



**USAID** | **BOSNIA-HERZEGOVINA**  
FROM THE AMERICAN PEOPLE

# EVALUATION OF WEBSITES FOR POSTING TRAINING AND IMPLEMENTATION RESOURCES

USAID FOSTERING AN INVESTMENT AND LENDER-FRIENDLY  
ENVIRONMENT (FILE)

Contract #PCE-I-00-98-00015-00, Task Order #821 of the GBTI IQC

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## ***Introduction***

USAID's Fostering an Investment and Lender-Friendly Environment (FILE) Project is submitting this report pursuant to its workplan for the six-month period ending June 30, 2004, pursuant to which FILE committed to search for and evaluate websites for posting training and implementation resource materials.

The overall objective of USAID's FILE is to improve the investing and lending environment in Bosnia and Herzegovina (BiH) by strengthening the efficiency of its judiciary and the effectiveness of its bankruptcy and collateral law systems. Strengthening these institutions and systems will, in turn, help BiH's transition from a command to a market economy and support the growth of its private sector.

Such improvements are achievable only with the cooperation and assistance of key local partners. For example, effective implementation of the collateral law system requires:

- Fostering a continuing dialogue and exchange of information, ideas and experiences between domestic and foreign specialists, and among domestic specialists themselves;
- Training on various components of the collateral law regime;
- Providing resource materials to users of the collateral law system; and
- Promoting professional and public education on the collateral law system.

As such, successful implementation depends on the active participation of a number of actors, such as judges, attorneys and financial institutions, and support by government institutions and the general public. Most of these actors currently lack sufficient information and education about the collateral law regime, and need mechanisms to learn and provide feedback on related laws, procedures, and practices. Thus, BiH needs a mechanism for fostering and continuing dialogue and exchange of ideas on important collateral law issues, and through which information and ideas can be actively disseminated and readily obtained.

A website, if appropriately established and maintained, provides such a mechanism and a way to efficiently get information to stakeholders and other interested parties. A website can also be interactive, providing a transparent structure for feedback and debate.

FILE's Task Order specifically contemplates identifying a website where a matter relating to FILE's collateral law training and resource materials can be posted. The Task Order similarly contemplates a website for FILE's bankruptcy law activities. FILE previously reported on its efforts to identify a website for posting bankruptcy materials. Building on these prior efforts, FILE has continued to examine "partnering" opportunities with existing, or soon-to-be established website providers.

## ***Examination of Existing Websites***

In examining alternatives, FILE initially focused on reviewing websites that may be relevant to collateral laws and/or provide access to its target audience. [Annex 1](#) identifies websites where training and resource materials could be posted. Each of the referenced websites relates to an institution that stands to benefit from effective implementation of the collateral law system or an agency working on creating and/or implementing the system. Their continued participation in the implementation process, and linkages with their websites, could assist in making FILE's efforts further productive.

The substantive content of these websites is more fully described in [Annex 2](#). As with its analysis of potential bankruptcy websites, FILE utilized five main criteria in reviewing and evaluating existing collateral law websites – accuracy, reliability, currency, objectivity and comprehensiveness.

Overall, the data presented on existing websites is generally objective, accurate and reliable. Some ancillary information included in links to other institutions and organizations is incorrect, however.

Similarly, while the information presented in the websites is sometimes outdated, it appears that updates, maintenance and modernization of the sites are occurring with greater frequency. For example, many websites have been updated since FILE produced its bankruptcy report, and new websites (e.g., the BiH privatization website) have been created. Still, the collateral law regime includes many laws, procedures and actors; and a review of pertinent websites (including sites from the banking sector, the registers of movable and immovable property at basic courts throughout BiH, appraisers, bar associations, etc.) indicates that the updating process is still slow. These delays in processing are due in part to the lack of human resources and limited IT resources.

Finally, the scope of information provided on the websites remains modest. FILE found that the majority of websites still read and functioned more like lengthy business cards, providing basic information on the institution, but ultimately requiring interested parties to contact the organization by other means for salient information.

### ***Publishing FILE's Information – the Next Steps***

Despite the existence of numerous websites in BiH relevant to business issues and commercial legislation, there is very little information available on issues of collateral laws, in general, and on related training in particular. It is clear that a website, or websites, where collateral laws-specific information can be easily accessed would fill an existing need.

While flawed, existing websites could prove useful in delivering FILE's message over the long-term. By partnering with the appropriate existing (or to-be-created) website, FILE will support local institutions, create cost efficiencies and identify a sustainable mechanism for publishing its information. In this regard and in the next several months, FILE will engage the High Judicial and Prosecutorial Council, the Judicial Training Centers and other select organizations in a partnership dialogue to explore complimentary interests and opportunities for posting collateral and bankruptcy related matters. If these discussions are successful, FILE will work with the appropriate partner to further develop substantive content for the website(s). Much of the preliminary content will have already been developed by FILE in furtherance of its other activities.

As indicated in FILE's bankruptcy website report, utilizing existing websites is not without risk. Unless one or more of the websites is revamped to provide information beyond its current scope and content, utilizing existing websites could mean placing different information and resource materials on different sites, which could reduce effectiveness and entail complicated updating and maintenance. Furthermore, an appropriate partner must be willing to post information relating to FILE's other project components, such as bankruptcy information, to avoid redundant efforts. Initial partnering discussions continued with the Federation and RS Judicial Training Centers, which began designing their websites earlier this month. These issues will continue to be on the table in future discussions with the centers and other potential partners.

## ANNEX 1

### EXISTING WEBSITES

#### 1) Ministries of Justice:

BiH Ministry of Justice: [www.mpr.gov.ba](http://www.mpr.gov.ba)

RS Ministry of Justice – through the Government website: [www.vladars.net](http://www.vladars.net)

FBiH Ministry of Justice – through the Government website: [www.fbihvlada.gov.ba](http://www.fbihvlada.gov.ba)

#### 2) Ministries of Finance:

RS Ministry of Finance: [www.vladars.net](http://www.vladars.net)

FBiH Ministry of Finance: [www.fmf.gov.ba](http://www.fmf.gov.ba)

#### 3) BiH Ministry of Trade and Economic Relations: [www.mvteo.ba](http://www.mvteo.ba)

#### 4) Banking Agencies:

FBiH – Banking Agency: [www.fba.ba](http://www.fba.ba)

RS – Banking Agency: [www.abrs.ba](http://www.abrs.ba)

#### 5) Chambers of Commerce:

BiH – Foreign Trade Chamber of Bosnia and Herzegovina: [www.komorabih.com](http://www.komorabih.com)

FBiH – Chamber of Economy of Federation BiH: [www.kfbih.com](http://www.kfbih.com)

RS – Chamber of Commerce of Republika Srpska: [www.pkrs.inecco.net](http://www.pkrs.inecco.net)

#### 6) Directorates for Privatization:

BiH Privatization: [www.BHprivatisation.com](http://www.BHprivatisation.com)

RS – Directorate for Privatization: [www.rsprivatizacija.com](http://www.rsprivatizacija.com)

FBiH – Agency for Privatization: [www.afp.com.ba](http://www.afp.com.ba)

#### 7) Tax Administration:

FBiH – Tax Administration: [www.pufbih.ba](http://www.pufbih.ba)

RS – Tax Administration: [www.poreskaupravar.org](http://www.poreskaupravar.org)

#### 8) Bar Associations:

FBiH Bar Association: [www.advokombih.ba](http://www.advokombih.ba)

RS Bar Association: [www.advokatska.com](http://www.advokatska.com)

#### 9) Faculties:

Law Faculty Banja Luka: [www.urc.bl.ac.yu/uni/pravni](http://www.urc.bl.ac.yu/uni/pravni)

Law Faculty Sarajevo: [www.pfsa.unsa.ba](http://www.pfsa.unsa.ba)

Faculty of Economy Banja Luka: [www.urc.bl.ac.yu/uni/ekonomski](http://www.urc.bl.ac.yu/uni/ekonomski); [www.efbl.org](http://www.efbl.org)

Faculty of Economy Sarajevo: [www.efsa.unsa.ba](http://www.efsa.unsa.ba)

#### Other relevant sites:

USAID Pledge Registry Project: [www.usaidprp.ba](http://www.usaidprp.ba)

Investment Guarantee Agency: [www.igabih.com](http://www.igabih.com)

Foreign Investment Promotion Agency (FIPA): [www.fipa.gov.ba](http://www.fipa.gov.ba)

Association of Judges FBiH: [www.usbih.ba](http://www.usbih.ba)

Brcko District: [www.brcko.org](http://www.brcko.org)

High Judicial and Prosecutorial Council: [www.hjpc.ba](http://www.hjpc.ba)

Directorate of European Integration: [www.dei.gov.ba](http://www.dei.gov.ba)

Office of the High Representative: [www.ohr.int](http://www.ohr.int)

BiH - Central Bank: [www.cbbh.gov.ba](http://www.cbbh.gov.ba)

World Bank (BiH): [www.worldbank.ba](http://www.worldbank.ba)

Southeast Europe Enterprise Development (SEED): [www2.ifc.org/seed/](http://www2.ifc.org/seed/); [www.seebiz.net](http://www.seebiz.net)

**The following organizations currently do not have websites:**

- USAID Financial Sector Business Advocacy and Training (FSBAT)
- Judicial Training Centers (various organizations intend to fund websites for the centers)
- Associations of Accountants
- Associations of Bankers
- RS Association of Judges and Prosecutors

## ANNEX 2 CONTENTS OF EXISTING WEBSITES

### 1) Ministries of Justice:

BiH Ministry of Justice: [www.mpr.gov.ba](http://www.mpr.gov.ba)

The site provides information in local language and English.

Information available:

- about us;
- reform of public administration;
- current news;
- documents;
- contact details;
- site map; and
- links to other domestic and international institutions/organizations.

RS Ministry of Justice – through the Government website: [www.vladars.net](http://www.vladars.net)

The site provides information in local language and English.

Information available:

- Prime Minister's biography;
- Cabinet (includes links to the Ministries);
- information about Republika Srpska (geography, population, etc.);
- Legal Acts (UN resolution, Government Decisions on ICTY, etc.);
- Information (explanation on how to obtain information in accordance with Freedom of Access to Information Act);
- Photo Gallery;
- Address book (addresses and contact details of important institutions);
- History of the RS Government; and
- Links

FBiH Ministry of Justice – through the Government website: [www.fbihvlada.gov.ba](http://www.fbihvlada.gov.ba)

The site provides information in local language and English.

Information available:

- constituting Government of FBiH and list of laws governing its work;
- list of Ministries (links to each one);
- biography of the Prime Minister;
- activities of the Government;
- information about the Secretary of the Government;
- offices and services;
- departments;
- budget;
- special bodies;
- Laws;
- special reports;
- glossary;
- info; and
- search and links.

### 2) Ministries of Finance:

RS Ministry of Finance: through the Government website: [www.vladars.net](http://www.vladars.net)

The general, Government's site provides information in local language and English.

Information available:

- Prime Minister's biography;
- Cabinet (includes links to the Ministries);
- information about Republika Srpska (geography, population, etc);
- Legal Acts (UN resolution, Government Decisions on ICTY, etc.);
- Information (explanation on how to obtain information in accordance with Freedom of Access to Information Act);
- Photo Gallery;
- Address book (addresses and contact details of important institutions);
- History of the RS Government; and
- Links

Specifics to the Ministry website:

- contact details;
- organizational structure of the Ministry;
- main activities;
- basic laws governing the work of the Ministry; and
- institutions under jurisdiction of the Ministry (list and contact details: Customs administration; tax administration, etc.).

FBiH Ministry of Finance: (direct link) [www.fmf.gov.ba](http://www.fmf.gov.ba) or [www.fbihvlada.gov.ba](http://www.fbihvlada.gov.ba) (through the FBiH Government website)

The site provides information in local language and English.

Information available:

- about the Ministry (includes basic legislation governing the work of the Ministry);
- office structure;
- departments;
- working plan;
- rule book;
- publication;
- development projects; and
- info and search option.

### 3) BiH Ministry of Foreign Trade and Economic Relations: [www.mvteo.gov.ba](http://www.mvteo.gov.ba)

[This website was not functioning at the time of FILE's review.]

### 4) Banking Agencies:

FBiH – Banking Agency: [www.fba.ba](http://www.fba.ba)

The site provides information in local language and English.

Information available:

- background information on the Agency;
- news in the banking sector;
- laws regulating the work of the Agency and banks;
- regulations;
- publications; and
- list of banks (and links).

RS – Banking Agency: [www.abrs.ba](http://www.abrs.ba)

The site provides information in local language and English.

Information available:

- background on the Agency;
- news and conditions of the RS banking Sector;

- Legal provisions and Regulations governing this field;
- list of banks (links);
- publications; and
- links and map of the site.

### **5) Chambers of Commerce:**

BiH – Foreign Trade Chamber of Bosnia and Herzegovina: [www.komorabih.com](http://www.komorabih.com)

The site provides information in local language and English.

Information available:

- about the BiH Chamber;
- network of Chambers in BiH (entity and Cantonal, including links);
- economy in BiH;
- information about BiH; and
- services and useful links.

It also provides information about the privatization process in BiH, investment projects and opportunities in BiH, list of registered companies, etc.

FBiH – Chamber of Economy of Federation BiH: [www.kfbih.com](http://www.kfbih.com)

The site provides information in local language and English.

Information available:

- network of Chambers (including links);
- list of companies for sale;
- information on the privatization process in FBiH;
- register of companies in FBiH;
- economic regulations;
- credit lines;
- investment projects; and
- news, events and initiatives of the Chamber of Economy of FBiH, links and contact page.

RS – Chamber of Commerce of Republika Srpska: [www.pkr.inecco.net](http://www.pkr.inecco.net)

The site provides information in local language and English.

At the time of review, a newly designed website of the RS Chamber of Commerce was being tested.

The old website contained the following information:

- letter of the President;
- information about the Chamber and its activities;
- contact details;
- survey of enterprises,
- laws;
- structure of the Chamber;
- announcements for fairs and exhibitions; and
- bulletins and newspapers, links to other relevant institutions/organizations and questions.

The newly designed website contains the following information in both local language and English:

- information about Republika Srpska and the Chamber;
- latest news;
- laws and regulations;
- services provided by the Chamber, contact details and FAQ;
- reports from the sessions/meetings;
- review of companies in the RS;
- information on privatization process; and
- announcements for fairs and educational events.

## 6) Directorates for Privatization:

RS – Directorate for Privatization: [www.rsprivatizacija.com](http://www.rsprivatizacija.com)

The site provides information in local language and English.

Information available:

- directorate background and contact details;
- public invitations for tenders;
- laws, regulations; and
- results and news.

Much of the information presented was “under construction” or not updated.

FBiH – Agency for Privatization: [www.afp.com.ba](http://www.afp.com.ba)

The site provides information in local language and English.

Information available:

- model of privatization in FBiH;
- laws on privatization;
- information and news on privatization;
- list of companies for privatization (small scale and large privatization);
- tenders in preparation;
- public invitation to bid through an international open tender; and
- results of third public call for registration of shares.

## 5) Tax Administration:

FBiH – Tax Administration: [www.pufbih.ba](http://www.pufbih.ba)

The site provides information in local language.

Information available:

- background information;
- tax calendar;
- taxes (explanation);
- laws and other regulations;
- forms;
- links;
- contact page;
- comments;
- questions and answers;
- public tenders (for purchase of computers, vehicles, etc.); and
- news archive.

RS – Tax Administration: [www.poreskaupravors.org](http://www.poreskaupravors.org)

The site provides information in local language and English.

Information available:

- background information about the Administration;
- news;
- tax calendar;
- laws and regulations;
- by-laws;
- forms;

- opinion poll;
- contacts;
- useful links; and
- questions and comments.

## 6) Bar Associations:

*FBiH Bar Association:* [www.advokombih.ba](http://www.advokombih.ba)

The site provides information in local language.

Information available:

- Monograph of BiH's attorney profession, divided into 145 Chapters (PDF);
- Law on Attorney Profession;
- List of Members;
- Statute of the Association;
- Code of Conduct;
- Bar exam, Decision;
- Rule Book;
- Tariff; and
- Documents (Charter, Professional Code).

*RS Bar Association:* [www.advokatska.com](http://www.advokatska.com)

The site provides information in local language.

Information available:

- background of the Association;
- list of attorneys;
- tariff;
- links;
- visitors' suggestions;
- contact information;
- list of District courts and public prosecutors (including phone numbers); and
- list of Basic courts (including phone numbers), other institutions (Supreme and Constitutional Courts of the RS), Bar Associations in Republics of former Yugoslavia (addresses).

## 7) Faculties:

*Law Faculty Banja Luka:* [www.urc.bl.ac.yu](http://www.urc.bl.ac.yu)

The site provides information in local language and English.

The functionality of this website has improved in the last month and it is now easy accessible.

Information available: about the University; scientific activities; faculties; management; activities; news; University Computing center; links and contacts.

*Law Faculty Sarajevo:* [www.pfsa.unsa.ba](http://www.pfsa.unsa.ba)

This website contains the following information: history of the Faculty, study groups, student services, library, contact, news, links, webmail, search and opinion poll.

*Faculty of Economics Banja Luka:* [www.efbl.org](http://www.efbl.org)

The second website provides regularly updated information on: professors, students, guests, lectures schedule, exams, results of enrollment procedure, curricula, literature, student associations, forums, library, decisions, laws and regulations, news and frequently asked questions.

*Faculty of Economics Sarajevo:* [www.efsa.unsa.ba](http://www.efsa.unsa.ba)

The website of the Sarajevo Faculty of Economics is modern and updated. It provides information about the Faculty, for students, about undergraduate and postgraduate studies, enrollment procedures, international cooperation, about exam schedules, results of exams, library and webmail.

**Other relevant sites:**

*USAID Pledge Registry Project:* [www.usaidprp.ba](http://www.usaidprp.ba)

This website is under construction.

*Investment Guarantee Agency:* [www.igabih.com](http://www.igabih.com)

IGA is a commercially based, government agency founded for the purpose of implementing World Bank's project of issuing political and war risk guarantees to foreign companies selling goods and equipment for productive purposes in BiH. The website provides information in local language and English.

Information available:

- background information;
- products (Leveraged Insurance Facility for Trade Project - LIFT, working capital loans, performance bounds, trade credit insurance); accessories (documents, loans calculator, links), download forms, news, contact, customer service.

*Foreign Investment Promotion Agency (FIPA):* [www.fipa.gov.ba](http://www.fipa.gov.ba)

FIPA's website focuses on foreign investment opportunities in BiH. The information available: business matchmaking; privatization; investment news; contact details; addresses and links; inquiry request form; frequently asked questions; information on upcoming events, conferences, etc; library; FIPA database; information about business environment in BiH; search for companies in BiH looking for investors; finding or advertising projects on offer; search for foreign investors; success stories; review of direct foreign investments into BiH; presentations/links to PSO (Holland's program for cooperation with countries of Southeast Europe), business conference of Southeast Europe in Denmark, etc).

*Association of Judges FBiH:* [www.usbih.ba](http://www.usbih.ba)

This website provides information in local language and English. Information available:

- background information;
- statute;
- ethical code and rules and procedures;
- report on work (2001/2002); application form; bulletin, news and contacts.

*Brcko District:* [www.brcko.org](http://www.brcko.org)

This website provides Brcko related information including investment opportunities in Brcko and relevant legislation governing investments in the District.

*High Judicial and Prosecutorial Council (HJPC):* [www.hjpc.ba](http://www.hjpc.ba)

HJPC's presentation is in local and English languages.

Information available: HJPC background; Rules and Procedures; IJC (Independent Judicial Commission; relevant Links; HJPC's Decisions; Appointment process; Vacancy Announcements; Application Material; Report Library; Centers for Judicial and Prosecutorial Training; Contacts; Calendar of Judicial and Prosecutorial Appointments; Statistics; News.

*Directorate of European Integration:* [www.dei.gov.ba](http://www.dei.gov.ba)

This is BiH Council of Ministers' institution. The website provides information in local language and English. Information available: about the directorate, office information, feasibility study, ABC European Integration, EU BiH Consultative Task Force and links.

*Office of the High Representative:* [www.ohr.int](http://www.ohr.int)

Official presentation of work of the Office of the High Representative includes latest news, Decisions and Laws imposed by the High Representative; Vacancy Announcements; Implementation Reports; Steering Board Decisions; Dayton Peace Accord; presentation of OHR's departments and regional Offices; Archive.

*BiH - Central Bank:* [www.cbbh.gov.ba](http://www.cbbh.gov.ba)

The site provides information in local language and English.

Information available: background information on Central Bank; Regulations governing its work; Structure of the Bank; Currency exchange rates; presentation of KM banknote and coins; list of Banks; Publications; Statistics; Press Releases; Archive; Links; Numismatic Issues; Site Map; Job opportunities; news and notices on seminars; roundtables; etc.

*World Bank to BiH:* [www.worldbank.ba](http://www.worldbank.ba)

World Bank's website provides various information on their activities; background information; projects and reports; press releases, speeches and articles; notices and reports on events; data and publications; jobs and scholarship opportunities; links (addresses and contacts); business development/public information center; etc.

*Southeast Europe Enterprise Development (SEED):* [www2.ifc.org/seed/](http://www2.ifc.org/seed/); [www.seebiz.net](http://www.seebiz.net)

SEED's website promotes their activities in the region, offering a wide scope of enterprise development-related information: overview; SEED's products and services; news archive; publications; clients; contacts; links; notices on training, seminars, roundtables, etc. organized by SEED and reports on these events.

## COLLATERAL LAW - PRESENTATION REQUIREMENTS

FILE's overall goal in creating/supporting a website is to establish a sustainable, usable web-based resource that shares critical information on the collateral law regime and project experiences with a broad range of stakeholders, including the general public. In pursuing its "partnering" strategy, FILE will engage in a continuing dialogue with existing (and to-be-created) website providers to determine the nature and scope of materials to provide on the website and through related links. FILE expects to include the following categories of information on the website:

1. List of Courts dealing with collateral laws cases (maps included).
  - i. information on related institutions; and
  - ii. guest book
2. Texts of relevant laws.
3. Notice on Training Seminars (dates, locations, content, profile of participants, etc.) conducted by FILE and other local partners involved in collateral laws.
4. Materials that will be used at the above-referenced Seminars (study cases, manuals, handbooks, guidebooks, and other supplemental materials).
5. Frequently asked questions (and answers) relating to collateral law matters (based on discussions held on training seminars and workshops). Such information will provide stakeholders with guidance on how to make the collateral law system works.
6. Information relevant to Creditors and Investors. The website will provide information on legislative framework to do with loans and investments in BiH (its entities and Brcko District)
7. Newsletter on website. FILE is designing and, with appropriate USAID approval, will disseminate a monthly newsletter containing information on project activities. These newsletters will also be posted on the website.
8. Reference and information relating to GTZ's Land Registry project and USAID's Pledge Registry Project (in coordination and agreement with the GTZ and USAID PRP).
9. Links
  - International websites relating to bankruptcy and liquidation.
  - Relevant BiH websites, including those listed in this report.