frame, including use of census data

4. (5) Please clarify the level of alignment of statistical legislation with EU law, if possible with a table of compliance, including ongoing activities to improve alignment.

Module 01.1.41 – Europe 2020 indicators: production and dissemination	Please provide a clear list of which indicators are still to be developed.
Module 02.1.11 – Government finance statistics - Methodology	Please explain if there is a concrete action plan to develop the existing legislative framework and which gaps need still to be

	filled.
Module 02.1.12– Government finance statistics — data production	<p>Please explain if there is a concrete action plan to develop the existing legislative framework and which gaps need still to be filled.</p> <p>The reply mentions as a major obstacle the need to improve the quality of necessary original data – which concrete steps are being taken in that respect?</p>
Module 2.01.14 Government finance statistics – methodology II	Please explain why it is not applicable to Bosnia and Herzegovina.
<p>Module 04.1.11 – European system of accounts</p> <p>Major obstacle is that <i>Republika Sprska</i> performs independent calculation of GDP by expenditure approach and this is not clearly stated under "major obstacles" and not addressed under "steps to comply".</p>	<p>Please present the gaps to be filled on other parts of the national account.</p> <p>Please explain if steps have been taken as concerns the:</p> <ul style="list-style-type: none"> - implementation of the legal framework for the functioning of the Statistical System in Bosnia and Herzegovina; - lack of inter-institutional agreement between all statistic bodies regarding the manner of establishment of the system of national accounts for the purpose of full-scale harmonization and transparency. <p>Please explain the steps undertaken towards the implementation of the recommendations from Eurostat's Adapted Global Assessment of the National Statistical System</p> <p>Please explain the reasons of missing reference interest rate needed for allocation of Financial Intermediation Services Indirectly Measured (FISIM) and if any steps have been undertaken towards this direction.</p>
Module 4.01.14 Financial accounts-methodology	Please explain if there is a concrete calendar for the harmonisation of methodologies of other statistics in the Central Bank with the ESA 2010 methodology for the financial accounts statistics
Module 04. 1. 16 Monetary and financial indicators Entity	. Please provide concrete examples of steps that has been undertaken so far to comply with the requirement identify mainly problematic areas and improve the situation, if any.
Module 04.1.53 (Housing statistics) House price index	Please explain reasons (methodological, institutional?) for the missing plans on the development except for lack of human resources.

Module 04.2.41 – Euro-indicators/PEEIs	Please explain reasons (methodological, institutional?) for the missing plans on the development except for lack of human resources.
Module 05.1.21 – Monetary environmental accounts BHAS has not started reporting explaining this by lack of staff.	Please explain if there are any concrete steps to overcome the issue of lacking human resources in this domain.
Module 05.1.22 – Physical environmental accounts BHAS has not started reporting explaining this by lack of staff.	Please explain if there any concrete steps to overcome the issue of lacking human resources in this domain.
Module 06.1.24 – PRODCOM/Industrial production	Please explain if any steps on development of electronic data collection have been taken.
Module 06.1.25 - Foreign affiliates statistics (FATS)	Please provide more detailed information on outward FATS.
Module 06.1.31 – Short-term business statistics	How can a person obtain access to individual data from the entity-level Institutes of Statistics? Main obstacles for the full compliance refer to human resources. Please explain if and how this is reflected in human resources policy.
Module 06.1.45 Foreign direct investment	Please explain if there are ongoing activities in view of improvement of the existing legislative regulatory framework. Please explain which steps have been taken into account to improve the knowledge of Eurostat's reporting system.
Module 06.1.46 International trade in services Module 06.1.51 International trade in goods	Please clarify the division of tasks and cooperation of BHAS with other official data providers.
Module 06.1.62 – Statistics on innovation	Please elaborate the description of work and cooperation conducted within this statistical domain (see the module on science and technology as reference).
Module 07.1.21 – Demography, migrations and projections	Please provide more information and description on demography and migration statistics in particular as regards the applied methodology. Please explain also the division of tasks between the entities.
Module 07.1.22 - Population census, migrant integration, residence permits, asylum, enforcement of immigration legislation (EIL)	Please describe ongoing activities in view of the preparation of the next exercise. Please mention the extent to which the updated master sample frame will affect other statistical domains showing clear links.

Module 07.1.31 - Employment and unemployment	Please indicate what has been achieved so far in terms of compliance since the text refers mainly to steps necessary for full compliance.
Module 07.1.32 – Earnings and labour costs	The section on salary statistics refers only to the entity level – please explain the role of BHAS in the process.
Module 07.1.55 – Health and safety at work	Can you indicate specific surveys for which methodology needs still to be developed?
Module 08.1.43 – GEOGRAPHICAL INFORMATION SYSTEM (GISCO)	What are the steps being undertaken by Bosnia and Herzegovina to provide digital maps of the Local Administrative Units (municipalities, settlements)? These are usually sent by the mapping agency of the country to Eurogeographics, which provides a pan-European digital map to the GISCO database of the Commission.
Module 08.4.12 – Fisheries Statistics	Although there has been some progress in this area, Eurostat has not received any data within this statistical domain. Please provide a clear statement on the issues that still need to be resolved apart from lack and quality of administrative resources.
Module 11.1.12 – Coordination for Statistical Confidentiality and access to Micro Data Agency for Statistics of Bosnia and Herzegovina	Please explain why this is not relevant for the <i>Republika Sprska</i> entity Institute of Statistics.
Module 11.1.81 – Management of NUTS Classification (Classification of Statistical Territorial Units)	Bosnia and Herzegovina is far too slow to propose Statistical regions at levels 1, 2, 3. Please describe the actions taken to accelerate the process in this domain.
Other	Please provide information on module Pensions in social insurance introduced in 2017.
Other	Please provide information on the regional transport statistics.

Chapter 19: Social policy and employment

I. Labour law

1. (2) Please provide concrete and complete information, for all levels, regarding the following definitions contained in the labour legislation of Bosnia and Herzegovina: Employed worker (employee); Self-employed worker (self-employed person); civil servant/official; labour contract and status, employer, establishment, undertaking and group of undertakings. If the above mentioned terms are not defined in the legislation, please specify it.
2. (5) Please complement the information for the missing jurisdictions (Republika Srpska, Brčko District, Sarajevo Canton, Herzegovina Neretva Canton) in relation to the treatment of workers in profit and non-profit sector.
3. (14) Please provide complete answers for the missing jurisdictions (Republika Srpska, Brčko District) regarding the administrative capacities in the field of labour legislation mentioning all the administrative bodies, responsibilities and staff number.
4. (31) Please provide the definition of collective or economic redundancy/dismissal in the *Republika Srpska* entity and Brčko district.
5. (39) Please complement the reply provided with information on rights of workers during bankruptcy in the *Republika Srpska* entity.

II. Health and safety at work

6. (80) Please provide a comparative table with answer to following issues: EU Directives in the area of health and safety at work, corresponding legislative acts, comments regarding the level of alignment (i.e. the main provisions fully, partially, or not aligned with, and any plan for further alignment). For the Federation entity please provide information regarding:
 - a) the application of the relevant legislative measures in the field of health and safety at work for the Federation of Bosnia and Herzegovina and/or cantons.
 - b) whether strategic and policy documents on Occupational Health and Safety have been adopted at entity and/or cantonal level.
7. (81) Please clarify whether the scope of application of the legislative measures quoted in the reply is in line with the one established by the Framework Directive 89/391/EEC.

8. (87) Regarding the assessment of risks, please provide information on:
- a) whether in the Federation entity the law provides for the employer's obligation to perform a risk assessment. [*Framework Directive (89/391/EEC)*]
 - b) complete information with regard to document available on risks to labour inspectors in the Federation of Bosnia and Herzegovina and/or Cantons (not explained by all cantons).
9. (88) Please clarify if in the Federation entity there is a list of officially recognised occupational diseases, in line with the Commission Recommendation of 19 September 2003 (2003/670/EC).
10. (105) Please describe the procedures followed for the coordination between all levels of government of legislative acts in the field of occupational health and Safety. [Work equipment (Directive 2009/104/EC of the European Parliament and of the Council of 6 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (codified version)]
11. (137) For the Federation of Bosnia and Herzegovina and Brčko District, please provide complete answers regarding the lifesaving equipment rules in place.

III. Social dialogue

12. (189) For the Federation entity, please provide additional explanations regarding the criteria for the recognition of the representative social partners fixed in the labour law. Were the social partners consulted? What is the result of the application of these provisions in terms of country coverage, number of association not responding to these criteria, social dialogue by size of enterprises? Please provide a list for registered associations for the Federation of Bosnia and Herzegovina and the Canton 10. Please clarify if the criteria for recognition as social partners' organizations exist or not for the *Republika Srpska* entity and provide a complete list of trade unions for the Federation of Bosnia and Herzegovina, including Posavina Canton, Canton 10 and West Herzegovina Canton.
13. (191) Please provide information on functioning of the tripartite social dialogue established in cantons.
14. (192) Please provide information for the *Republika Srpska* entity and cantons regarding the criteria for trade unions and employers' associations to participate in tripartite process.

15. (197) Please provide information on collective agreements coverage in the *Republika Srpska* entity, since there are a number of signed collective agreements mainly in public administration, health, education and culture
16. (198) Please provide detailed information on demonstrations and strikes (reasons,/issues).
17. (200) Please provide information cantons Sarajevo, Central Bosnia and Una Sana regarding the collective bargaining or involvement of workers at enterprise level. What forms of workers' participation have been developed at enterprise level (participation in decision-making, information/consultation, financial participation etc.)?

IV. Employment policy and European social fund

18. (202) Regarding the overall view of the labour market situation in Bosnia and Herzegovina, please:
 - a) mention breaks in data due to method changes, census etc. when presenting long data series (eg 2006-2016). Labour Force Survey is the main source and while other sources are mentioned, the methodological differences are not explained.
 - b) clarify what age group is covered by the youth unemployment rate (15-25?).
 - c) provide, if available, data on the NEETs indicator (percentage of young people aged 15-24 who are not in employment, education or training, relative to the overall age group).
 - d) provide, if available, data on the relation between the level of education and the inactivity rate or employment rate.
 - e) provide, if available, data on labour market segmentation, i.e. the number of temporary / part-time employed.
 - f) mention if there is a specific plan or strategy to address youth unemployment / youth inactivity.
 - g) provide data on the expenditures on labour market policies.
 - h) mention the profile of the long-term unemployed. Is there data available for long-term unemployed according to age/education attainment etc. and are there data on the percentage of long-term unemployed registered with the PES?
 - i) Is there data available on the skills mismatches or mismatches between demand and supply on the labour market?
 - j) complement the information regarding steps taken/to be taken to improve the unemployment situation (Brčko district, Republika Srpska and some cantons).

19. (203) Regarding the information on institutional framework for employment policies (main policy documents, main objectives of employment policies/strategies) please complement with:
- a) Information from West Herzegovina Canton, as information is missing in the answers received.
 - b) Information on other sources investments in modernisation, expansion of employment services, capacity building etc. (such as IPA, bilateral cooperation, other donors;
 - c) information on staff participation in trainings and professional development (e.g. public employment services, ministry of labour staff etc.);
 - d) information on how the policies are coordinated between the different levels, and how the objectives in the plans are implemented and monitored.
20. (204) Please provide clear information regarding State Ministry of Civil Affairs and their responsibility in regard to the employment; number of employees in Federation of Bosnia and Herzegovina's Ministry of Labour and Social Policy, as well as the number of employees in relevant ministries (Una Sana Canton, Canton 10, Central Bosnia Canton).
21. (205) In terms of the organisation of public employment services, please provide information on the institutional setting and on the level of cooperation between the different employment services.
22. (207, 208) Regarding the Active Labour Markets Policies, please provide information on:
- a) how the ALMPs are coordinated. Also, provide specific information on the share of activated unemployed and on the share of registered unemployed
 - b) how much is spent on active labour market policies in total? How much is spent on active labour market policies targeted to young people?
 - c) measures implemented to address high unemployment, notably youth unemployment, and provide effective support to job seekers.
 - d) Brčko district, Republika Srpska and cantons, please provide information on share of unemployed addressed by active labour market policies

V. Social inclusion

23. (222) Please provide complete information on the design on design of Policies and institutional responsibilities at different levels. Ministry for Human Rights and Refugees that coordinate Roma Action Plan implementation, Social Housing and Return-related

issues. Disabilities Council and follow up and monitoring of different conventions and policies etc. are not mentioned at all.

24. (223) Please provide information regarding the coordination of the institutions involved in social inclusion issues and NGOs, financing activities and mechanisms in place.
25. (234) Please provide information on what is the system for data gathering in line with the EU conducts in area of disabilities such as barriers for social inclusion, needs assistance, health, activities assistance, income, employment, etc) and how is the Eurostat cooperation established.
26. (235) Please provide information regarding decent living definition and conditions defined for the people with disabilities.
27. (245) Please provide explanation on measures and access to audio-visual media services for persons with disabilities.

VI. Social protection

28. (249) Please provide readable tables, mentioning the source for the following social indicators:
 - a) Unemployment rate (by gender); further information on vulnerable groups affected by unemployment (young people under 25, persons with disabilities, migrants etc.) male/female;
 - b) Employment and labour market developments: employment rate of women; employment rate of older workers (55-64); highlight regional and sectoral differences and significances;
 - c) Income distribution (income quintile share ration, GINI index; poverty: at risk of poverty rate and threshold, definitions, highlight vulnerable groups);
 - d) Family structure: main trends, number of children per family; age of mother; divorce rate; percentage of one-parent families; percentage of single households.
29. (256) Please provide a comparative overview table of all allowances and beneficiaries provided by social protection.
30. (257) Please provide a comparative overview table of all the institutions in charge of collecting data and processing social data
31. (258) Please provide statistics on the composition of income in old age in the Federation entity, as information is missing in the answers received.

32. (263) Please provide information on whether and how authorities in the *Republika Srpska* entity collect information about public opinion on the transparency and administrative effectiveness of the system.
33. (264) Please provide information on demographic, economic and social changes that could impact the financial sustainability of the pension system in the *Republika Srpska* entity, such as an unfavorable workers to pensioners ratio.
34. (270, 271) Please provide information in an overview table on the financing of the health care system in Bosnia and Herzegovina. Please indicate the respective parts of taxes and social contributions, the breakdown between compulsory coverage and voluntary complementary coverage and further information on out-of-pocket payments (if available). What is the level of total healthcare expenditure in % of GDP? What is the proportion of public and private financing? What is the incidence of out-of-pocket payments (official and unofficial) in healthcare (if available)?
35. (272, 273) Please provide complete answer regarding the accessibility of healthcare system in the *Republika Srpska* entity. Please describe existing inequalities in access (geographical, financial, social). Are certain groups excluded from the public system for legal reasons (coverage)? Is the healthcare system sustainable from the financial point of view? from the point of view of human resources? Is any out-migration of staff or staff shortages observed? If yes, are there any strategies in place to retain staff?
36. (274) Please provide input related to indicators of outcomes of health care system.
37. (275, 276, 277) Please provide more information on how is the health system organized: Is health insurance mandatory? In all jurisdictions? Does it give access only to basic services? Are the pension rights between women and men the same? What is pension coverage and adequacy? How do you ensure these in view of an ageing population? How do you deal with special pensions, such as for war veterans, former soldiers? How do you approach the need to balance longer working lives?

VII. Anti-discrimination and equal opportunities

38. (305) Please provide information regarding the implementation of the individual right to parental leave, at all levels of government.
39. (307) Please provide information on: share of senior ministers of government (women and men); the gender pay gap between women and men; the proportion of female entrepreneurs; the availability of childcare facilities.

40. (308) Please describe the measures put in place at all government levels to encourage the reconciliation between professional and private/family life of both women and men.
41. (311) Please provide complete answer (for all cantons) related to legal provisions in place covering occupational social security schemes.
42. (314) Please provide complete answer related to the pensionable age for men and women or survivor pension benefit.
43. (315) Please provide information from all cantons related to general social security scheme: does it also apply to civil servants, including the police and armed forces? Is there any specific scheme for civil servants, or are there within the general scheme specific rules for civil servants? Does it contain differences in the pensionable age for men and women, or in the survivor pension benefits available to men and women?

Chapter 20: Enterprise and industrial policy principles

1. (1)

- a) Is there a legal basis for aggregation of statistical data relevant for the impact of industrial policy at the level of the state?
- b) Until when is it foreseen to include the production of productivity data¹ for all levels involved in industrial policy?
- c) Please clarify for the Federation entity, the data for industry and manufacturing volumes and share of GDP (%), as it seems that information from administrative and statistical sources varies significantly due to inconsistency in the used terminology
- d) Apart from EU harmonised statistical data indicated in the reply, to which extent are data provided by other sources harmonised across the country?

2. (2)

- a) What institutional/coordination or other instruments are used to prevent or detect inconsistencies in industrial policy across levels of governments?
- b) What is the institutional process of co-ordination with other policy areas that impinge on industrial policy without being directly covered by an Action Plan? Consider notably policies on competition, regions and production-related services, but also the overall economic policy.
- c) Please clarify division of competencies between the Federation entity and the Cantons in the area of industrial policy; which aspects of industrial policy are in the competence of the federal, cantonal and local institutions, and how is co-ordination in formulating and implementing industrial policy across the different competent levels achieved?
- d) Please identify the elements of industrial policy and the process of their definition in the Brčko District.

3. (3):

- a) Please elaborate on the following missing elements:
 - link between the Entities' industrial policy documents with analysis of country's competitive advantages and market failures;
 - interface with other policies and involvement of interested parties;
 - cases of the foreseen state intervention.

¹ Labour productivity data as a standard core indicator for industrial competitiveness

b) Are there any state level competencies in the field of industrial policy/competitiveness or related areas such as business environment, single economic space, development and promotion of entrepreneurship. Please describe the any such process of policy formulation at state level in the area of industrial policy/competitiveness and how consistency of implementation at lower levels of government is/will be ensured. How does priority setting and related resource allocation to competent levels of government work?

d) As regards the Federation entity, clarify which "other papers" (p. 34) are based on the Study/Project on Industrial Development in Federation entity and hence inform actions of industrial policy? What were the Conclusions adopted related to the study and "other papers entity"? Which are the problems and/or challenges and obstacles related to implementation?

e) As regards the cantonal level strategic documents, there are inconsistencies between information provided under question 2 (pg 31) and question 3. Please revise the answers so that only official *strategy*/programming documents are listed as expressing industrial policy/competitiveness. Studies should be referred to as such and only if the *strategies*/programming documents are informed by their analysis of the industrial situation.

4. (4):

a) Are there evaluations of implemented measures of industrial/competitiveness policy available and can they be shared with the Commission? Do the legal texts and the budget documents of ongoing measures include evaluations of these measures?

b) Federation entity: Which ministry is responsible for industrial policy in the PAP sector (processed agricultural products)? What is the mechanism to ascertain a coherent industrial policy between the two ministries responsible for industrial policy in the PAP sector and for the other sectors?

c) Federation entity is requested to provide information with regard to the resources (main tools/instruments, programmes, finance) available for industrial competitiveness policy.

5. (6) Federation entity: Please indicate any actions that were implemented to increase the efficiency of companies in their consumption of energy and raw material, possibly water.

6. (7) Is there any co-ordination of actions aimed at attracting FDI with the Foreign Investment Promotion Agency (FIPA)? Which measures proposed in the FIPA's Report were implemented?

7. (8) Free zones/industrial parks:

- a) What are the shares of budget allocation which go into premises and into equipment, notably where laboratories will be included?
- b) Is the delivery of support services "to improve management and know-how" (cf. the SAA art. 92) of Constitutional Court occupants budgeted for the coming years?
- c) Have legal provisions been made for such projects to be evaluated at some point in time, including related to enterprise performance outside such schemes and regarding their impact on the industry tissue outside the zones?

8.(16) Is there a legal obligation for the Cantons to harmonise SME definitions with those defined at Federation entity level?

9. (17) Please provide countrywide aggregated/consolidated figures on SMEs contribution to economy, if possible. Please clarify if the terminology used by Federation entity on "total employment in business entities" (p. 16) and "total employment by enterprise group" (p. 109) includes employed entrepreneurs or not. To which extent is the collection of administrative data aligned with EU methodology?

10. (18) Please clarify which exactly is the document which could be referred to as Federation entity enterprise/SME policy framework, taking into account the Cantonal competencies in this area.

11. (19)

- a) Provide a summary of the basic Federation entity policy documents related to SME development, how they link with cantonal SME strategies (where existing), and explain if enterprise-level surveys are performed.
- b) For the *Republika Srpska* entity please clarify the relevance of their SME Strategy within the countrywide context when referring to some broader regional strategic initiatives (Danube, Ionian Adriatic, etc.).

12. (24) Is there a requirement for registration of the branch office for cooperatives and foundations operating in the other entity?

13. (28) What is the state of play of the Network of Business Incubators Platform? What is the

status of EU-financed business support centers in Bosanska Krupa (USC) and in Gorazde (BPC)?

14. (32) Does the new Law on Bankruptcy in Federation entity prescribe a maximum time for full discharge from bankruptcy?

15. (39) Please clearly indicate the number of procedures, time and cost for each level of authority/jurisdiction for registering a company (most common form of establishment), as regards both registration in the narrow sense and broader scope (including other formal procedures and licensing/permits), with clear reference to differences at cantonal level (such as varying amount of court fees).

16. (43) Given the existence of (mentioned) legal grounds, why the Statistical Agency has no access to the data from the VAT returns?

17. (61) Which measures and bodies exist to support SME access on foreign markets? Briefly explain the roles and activities of the Bosnia and Herzegovina Export Promotion Agency Export Council.

18. (62)

a) Please explain distribution of competencies in the area of innovation, research & development.

b) What is the share of entity and cantonal levels in the overall budget available to implement goal 7 and priorities 12, 13 of the State programme?

c) Is implementation monitoring and evaluation done in a single report that integrates all contributing levels?

d) Which measures are used to raise the level of skills and knowledge in companies that is necessary to make their (manufacturing et al.) processes more efficient and adopt new technologies (cf.SAA art. 92 "to improve management and know-how", applied to innovation) and to assist in the adoption by companies of "new to the firm" technologies for their products and equipment for their manufacturing?

e) State level: Which is/are the goal(s) the priorities 12 and 13 relate to, which instruments are used to implement these priorities and what is their relationship in terms of the intervention logic?

f) As regards capacity development of three innovation centers (p. 240), please elaborate on the following aspects: which goal-priority they serve, what support services they provide, their value added in comparison to the free zones/industrial parks mentioned under question 8 and the status of their implementation.

g) On p. 241, Federation entity states to have no strategy in the area of innovation, R&D. This appears to contradict the existence of priority six in its industrial policy action plan. Please explain.

h) *Republika Sprska* entity: Which measures of Science and Technological Development strategy are included in the objective 2 of the Industrial Development strategy?

19. (65, 66) Have the pieces of legislation referred to in the answers been modified in accordance with the Directive currently in force (2011/7/EU) that regulates late payment in commercial transactions? Please provide an English translation of the mentioned three pieces of legislation (i.e. FBiH Law on Financial Operations, RS Law on Obligation and BDBiH Law on Financial Operations).

20. (67) What are specific sector development programs implemented by the authorities and how are they financed (answer focuses only on state aid issue).

21. (68)

a) The Federation entity should better clarify which ministries, agencies, private sector, stakeholders are involved in the sector policy design and delivery and how (including through which consultation mechanisms).

b) If there is a valid policy document, what is the added value for perusal of its expired versions, i.e., reference to Action Plans in industrial policy to elapsed (2011-2015) and to ongoing cycles (2016-2019)?

22. (71) What are the plans to ensure compliance with State Aid rules in case sector restructuring assistance is provided at some point at sub-national level(s)?

23. (73) Please clarify Federation entity breakdown of contribution to GDP between the manufacturing and services, and, in particular, accuracy of GDP figures provided from administrative sources. (pag 261). Please provide a breakdown of the *Republika Sprska* entity contribution of Services to GDP.

24. (78 to 82, 107) Please provide information on which are the chief companies in terms of employment and physical output in the *Republika Sprska* entity. Are they publicly or privately owned?

25. (113) Please clarify competencies in trade on pharmaceuticals for human use in the *Republika Sprska* entity.

26. (114) Please clarify if there are producers of veterinary products in Bosnia and Herzegovina. *Republika Sprska* to clarify the competencies in trade of veterinary medicine products.

27. (127) Please clarify countrywide availability of fuel of the right quality to meet EU emission standards.

Chapter 21: Trans-European networks

I. TEN - TRANSPORT

Transport Infrastructure

1. (1) Please clarify the responsibilities and respective administrative bodies regarding transport infrastructures at the level of Cantons
2. (2) Please provide an estimate of expenditure on TEN-T core and comprehensive road networks including the maintenance costs. Please clearly distinguish information on Road R2a and Road R9a. Please also define and provide information on:
 - a) Progress of construction of the motorway on Route 9a in *Republika Srpska* entity;
 - b) Reconstruction of Comprehensive Rail Network in *Republika Srpska* entity;
 - c) Project preparation for reconstruction of Comprehensive Rail Network in Federation entity;
 - d) Please explain for what reason 5% of the railway network in *Republika Srpska* is not in service. Does this part of railway belong to the TEN-T core network extension?
 - e) For each section, please provide information on maximum train length, axle load as well as signalling and control systems.
3. (3) Please specify whether the information on maximum train length and maximum speed also apply to the existing TEN-T network.
4. (5) Please provide us with tangible results of the Development Programme for the period 2007-2016. How much has been allocated and how much was effectively spent?
5. (6) Please complete with information on railways, civil aviation and navigation routes on the TEN-T Core networks. Please provide more detailed information on the level of quality of services, in particular on:
 - a) Maintenance plan of rail core networks
 - b) Potential administrative and/or infrastructure bottlenecks within Bosnia and Herzegovina and at the borders between Bosnia and Herzegovina and neighbouring countries
6. (7) Please refer to the indicative maps of the core and comprehensive network in Bosnia and Herzegovina which have been attached to Regulation (EU) n°1315/2013 by the Commission delegated regulation adopted on 4 February 2016 (C(2016) 536 final).

7. (8) Please provide a more precise reply on the list of concrete activities and actions to be prioritized
8. (9) Please provide information regarding the implementation of endorsed priorities within TEN-T (see Addendum to the 2015 Western Balkans Vienna Summit). Please inform us on the maintenance of the network and the level of priority of such activities. Please provide more realistic monetary amounts in the table (page 28) and concrete information on the potential sources of financing.
9. (10) Please distinguish clearly between *reconstruction* activities that modify infrastructure (characteristics are updated) and *maintenance* activities that refurbish infrastructure (technical parameters are fixed but unchanged) in rail. Please update tables with missing information on:
 - a) Projects in Federation entity missing some section lengths
 - b) Projects in *Republika Srpska* entity missing section lengths and required investment funds
 - c) Foreseen sources of financing for infrastructure interventions
10. (11) Please review the reply (Bosnia and Herzegovina should be member of more than just one agreement)
11. (12) Please specify ultimate priority as well as timeline, cost and sources of priority. Please kindly provide also the Latin character version of the toponymes that are indicated only in Cyrillic.
12. (13) Please provide information for potential sources of financing for Federation entity. Please provide information on estimated total cost of investment for *Republika Srpska* entity.
13. (14) Please reply to the original question and provide information on plans and initiatives (legislative/non legislative) for the current use and future development of its (Neum) port:
 - (a) to serve maritime freight transport and
 - (b) to enhance connectivity with other neighbouring ports and with the overall transport network of the region.

Public Expenditure and investments

14. (15) Please provide estimates of financing (2016, 2020, 2025, 2030) for roads, railways, inland waterways, multimodal transport and border crossings in Bosnia and Herzegovina, Federation entity and Brčko District.

15. (16) Please provide a more general overview on national infrastructure planning and investment procedures as opposed to specific, sector-based projects (e.g., airports in Federation entity).
16. (18) Please provide information on the following phases of the project life cycle: conceptualization (i.e. pre-project identification of needs), planning, execution and final phase.
17. (19) 19c: Please specify which parts of the Law on Public Procurement (Official Gazette of Bosnia and Herzegovina, 39/14) are aligned and which are not aligned with EU Directives. 19d: Please specify compliance with acquis - which aspects of rail interoperability does answer 19d refer to? Does the railway system in Bosnia and Herzegovina follow technical specifications for interoperability (TSIs) as laid out by the EU Agency for Railways?

Transport research

18. (20- 25) Please provide additional information on national coordination regarding transport research and innovation (as part of Bosnia and Herzegovina association to Horizon 2020)

Pipeline transportation

19. (26) Please provide an English-language version of the table on *Republika Srpska* entity natural gas transmission system scheme.
20. (27) How does the country plan to ensure consistent planning and development of inter-connections which fall under the jurisdiction of the state?
21. (28) Please provide information on environmental rules applied in Brčko District.

II. ENERGY

22. (30) Please provide information also on Brčko District.
23. (32) Please provide information also on related procedures in Brčko District.

Chapter 22: Regional policy and coordination of structural instruments

REGIONAL POLICY AND COORDINATION OF STRUCTURAL INSTRUMENTS

I. Legislative framework

1. (1) Please *describe* the distribution of competences between the different levels of Bosnia and Herzegovina and elaborate on the key principles of regional policy, e.g. as (partly) described under Q16, 17. Horizontal element:
 - a) Please make sure that the list of legislation is coherent for different levels of governance of BiH (e.g. in *Republika Srpska* entity the laws on cities are included, but in Federation entity they are not included) and that the relevant legislation at cantonal level is covered on an equal basis and in a harmonised way for all Bosnia and Herzegovina cantons.
 - b) Please include the legislation for additional areas relevant to cohesion policy, such as: research and innovation; fighting poverty and social exclusion. When appropriate, provide a reference to other relevant chapters.
 - c) Under the Environment legislation, please include entity laws on waters.

2. (3) How does BIH envisage to ensure the respect of the requirements stipulated in Articles 174 and 175 of the Treaty? Please elaborate further on concrete acts and structures necessary for a country-wide management of ESI (European Structural and Investment) funds:
 - a) What authority (or authorities) would be responsible for approving administrative and/or legislative acts to establish a Bosnia and Herzegovina-wide system to manage the funds?
 - b) What is on average the time needed to adopt such acts at national level (taking into account drafting, internal consultation and final adoption)?
 - c) How many of such acts are foreseen as necessary in Bosnia and Herzegovina?

3. (4, 5) Please describe how compatibility of respective entities and countrywide (Bosnia and Herzegovina, Federation entity, Republika Srpska entity, Brčko district)

legislation is ensured as well as the overall coordination of its implementation. Please describe how will the future system for managing the funds ensure the respect of the basic principles of assistance, namely the partnership principle, sustainable development and non-discrimination related not only to gender but also to racial or ethnic origin, religion or belief, disability, age, sexual orientation. Is there any legislation at national and/or entity level (in force or under preparation) dealing with inequality between men and women as well as with discrimination on the above grounds? If so, please enumerate the relevant legal acts.

4. (6) Please confirm the state of alignment with the EU acquis concerning:
 - a) public procurement law;
 - b) concessions, at entity level
 - c) environment protection, more precise and comprehensive information is needed at both national and entity level;
 - d) transport, as above;
 - e) state aid – please confirm whether *Republika Srpska* entity is competent to draft and adopt bylaws in this area.

5. (9) Please provide information for all cantons and not just West Herzegovina canton regarding whether multi-annual budgeting is used.

6. (10) Please provide detailed information, similar to that on Republika Srpska entity, also on Federation entity and Bosnia and Herzegovina.

7. (11) Please confirm whether national financing will be secured for maintenance, operation and regular renewal of EU projects. If so, please describe more concretely how it will be done at both national and/or entity level.

8. (17) Please provide information on international co-operation only. Please provide information, similar to that on West Herzegovina canton, on other remaining cantons and include Brčko district.

9. (19) Please present the overall situation in the country, and provide comparable information, as far as structure and comprehensiveness (e.g. number of advisors and

budget) are concerned, for all the administrative levels (national, entities, all the cantons). Please describe the role of employment offices as requested under points a), b), c), d)

II. Institutional framework

10. (20) Please describe the role of DEI in the programming. Please describe repartition of responsibilities linked to the implementation of macro-regional strategies. A clear description of state level authorities' tasks and responsibilities has only been given for the programming of WBIF funds. Please complete this information taking into account other EU funds available to Bosnia and Herzegovina. Has there been any legislation adopted following the Framework Agreement on IPA? While State-level and entity level are covered, there is no information on Brčko district. Information included for one canton only. Could you please complete the missing information?
11. (22) Please explain how this answer relates to the information provided for question nr 20?
12. (23) Please elaborate on the programming process undertaken by the DEI and stakeholders' participation in this process?
13. (24) Please elaborate more in detail on current stakeholders' involvement, (ex. role of civil society) in the preparation and implementation of EU funded programmes/projects and in line with the partnership principle?

III. Administrative capacity

14. (26) How do you monitor the staff turnover? Do you consider it an issue which should be dealt with? If so, how do you mitigate it?
15. (28) Is the overall capacity of staff dealing with the implementation of current EU projects sufficient, ex. INTERREG IPA CBC programmes? Are there any systematic

plans to prepare the administrative capacity of relevant bodies to implement the future Cohesion Policy?

16. (29) Please describe in detail recruitment process at state level as well as in the seven missing cantons, similarly to what has been provided for FBiH, RS and Brcko District. Is the current assessment system for the staff engaged in the management and control of Funds satisfactory? If not, please describe shortly the changes you plan to introduce.
17. (31) Please provide missing answers about the situation in Federation entity and all the cantons. Please describe more in detail the monitoring role assigned to a unit in DEI (see also answer to question nr 20).

IV. Programming

18. (33) Please explain how coordination of the content of the strategic documents and plans in all 10 thematic objectives is ensured. Please describe the process of prioritisation and focusing of planned interventions. Please elaborate further on how the documents listed at the entity levels contribute to the implementation of the sectorial objectives for the country as a whole.
19. (35) Please explain how authorities are ensuring their coordination in the preparation and implementation of strategic documents under all 10 thematic objectives. Please confirm that the list of strategic documents is complete otherwise please add the missing documents.
20. (37) Is there a Bosnia and Herzegovina methodology for prioritisation of infrastructure projects? If so, please describe in detail.
21. (38) Please indicate which administrative capacity building measures and assistance to beneficiaries you use and if there is a need to increase them, please describe how do you plan to do this.

22. (39) What concrete measures exist to implement and ensure transparency and organise broad partnership? (see also question nr 24). Do you consult other countries or consider other programmes to know their best practices in this field?

23. (40) Please enumerate and shortly describe on-going communication and publicity activities you are referring to.

VI. Financial management and control

24. (43-45) Please explain shortly the role of the Bosnia and Herzegovina Ministry of Finance and Treasury in implementation and verification as far as EU programmes under shared management are concerned.

25. (49) Please provide missing information from the Republika Srpska entity

VII. Availability of statistics for the implementation of structural/cohesion funds

26. (55) Could you please indicate what data is available at municipal level in the Republika Srpska entity?

Chapter 23: Judiciary and fundamental rights

I. The judiciary

(see Political Criteria)

II. Anti-corruption

(see Political Criteria)

III. Fundamental rights

(see Political Criteria)

IV. EU citizens' rights

1. Please clarify whether any other legislation would need to be amended in order to allow EU citizens to vote and/or stand for local elections in Bosnia and Herzegovina, e.g. in terms of Constitutional provisions.

Chapter 24: Justice, freedom and security

I. Migration

1. Please clarify the measures taken to ensure the equal treatment rights provided for in the current legislation upon acquiring long-term resident status.
2. Provide further information on the type of documents that are required in practice to prove compliance with the admission conditions for the different categories (employment, study and research and other purposes); clarify the deadlines to issue a decision on admission and the procedural guarantees; provide more information on the format of the permits and the contents included.
3. Clarify whether Bosnia and Herzegovina has issued residence permits or it grants only temporary residence permits.
4. Please provide detailed information on irregular migrants who have not been returned (including their location) and the authorities' measures to deal with them.

III. Visa policy

5. Provide for the last 5 years entity' visa statistics, sorted by short-stay, long stay and visas issued at border crossing points.
6. Provide information on Bosnia and Herzegovina consular coverage worldwide (including representation agreements).
7. Please provide information on the grounds for refusal and the consequent right of appeal of the applicant.

IV. External borders and Schengen

8. Provide an update on the implementation of Framework Action Plan and of the Annual Action Plans.

9. Please provide additional information on the Operation Centre of the Border Police, notably on its overview over some of the working aspects of other agencies, notably data exchange with e.g. ITA or Veterinary Service, or about risk analysis process.
10. Provide more information on correlation level between the Joint Risk Analysis Centre and the Local Risk Analysis Centre of other agencies, information exchange, use of different analysis methodologies and use of the final products in the field.
11. Clarify how many times Bosnia and Herzegovina request Advance Passenger Information from airlines for flights entering to or departing from the territory of Bosnia and Herzegovina. Provide information on the carriers providing the lists (and the percentage of inbound flights covered), transmission methods, and list of high migratory risk countries; clarify how Bosnia and Herzegovina will implement UNSCR 2178(2014) and UNSCR 2309(2016) and Decision 6/16 of OSCE Ministerial Council) calling for an expanded use of API data, including automated processing.
12. Provide more information on the contents of the international agreements on borders and border cooperation with neighbouring countries; provide an update on the status agreement with the EU for the deployment of European Border and Coast Guard teams with executive powers by the European Border and Coast Guard Agency in Bosnia and Herzegovina.

V. Judicial co-operation

13. Provide information on the number and processing of international cooperation requests concerning the Federation of Bosnia and Herzegovina and Brčko District as information was missing from these levels of governance in the answers received.
14. Provide statistics concerning *Republika Srpska* entity and Brčko District on the number of cases and results achieved in the area of special simplified procedures for claiming and recovering non-contested and small claims as information was missing from these levels of governance in the answers received.

15. Provide statistics concerning the Federation of Bosnia and Herzegovina on the number of cases and results achieved regarding foreign decisions in family law matters recognised and enforced as information was missing from this level of governance in the answers received.
16. Provide statistics concerning the Federation of Bosnia and Herzegovina and *Republika Srpska* entities on the number of cases and results achieved regarding foreign decisions on insolvency recognised and enforced as information was missing from these levels of governance in the answers received.
17. Provide statistics in the area of civil matters regarding foreign judicial and extra-judicial documents received and served and Bosnia and Herzegovina's judicial and extra-judicial documents transmitted with a view to be served abroad.
18. Clarify whether, in the area of criminal matters, in case there is no international treaty and when an international treaty explicitly provides for the use of diplomatic channels of communication, the letters interrogatory are transmitted through the Bosnia and Herzegovina Ministry of Foreign Affairs or the Bosnia and Herzegovina Ministry of Security. Please provide a breakdown of the documents received by Bosnia and Herzegovina and documents transmitted by Bosnia and Herzegovina.
19. Provide statistics on the number of cases and results achieved in the area cooperation for the purpose of confiscation on the basis of relevant international conventions (UN, Council of Europe, others) and bilateral agreements.

VI. Police cooperation and fight against organised crime

20. Provide detailed information on the state of play of cyber security at all levels of governance; clarify the level of sanctions for cybercrime.
21. Provide information, for the Federation of Bosnia and Herzegovina Cantons and *Republika Srpska* entity, on the Law Enforcement Agencies' Annual Training Plans dealing with Trafficking in Human Beings, the number of trained trainers /educators and

the number of seminars in *Republika Srpska* entity and similar activities as information was missing from these levels of governance in the answers received.

22. Provide information on the duration of sentences for trafficking in human beings cases.

VII. Fight against terrorism

23. Provide additional information on how Bosnia and Herzegovina's authorities cooperate at regional level with other Western Balkan partners, with EU Member States and with regional/international initiatives and organisations such as the IISG/WBCTi (Western Balkans Counter-Terrorism initiative);

24. Provide an update on the establishment of a unique EUROPOL contact point, as well as detailed information on information exchange and cooperation with Europol in the area of fighting terrorism and on how much usage is made of Europol's different databases, services and capabilities as well as other tools which might be used to facilitate the sharing of data either on a national, regional or international basis.

25. Provide more information on measures taken to strengthen the protection of citizens and critical infrastructure as well as against Chemical, Biological, Radiological and Nuclear (CBRN) threats.

26. Provide information on the ratification and implementation by Bosnia and Herzegovina of all international conventions related to the fight against terrorism, notably those outside the scope of the Council of Europe.

27. Provide supporting documents on the state of implementation of the strategy and action plan on Counter Terrorism /Prevention of Violent Extremism (CT/PVE).

28. Provide information (and supporting documents if applicable) on alignment with more recent key EU policy instruments, namely the EU Internal Security Strategy (ISS) (COM(2010) 673 final of 22 November 2010), the European Agenda on Security (COM(2015) 185 final of 28 April 2015), and on drawing on the Commission

Communication of 16 April 2016 towards an effective and genuine Security Union (COM(2016) 230);

29. Provide information on alignment with Directive 2017/541 on Combatting Terrorism.
30. Provide information on: a) the work of the Oversight and Monitoring Body for Implementation of the Counter-Terrorism Strategy; b) CT Task Force agreement on the re-joining of the Operational Group at SIPA; c) the multi-disciplinary P/CVE coordination body of *Republika Srpska* entity.
31. Provide information on Bosnia and Herzegovina Constitutional Court decision declaring the Intelligence and Security Agency Law partially unconstitutional, in particular in relation to special investigative measures; clarify the impact on the capacity of the Intelligence and Security Agency (OSA) to fulfil its role and explain and actions taken to replace the unconstitutional legal provisions.
32. Provide detailed information on (returning) Foreign Terrorist Fighters (FTFs) and their families, notably on the actual and sufficient prosecution and sentencing of FTF-related activities as well as on initiatives aiming at disengagement and re-socialisation.
33. Clarify how Bosnia and Herzegovina ensures the effective implementation of its strategy and action plans on CT and P-/CVE, including via the eventual establishment of permanent bodies; provide information on how the various levels of governance cooperate in order to ensure overall effective and coherent action on CT and P-/CVE; provide detailed information on Bosnia and Herzegovina's policy to counter terrorism content online.

VIII. Fight against drugs

34. Provide additional information on measures taken to implement Art. 12 of the 1988 UN Convention.
35. Provide an update on the adoption of the Strategy for the prevention and fight against narcotic drugs abuse in Bosnia and Herzegovina and its alignment with the EU Strategy.

X. Protection of the euro against counterfeiting (criminal aspects)

36. Clarify whether Bosnia and Herzegovina plans to establish a National Central Office on currency counterfeiting in line with art 12 of the 1929 Geneva Convention and Regulation 1338/2001; if so, provide details on the plan to establish this Office and the timeframe; if not, explain why and how Bosnia and Herzegovina otherwise envisages to live up to its international obligation in this context.

Chapter 25: Science and research

I. National research policy

1. (5) Please provide information from Federation of Bosnia and Herzegovina regarding the types and numbers of research institutions (higher education institutions, public research centres, military research centres, academies, private foundations, research centres of state or private industry) as information is missing in the answers received. Please provide information from Federation of Bosnia and Herzegovina regarding nature of research activities (public or private, civil or military, institutional or contractual, applied or basic) as information is missing in the answers received. Please give information from Federation entity on what are the main research results per priority areas as information is missing? Are there indicators of scientific and technological production? Please refer to the number of scientific publications (in ISC or other bibliometric database), number of patents or licences, number of research contracts or any other pertinent indicator to quantify scientific and technological production.
2. (8) Is there a practice to incorporate scientific knowledge in new policies? If yes, please describe the process and procedures.
3. (9) Please provide more information on procedures used to allocate public funds for science and research covering all the levels.
4. (10) Please provide a clear view on the procedure used for the evaluation of state funded research, especially regarding the selection of external independent evaluators. Please specify which are the criteria for funding and if there are procedures in place for public funding to be monitored (statistics) and/or controlled?

II. Framework programmes

5. (14) Please provide concrete information regarding the taxation and import duties concerning EU funds for Research.

6. (18) Please provide consolidate information in a table template, providing where available, quantitative information for Bosnia and Herzegovina for the period 2014-2017, for the following aspects:

- a) gross domestic expenditure on RTD - ratio to gross domestic product (GDP);
- b) gross government expenditure on RTD - ratio to GDP;
- c) gross higher education expenditure on RTD - ratio to GDP;
- d) gross business enterprise expenditure on RTD - ratio to GDP, ratio to gross government expenditure;
- e) gross foreign investment in RTD.

III. Policy initiatives to help realise the European Research Area

7. (29) Please provide, if possible, consolidated information regarding the Personnel (public/private RTD) and tertiary education related to RTD: number of graduates, field, undergraduate/ postgraduate.

8. (33) Are there public-private partnerships and/or specific measures supporting industrial research? If yes, please describe them.

Chapter 26: Education and culture

I. Education, training and youth

1. (1) Please provide information on the competences and role of the Federation of Bosnia and Herzegovina Ministry of Education and Science and the Federation of Bosnia and Herzegovina Ministry of Culture and Sports. Also, please provide more information on the competences of Bosnia and Herzegovina Ministry of Civil Affairs and elaborate the Ministry's coordinating role in the sector of education: How does the competence of the Ministry of Civil Affairs in international strategies interact with the competencies of the education authorities at the entity and cantonal level? If something is agreed at the international level does it become obligatory at the entity and cantonal level? Does an agreement have to be reached at the entity level before it is reached at the international level.

2. (1) Regarding education authorities, institutions and established advisory bodies, please provide information on:
 - a) The Agency for Preschool, Primary and Secondary Education (APOSOS), in particular how does APOSOS interact with the education authorities and how its activities complement the work of education authorities? What is the relationship between APOSOS and the Ministry of Civil Affairs?
 - b) The Conference of Ministers of Education in Bosnia and Herzegovina, in particular how often does the Conference and how is the implementation of decisions and conclusions endorsed by the Conference ensured?
 - c) Pedagogical institutions explaining their competencies, responsibilities and cooperation with other education authorities.

3. (2) Please complement missing information regarding the structure of the educational systems
 - a) on adult education provision at the following levels: state level, Federation of Bosnia and Herzegovina, cantons except Central Bosnia Canton, West Herzegovina Canton, Una-Sana Canton and Zenica-Doboj Canton as information is missing from the answers received.
 - b) on the educational system in Tuzla Canton and specificities in Brčko district.

4. (3) Please describe the processes that exist in Bosnia and Herzegovina and what arrangements exist across the entities and Cantons for the registration of private providers of Vocational Education and Training programmes and the extent to which they could be able to offer vocational qualifications under a qualification framework? To what public recognised qualifications do these programmes lead? How are employers and businesses involved in the establishment and review of these arrangements?
5. (5) Please describe the main strategies and reforms (main objectives and timetable for implementation) of the education and training systems in the country. Please refer also to the main obstacles and difficulties encountered.
6. (7) Regarding qualifications, please provide information on:
 - a) how the structures on qualification framework will ensure the implementation and monitoring of learning outcomes and quality assurance arrangements.
 - b) list the types of qualification that are currently available to students of general and VET qualification, including initial and continuing vocational education
 - c) relationship between occupational classifications and qualifications framework.
7. (7) Please provide information of the implementation of the Action Plan for the Development and Implementation of the Qualifications Framework in Bosnia and Herzegovina for the period 2014 -2020 and on division of tasks and responsibilities between different levels of governance and different sectors.
8. (12) Regarding the status of educational institutions, please provide information on:
 - a) how private vocational providers are to establish organisations able to offer vocational qualifications.
 - b) the authorities competent to monitor the setting up and functioning of public and private educational institutions and information on licencing of higher education institutions.
 - c) Please provide information describing the procedure for setting up educational institutions and on monitoring the setting up and functioning of primary, secondary and higher education institutions in the Herzegovina-Neretva Canton as information is missing in the received answers.

9. (14) Regarding data collection and processing facilities, please describe levels of data collection and responsible institutions. Who is in charge for tracer studies at the level of early school leavers, Vocational Education and Training and higher education graduates in relation to EU benchmarks (Education and Training 2020). Please provide data on EU 2020 benchmarks implementation, which are available from the national statistical service.
10. (15) Please provide information regarding criteria for setting up infrastructure, coverage of national territory, information regarding the variables taken into account for setting up educational infrastructure, including those for children of national minorities:
- a) Pre-school education: Federation of Bosnia and Herzegovina, Brčko District and Posavina Canton, Tuzla Canton, Zenica-Doboj Canton, Bosnian-Podrinje Canton, Central Bosnia Canton, Herzegovina-Neretva Canton, West Herzegovina Canton, Sarajevo Canton, Canton 10 as information is missing in the answers received.
 - b) Higher education: Sarajevo Canton as information is missing in the answers received.
 - c) Both pre-school education and higher education from Brčko District and Posavina canton, as information is missing in the answers received.
11. (21) Please complement the information regarding the provision and organization of initial education and continuous professional development for teachers with:
- a) information on initial teacher training, in-service teacher training, for each canton,
 - b) *Republika Srpska* entity- describe the provision and organisation of initial education and continuous professional development for teachers. To what degree are the programmes ready to train teachers for student-based teaching and competence-based learning?
 - c) how each education authority measures Vocational Education and Training teachers development and maintaining of their vocational skills.
12. (23) Please provide information regarding the implementation of common core curriculum at all levels of governance across the country. What arrangements exist for students transferring between education authorities in Bosnia and Herzegovina?
13. (26) Please provide comparative table between need for the labour force and the offer. What are the identified gaps and what are the measures and existing plans from the educational systems to meet the current and future needs. Please provide information

regarding the assessment of the skills needs assessed by the education authorities, at the country level, including procedures cooperation and information sharing between the cantons and entities, so that a skill shortage in one area could be met by another area.

14. (35) If there are programmes to support youth organizations in Federation of Bosnia and Herzegovina, please provide information about structure and management modalities, as information is missing in the answers received.

15. (37) Please provide information from all levels of government, regarding services of the relevant ministries in charge or planned to be in charge of monitoring different EU programmes, including information on staff number. Also give information of existence of audit services.

II. Culture

16. For Federation of Bosnia and Herzegovina, please provide information regarding:

- a) (40) the authorities responsible for the culture policy and how is the policy implemented
- b) (41) the support programmes in the field of literary creation and translation
- c) (42) the support programmes in the field of cultural heritage
- d) (43) the legal regime applied to book pricing and if there are any fixed price regulations
- e) (44) the legal regime applied to the sale and movement of cultural goods
- f) (46) the regime applied for the cession of rights (exclusive or otherwise) to exploit aspects of cultural heritage (e.g. digitisation of the art collections)
- g) (48) the measures taken in the context of the implementation of the 2005 UNESCO Convention on the protection and Promotion of the Diversity of Cultural Expressions
- h) (50) the participation of Federation of Bosnia and Herzegovina in the structures established under the Open Method of Coordination

III. Sport

17. (53) Please provide a description of the organization of sport in Federation of Bosnia and Herzegovina, including the competent authorities and the role sports plays in societal (health, education and social inclusion) terms as well as economic terms.

18. (55) Please provide information on the procedure for obtaining public funds (*Republika Sprska*, Federation of Bosnia and Herzegovina, Brčko District and cantons Una-Sana, Posavina, Tuzla and Canton 10) as information is missing. Central Bosnia canton – please provide information on the public institutions subsidies offered to the sport federations and the procedure of it as information is missing.

19. (56) For Sarajevo canton and West Herzegovina canton – please provide information on the situation of sport in education system (e.g. number of Physical Education) as information is missing.

Chapter 27: Environment and climate change

I. General environment and climate policy

1. (4) Please provide information on the effective implementation of the three national strategies and related institutional arrangements and on the obstacles to the implementation at the national and local levels.
2. (12) Please provide more detailed statistics for *Republika Srpska* entity which provide for comparison with the GDP (as it is the case concerning Federation entity). Please also indicate to which extent are the collected revenues (in partial in water sector) earmarked and utilised for environment protection.
3. (17) Please indicate whether Bosnia and Herzegovina arrange to undertake on its own the progress monitoring of transposition and implementation of EU environmental and climate change acquis, based on Tables of Concordance (ToC) and Implementation Questionnaires (IQ), carried out under ECRAN? If not, are there any plans to do that, as for instance under the Environmental Approximation Strategy?

II. Sectoral environment and climate policies

A. Horizontal legislation

4. (19) Please provide a more schematic reply, pointing out the competence of different actors, the laws which they have to apply (explaining very shortly the jurisdiction of a specific law enacted by one actor). Please explain the link of the Law of Freedom of Access to Information in the Federation entity - which seems to be the horizontal measure in the field - with other laws mentioned. Please indicate if 'information held for a public authority' (Art. 2, point 4 Directive 2003/4/EC) is not covered only in Bosnia and Herzegovina legal framework or in all applicable frameworks. Finally, explain shortly how the remedies of Article 6 of the Directive (i.e. the review procedure in paragraph 1 and the other one in paragraph 2, before a court of law) are conceived and applied.
5. (20) Please provide a more schematic reply, pointing out the competence of different actors, the laws which they have to apply (explaining very shortly the jurisdiction of a specific law enacted by one actor). Please explain also if and how the questions of Environmental NGOs covered by Article 2(5) Aarhus Convention, of the requirements of not prohibitively expensive costs and injunctive reliefs (Article 9(4) Aarhus Convention) are guaranteed.

6. (24) Additional questions for Federation entity and Brčko District: Which parts of the EIA Directive (2011/92/EU as amended by 214/52/EU) have been transposed? What has been achieved as regards:
 - a. Designating the competent authority/ies responsible for issuing development consent
 - b. Designating the concerned environmental authority/ies
 - c. Requiring Annex I projects to be subject to EIA
 - d. Establishing a screening procedure to decide which Annex II projects require EIA
 - e. Establishing a procedure for consultation with environmental/regional/local authorities
 - f. Establishing measures to ensure that environmental reports are of a sufficient quality
 - g. Establishing a public consultation procedure
 - h. Requiring the environmental information and the results of consultations to be taken into account in the development consent procedure
 - i. Establishing measures for notifying the public of the outcome of decisions on applications for development consent
 - j. Ensuring that members of the public concerned have access to a review procedure
7. (25) Additional questions for Federation entity and Brčko District: Which parts of the SEA Directive (2001/42/EC) have been transposed? What has been achieved as regards:
 - a. Designating the concerned environmental authority/ies
 - b. Requiring plans or programmes for which SEA is mandatory to be subject to SEA
 - c. Establishing a procedure to determine which plans or programmes require SEA
 - d. Establishing a procedure to ensure information is made available to the public
 - e. Establishing procedures for consultation with environmental authorities and public consultation procedures
 - f. Requiring the environmental report and the results of consultations to be taken into account in the decision making procedure

B. Air quality

8. Please provide information on:
 - a) Status of implementation and enforcement of air quality directives 2008/50/EC + 2004/107/EC) in Bosnia and Herzegovina, especially in respect to:
 - i. Air quality monitoring network
 - ii. Reporting

- iii. Monitored levels of air quality
 - iv. Air quality plans to achieve the set limit-values by 2021 (national target for compliance to EU standards)
- b) Status of implementation and enforcement of the sulphur directive (2012/33/EU).
 - c) Status of implementation and enforcement of the revised NEC directive (2016/2284), especially in respect to:
 - i. Emissions inventories, projections and reporting
 - ii. Cost-effective emission control strategies and national programmes for air pollution control.
9. (38) Please provide missing information on resources, methods and procedures applied for emissions monitoring.
10. (41) Please provide information on plans and timelines to make the Pollutant Release and Transfer Register (PRTR) fully operational for Bosnia and Herzegovina including:
- a) Enforcing obligation to report to PRTR countrywide
 - b) Enabling public access and integration of collected data
 - c) Transmission to the EU institutions

D. Water quality

11. (50) Please provide information about alignment to and implementation of the Marine Strategy Framework Directive (MSFD - Directive 2008/56/EC). Please specify which particular issues have not been aligned to the Drinking Water Directive by the Federation entity (monitoring obligations and the use of risk-based approach, different parametric values, definition of water intended for human consumption?). Please indicate to which extent the planned adoption of the regulation on criteria for bathing areas will contribute to full alignment with the Bathing Water Directive.
12. (52) Please give a clearer and more concise picture of repartition of competences. Please provide more details on alignment of Federation entity legislation with Council Directive 91/271/EEC (UWWTD), e.g. are the limit values aligned with UWWTD? Are the treatment obligations linked to the size of the agglomeration?
13. (55) Please give a clearer and more concise picture of repartition of competences and of non-compliance figures. Please explain how Bosnia and Herzegovina tackles high non-compliance in drinking water? (e.g. improvement of network / infrastructure? More surveillance and monitoring? etc.). Which remedial actions are taken in case of non-compliance with drinking water parametric values? Is the population (especially

vulnerable population such as pregnant women, children, and elderly) duly informed about the non-compliances?

E. Nature protection

14. Is there a system in place to ensure that genetic resources users are complying with access legislation of the countries providing such genetic resources? If yes, what are the main differences between the legislation and the related Regulation (EU) No. 511/2014.

J. Climate change

15. (124) Please provide additional information on how the state level policies (Environmental Approximation Strategy, National Climate Change Adaptation and Low Emissions Development Strategy) are aligned. What are the mechanisms in place to ensure their harmonized application at the other levels of governance?
16. (125) Please provide information on the role of the state level Ministry. Please provide information on legal basis for the function of Inter-Entity Environmental Body in order to determine its level of authority. What are the links between the two?
17. (128) Please provide additional information on the implementation of the Paris Agreement and NDC in terms of proposed actions, timeline and budget.
18. (132) Please provide information relevant for both entities and Brčko District as information is missing.
19. (135) Please provide an answer that addresses all levels of governance as information is missing. In case there are no measures for a respective level of governance please explicitly state that information.
20. (138) Please provide information related to the situation in the Republika Srpska entity as the information is missing from the replies received.
21. (141) Please provide missing information for Federation entity and Brčko District.
22. (142) What are the mechanisms in place to ensure a countrywide approach?

Chapter 28: Consumer and health protection

I. Consumer protection

1. (2) With regard to reply to question no. 2, please clarify the relationship between the Annual State Consumer Protection Programme in Bosnia and Herzegovina and Consumer Protection Programme in the *Republika Srpska* entity.
2. (9) With regard to reply to question no. 9, please clarify the link between the Annual State Consumer Protection Programme in Bosnia and Herzegovina and Consumer Protection Programme in *Republika Srpska* entity.
3. (12) With regard to reply to question no. 12, please provide all the relevant information for Federation entity and Brčko District as information is missing. Please also clarify the link between the laws on “General Product Safety” at the state level and the one in *Republika Srpska* entity. Please explain the details of the system on the exchange of information on dangerous non-food consumer goods currently in force and explain how Bosnia and Herzegovina authorities become aware of notifications on unsafe products, which have their origin in the country and which have been notified by the EU Member States into the RAPEX database (and can be consulted from the RAPEX website).
4. (14) With regard to reply to question no. 14, please indicate whether any specific legislation on establishing the principle of objective liability or liability without fault of the producer in cases of damage caused by a defective product is present at the state level.
5. (21) With regard to reply to question no. 21, please provide the missing information as regards Federation entity and Brčko District – if certain issues are not applicable to those entities or the information is not available please indicate that. As regards the reply to question no. 21(1) please clarify if the provided statistics cover both harmonized and non-harmonized products.
6. (27) With regard to question no. 27, please provide for each part of the question the missing information on the basic features of respective legislation, including enforcement mechanisms and plans for reform with respect to all entities as well as the state level.
7. (35) With regard to reply to question no. 35, please provide information on enforcement of legislation in the area of consumer credit in Brčko District as information is missing.

II. Public health

8. (39) With regard to reply to question no. 39, please provide the missing information for different parts of the question with respect to state, entities and cantons level (if such information is not available please confirm that).

9. (40) With regard to reply to question no. 40, please provide the information in relation to *Republika Srpska* entity and Brčko District on the share of mental health services provided with institutions and the community based care selection criteria for admission to institutions as information is missing.
10. (41) (43) (59) With regard to replies to questions no. 41, 43 and 59 please provide the relevant information on Brčko District as information is missing.
11. (55) As regards the reply to no. question 55(b) Federation entity, please provide an update on the status of the draft "Law on the Control and Restricted Use of Tobacco Products and Other Smoking Products" including whether there have been any major modifications to the legislative proposal adopted by the government.
12. (67) With regard to reply to question no. 67, please provide updated information for new law on protection of population against communicable diseases adopted in 2017 in *Republika Srpska* entity.
13. (74) With regard to reply to question no. 74, please provide the description of work of the State-level agency.
14. (78) With regard to reply to question 78, please provide your assessment of the level of expertise available in Bosnia and Herzegovina on:
 - a. paediatrics medicinal products;
 - b. medicinal products for the diagnosis;
 - c. prevention or treatment of life-threatening or very serious and rare conditions (covered in the EU under the definition of orphan medicinal products).
15. (supp 133) With regard to supplementary question no. 133 (pharmaceuticals), please provide the following information:
 - a. What is the regulatory framework for marketing authorization and for clinical trials of medicinal products?
 - b. What is the regulatory framework for pricing and *Republika Srpska* entity reimbursement of medicinal products?
 - c. To what extent, if at all, does the assessment of relative effectiveness of medicines (i.e. clinical and cost comparison with existing medicines on the market) play a part in the national health schemes?
 - d. What public or public-funded schemes exist to give information to patients/citizens about medicines?

Chapter 29: Customs union

1. (4) Please provide more detailed information on the national legislation on quota management and on the Bosnia and Herzegovina method for tariff quota management.
2. (5) Please provide information on the publication of tariff explanatory notes.
3. (7) Please provide information on the implementation of trade defence instruments, restrictions and origins labelling requirements etc.
4. (10) Please explain the rules governing authorisation for approved exporters.
5. (15) Please explain the process for ex officio amendment of the customs declaration after the release of the goods. Furthermore, in which cases can a commercial or administrative document replace the normal customs declaration?
6. (20) Are the laws on free zones in the Federation entity and the *Republika Srpska* entity aligned with the Bosnia and Herzegovina law on free zones?
7. (23) Please provide information on the management of random controls.
8. (24) The Law on Customs policy in Bosnia and Herzegovina (official Gazette of Bosnia and Herzegovina 58/15) introduces the AEO concept. As this was adopted 3 years ago:
 - a) Is Bosnia and Herzegovina now aligned with the UCC?
 - b) Which part of the legislation regulates the benefits related to the AEO?
 - c) Please provide further information re. AEO (see UCC, IA and DA), including guidelines and the self-assessment questionnaire describing in detail the processes (AEO application, authorisation and management)?
9. (27) Please provide a more precise presentation of actual customs controls of dual use goods.
10. (28) Please explain the meaning of JCI-SAD.
11. (41) Please provide information on training for economic entities.
12. (43) Please provide information ITA's recruitment policy.
13. (54) Please provide a more precise and detailed reply to Question 54.

Chapter 30: External relations

I. Common commercial policy –WTO and other horizontal aspects

1. (9) Please provide an assessment/comparative overview of the degree of alignment of Bosnia and Herzegovina legislation in the area of trade in services with the Service Directive.

2. (9) It is stated that "...foreign natural and legal persons have the right of establishment to perform business activities under the same conditions as domestic natural and legal persons." Is this an unqualified right of establishment? Is Bosnia and Herzegovina fully open in practice to those natural and juridical persons of other countries that are willing to have a commercial presence in its territory?

3. (9) It is stated that "...the conditions for entry and stay of foreign natural persons are governed by the specific law (Law on Aliens of Bosnia and Herzegovina, Official Gazette of Bosnia and Herzegovina, 88/15)." Please explain the relevant rules and, in particular, those concerning Intra Corporate Transferees?

4. (9) (14) Bosnia and Herzegovina refers to domestic regulation commitments relating to joint ventures. Please confirm that its law does not impose foreign capital caps (except in the media and arms sectors)?

5. (13) Bosnia and Herzegovina refers to negotiations with Turkey on services. Please provide further information on the level of service liberalisation reached in Bosnia and Herzegovina negotiations with Turkey.

6. (26) Please clarify the legal status of IGA and provide its governing act. Also please clarify if it is covered by budgetary funds in case of default.

II. Preferential trade agreements

7. (31) Can Bosnia and Herzegovina clarify whether the negotiations on the Protocol on the Amendments of the Preferential Trade Agreement between Bosnia and Herzegovina and the Islamic Republic of Iran have been concluded? Does the FTA include a provision as referred to above?

III. Other trade-related agreements

8. (33) (34) Please clarify whether the Federation entity has concluded similar agreements to those reported by *Republika Sprska* entity? If Federation entity concluded such agreement please provide the relevant details. Can Bosnia and Herzegovina clarify whether *Republika Sprska* entity and Federation entity received approval of the Parliamentary Assembly of Bosnia and Herzegovina to conclude those agreements?

Chapter 31: Foreign, security and defence policy

1. Please describe the current structures in the State public administration and particularly in the Ministry of Foreign Affairs and the Ministry of Defence which are responsible for CFSP/CSDP cooperation with the EU.
2. Is the Inter-ministerial working group for monitoring restrictive measures fully operational? How often does the group meet?

Chapter 32: Financial Control

1. (67.a) For both entities, do the definitions provided also apply in case of offences not harming the national budget but only the EU budget?
2. For Bosnia and Herzegovina and *Republika Srpska* entity, does fraud to national or the EU financial interests exist (e.g. fraud as having an effect on the illegal diminution of the EU revenues or wrongful retention of funds)?
3. For the Federation entity, what is meant by "defines corruption through several criminal offences in different ways" and does this definition apply to corruption affecting EU funds? Which definition would apply then?
 - a. For the Federation entity, please provide information on the examples of definitions through several criminal offences, by not only mentioning their existence.
 - b. For *Republika Srpska* entity, please provide information if corruption is a criminal offence or less so by as well providing the reference to the relevant legislation.
 - c. For Brčko District, please provide information on definition of irregularity, active corruption, Money Laundering provided, and passive corruption.
4. (67.b): For the state level, please explain what is meant with "sentence paragraph 1" as well complete information of penalties for fraud for this level of governance.
5. (72) Does the legislation provide for specific obligations and procedures with regard to the treatment of cases of suspected fraud and other irregularities affecting national, EU or international funds, e.g. are there clear obligations and procedures in place to report and follow up cases of fraud and other irregularities? Does the legislation include provisions ensuring that information and evidence produced by Commission's investigators receives an equal treatment?
6. (73.a) Please describe the system of administrative investigations at the various levels of governance dealing with irregularities and fraud cases. Are there other mechanisms in place to deal with irregularities and fraud cases, e.g. administrative investigations

by tax authorities? Do the budgetary inspections also conduct administrative investigations or less so?

7. (74) Please identify relevant provisions in the legislation concerning the definition and the penalties across all levels. Regarding the offences of fraud, passive corruption, active corruption, misappropriation and money laundering (of proceeds derived from criminal offences affecting the Union's financial interests), please identify the relevant provisions in the legislation concerning limitation periods (including provisions on starting date, duration, suspension and interruptions):
 - a. for the investigation, prosecution, trial and judicial decision; and
 - b. for the enforcement of the penalty.

Chapter 33: Financial and budgetary provisions

III. GNI resource

1. (6) Bosnia and Herzegovina is invited to provide additional information on the state of progress of implementing ESA 2010 and whether the transition GDP-GNI can already be done on the basis of the ESA 2010 methodology. Also, provide the latest annual available GDP/GNI figures and elaborate on the upcoming activities aimed at the further implementation of ESA 2010 methodology.
2. (7) Bosnia and Herzegovina is invited to elaborate on the methodology used to calculate the non-observed economy.

IV. Administrative infrastructure

3. (8) Bosnia and Herzegovina is invited to indicate the institution responsible for ensuring a country-wide coordination and responsibility for financial and budgetary issues. Additional information is sought on the activities of the cantonal budget authorities, their interaction with Federation entity, and the role of the Fiscal Council.