ROLE OF MUNICIPAL PREFECTS AND MAJORS IN THE LOCAL ECONOMIC AND INFRASTRUCTURAL DEVELOPMENT

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Abstract

Local economic development implies maintained and premeditated process in which, beside local authorities, participate other actors, in order to create better conditions for the economic development and growth, and to improve life quality of population within local communities.

Due to their constitutional and legal position local self-governments are an important segment of political system and an important subject of social development. In the local self-government system in Bosnia and Herzegovina, municipal prefects and mayors as the representatives of an executive authority functions are important institutions of the local self-government. Significance of their role in the local economic and infrastructural development is observable not only because of their executive function but also in their role to recommend development policy to the municipal council/city council related to all issues within the local-self-government jurisdiction.

Municipal prefects and mayors create and report economic and development plans to the municipal/city council, they create and report various investment programmes, environmental and urban development strategies and other plans and strategies together with regulatory acts.

Units of municipal self-government, besides delivering basic services, do have obligation to create an environment for expansion of local economic capacities and ensure long and sustainable development. Countries in transitional process such as Bosnia and Herzegovina require time in order to change local business and economic circumstances, to create participative competences and capacitate local actors for the participation in this particular process. On that path, taking into the consideration legal and structural authorities of executive political function of local self-government, it is possible to emphasize that solution of local economic development in Bosnia and Herzegovina is in hands of municipal prefects and mayors.

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Local Economic and Infrastructure Development of SEE in the Context of EU Accession
Introduction

Bosnia and Herzegovina has adopted the model of direct election of municipal prefects and mayors since 2004. Local elections were held in October and it was the first time that municipal prefects and mayors were elected in a direct way in Bosnia and Herzegovina. This is how the municipal prefect gained new social position. Based on the election results, hypothesis that mayors of municipal prefects would get more votes directly from citizens than from the political parties’ lists for municipal council members has been confirmed. This manner of direct election proved that citizens recognized their own interest and showed motivation to elect a person who is enjoying a high moral values and integrity, and has the capacity and capability to start and implement development projects. Political party was not a primal factor for their electoral choice. Direct election has offered to municipal prefects new prospects for the local development where they are able to influence more independently, they are able to create and implement more coherent local policies, make efficient decisions at the local level and improve local management. Former analyses show that initiatives for decision making hardly ever come from citizens or their associations, therefore, municipal councils and municipal councillors rarely appear as initiators. As the basic articulator of common interest and creator of decisions with developing character, municipal prefect appears to be the executive function.

Local community as the social base of local self-government

Local self-government as legal, political and system institution emerged in the local community as its natural and social base, representing institutionalized form of fulfilment of requirements and needs of citizens in one or more territorially associated local communities. In the social science theory, local community is defined as certain territorial unit, in which citizens, via their own or mutual resources fulfil most of their life needs. Local community is the form of citizens’ grouping and gathering around their mutual problems, interests, needs and values, interrelating in different social interactions and developing the consciousness of belonging to that community. Mutual needs are represented in local community and they form institutions for the organization of social activities in order for those needs to be fulfilled. One of the
institutions that was historically developed and formatted as democratic institution of local community is local self-government (Pejanovic and Sadikovic 2010: 14). In all contemporary democratic societies, local self-government is the category of constitutional law. This indicates that local self-government presents the basic form of achievement of citizens’ political rights to participate in management of public affairs in their local community. In its historical development, local self-government was an expression of citizens’ aspirations to independently manage and participate in public affairs, to determine policy, bring important decisions and value mutual influences in their local communities. Those activities can be performed directly at the municipal and city assemblies (Anon. 2001; Anon. 2008a; Anon. 2008b). This represents direct self-government. However, in nearly every democratic country, citizens elect local bodies, which in their name manage the public affairs. Basic unit of local self-government in all democratic countries is municipality/commune. Municipality/commune has its own territory, elected bodies and institutions, local jurisdiction that can be used to influence the social and economic local community development. Citizens within one unit of local self-government are able to directly or through their elected representatives manage public affairs that are vital for their needs and interests apart from issues that are legally specific for different level of government. Municipality that historically shaped itself as basic form of political system decentralization represents important political and administrative territorial unit of all democratic countries. Based upon theoretical basic approach, municipality is not defined only as administrative and territorial unit but also as the base territorial community of citizens that directly and indirectly, through their democratically elected representatives, accomplish their political and economic rights, making decisions about all social affairs that are in mutual interest. Every local self-government unit as the political, legal and system institution articulates activities of people directed towards fulfilment of their mutual needs. Based upon citizens’ needs, interests and activities are determined in order for those needs to be fulfilled within institutional structure, which is called the local government. Performance of local government is the essence of local self-government. There are two components: performing of government via elected bodies and indirect participation of citizens (Pejanovic 2005: 188). In the narrow point of view, local self-government is part of social organization and social processes in local territorial communities that implicit conduction of mutual public affairs in local communities. In wider sense, local self-government signifies not only functioning of the local government but organizing all institutions and forms of relation regulations in local community based upon direct democracy. According to the European Charter on Local Self-Government, local self-government implies the right and capacity of local government to, within law, regulate and conduct major part of public affairs based upon their own responsibility and in interest of local population. Definition of local self-government in political theory implies political right of citizens to directly and via their directly elected representatives participate in conduction of public affairs in local community and that right is guaranteed by the Constitution and law of the country (Anon. 2009; Anon. 2010a;
Constitutional and legal position of local self-government units in Bosnia and Herzegovina

Units of local self-government in western European countries became an exponent of social, economic, urban and cultural development of their environment. Together with developed autonomy in financing communal municipality functions, municipalities and towns present the most important forms of governance and conduct of public affairs for all citizens. Collapse of socialist system in Bosnia and Herzegovina in early nineties of the last century required structural changes regarding political and legal concept of local self-government and its role within society and political system in general. Introduction of pluralistic political parties system and market economy also required redefining the status of the units of local self-government, meaning conceptually different relation between local government and state on one side, and local self-government and citizens on the other side. In former socialist states, which went through the transition process and European Union integration process, units of local self-government have got political and constitutional position that ensured them significant role in economic, social, political and democratic development. However, differing from the most countries which went through transition process in peaceful manner, Bosnia and Herzegovina was exposed to war whose consequences in a great measure determined the position and preconditions for local self-government’s future development. Actually, during the war 1992–1995, enormous changes emerged in the context of ethnical and social structure of local self-government units’ population. Utility structure was destroyed as well as industrial subjects that were major factors of local economic and social development (Pejanović 2005; Pejanović and Sadiković 2010; Salkić 2011; Zlokapa 2009). Therefore, changes regarding territorial organization of municipalities also occurred. War in Bosnia and Herzegovina ended by Dayton Peace Agreement in 1995. In accordance with Dayton Peace Agreement, internal constitution of Bosnia and Herzegovina is based upon two entities: Federation of Bosnia and Herzegovina with ten cantons and Republika Srpska. Town of Brcko received the status of District after an arbitrage process in 1999. Dayton Peace Agreement does not contain any regulations regarding local self-government. Constitutional and legal position of local self-government in Bosnia and Herzegovina is defined by constitutional and legal regulations of entities. In Federation of Bosnia and Herzegovina, local self-government is defined in addition by constitutional and legal regulations of cantons. District Brcko is separate self-government unit and its status and activities are determined by Statute of District. This is how complicated administrative structure in Bosnia and Herzegovina has been made together with political and legal frame inside which units of local self-government receive their constitutional and legal
position. State of Bosnia and Herzegovina, regardless of the fact that it is signatory of the European Charter on Local Self-Government, does not guarantee the right to local self-government within its Constitution. Regulation of self-government is entirely in jurisdiction of entities. In post war period, local self-government in Bosnia and Herzegovina, unlike the other countries that went through transition processes, did not receive an adequate treatment from authorities of both entities and state institutions of Bosnia and Herzegovina. Right to local self-government in Republika Srpska is limited by entity laws. Entity bodies take over all activities and tasks, which should be according to the principle of subsidiary within jurisdiction of local authorities. In Federation of Bosnia and Herzegovina, cantons as federal units have wide range of legal jurisdiction and significantly terminate self-governance activities and jurisdiction of local self-government units. In Federation of Bosnia and Herzegovina, cantons have wide range of public affairs performances, especially in the sphere of fiscal policy and urban, environmental planning. This legal position of cantons has restricted the possibility of local self-government development as well as complete autonomy regarding ensuring own sources of financing (Pejanovic and Sadikovic 2010 : 41). In Republika Srpska, due to the high level of centralized government at the entity level, municipalities had no sufficient legal and real base for the whole autonomy of local self-government. Specific problem of successful functioning and development of local self-government in Bosnia and Herzegovina is nonexistence of constitutional guaranties and an adequate legal frame for assurance of local authorities’ financial autonomy (Salkić 2011 : 176). The entire system of local self-government in Republika Srpska and Federation of Bosnia and Herzegovina has been developed during post Dayton period, which is characterized in insufficient legal frames and inadequate relations between institutional structures of entities and state of Bosnia and Herzegovina. Regardless of all the above mentioned, significant number of municipalities and towns in Bosnia and Herzegovina in post Dayton period, mostly thanks to inventiveness and management skills of municipal prefects and mayors, have achieved significant economic, social and infrastructural development. Units of local self-government have extremely important role in achieving conditions that are preconditions for EU membership. Before all, this refers to the level of employment, quality of service provided to citizens in local communities, utility infrastructure and urban planning, protection of human rights and protection of human environment. With accession to the European Council in 2002 and ratification of European Charter on Local Self-Government, Bosnia and Herzegovina took over responsibility to adjust the system of local self-government to the basic principles of European Charter on Local Self-Government. Entities of Bosnia and Herzegovina since 1995 were changing legal frame on local self-government several times, trying to find adequate solutions that would be compatible to the standards of local self-government in developed European countries (Anon. 1985). Bosnia and Herzegovina in the process of transition gradually launches European standards in the context of local self-government in order to accomplish standards for the inclusive membership in the European Union. Implementation of these standards requires
Local economic development

Many definitions of local economic development can be found in literature. The United Nations Human Settlements Programme (UN-HABITAT) describes local economic development as the participatory process of all sectors in local level together in order to improve economy and create solid and sustainable economy. Local economic development according to the UN-HABITAT represents the tool for attracting capital investment and achievement of quality employment with the aim of improvement of life quality for all people living in particular environment. It encourages public, private and civil sector to establish relations of mutual partnership and through cooperation to find solutions for mutual economic challenges. Local population, through process of local economic development, should be motivated to use entrepreneurship, labour, capital and other local resources in achieving priorities of their own local community. The World Bank defines local economic development as the process through which actors of small and big towns – our communities – work together with public partners, business and nongovernmental sectors in order to create better conditions for economic growth and employment (Anon. 2013a). Through this process, they establish and maintain dynamic trade culture and create new community and business prosperity aiming to improve life quality for all population in community. According to this, major components of local economic development are:

- **Social development** (includes improvement of social environment, reducing criminal activities, stronger social engagement of citizens, poverty reduction, fulfilment of basic human needs, mutual responsibility, etc.),
- **Political development** (includes efficient government, political consensus of different interest groups, etc.),
- **Cultural development** (better life quality in local community) and
- **Economic development** (new work places, preservation of already existing workplaces and businesses, increasing economic and business competition, enlargement of business and trade, infrastructure and business activities, increase of income, etc.) (Anon. 2013a).

Definition of the World Bank contains the understanding of local economic development, also presented in other definitions, as continued and planned process, in which apart from local authorities participate other subjects aiming to create better conditions for economic growth and development and improvement of life quality for citizens in local communities. Final goal is sustainable local community development.
Local economic development planning is initially *proactive* because it attempts to influence on future of the community by shaping its sustainability. Due to the fact that resources of local community are deficient and less than needs of the community, strategic planning establishes *priorities and focus on critical areas*. This is *participative* process including everyone who is required to implement adopted strategy. It provides possibility for determination of desired future community direction and achievement of particular mutual goals (Anon. 2010a: 25; Anon. 2001; Mlinar 2000). Contemporary understanding of local economic development implies conception of development models in which units of local self-government, and not central government, have major role and responsibility for their own development. Units of local self-government are required to provide several basic services. Their task is to create conditions for expanding local economic capacities and assuring long term sustainable development and social inclusion. One of the most important reasons for creating “bottom up” development model is economic globalization, which decreased significance of national policies. Traditional instruments of local economic development through “top down” development model appeared to be inadequate and units of local self-government became more influenced by global market. That is why economically developed countries have created local economic development model, which underlines the role of local communities in building their own economic and social development. Basic principle of this economic development model implies that prosperity in local communities depends of favourable local economic and business conditions with the key role of local authorities. Local economic development actually means to create better business environment. It does not mean controlling or conducting particular companies or entrepreneurships. In the last ten decades, fiscal economic development is one of the fastest implemented economic disciplines. Interest for this discipline considerably grows in the countries of Middle and East Europe. “Facing the challenges of introduction of capitalism and collapse of huge industry systems and flagships of planned development, countries of East Europe and other developing countries are searching for the recipe and concept that would put them on track of expedited development. Therefore, the concept of local economic development is attractive to them because it attempts to affirm and integrate aspirations of an individual with aspirations of companies at a specific territory, at the same time denouncing the ghosts of socialist planning and managing from *above* and striving to attract as much foreign investors as possible” (Zlokapa 2009: 90).

Local economic development in Bosnia and Herzegovina

Units of local self-government in Bosnia and Herzegovina before the period of market economy did not perceive local economic development in the context of already existing formulation in the countries of market economy. By that time, all economic plans were delivered at the state level including those for local level. Centres of
political power made decisions regarding what will be done in particular municipality and how it would be performed financially. Units of local self-government had no possibilities to influence economic flows, especially in the sector of small business. Legal structure for private business did not exist, so, there was no need for inclusion of private sector in the activities within local self-government. The role of municipalities was based on administrative services deliverance. Citizens could exercise influence regarding better economic position of local self-government only through political engagement, and in that period, in the only existing political party. Other instrument of citizens’ participation in economic development as we understand it today had not been institutionalised. Development holders were the state companies.

After the war and collapse of state companies in Bosnia and Herzegovina, small business started to absorb unemployment. International community influenced on alteration of already existing and adoption of new legal regulations in order to stimulate small and medium size business. Also, international community supported small business through various grants, favourable advances and loans, together with other forms of technical aid. In such a manner, since the beginning of 2001, international community started to promote contemporary concept of local economic development. With adoption of new laws on local self-government (Republika Srpska in 2004 and Federation of Bosnia and Herzegovina in 2006), municipalities in Bosnia and Herzegovina obtained the jurisdictions for development plans and programmes and for creating conditions for economic development and employment. The frame for local economic development in Federation of Bosnia and Herzegovina was provided by Federal Institute for Development Programming in 2008, and similar to other transition countries in the region, this Institute adjusted its activities towards new conditions of market economy. This is how the new concept of local economic development was promoted through the “bottom up” model. As the result of this promotion, a document named Basis for the Strategies of Local Economic Development in Federation of Bosnia and Herzegovina is created and published. These basis were made according to the concept of OECD (Organization for Economic Co-operation and Development), whose assignment is to identify local area for assurance of development process and potential sources which have a clear local content. They are response to the local problems and objectives, initiated and identified by local citizens. The underlined term is the term “development” (general, structural and qualitative) and its capability to generate new activities and inclusion of all local actors who are able to create, develop and implement local development strategies. This is the method of creating sustainable process, stressing out the economic and social dynamics (Anon. 2008; Anon. 2009; Anon. 2013b).

In the end of 2007, United Nation Development Programme in Bosnia and Herzegovina (UNDP), in cooperation with Swiss Agency for Development and Cooperation (SDC) has launched the Integrated Local Development Project (ILDP) with the objective to adjust and create Methodology for Local Development Planning in Bosnia and Herzegovina in order to establish standards, principles and frame for strategic
planning at the local level. It would contribute towards strengthening of general development functions of local self-government units in Bosnia and Herzegovina. Many actors from all levels of government have participated in this Project, many practitioners from municipalities and nongovernmental sector, and members of academic community. In November 2009, both presidencies of Associations of Municipalities and Towns from both entities have accepted this Methodology and recommended its implementation to all units of local self-government. Also, this Methodology is accepted by Government of Federation of Bosnia and Herzegovina and Government of Republika Srpska. Methodology is unifying mutual conceptual approach of local development planning in Bosnia and Herzegovina, which is adjusted with principles of sustainable development and social inclusion (UNDP 2009 : 9). Sustainable development is defined as development which fulfils needs of present without compromising the future generations to fulfil their own needs. Sustainable development concept offers comprehensive problem solution within local community through the integration of measures for poverty decrease, social welfare, economic growth and environment protection. This principle ensures rational utilization of existing local resources and takes into the consideration human rights and potential needs of future generations. At the same time, social inclusion is the principle that ensures citizens faced with poverty threat and social marginalization to gain possibilities and resources for participation in economic, social and cultural life and to have the advantages of living standard and benefits considered normal in their society. Therefore, it ensures their stronger participation in decision making process, which influences their lives and access to their basic rights (Anon. 2008; Anon. 2010a; Anon. 2010b; Pejanović and Sadiković 2010; Sadiković 2010).

The role of municipal prefects/mayors in creation of local economic development

Current Law on Principles of Local Self-Government in Federation of Bosnia and Herzegovina determines municipality prefect as the executive body within the municipality. Consequently, municipality prefect represents and presents the self-government unit within determined jurisdiction. Municipality prefect/mayor according to the Constitutional Law of Federation of Bosnia and Herzegovina has following jurisdictions: places and replaces municipality officials, implements municipality policy, performs municipality regulations and jurisdictions of municipality that are relocated from federal and cantonal authorities, reports to the municipality council and public about the municipal policy implementation (Anon. 2003). Prefect/mayor is responsible for the general implementation of executive and administrative function within entire municipality as the legitimate representative. In the context of Law on Principles of Local Self-Government, municipality prefect/mayor is the most responsible institution of the local self-government for creation of municipality budget, economic, development and urban planning, and for the implementation of
budget, implementation of local self-government unit’s policy, municipality decisions, laws and other regulations, which are the responsibility of particular municipality prefect/mayor (Anon. n/a). Legal and constitutional position has provided to municipal prefect/mayor a significant authority and responsibility, therefore, specific role for the influence on local community development policy through its function within the organization and work of municipality administration sector, human resources management, creation and implementation of municipality budget, communication with citizens and creation of local economic development.

Guidelines that are recommended to municipal prefects/mayors in Bosnia and Herzegovina via programmes of European Union – such as “Quick Impact Facility” programme, started in the beginning of 2001 in order to recognize importance of local economic development and its incorporation within the local system – include the following measures, which should be undertaken by municipal prefect/mayors:

• **Establishment of municipality office for local economic development.** Final goal of this newly established office would be creation of new work places in the private sector and creation of favourable business environment within the municipality. Municipal bodies should take a commitment to create conditions for economic development in private sector and for the functioning of municipal office for local economic development.

• **Establishment of business association.** Business or trade associations should be established for business community to express their interests, concerns, wishes and affiliations. This is the way to increase capability of municipal authorities to understand and respond to the needs of business community. Interest of business community, in this sense, is to increase their own capacity to create new wellbeing and capital. Responsibility of business association is to take care of group interests articulated by its members. On the other side, increased activities of business community lead to new work places and bigger tax incomes for local authority.

• **Establishment of partnership between private and public sector.** Unit of local self-government has a key role in creating positive business environment, decision making process in communal sector, urban planning, local transportation and local services. Private sector is essential to create economic wellbeing and capital as well as successful local economy development. In order to get through all segments of society, nongovernmental organizations are requisite. The role of civil society is immeasurable for ensuring that the most jeopardized part of population in the society has benefits from local economic development results.

• **Modification of municipal procedures.** Procedure for registration of business subjects is very long, expensive and complicated. Successful local economic development depends on growth of business subjects. As much as those subjects are stimulated, level of employment is higher and costs for social intentions of municipalities are decreased. Modification of municipal procedures for registration of business subjects implies rationalization and modernization of registration
process in order for the procedure to be easier, less complicated and encourage more business subjects to be registered.

- **Establishment of equal possibilities policy.** Economy in which discrimination at work places exists cannot function with its full potential. Establishing an equal possibilities policy means that all citizens will have an opportunity to express their potentials without any prejudices related to religion, nationality, gender, age or any other factor. Local environment that provides an equal possibility to all has a key importance for development and progress of local economies.

- **Carry out an economic assessment of municipality.** Essential information for establishing priorities of local economic development strategy should pass through economic assessment of municipality. It provides economic profile of local community, validating the key economic resources and modules, which could be used for economic growth and creation of new work places. Moreover, economic profile implies understanding of issues that have influence on local economic development at present period but also in the future. It is necessary to validate local circumstances that move forward and move back economic development in order to create a responding set of measures and policies for improvement of economic growth.

- **Develop a local economic strategy.** Strategy determines specific actions, which enable maximum effect with relatively low costs. Strategy provides an extensive view at local economy and aims to improve complete economic environment in the local community creating optimal regulation, financial, infrastructural and personnel preconditions, which could lead to new business ideas, growth of new work places and increase of incomes in local community. Local government with this strategy gains important instrument of local development management. But, this instrument must be set up in order to react to changes that appeared at the moment of establishing strategy, which could not be perceived (Anon. 2008; Salkić 2011; Zlokapa 2009; Pejanović 2005).

Key determination of contemporary local economic development management is the planning process itself. The purpose of planning process is creation of positive, mutual vision of future for entire community, which will be open for changes and adjustments (Anon. 2010a). Planning and implementation of local economic development should ensure effective coordination of all actors, and achieving given goals. In theory this process is called **strategic planning of local economic development**. As it is noted in the Handbook of the World Bank, local economic development should start with strategy formulation. Local economic development strategy is the key component of planning process in any community. Drafting of the local economic development strategy is the crown of local government activities, which determines long term sustainability development of their own community. Strategy presents the result of previously taken steps and measures. However, it should be also taken into consideration that an initial activity taken over by municipal prefect/mayor is most often the most efficient. This means that improvement of processes and procedures
for business subjects should also pass through municipal management. Strategy provides support in choosing desirable direction of economic local development and defines what kind of support local authorities should provide in order to make economic development easier. Strategy should be used for reconsideration of problems and possibilities and represents a planned approach towards local economic development. However, strategy must not contain an intention of interference in everyday activities of companies and behaviour of market and trade factors. The main foundation of strategic process are skills and resources brought by all actors in the process, establishing working relations and structures that will entirely lead everyone interested towards constructive and longer sustainable public-private-nongovernmental partnership (Salkić 2011; Zlokapa 2009; Pejanović 2005; Sadiković 2010). Local economic development is conducted as a partnership between local authorities under leadership of municipal prefect/mayor, business interests and community interests. Importance of public-private partnership is underlined within the preparation of Development Strategy of Bosnia and Herzegovina stressing out that “it is necessary to establish systematic frame for rapid development of different forms of partnerships and public sectors … capital of private sector in the combination with public sector instruments ensures preconditions for success” (Anon. 2010b : 3).

Conclusion

In transitional countries, such as Bosnia and Herzegovina, time is very vital requirement in order to transform local business conditions, create participative capacities, and prepare local actors for participation in this process. However, local authorities bravely undertook this challenge called local economic development. Hence, local economic development in Bosnia and Herzegovina became a field in which municipal prefects/mayors devote great part of their attention. Devotion of municipal prefects/mayors to the local economic development derives from their jurisdiction and responsibility for creation of economic and development plans and programmes. Researches of these issues related to the local economic development in municipalities of Bosnia and Herzegovina show a dominant role of municipal prefects/mayors in relations to the other actors. Prefect/mayors are initiators, creators, proposers and implementers of local economic development strategy document, which is a solution document in local community to determine direction and intensity of development. Due to the legal and statutory jurisdiction, the carrier of executive and political function in the units of local self-government is rightfully stated as a carrier for local economic development. It is the social power and management capabilities of municipality prefect/mayor that are vital for local economic development. This function is directed towards planning of goals and results that should be accomplished, defining organizational structure of municipality administration and selection of human resources, which will facilitate completion of tasks and achieving of goals of local self-government. Creation of economic, environmental and social programmes
and projects, management of planning tasks achievement and control of work of the whole executive components of local government are constituent and integral part of position of municipal prefect/mayor.

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