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OSSE i drugim međunarodnim organizacijama, BEO
Permanent Mission of Bosnia and Herzegovina to the United Nations Office
at Vienna, OSCE and other International Organizations, VIENNA*

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NOTE VERBALE

The Permanent Mission of Bosnia and Herzegovina to the OSCE, United Nations and other International Organizations in Vienna presents its compliments to all Delegations and Mission of the Participating States and Conflict Prevention Centre and has the honor, in the reference to the decision No. 2/09 of 1 April 2009 of the Forum for Security Cooperation and based on the Reference Guide (FSC.DEL/142/10), to provide the reply to the Questionnaire of the Code of Conduct on Politico – Military Aspect of Security, valid as of April 2014.

The Permanent Mission of Bosnia and Herzegovina to the OSCE, United Nations and other International Organizations in Vienna avails itself of this opportunity to renew to all Delegations and Missions of Participating States and Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 15 April 2014



To:

**Delegations/Permanent Missions to the OSCE
OSCE Conflict Prevention Centre (CPC)
VIENNA**

**QUESTIONNAIRE ON THE CODE OF CONDUCT ON
POLITICO-MILITARY ASPECTS OF SECURITY**

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SECTION I: INTER-STATE ELEMENTS

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

Bosnia and Herzegovina (B&H) is a party to a large number of universal international treaties, conventions, agreements, arrangements, and resolutions that attempt to efficiently regulate prevention and combating of terrorism, terrorism financing, and prevention of proliferation of weapons of mass destruction.

Bosnia and Herzegovina has signed and ratified a series of United Nations (UN) conventions and protocols on the fight against terrorism, as well as committed itself to implementing various UN Security Council Resolutions. It actively cooperates with the Counter Terrorism Committee of the UN Security Council, particularly with regard to the implementation plan of Resolution 1373, and with the Monitoring Team of the UN SC with regard to the implementation of sanctions against Al Qaida and the Taliban (R1267 and R1617). The implementation of UNSCR 1267 is ensured through the Law on Implementation of Restrictive Measures.

As a member of the Council of Europe, Bosnia and Herzegovina is signatory to several conventions pertaining to the fight against terrorism. Also, B&H actively participates in the Council of Europe's initiative in the fight against terrorism, the Committee of Experts on Terrorism (CODEXTER), the Committee of Experts on the Evaluation of Anti Money Laundering Measures and the Financing of Terrorism (MONEYVAL), and it has entered the III evaluation cycle of the Group of States against Corruption (GRECO).

Bosnia and Herzegovina has been invited to NATO's Partnership for Peace Program and to the Euro Atlantic Partnership Council. Furthermore, a decision was passed enhancing the level of cooperation with Bosnia and Herzegovina to that of Intensified Dialogue (ID) "on the full range of political, military, financial, and security issues relating to their aspirations to membership, without prejudice to any eventual Alliance decision."

Bosnia and Herzegovina is strongly committed to cooperating with the EU to prevent and combat terrorism, and action is continuously being taken in order to harmonize relevant national legislation with EU standards, to enhance institutional capabilities, and to coordinate operative activities with EU member states.

A full list of agreements and arrangements related to preventing and combating terrorism to which Bosnia and Herzegovina is a party can be found in Annex I.

1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

The establishment of conditions allowing for a peaceful and safe life for all of Bosnia and Herzegovina's citizens, free from violence and fear, democratic, creative and prosperous, respectful of law and order, is of clear significance for the country. Any form of terrorism directed against Bosnia and Herzegovina is considered a grave and intolerable threat to the country's fundamental values and interests, as it would directly affect security and lives of its citizens. Therefore, it is Bosnia and Herzegovina's priority to develop comprehensive measures, national and international, for the prevention of and protection from all forms of terrorism. Those measures should produce, along with direct benefits, a strong deterrence effect against any terrorist act targeting Bosnia and Herzegovina.

A stable security environment in B&H also means that the country must keep the upper hand in dealing with terrorism, and other related crimes, as it is one of the key requirements for B&H's accession to the EU and NATO. Bosnia Herzegovina had adopted a **Strategy for prevention and fight against terrorism for the period 2010-2013**. This Strategy established a general framework for Bosnia and Herzegovina's actions in its fight against terrorism, and it offered guidelines for improving existing and developing new measures and instruments for the prevention and suppression of terrorism.

The Strategy was of high importance for B&H as a means for initiating changes which should provide for a long-term framework of the fight against terrorism. At the same time, the Strategy represented a vehicle for the transfer and application of European antiterrorism standards and regulations into the constitutional and legal system of Bosnia and Herzegovina.

The Ministry of Security of Bosnia and Herzegovina¹ is the main institution responsible for the implementation of the Strategy. At the proposal of the B&H Ministry of Security, a Supervisory body for the implementation of the Strategy and Action Plans of the institutions and agencies, envisioned by the Strategy, was established. This body is appointed by a decision of the B&H Council of Ministers² and comprises representatives of state level and lower levels of government.

In December 2013, the supervisory authority of the B&H Council of Ministers for the implementation of the Strategy submitted to the Council of Ministers a Final report on the degree of implementation of strategic measures and objectives.

A new strategy is envisioned to be adopted for a four-year period, and activities on development of a new Strategy for Preventing and Combating Terrorism are in progress. A proposal for the establishment of a Working Group has been sent to the B&H Council of Ministers and is expected to be adopted in the first half of April 2014. After that, the WG will develop a new strategy within 60 days, which should be adopted by the end of the first half of 2014. Also it is important to emphasize that new Action Plans will be developed within the strategy drafting and adopting, in four areas: prevention; protection; investigations and prosecutions; and reaction and managing the consequences of possible terrorist attacks.

Taking into account the existing security structure, as well as its development in the past period, the present Strategy defined objectives in the prevention of all forms of terrorism and

¹ <http://msb.gov.ba/Default.aspx?pageIndex=1>

² http://www.vijeceministara.gov.ba/Default.aspx?langTag=en-US&template_id=91&pageIndex=1

crimes related to it, as well as in the prevention of all their negative effects. General objectives were:

- To conduct continued activities with the aim of deterring any support to terrorism, terrorist activities or radical movements through public awareness activities directed at positive communication;
- To implement the Strategy in such a way as to prevent violations of fundamental human rights and freedoms guaranteed by international conventions and regulations;
- To improve interagency coordination and cooperation and develop capabilities in those institutions or agencies that lack them;
- To ensure monitoring and supervision of the Strategy's implementing documents.

When it comes to its **legal framework**, Bosnia and Herzegovina does not have a single law, a "lex specialis", when it comes to fighting terrorism and terrorism-related activities. It has, nevertheless, established adequate standards in its legal code to effectively combat terrorism.

During the reform of criminal legislation, particular attention was paid to the classification of offenses related to terrorism as criminal acts, and, accordingly, the offenses "terrorism" and "financing of terrorist activities" are considered criminal acts in the Criminal Code of Bosnia and Herzegovina. The same is true for criminal codes of lower levels of government. Additionally, the criminal code was amended with new articles in regards to: Encouraging Terrorist Activities in Public; Recruitment for Terrorist Activities; Training to Perform Terrorist Activities; Organizing a Terrorist Group.

In addition to articles of Bosnia and Herzegovina's Criminal Code dealing specifically with terrorism, there are a number of other articles that are also significant, such as: Taking of hostages; Endangering internationally protected persons; Illicit trafficking in arms and military equipment; Illicit procurement and disposal of nuclear material; Piracy; Hijacking an aircraft or a ship; Endangering the safety of air traffic and maritime navigation; Destruction and removal of signal devices utilized for safety of air traffic; Misuse of telecommunication signals; Illicit trade; Illicit manufacturing .

The articles listed, in addition to a number of other related articles clearly indicate that the general provisions of the Criminal Code of B&H provide for the criminalization of not only organized terrorist activities, but also incitement, accessory, accomplices and similar types of activities mentioned above, which can also be applied to other criminal offences.

Although no new laws in the area of security and defense have been passed in 2013, certain legislative as well as other activities were undertaken during the reporting period. An amendment to the B&H Criminal Code has been introduced into parliamentary procedure that deals, in particular, with an article on unlawful forming of and joining of foreign paramilitary or parapolic formations. This legislative proposal is of particular significance due to departures of certain individuals to war-torn countries and regions around the world, ensuring the ability to properly investigate and eventually prosecute unlawful actions in this domain.

Also, in 2013, a draft Law on Prevention of Money Laundering and Financing of Terrorist Activities was introduced into the legislative procedure. This law shall meet the requirements of MONEYVAL, specifically in terms of defining money laundering and terrorist financing terminology, further strengthening cooperation and exchange of information among law enforcement agencies, establishing enhanced control and monitoring of taxpayers.

Bosnia and Herzegovina's Council of Ministers (CoM) has named a new Coordination team responsible for the coordination of activities for implementing OSCE and UN security and political-military commitments of Bosnia and Herzegovina. That Team has been inaugurated in 2013 and several meetings have been held during the reporting period.

At the 6th Review Conference on Compliance with the OSCE and UN Security Commitments of Bosnia and Herzegovina, held in Sarajevo in December of 2013, several important conclusions have been adopted, one of which is a conclusion for a workshop to be held regarding the Code of Conduct and Gender Issues, as well as organizing a round table on the topic of private security companies, both in cooperation with the OSCE Mission to B&H. Also, additional recommendations were made for organizing a round table assessing the level of implementation of the CoC and analyzing challenges and possible advancements in the level of implementation. Finally, an increased involvement of civil society in processes of fulfilling international obligations of B&H in the defense and security sectors was recommended.

In the area of strengthening the preventive capacity of the relevant agencies / institutions, it is important to emphasize that the supervisory body for the implementation of the Strategy for the Prevention and Fight against Terrorism has prepared and sent two documents to the Council of Ministers for adoption in the second half 2013. These are: Guidelines for handling and reporting to the intelligence and security sector in B&H on possible terrorist threats, and guidelines for handling and reporting to private sector especially to owners of critical infrastructure particularly in cases of possible terrorist threats.

The aim is to strengthen the reporting of any suspicious activity and to establish uniform procedures for operational actions of all police agencies in the event of terrorist threats, as well as strengthen cooperation with the private sector, especially with regard to the protection of critical infrastructure. Furthermore, at the end of 2012 and during 2013, in the context of terrorism prevention, a supervisory authority discussed the possibility of realizing a comprehensive prevention program to combat radicalism and violent extremism that can lead to terrorism. In this context, active cooperation has been established with the OSCE and the EU/EUSR Office. Both international organizations emphasized their willingness to assist Bosnia and Herzegovina in the development of Preventive Action Plan and its implementation. In this regard, OSCE made an initial assessment of the situation in this area (VERLT assessment).

In this context, as part of a future comprehensive Preventative Action Plan, the Supervisory Authority has recognized the need for the development of specific measures of prevention activities in the direction of preventing individuals from Bosnia and Herzegovina to join the paramilitary and para-police or similar units or groups in the world and thus participate in activities that threaten, destabilize and complicate the security situation in some regions and countries. These measures will be treated as part of the creation of a new national strategic document for the prevention and combating of terrorism (for the period 2014-2017).

With the aim of strengthening the system of investigations and prosecutions, it is important to emphasize the establishment of a system of electronic exchange of information among law enforcement agencies, which became fully functional in 2013. A positive step in the direction of proactive fight against terrorism also represents the establishment of additional operational specific databases at the relevant institutions / agencies to monitor the problem of terrorism,

as well as the establishment of a system of coordination and exchange of relevant operational information at lower levels of government in Bosnia and Herzegovina.

In terms of response and recovery from terrorist attacks, besides the primary Operational Communication Center (OKC 112), in 2013 a secondary OKC was established, based in Tuzla. Networking of the two centers with OKCs at lower levels and the introduction of the number 112 for the entire country is planned for 2014/2015.

Through activities in the field of protection and rescue, in 2012, the Ministry of Security developed Methodology for developing a threat assessment and a methodology for developing Protection and Rescue Plan including the Plan for protection and rescue against natural and other disasters, all of which were adopted in 2013. Also, in accordance with CIMIC Agreement between the Ministry of Security and the Ministry of Defense, a number of field protection and rescue exercises involving the anti-terrorist elements (in response to possible terrorist scenarios) have been realized during the reporting period.

Continually seeking to improve the situation and correct problems and weaknesses that jeopardize the safety of the citizens of Bosnia and Herzegovina, and in particular in response to current events in 2013, as well as to generally improve the work and coordination between the ministries, institutions and agencies in the sector of security and defense, the Joint Committee for Defense and Security of the Parliamentary Assembly of B&H adopted a number of conclusions in 2013 that are a precondition for a stable security situation in Bosnia and Herzegovina.

Members of the Joint Committee, in accordance with the Orientation Work Plan for 2013, organized a Workshop titled „Implementation of the conclusions of PA B&H and Joint Committee in defense and security sector for the period 2011 – 2013.“ The aim of this workshop was to review the progress of security and defense sector institutions in regards to the implementation of the conclusions of Joint Committee for Defense and Security of Bosnia and Herzegovina. The result of this workshop was a new set of conclusions which, after being adopted by a Session of the Joint Committee for Defense and Security of B&H, were distributed to the participants – representatives of defense and security sector in Bosnia and Herzegovina.

Joint Committee members also visited a number of commands and units of the Armed Forces (AF) of Bosnia and Herzegovina, verifying the current situation on the ground. After site visits to these units and commands, a number of conclusions were adopted this aimed at continuing efforts to resolve current issues – particularly in the sphere of the protection of human rights of members of the Armed Forces. A number of other steps have also been taken by the Members of the Joint Committee to amend the existing legislation in the defense and security sector.

Also, as Bosnia and Herzegovina firmly continues on its path toward Euro-Atlantic integrations, continued attention is paid to the harmonization of Bosnia and Herzegovina's national legislation with EU and NATO instruments and standards.

For an extended list of national legislation related to combating terrorism and terrorism-related activities as well as legislation related to democratic control of armed forces, please refer to Annex I.

1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

In the area of **civil-military cooperation in counter-terrorism**, the Council of Ministers of Bosnia and Herzegovina has passed the B&H Strategy for prevention and combating terrorism for the period 2010 – 2013, as well as the Plan for civil-military cooperation in the event of responding to terrorist attacks and mitigating their effects. In December 2013, the supervisory authority of the B&H Council of Ministers for the implementation of the Strategy submitted to the Council of Ministers a Final report on the degree of implementation of strategic measures and objectives.

A new strategy is envisioned to be adopted for a four year period, and activities on development of a new Strategy for Preventing and Combating Terrorism are in progress. A proposal for the establishment of a Working Group has been sent to the B&H Council of Ministers and is expected to be adopted in the first half of April 2014. After that, the WG will develop a new strategy within 60 days, which should be adopted by the end of the first half of 2014. Also it is important to emphasize that new Action Plans will be developed within the strategy drafting and adopting, in four areas: prevention; protection; investigations and prosecutions; and reaction and managing the consequences of possible terrorist attacks.

In the context of the above mentioned activities, the activities of civil-military cooperation that are executed within the legal mission of the Armed Forces of Bosnia and Herzegovina and pertaining to the provision of assistance to the civilian authorities in case of natural and man-made disasters, need to be mentioned as well. When it comes to structuring this area, a significant progress has been made in the following items:

- Passage of the Agreement on Cooperation between the B&H Ministry of Defense and B&H Ministry of Security, which identifies a number of areas of cooperation mutually important to the civilian and military structures,
- Approval of the Standard Operational Procedures (SOPs) for the employment of the B&H Armed Forces for the purpose of providing assistance to the civil authority during the response to natural and other catastrophes,
- Establishment of the Command and Control Operations Center within the B&H defense institutions and its linkage with the Operations-Communication Center of B&H, through which the provision of assistance to civil authorities in emergency situations is communicated.

*For the **Armed Forces of Bosnia and Herzegovina**³, the fight against terrorism presents a component of the mission of the Armed Forces, which stipulates "... participation in operations of collective security, peace support operations and self-defense...". The defense policy of B&H specifies terrorism as one of the main challenges and risks for the safety of Bosnia and Herzegovina.*

The military doctrine of the B&H Armed Forces specifically highlights that the protection of sovereignty and territorial integrity includes the fight against terrorism. This implies that the B&H Armed Forces take measures of self-protection, cooperate with other forces within the country, and similar forces of other countries (OSCE participating States, partners in the NATO Partnership for Peace program and NATO members) in the process of detection, follow-up, and counter terrorism measures.

³ mod.gov.ba/OS_B&H/struktura/Zajednicki_stab_OS_B&H/Archive.aspx?template_id=144&pageIndex=1

A Military-Intelligence Branch exists within the Armed Forces of B&H that is tasked to work on a timely detection of terrorist activities, on military controlled areas, as well as developing preventive measures in coordination with complementary services. In its structure there are no special units that could conduct counter-terrorism activities, but they can be engaged by order of the B&H Presidency for conducting activities to combat terrorism more intensively.

The Ministry of Security of Bosnia and Herzegovina, as the country's main security institution, is responsible for the protection of international borders, prevention and tracing of perpetrators of criminal offences of terrorism, drug trafficking, counterfeiting of domestic and foreign currencies, human trafficking, and of other criminal offences with an international or inter-entity element, international cooperation in all areas within the remit of the Ministry, protection of persons and facilities, collection and use of data relevant for security of B&H, organization and harmonization of the activities of the lower-level government institutions in accomplishing the tasks of security, as well as civil defense, meeting of international obligations and cooperation in carrying out of civil defense, adoption of protection and rescue plans and programs, implementing B&H immigration and asylum policy and regulating procedures concerning movement and stay of foreigner in Bosnia and Herzegovina.

Part of the Ministry of Security is the **Department for the Fight against Terrorism** which monitors the implementation of international conventions; is responsible for international co operation; drafts new legal regulations on fighting terrorism; supervises the timely and effective implementation of laws and regulations relating to the suppression of terrorism, the suppression of the activities of groups smuggling weapons for terrorist groups and nuclear, chemical and biological weapons, the financing of terrorism or groups supporting it, in particular of those suspected of being connected with other types of organized crime. In this respect, the Department co-operates with the Agencies within the Ministry of Security, other institutions, and relevant international organizations.

Within the Ministry of Security are the Border Police, the State Investigation and Protection Agency (SIPA)⁴, the Service for Foreigners, the Directorate for the Coordination of Police Bodies, as administrative organizations whose rights, duties, and operational autonomies are regulated by separate laws.

The **Service for Foreigners**⁵ is responsible for: Administrative work regarding move and stay of foreigners in Bosnia and Herzegovina as it is stipulated by the Law on Move and Stay of *Foreigners and Asylum (includes tasks as cancellation of visas, issuing of identification and travel documents to alien, revocation of issued identification and travel documents to alien, registration of place of residence or change of residence place of foreign citizens, notarization of guarantee letters and affidavit of support)*. Then: a) approval of temporary or permanent stay in B&H, extension of temporary stay, revocation of temporary or permanent stay, measures of aliens' supervision and expulsion, making conclusions on execution of a decision on alien expulsion. The Service also controls implementation of the Law on Move and Stay of Foreigners and Asylum and deals with statistical and analytical work refers to foreigners.

The **Directorate for the Coordination of Police Bodies (DCPB)**⁶, beside the earlier established police agencies (Border Police, SIPA, Service for Foreigners' Affairs), is an

⁴ <http://sipa.gov.ba/en/>

⁵ <http://www.sps.gov.ba/index.php?lang=en>

⁶ <http://www.dkpt.ba/Default.aspx?pageIndex=1>

administrative organization with operational autonomy whose work is regulated by special laws and above all by the Law on Directorate for the Coordination of Police Bodies of B&H and Agencies for Police Structure Support. The DCPB performs its role in combating terrorism through: Communication, cooperation and coordination between police bodies of B&H and relevant bodies in Bosnia and Herzegovina with relevant foreign and international bodies; Application of the best European and other international practices relating to the police matters in Bosnia and Herzegovina; Daily integration of security-related information of relevance for Bosnia and Herzegovina; Organizing and performing of the physical and technical protection of VIPs and facilities of B&H institutions and diplomatic and consular institutions; Gathering, monitoring, analysis, and use of data of relevance for security of Bosnia and Herzegovina.

In 2013, the **Border Police of Bosnia and Herzegovina (BP)**⁷ undertook reinforced, principally prevention measures, at airports and at major events that took place in Bosnia and Herzegovina. The BP forwarded to B&H authorities 712 pieces of information in regards to border crossings of 172 persons-interesting-for-security-reasons, some of whom may be associated with terrorism. Additionally, the BP submitted information on travel documents, accompanying persons, vehicles used by those persons during crossing of the border, etc.

Pursuant to the Law on Intelligence-Security Agency of B&H, the **Intelligence and Security Agency of Bosnia and Herzegovina (OSA)** is responsible for collection of information with regard to threats posed to B&H security, as well as analysis of information collected and its dissemination to the authorized officials and institutions in B&H, including the threats of terrorism as an important modern threat to global as well as B&H security. A significant part of the Agency's human and technical resources is directed to collection and analysis of information of use for preventing and countering terrorist threats, while its employees undergo particular intensified training in the area of counterterrorism.

When it comes to counterterrorism, the Agency has developed not only a constructive cooperation with other agencies and institutions in B&H, legally relevant with regard to security threat, but also various intensive and dynamic forms of international cooperation, as defined by the Law on OSA/OBA B&H. In addition to the established partnerships with a number of European, as well as some intelligence services outside of Europe, the is member to two European intelligence services' associations. Annually, the Agency makes an internal plan for intelligence and security activities in the field of preventing and countering terrorism which is then being implemented at lower operational levels of the Agency and, when needed *and based on some new information, updated throughout the year.*

In regards to **police agencies in Bosnia and Herzegovina**⁸, at the state level as well as at lower levels of government, their role in regards to the prevention and combating of terrorism is:

- Exchange of information, co-ordination and cooperation between all security agencies
- Investigation of cases characterized as terrorism
- Criminal-intelligence operations
- Initiative for amendments of the legislative framework in accordance with the needs related to the fight against terrorism
- Security assessments and analyses

⁷ <http://www.granpol.gov.ba/Home.aspx>

⁸ <http://www.fmup.gov.ba>; http://www.mup.vladars.net/index_eng.php; <http://www.policijabdB&H.gov.ba/>

- Protection of witnesses and other persons who can provide the valuable information about potential terrorist activities as well as their consequences
- Initiative to simplify the procedures for use of special investigative techniques when there is suspicion that a terrorist act might occur
- Education of officers on the issues related to the fight against terrorism and financing of terrorism, with a special emphasis on new forms of terrorism
- Protection of members of foreign offices in our country
- Prevention through intelligence activities, including all levels of police structures, and particularly through community policing
- Prevention of terrorism by acting directly with the aim of eliminating terroristic groups and breaking down organized terrorist networks
- Monitoring of radical groups whose behavior can lead to any form of violence
- Preventive measures through prevention of support and recruitment in sensitive and isolated communities
- Detection and prevention of terrorism, the financing terrorism, taking hostages, illicit traffic and manufacture in arms and explosives, criminal organizations,
- Resolving the hostage situation by releasing the hostages
- Detection of environmental pollution by waste and poisonous materials

In order to achieve preconditions for a successful fight against terrorism, the cooperation between police agencies in Bosnia and Herzegovina is conducted through the Group for Fight against Terrorism (Task Force), which operates under the leadership of the Office of Prosecutor of Bosnia and Herzegovina. In 2013, the appointment of new members to this Task Force raised to the highest operational level, as its members are now frequently Heads and/or members of institutions and agencies.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining inter alia to:

- Financing of terrorism

In order to achieve the preconditions for a successful fight against terrorism, the cooperation between police agencies in B&H is conducted through the Group for Fight Against Terrorism and Strengthening Capacities for Fight Against Terrorism (Task Force), which was established by the decision of the Council of Ministers of Bosnia and Herzegovina.

This taskforce operates under the leadership of the Office of Prosecutor of Bosnia and Herzegovina, and under supervision of the Ministry of Security of B&H. It cooperates with representatives from SIPA, Border Police, DCPB, Intelligence and Security Agency, Ministries of Interior of Federation of Bosnia and Herzegovina (FB&H) and Republika Srpska (RS), and Police of Brcko District (BD).

In 2013, the appointment of new members to this Task Force raised to the highest operational level, as its members are now frequently Heads and/or members of institutions and agencies.

Issues pertaining to the prevention and suppression of the financing of terrorism are regulated by the Law on Prevention of Money Laundering and Funding of Terrorist Activities. In addition to the establishment of a Counter Terrorism Task Force, the Council of Ministers of *Bosnia and Herzegovina also adopted a Strategy and Action Plan for suppression of money laundering and financing of terrorist activities.*

Also, in 2013, a draft Law on Prevention of Money Laundering and Financing of Terrorist Activities was introduced into legislative procedure. This law shall meet the requirements of MONEYVAL, specifically in terms of defining money laundering and terrorist financing terminology, further strengthening of the operational independence of the Financial Intelligence Department, strengthening cooperation and exchange of information among law enforcement agencies, establishing enhanced control and monitoring of taxpayers.

The State Investigation and Protection Agency (SIPA), through its Financial – Intelligence Department, conducts continuous activities on prevention and fight against terrorism financing. According to the obligations of Bosnia and Herzegovina as a UN member country, and in cooperation with other competent institutions in our country, SIPA collects data and information related to persons and organizations designated by the UN Security Council Resolutions and implements the measures against them as provided for by the resolutions. As part of operations carried out by SIPA in relation to individuals and legal subjects linked with terrorism financing, SIPA collects information and data for the purpose of prevention, detection and investigation of connections between the persons and legal subjects and potential financing of terrorist activities.

SIPA's Financial-Intelligence Department has achieved a considerable degree of international cooperation as a member of EGMONT Group that enables an efficient exchange of information and data at international level. In addition to the activities carried out by the Financial-Intelligence Department of the State Investigative and Protective Agency (SIPA), the officials of SIPA's Criminal-Investigation Department and SIPA's Regional Offices collect information relevant for prevention and fighting terrorism financing as part of their regular activities on collection and analysis of criminal intelligence and field operative activities.

Furthermore, the Intelligence-Security Agency of Bosnia and Herzegovina, aware of transitional challenges, especially in the field of economy, which create fertile ground for development of various forms of illegal activities, has constantly been focused, when collecting and analyzing data, on possible detection of activities which might present any stage of terrorism financing. In that regard, the Agency especially investigates possible presence of covert activities by some organizations and individuals, earlier brought in a similar context for various reasons, as well as criminal groups which might also be the origins of funds for terrorist acts.

In 2013, experts from the UNSC Monitoring Team to apply restrictive measures against Al-Qaida, as well as members of the UNSC Panel of Experts for the application of restrictive measures against Liberia visited Bosnia and Herzegovina. These meetings were of consultative nature in terms of exchange of practical experience in the application of international restrictive measures.

- Border controls

The Border Police of B&H has established a centralized information system at the level of the Head Office, and is constantly establishing a telecommunications network with other, lower organizational units. The Information System of Border Checks has been established at 56 *international border-crossing points and in all BP organizational units*. The Border check system includes an application of control of crossings that allows for control of biometric

documents. It also has access to INTERPOL, IDDEEA, ROS and ISM databases, as well as records of the wanted of Ministries of Interior of RS and FB&H, the Police of Brcko District, the Border Police databases, and has better security, better reporting, and better monitoring.

- Travel document security

The Law on Travel Documents of Bosnia and Herzegovina regulates the type and form of travel documents of B&H, authorities responsible for issuing travel documents, the procedure to issue travel documents, the personalization of travel documents of Bosnia and Herzegovina and central registry.

The security of travel documents is provided through the adoption of standards for equipment and software, security standards at the locations and recommendations for the work of the officers of the responsible authorities. According to those standards, the security of travel documents is provided on a multi-faceted basis. The security aspects, among others, include:

- Access (special official entrance or access control of official entrance)
- Video surveillance (counter space, a space allowed for clients, entry for officials, rooms for data acquisition, storing video recordings for 6 months minimum, etc).
- Intrusion Detection System
- Physical security of computer systems (physically secured place of communication, access only for the officials of the competent authority, the existence of devices for user identification, etc.)
- Processing of requests (performed by at least two officers, a citizen must be in the visual range of officers during the request processing, etc.)
- Presence of an authorized employee of the competent authority in charge of physical security
- Obligatory existence of the security vaults at the locations
- Verification of data based on which travel documents are issued.
- Verification of data contained in the travel document - this recommendation refers to the work of the authorities carrying out the issuance of travel documents.
- Biometric checks - checking fingerprints and photographs is made during the process of issuing biometric travel documents, or it is checked whether a person with certain biometric data has another document with different identity.
- Authorities can request additional evidence through the administrative procedure in regards to a person's identity
- All international border-crossing points are equipped with basic equipment for document detection, including device with three different sources of light (retro-check) and mobile magnifiers for up to 10 times magnification.
- Some, due to their geographical position and traffic frequency, where it's realizable, are also equipped with stereo microscopes, cold light sources
- International Airport Sarajevo possesses two stereo microscopes, one of which is with an integrated camera and independent source of cold light.
- The Training Centre also possesses 5 stereo microscopes primarily used for staff training. Three Field Offices have mobile devices for document analysis
- Border Police has access to INTERPOL database of stolen travel documents, through MIND system available at 39 international border-crossing points and in all BP units.

In order to monitor the development of identification documents system in accordance with ICAO and EU recommendations during the period of 01-JAN – 31-DEC-2013, a new Law on amendments to the law on travel documents of B&H was adopted.

Rulebook on design, contents and minimum security features incorporated into the passport, diplomatic and service passport defines the design and the content of the passport and also introduces the third generation of biometric passports with the polycarbonate identification page and contactless memory element which contains data protected using SAC (supplementary access control-which is defined technique to protect biometric data) that is in accordance with the latest ICAO recommendations. Polycarbonate page guarantees longer document lifetime and reduces the possibility of falsification.

As the European Commission Decision No 5499, dated 04-AUG-2011, defines that it is necessary to introduce a new generation of chip protection no later than 31-DEC-2014, activities related to the procurement of new passport booklets are in progress.

Additionally, the Law on Identity Cards of Citizens of Bosnia and Herzegovina stipulates that citizens of Bosnia and Herzegovina can use their ID card for crossing state limits in certain circumstances and subject to the conditions laid down by international agreement between B&H and other countries. A phase of improving the safety of the system of personal documents (commitments adopted by Bosnia and Herzegovina adopted in the process of negotiations for visa liberalization) was the introduction of biometric identity cards, which is a process that has started 01-MAR-2013.

The ID card contains an electronic memory element (chip) which stores cryptographically protected data, as well as lists a label for type of document, so it can be used for travel outside of Bosnia and Herzegovina – ultimately resulting in the fact that the ID card can also function as travel document. Other protective elements that are on the Identity Cards are fully compliant with EU recommendations. The process of ID card issuance itself involves the implementation of recommendations and standards applied in the process of issuing passports, which is listed above. Thanks to the technology of producing these electronic identity cards, there will be an additional reduction of risk of document falsification.

- Container and supply chain security

The Indirect Taxation Authority of Bosnia and Herzegovina⁹, as the leading agency on this matter, has the tasks and assignments of control of all goods coming in or leaving Bosnia and Herzegovina; control of prohibition and limitation of traffic of goods endangering public policy, public morality, public safety, health of people, animals and plants, *industry/commercial property – poisons, drugs, terrorist materials, arms, ammunition, waste substances* etc. The Border Police of B&H has the obligation to cooperate with B&H Indirect Taxation Authority in conducting control of goods the transport of which are not allowed, especially in detecting prohibited goods, such as explosives, weapons, including weapons of mass destruction, as well as narcotics. Containers are not scanned during inspection, but goods are rather weighed during their clearance, while partial or detailed control is conducted, depending on the nature of the goods.

- Security of radioactive sources

The establishment of the **State Regulatory Agency for Radiation and Nuclear Safety**¹⁰ and strengthening of its capacities has created conditions for the implementation of treaties in the

⁹ <http://www.uino.gov.ba/>

¹⁰ <http://dams.gov.ba/en/EnglishDARNS/Index>

field of radioactive and nuclear material security, to which Bosnia and Herzegovina is a signatory. The Agency is in charge of implementing these treaties under the Law on Radiation and Nuclear Safety in Bosnia and Herzegovina. Bosnia and Herzegovina has ratified treaties which are listed in Annex 1 of this document.

As the government partner to IAEA and the responsible authority for the implementation of international agreements in this field, the Agency closely cooperates with IAEA Department of Safeguards, whose inspector conducted an inspection of nuclear material in Bosnia and Herzegovina in December 2013. During the conduct of inspection, the inspector was given full support from the Agency staff tasked with the monitoring of situation in the field of control of nuclear material in Bosnia and Herzegovina. The inspector conducted his inspection on the base of Bosnia and Herzegovina's Report submitted to the IAEA Safeguards Department in July 2013. This Report is related to Bosnia and Herzegovina obligations under the Safeguards Agreement between Bosnia and Herzegovina and International Atomic Energy Agency in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons.

Continuous control of nuclear and radioactive material in Bosnia and Herzegovina is conducted by the state inspectors for radiation and nuclear safety. In 2013 there was approximately 300 inspection controls at the locations of the radioactive and nuclear material, and as well other ionizing radiation sources. The inspection controls include both safety and security aspect of the use and possession of the radioactive and nuclear material.

In 2013 the Agency adopted the "Regulation on Security of Nuclear Material and Radioactive Sources," the purpose of which is to establish norms to ensure security of the radioactive and nuclear material in Bosnia and Herzegovina. Agency staff also continues to attend educational and training courses for purposes of developing and enhancing a system of nuclear security in Bosnia and Herzegovina.

The Agreement between Bosnia and Herzegovina and IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the Protocol Additional to the Agreement between Bosnia and Herzegovina and IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, have been ratified in 2013. Additionally, Bosnia and Herzegovina follows the 2013 Council of the EU Decision 2013/517/CFSP on the Union support for the activities of the International Atomic Energy Agency in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

The Indirect Taxation Authority has a signed Agreement on Cooperation with the State Regulatory Agency related to radiation and nuclear safety of Bosnia and Herzegovina, and that cooperation was successful for the reporting period of 2013.

- Use of the Internet and other information networks for terrorist purposes

As persons linked with terrorism increasingly use the internet as a means of communication and for exchange of information, as well as to spread certain ideas, doctrines, etc., relevant intelligence and law enforcement agencies in Bosnia and Herzegovina, within their regular activities, monitor contents of web sites that might be of security interest for the aspect of combating terrorism. Upon receiving certain findings, security checks are performed, and based on the results of those checks, other measures and activities are undertaken in

accordance with the law. There have also been, in previous years, amendments of the criminal code at the state and lower levels of government in regards to use of the internet and other information networks for terrorist purposes.

In 2013, progress in strengthening the capacity of intelligence and security sector to fight against all forms of cyber-crime was recorded and, within the relevant intelligence security structures, departments to combat high-tech crimes or cybercrime/terrorism have been further strengthened.

Progress has also been achieved towards the establishment of the B&H CERT (Body for preparedness and response to computer incidents). An Inter-ministerial Group that prepared a set of documents necessary for the establishment and operation of concerned body was established after the adoption of the Strategy for the establishment of this body. In December 2013, the aforementioned documents have been sent to further procedure through the Ministry of Security of Bosnia and Herzegovina.

The Intelligence-Security Agency of B&H has an established organizational unit to deal only with the misuse of various forms of cyber technology, with special emphasis on their extremist and possible terrorist misuse. As part of their regular activities, SIPA intelligence officials and investigators engaged in combating terrorism and proliferation of atomic, biological, and chemical (ABC) weapons, conduct oversight over internet web sites used by extremist groups and they accordingly undertake other investigative activities in cooperation with the Prosecutor's Office of B&H.

Since the internet may be used by terrorists for communication, recruiting, radicalization, financing, cyber attacks and similar actions, there are also plans to improve this area in many segments: training of staff in more efficient usage of Internet for the purpose of collection of intelligence and conducting investigative and special investigative techniques, improvement of technical capacities and international cooperation, planning initiatives to amend B&H criminal codes in relation to application of investigative and special investigative techniques on the internet. Moreover, intelligence officials and investigators dealing with fight against terrorism and trafficking in ABC weapons cooperate daily and intensively with police officials of the Joint Operational Anti Terrorism Task Force with the purpose of supervising internet web sites used by extremist groups; as another example, the RS Ministry of Interior maintains a specialized Department for Combating High-Tech Crime.

- Legal co-operation including extradition

In proceedings of providing international legal assistance requested State, based on the multilateral or bilateral treaties, or reciprocity, provides legal assistance to the competent authorities of the requesting State. International legal assistance includes providing legal assistance in civil and criminal matters. The most important aspects of legal assistance in criminal matters are extradition, transfer of the sentenced person, examination of witnesses, expert witnesses, and suspects.

The matter of the extradition of suspects, accused and convicted person is among the most complex procedures in the field of providing international legal assistance. The matter of extradition is regulated by domestic legislation and international, bilateral and multilateral treaties. *The most important domestic legislation that regulates this issue is the Law on International Legal Assistance in Criminal Matters and The Criminal Procedure Code of*

Bosnia and Herzegovina, which in specific details regulate the issue of extradition, and specifies the competencies of individual authorities in carrying out that procedure. This law regulates the manner and procedure of providing international legal assistance in criminal matters.

The most important international treaty which regulates the issue of extradition is European Convention on Extradition of 1957, the Additional Protocol of 1975 and the Second Additional Protocol of 1978. The European Convention on Extradition, with its additional protocols, is one of the Conventions that were adopted by the largest number of Council of Europe's member states. Also, the procedure of extradition is regulated by other international conventions, such as the UN Convention on Corruption.

The issues of international legal assistance and extradition are also regulated by certain bilateral treaties binding for Bosnia and Herzegovina. It is important to point out that the agreements on legal assistance in criminal matters, including extradition, are concluded with all countries of the former Yugoslavia. In this respect, a significant progress was made in improving bilateral relations regarding extradition procedures; hence the Treaty on Extradition was signed with the Republic of Croatia and Montenegro that allow extradition of one's nationals as well, especially for serious criminal offenses (organized crime, money laundering and corruption). A Treaty on Extradition, based on the European Convention on Extradition, was also signed with the People's Republic of China.

In 2013, the Treaty on extraditions was signed with the Republic of Serbia and the Republic of Macedonia. Moreover, mutual cooperation on issues of transfer of criminal proceedings under the European Convention on the Transfer of Proceedings in Criminal Matters was also improved with the signing of the treaties with the Republic of Serbia, Montenegro, and the Republic of Macedonia that in the conduct of the criminal proceedings give the priority to the state of domicile of the suspects.

The above-mentioned treaties allow for efficient prosecution of all criminal offenders in one of the signatories to these treaties.

- Safe havens and shelter to terrorists and terrorist organizations

Through intensive criminal-intelligence investigations, i.e. collection and analysis of criminal intelligence related to extremist persons and groups, SIPA and other relevant agencies acquire *information whether some locations or groups are used for hiding terrorists or potential terrorists*. Activities conducted by SIPA as well as other law enforcement agencies in B&H contribute to the fact that B&H is not a safe place and shelter for terrorists and terrorist organizations.

2. Stationing of armed forces on foreign territory

2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

As an expression of its policy of credible support for international efforts to build peace, stability, and security, *Bosnia and Herzegovina has initiated participation in NATO ISAF peacekeeping operations in Afghanistan.*

There is an Infantry Unit (45) of the B&H Armed Forces stationed on the territory of Afghanistan, apart from 8 staff officers in NATO operation ISAF in Afghanistan. They are engaged in the German contingent. Five officers of the Armed Forces of B&H have participated in the mission in the Democratic Republic of Congo as observers (MONUSCO). The mandate of this mission was defined by the UN Security Council Resolutions.

Upon accession of B&H to the NATO Partnership for Peace Program (PfP), negotiations between B&H and NATO concerning the Agreement on the Status of Armed Forces (SOFA) began (signed and ratified). B&H Council of Ministers defined the proposed basis for the Agreement between the NATO member states and other PfP participating states concerning their powers and additional protocols, and the B&H Presidency brought a Decision on the accession.

The Intelligence-Security Agency of Bosnia and Herzegovina regularly submits information to the Ministry of Defense of B&H¹¹ on developments of security concern, i.e. security incidents in countries where the B&H Armed Forces are deployed as a part of international peacekeeping forces. The purpose of the information is to objectively analyze and assess security situation in peacekeeping mission areas in order to determine the threat level for the peacekeepers in general, including members of the B&H Armed Forces participating in the missions, but also possible indirect reflections of the B&H Armed Forces participation in those missions on B&H.

Bosnia and Herzegovina has been actively committed to participation of police officers in peace-keeping operations, which represents one of the obligations of member states of the United Nations. Since 2000, a total of 214 police officers (31 of which are female) from Bosnia and Herzegovina have participated in UN peace-keeping operations in Liberia, Sudan / South Sudan, Cyprus, East Timor and Haiti. The UN Mandate is reflected through providing support to the implementation of peace agreements, support to governments in the implementation of security reforms, protection of civilians (especially the most vulnerable groups of population: displaced persons, returnees, women and children), providing and organizing various trainings for local police officers, as well as preventing renewal of conflict, restoring public peace and security.

Currently, there are 58 police officers (10 of which are female) deployed in peace-keeping mission of the United Nations in Liberia, South Sudan and Cyprus. The extension of *mandates for already deployed police officers depends on UN Mission's needs, but typically*, all of the B&H police officers get one or two extensions. Participation of B&H police members in UN peacekeeping missions has significantly contributed to the international affirmation of Bosnia and Herzegovina; consequently enabling Bosnia and Herzegovina to become an active member in creating international security.

Keeping in mind that Bosnia and Herzegovina, as one of the UN members, has responsibilities to participate in peacekeeping operations, as well as to affirm the position of Bosnia and Herzegovina on the international scene, the B&H Ministry of Security takes all necessary measures to make sure that the police officers from Bosnia and Herzegovina are competent to participate in peacekeeping operations of the United Nations.

¹¹ <http://mod.gov.ba/default.aspx?pageIndex=1>

The deployment of police officers in peacekeeping operations is regulated by the Law on Deployment of Armed Forces of Bosnia and Herzegovina, police officers, civil servants and other employees in peacekeeping operations and other activities in foreign and the Rules of Procedures for deployment of police officers of Bosnia and Herzegovina to peacekeeping operations, and other activities abroad, trainings, rights, obligations and responsibilities, procedures of police services and their members during peacekeeping operations, their rights, obligations and responsibilities of the contingent commander.

3. Implementation of other international commitments related to the Code of Conduct

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security are implemented in good faith.

Bosnia and Herzegovina, as the first country in the region that introduced the moratorium on the export of Small Arms and Light Weapons (SALW) in the possession of Armed Forces, fully contributes to the stability in the region by eliminating the risk that the exported equipment could end up in the possession of non-democratic regimes or regimes that do not respect human rights, or international terrorist groups.

In 2013, the Council of Ministers of Bosnia and Herzegovina adopted a "**Strategy for the control of small arms and light weapons in Bosnia and Herzegovina**", as well as adopted a decision establishing a Coordination Board for the Control of small arms and light weapons in Bosnia and Herzegovina. The Strategy for the control of SALW in Bosnia and Herzegovina has four main objectives: Improvement of legal framework and implementation of SALW legislation; reducing the presence of illegal SALW; control of SALW in the possession of relevant institutions and agencies in Bosnia and Herzegovina; international and regional cooperation with NGOs in regards to small arms and light weapons.

In relation to SALW, and as a component of regional security, various activities continually organized within SIPRI (Stockholm International Peace Research Institute), the RACVIAC Center for Security Cooperation, SEESAC (South Eastern and Eastern Europe Clearinghouse for the Control of SALW), SECI (Southeast European Cooperative Initiative), BAFA (Budget and Financial Analysis Branch).

Bosnia and Herzegovina cooperates with the countries within the framework of international multilateral agreements as well as international bilateral agreements, but also send reports and other forms of exchange of information with the UN, OSCE, SEESAC, and RACVIAC (seminars, analytical documents, etc.).

Agreement on Sub Regional Arms Control is based on Article IV of Annex 1-B of the Dayton Peace Accords. The Agreement is based on the same guidelines and principles as the CFE Treaty. Four countries are involved on its implementation: Bosnia and Herzegovina, Montenegro, the Republic of Croatia, and the Republic of Serbia. Thanks to this Agreement, the southern European region has set an example as far as arms control and disarmament in a post conflict situation are concerned. A high level of cooperation was achieved in the area and today the Parties are continuing to work in a common effort to further strengthen stability, transparency and confidence.

3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

In the field of arms control, disarmament and CSBM and their continued implementation, remain important elements of Euro-Atlantic stability, security as well as developing good neighborly relations and strengthening regional cooperation. Bosnia and Herzegovina attaches great importance to the implementation of its commitments. Bosnia and Herzegovina signed the Agreement on Open Skies, and as the state member of the OSCE participates in the implementation of the Vienna Document 1999. Bosnia and Herzegovina is also state party to the Agreement on Sub-regional Arms Control, Article IV.

Bosnia and Herzegovina is a party of the **Treaty on Open Skies**, which establishes a program of unarmed aerial surveillance flights over the entire territory of its participants. It is designed to enhance mutual understanding and confidence by giving all participants, regardless of their size, a major role in gathering information about military forces and activities of concern to them and is one of the most wide-ranging international efforts to date promoting openness and transparency of military forces and activities. Bosnia and Herzegovina as a member state of this Agreement gives contribution and participates through conducting passive quota and training missions in cooperation with OS member states.

Bosnia and Herzegovina also participates in other conventional arms-control agreements concluded within the framework of the Organization for Security and Cooperation in Europe, including the Vienna Document 2011 of the negotiations on confidence and security-building measures, which is designed to promote mutual trust and dispel concern about military activities by encouraging openness and transparency. Its provisions regarding the exchange and verification of military information on participating States' armed forces, their defense policies and military activities, including the size of defense budgets, the location, size and strength of military units and formations, the exchange of annual calendars and prior notification of certain military activities, as well as observation of certain military activities, increase transparency and confidence by promoting broader and more comprehensive cooperation among States on the regional and sub-regional levels.

Bosnia and Herzegovina has been completely implementing obligations under this document by receiving and conducting inspection, visits air bases of different participating states and exchanging military information. With regard to the Vienna Document, Bosnia and Herzegovina signed the Bilateral Agreement with the Republic of Germany that assists further enhancement of stability and military cooperation among OSCE member states.

The **Agreement on Sub-regional Arms Control** established new forms of cooperation in the field of security aimed at building transparency and confidence and achieving balanced and stable defense force levels at the lowest numbers consistent with the Parties respective security and the need to avoid arms race in the region.

Bosnia and Herzegovina provides great importance to regional confidence and security-building measures. We are aiming to increase the transparency, openness, confidence, and security and to establish and strengthen good neighborly relations and cooperation in the field of security and arms control. Good example of successful cooperation on the sub-regional level is an Agreement on Sub-regional Arms Control.

Bosnia and Herzegovina has been fully implementing obligations under this document by receiving and conducting inspection as well as exchanging military information. The implementation of the Agreement has been overseen by Sub-regional Consultative Commission.

We emphasize, that the implementation of these documents, is in charge of the Ministry of Defense of Bosnia and Herzegovina and Armed Forces of Bosnia and Herzegovina (Verification Centre) and has proved itself as an effective mechanism for building and strengthening confidence, as well as for promoting military cooperation among OSCE member States.

In accordance with the Law on Control of Foreign Trade and Services of Strategic Importance for the Security of Bosnia and Herzegovina, the Ministry of Security of Bosnia and Herzegovina issues procedures for obtaining transit permit. Representatives of the Ministry of Security of Bosnia and Herzegovina in cooperation with ministries of interior at the entity and cantonal levels as well as the Brcko District Police drafted the Regulation on the manner and procedure for processing requests for issuance of documents for transit of goods listed in the checklist.

This Regulation prescribes the manner and procedure for processing requests for issuance of documents for transit of goods as defined by the Decision on taking over the List of weapons and military equipment that need a Transfer Authorization, content of the requests and competent authority for issuance of transit permit.

SECTION II: INTRA-STATE ELEMENTS

1. National planning and decision-making process

1.1 What is the national planning and decision-making process in determining/approving military posture and defense expenditures in your State?

Competencies of the Parliamentary Assembly of Bosnia and Herzegovina (PA)¹² are stipulated by Article 10 of the Law on Defense of Bosnia and Herzegovina. With respect to the defense sector, the Law stipulates the following competencies of the Parliamentary Assembly:

- The PA exercises democratic parliamentary control over Armed Forces and all defense institutions at the level of Bosnia and Herzegovina;
- Adopts laws related to the organization, financing, recruitment, training, equipment, deployment and engagement of the Armed Forces;
- Confirms appointment of the Chief and Deputy Chief of Staff in the Joint Headquarters of Armed Forces, Commander and deputies of Armed Forces Operative Command, Commanders and deputies of Armed Forces Support Command and all officers with the rank of general in the Armed Forces;
- Conducts oversight and investigations of all issues related to organization, financing, recruitment, training, equipment, deployment and engagement of the Armed Forces

¹² <https://www.parliament.ba/default.aspx?langTag=en-US&pril=b>

The following are competencies of the Joint Committee for Defense and Security of Bosnia and Herzegovina:

- considers and monitors the implementation of Security and Defense Policy of B&H;
- monitors the work and considers reports submitted by Standing Committee for Military Issues, B&H Ministry of Defense, B&H Ministry of Security and other executive bodies dealing with defense and security issues, reports thereof to the B&H PA, with particular focus on the reports, short-term and long-term plans related to the structure of the Armed Forces of B&H, personnel policy and recruitment, salaries and wages, education and training of B&H Armed Forces staff professional conduct and ethical standards of civilian and military staff, Army equipment, military industrial work, procurement and import and export of military equipment, material assistance and contracts with foreign companies, rendering services to the defense institutions on commercial basis, combat readiness, military exercises and operations including enforcement of international obligations and international peace support operations;
- considers laws and amendments to laws within the competencies of Joint Committee;
- considers and submits opinions and recommendations, amendments and changes to the defense budget proposal;
- considers reports on defense budget execution as well as audit reports of the institutions in the domain of B&H defense and security policy;
- considers the issues of cooperation of Bosnia and Herzegovina with the United Nations, OSCE in Europe, NATO, and other organizations and countries in the domain of defense and security
- considers activities of permanent and ad hoc delegations of Bosnia and Herzegovina in international and inter-parliamentary institutions in the domain of security and defense;
- considers and submits opinion of B&H PA on ratification and implementation of international treaties in the domain of security and defense;
- establishes cooperation with competent parliamentary committees of B&H entities, other countries as well as with international organizations and other bodies in the domain of defense;
- Joint Committee considers all other issues in the domain of B&H security.

The complete process of planning, programming, budgeting and implementing the budget is continuously improved and transparent. The Ministry of Defense initiates a process of developing the defense budget. The Parliamentary Assembly reviews and adopts the total budget through the regular parliamentary procedure. One of the aims of the defense reform, *the implementation of which is in progress, is to achieve sustainable level of the defense expenditures, consistent with the economic capacity of Bosnia and Herzegovina.*

In 2009, the Ministry of Defense of Bosnia and Herzegovina began activities on realization of the Defense Review, whose general objectives are:

- defining the required capabilities of the Armed Forces of B&H in accordance with the estimated risks and threats,
- missions and tasks of the Armed Forces - defining the basis of long-term vision and plan for the development of the Armed Forces of B&H (2010-2020),
- enabling the further process of Euro-Atlantic integration (NATO, EU).

We expect it to be completed and submitted to relevant authorities for approval during 2014.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

With the goal of lasting peace, security, and stable democratic state development, as well as to include Bosnia and Herzegovina in modern European, political, economic and security integration, Bosnia and Herzegovina set accession to Euro-Atlantic integration processes as one of its foreign policy priorities. By accession to the NATO Partnership for Peace (PfP) programme, B&H demonstrated its commitment to reach full interoperability as soon as possible in all segments with all NATO member states. B&H will continue with the NATO Partnership for Peace Planning and Review Process (PARP), in order to meet preconditions for Membership Action Plan (MAP) as well as eventual full-fledged NATO membership.

In addition to NATO membership, one of the main foreign policy objectives of B&H is full membership in the European Union. On that path, Bosnia and Herzegovina has foreseen several crucial activities. First of all, B&H is working intensively on improving its internal coordination system in terms of EU integration process. Every other year B&H receives a European Partnership (EP) document underlying various obligations and priorities divided into key, short-term and mid-term priorities. On the basis of the EP as well as of Stabilization and Association Agreement (SAA) provisions, all B&H institutions are involved in the process of development of a program of B&H integration in the EU. An important mechanism for implementation of EP obligations is Reform Process Monitoring (RPM) and reporting to the European Commission. It is particularly important for B&H to inform the public and raise its awareness in terms of importance of EU integration process. B&H continues to strengthen human resources that will be capable of implementing all the tasks deriving from the SAA. B&H intends to establish and continually improve functional coordination mechanisms between the institutions at all levels in Bosnia and Herzegovina, within political, legislative, and technical framework.

Continuous improvement of cooperation with neighboring countries (Republic of Croatia, Republic of Serbia, and Montenegro), based on common interests and principles of equality, mutual respect, respect of sovereignty and territorial integrity, is a corner stone and permanent priority of B&H foreign policy. In this regard, B&H continues to initiate series of activities to intensify cooperation in all areas and will actively participate in resolution of bilateral issues of mutual interest. We will actively work on improving economic, cultural, and political and security cooperation, and resolving issues to define international borders with neighboring countries. *B&H will constructively act in order to resolve some specific issues with neighbors and will actively contribute to further continuation of mutual contractual regulation of relations.* Special attention will be paid to resolution of the issues on identification of border line with the neighboring countries, resolution of pending property issues, border cooperation with the neighboring countries with regard to prevention of illegal border crossing, in particular with the Republic of Croatia, and cooperation in the area of reaching EU standards at international border crossings with the neighboring countries.

In the **legislative arena** and long term strategic planning, the Parliamentary Assembly of Bosnia and Herzegovina and Joint Committee for Defense and Security were involved in operations and activities stipulated by the Law on Defense and Rules of Procedure of both Houses.

Continually seeking to improve the situation and correct problems and weaknesses that jeopardize the safety of the citizens of Bosnia and Herzegovina, and in particular in response to current events in 2013, as well as to generally improve the work and coordination between the ministries, institutions and agencies in the sector of security and defense, the Joint Committee adopted a number of conclusions in 2013 that are a precondition for a stable security situation in Bosnia and Herzegovina.

Within its competences, the Joint Committee reviews issues of cooperation between Bosnia and Herzegovina and international organizations and institutions in the field of defense and security, the activities of B&H standing and non-standing delegations as well as international and inter-parliamentary organizations and other bodies in the area of defense.

In order to eliminate work related weaknesses in ministries, institutions and agencies in the defense and security sector, the Joint Committee had adopted Conclusions on its 6th Session, held on 18 October 2011, which commit all competent institutions in the defense and security sector to the activities in the period 2011 – 2014.

2. Existing structures and processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

In accordance with the Law on Defense of Bosnia and Herzegovina, the Parliamentary Assembly of B&H conducts the parliamentary control over the B&H Armed Forces (AF B&H) and all defense institutions at the State level. The competencies of the B&H Parliamentary Assembly over the AF B&H are regulated by Article 10 of the B&H Law on Defense.

The Parliamentary Assembly Joint Committee for Defense and Security performs tasks in the area of the oversight over the B&H defense and security institutions, in accordance with Article 54 of the B&H Parliamentary Assembly House of Representatives Rules of Procedure. The Joint Committee for Defense and Security conducts parliamentary oversight of the following institutions of Bosnia and Herzegovina: Ministry of Defense, Armed Forces, Ministry of Security, SIPA, Border Police, National Central Bureau of INTERPOL, and the BH Demining Centre.

Democratic control over the AF B&H is conducted by the Presidency of Bosnia and Herzegovina and the B&H Minister of Defense. The role of the Presidency of Bosnia and Herzegovina in the oversight of the AF B&H is conducted in accordance with Article 12 of the B&H Law on Defense.

According to the B&H Law on Defense, the B&H Minister of Defense is a civilian in charge of the B&H Ministry of Defense and conducts his function in the area of administrative, organizational, and command authority as well as control and inspection of the B&H AF.

Foreign management and supervision of Intelligence-Security Agency of B&H, as well as internal management and control is regulated by the Law on Intelligence and Security Agency of Bosnia and Herzegovina. The rights and liabilities of the subjects of legislative and executive authority regarding OSA B&H are clearly defined, such as: B&H Presidency's

rights and liabilities; Council of Minister's rights and liabilities; Chairman of the Council of Ministers' rights and liabilities; Executive Intelligence Board; and Parliamentary supervision. The Agency is directly subordinated to the Council of Ministers, Executive Intelligence Committee, and the most directly to the Chairman of the Council of Ministers. The control of Agency work legitimacy is done by Security-Intelligence Committee for Supervision of the Agency, established by B&H Parliament. The Committee is responsible for supervising the Agency's work, conducting investigation on the Agency's work based on a grounded suspicion of illegal performance of the Agency, i.e. pursuant to the relevant legal provisions as well as analyzing the expenditures of the Agency's budget, including issuing opinion on the draft budget of the Agency.

Ministries and police agencies at the lower levels of government also have constitutionally established procedures ensuring the effective, democratic control over their activities. Legislation in this regard is listed under Annex I.

2.2 How is the fulfillment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The Law on Defense of Bosnia and Herzegovina regulates the competencies of State institutions in the defense sector. Democratic control is implemented through a clear chain of command and control, defined by the Law on Defense of B&H, which begins at the Presidency of B&H, through the Minister of Defense to the Chief of the Joint Staff of the B&H Armed Forces (AF B&H).

The parliamentary control over the AF B&H shall be performed by the B&H Parliamentary Assembly, directly through the Joint Committee for Defense and Security, by defining necessary laws and the process of creating the budget, and supervision over its implementation and execution. The Parliamentary Assembly has the executive authority to adopt laws relevant to the organization, funding, appointment, training, mobilization, equipping, and use of the B&H Armed Forces.

The Parliamentary Assembly also has the authority to announce the state of war upon the request by the Presidency, in the case of direct attack to B&H or parts of B&H, as well as to announce a state of emergency.

The Parliamentary Assembly confirms the appointment of the Chief and Deputy Chief of Joint Staff of the AF B&H, Commanders and Deputy Commanders of the AF B&H Operational Command, Commander and Deputy Commander of the Support/Logistics Command and all officers in the rank of General in the AF B&H. The Joint Committee for Defense and Security Policy of the Parliamentary Assembly of Bosnia and Herzegovina is in charge of the control and supervision of defense and security institutions of Bosnia and Herzegovina.

The Joint Committee for Defense and Security Policy manages parliamentary supervision over following B&H institutions: the Ministry of Defense, the Ministry of Security, the Border Police (BP), the State Investigation and Protection Agency (SIPA), the National Office of Interpol, the Mine Action Centre – BHMALC.

Proactive efforts of the Joint Committee for Defense and Security Policy had significantly contributed to the overall reform of the security sector in B&H; adoption of a law which establishes the Intelligence and Security Agency of Bosnia and Herzegovina (OSA); improvement of state police agencies SIPA and SBS.

Besides the above mentioned, the Joint Committee also considers and monitors implementation of the security and defense policy of Bosnia and Herzegovina; supervises and considers reports of: the Permanent Committee for Military Matters, the B&H Ministry of Defense, the B&H Ministry of Security and other executive bodies dealing with security and defense matters reporting on the subject the Parliamentary Assembly of Bosnia and Herzegovina.

With regard to the reports, a special focus is being given to short-term and long-term activities concerning structure of the B&H Armed Forces, personnel policy and recruitments, salaries and compensations, education and training of the B&H Armed Forces members, professional conduct and ethical standards for civil and military staff, provision of military equipment, work of the military industry, acquisition of assets and export/import of arms and military equipment, material assistance and contracts signed with foreign companies providing commercial services for defense institutions, combat preparedness, drills and operations which include fulfillment of international obligations and international peace support operations. Further, the Committee considers laws and amendments to the laws within its competence; considers and gives opinions and recommendations, makes changes and amendments to the defense budget proposal; considers reports on defense budget execution, and reports on revision of institutions dealing with the defense and security policy of Bosnia and Herzegovina, as well as the other issues that concern security of Bosnia and Herzegovina.

The Joint Committee for Defense and Security Policy performs its expertise in field of democratic political control over defense and security structures on national level. In practical terms, this means that ever since its establishment the Committee it has held regular Committee sessions, numerous meetings with different Ministers and delegations that came to visit, paid field visits to B&H institutions, Parliaments and executive structures in the region. All of the activities had contributed to development of good bilateral relations not only with executive structures in B&H, but also with parliamentary colleagues from the wider region.

2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

The Armed Forces of Bosnia and Herzegovina (AF B&H) are a professional, single military force organized and controlled by the state of B&H. The Armed Forces can be organized, trained, equipped, or mobilized in the territory of B&H, only in accordance with the Law on defense of B&H and the Law on service in the Armed Forces of B&H.

The mission of the Armed Forces of Bosnia and Herzegovina is to:

- Participate in operations of collective security, peace support operations and self-defense operations, including fight against terrorism;
- Provide military defense of Bosnia and Herzegovina;
- Provide assistance to civil authorities in reacting to natural disasters and catastrophes;
- *Demining activities in B&H;*
- Fulfill international obligations of B&H

Engagement of the AF B&H is conducted upon the proposal of the Minister of Defense of Bosnia and Herzegovina, and based on a decision of the Presidency of Bosnia and Herzegovina, which (in case of announcement of a state of emergency, state of war or deployment of AF of B&H units to peace keeping missions) is confirmed by the Parliament of B&H.

The Armed Forces of B&H (AF B&H), according to the decision of the B&H Presidency from July 7, 2006, can have 10 000 professional soldiers, 1 000 civil employees (including employees of the Ministry of Defense) and 5 000 members of active reserve.

The AF B&H cannot be used for political purposes or activities of political parties. Armed Forces members, including generals, are neutral in political matters and shall not be engaged in any kind of political activity of political parties or be selected or appointed to public functions.

These provisions shall not prevent members of the AF B&H to be registered for voting or to candidate for elections in accordance with the provisions of the Elections Law of B&H. Members of reserve units selected or appointed to public functions is not obliged to resign from the position if mobilized to regular training.

The training of members of security agencies for protection of persons and property, as well as the training of private detectives, establishment of such agencies and control over their activities is under the auspices of and executed by, in cooperation, between the Agency for Education and Professional Training (AEPTM) at the state level and lower government level ministries and police agencies.

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

The compulsory military service in Bosnia and Herzegovina was abolished in 2006. The Law on Defense of Bosnia and Herzegovina, however, prescribes the existence of an active reserve. There is no specifically designed reserve component of the AF B&H, but an active reserve is envisioned in the peacetime structure.

The Ministry of Defense of Bosnia and Herzegovina advertises available positions in the Armed Forces and, through prescribed procedures, selects the appropriate number candidates for training in the center for Professional Development.

Recruitment of staff for police agencies, usually performed through public announcements, is executed by lower government level ministries and police agencies, and it is regulated through legislative acts at those levels, with particular attention paid to gender equality.

3.2 What kind of exemptions or alternatives to military service does your State have?

There is no compulsory military service in Bosnia and Herzegovina. Bosnia and Herzegovina *has only professional Armed Forces.*

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

The issue of recruiting staff for the purposes of Armed Forces of B&H is regulated by the Law on Defense of B&H, the Law on Service in the AF of B&H, the Law on participation of the members of AF of B&H, police officers, civil servants and other employees in peace support missions and other activities abroad, and the Law on the Parliamentary Military Commissioner of Bosnia and Herzegovina. Accession to AF of B&H is performed in accordance with legal provisions exclusively, regulated by the mentioned Laws.

Current solutions define that all members of the Armed Forces of B&H (AF B&H) during their active or reserve service exercise their rights and obligations in accordance with the Law on Defense and the Law on Service in the Armed Forces of B&H. The mentioned laws are in compliance with the Constitution of B&H and other relevant legislation. There is no Military Court within the Armed Forces of B&H.

Armed Forces personnel consist of military professionals, reserve personnel, and civilians employed in the AF B&H. Military professionals exercise their rights and obligations in accordance with the Law on Service in the AF B&H, which regulates: the service in the AF B&H, composition of the Armed Forces, admission into service, rights and obligations of the personnel serving in the Armed Forces, status during service, personnel classifying system, evaluations, promotions, personnel record and carrier management, ranks and insignia in the Armed Forces, standards of conduct and other status issues of the personnel serving in the Armed Forces. Civilians in service in the Armed Forces are civil servants and employees who exercise their rights and obligations in accordance with the Law on Civil Service in the institutions of B&H and the Law on Labor in the institutions of B&H.

The institution of **the Parliamentary Military Commissioner of B&H** is set out by the Law on the Parliamentary Military Commissioner of Bosnia and Herzegovina. This established a new institution in the field of the protection of human rights and freedoms, specialized exclusively for the protection of human rights and freedoms of military personnel and cadets in the B&H Armed Forces and B&H Ministry of Defense.

The position of Military Commissioner is established in order to strengthen the rule of law, protection of human rights and freedoms of military personnel and cadets in the Armed Forces of Bosnia and Herzegovina and the B&H Ministry of Defense, as stipulated in the *B&H Constitution and attached international agreements*. The *Military Commissioner works on professional basis only and does not advocate, protect or undermine interests of any political party, registered organization or association, or any people in B&H.*

In performing parliamentary oversight of the work and other issues in the area of the protection of human rights and freedoms related to military personnel and cadets in the Armed Forces of B&H and the B&H Ministry of Defense, the Military Commissioner has the following competencies:

- Investigation of specific issues under the directions of the B&H Parliamentary Assembly and B&H Joint Committee on Defense and Security. The directions may be issued only in case that the issue is not already considered by the Joint Committee, and the Military Commissioner may request the Joint Committee to issue the directions for investigation of *specific issues*;

- Activities performed based on his/her personal assessment, following information received by the members of the B&H Parliamentary Assembly, or consideration of complaints by military personnel and cadets, or in any other circumstances indicating a violation of human rights and freedoms of military personnel and cadets.

The Military Commissioner has the obligation to keep the confidentiality of data, made available to him on official basis, even after the end of his mandate, in accordance with the Law on the Protection of Secret Data. This shall not apply to the official correspondence or issues generally known to the public or those that due to their significance clearly do not require to be classified as confidential.

Rights of military forces personnel are regulated by the Law on professional military service B&H and by the Law on Parliamentary military Commissioner B&H as well as subordinate legislation such as bylaws – for example, about promotion, disciplinary process, about food requirements, and other spheres of soldiers life and work. When it comes to limitation and restrictions on rights, it is important to emphasize that soldiers do not have a right to strike, neither to syndicate nor politics gathering. As mentioned above, soldiers do not have any kind of service personnel representatives or labor unions. That is the best reason that the establishment and growing of the PMC institution is necessary and that the role of PMC is to be „a lawyer of the citizens in uniform“.

Legal and administrative procedures protecting those rights are fulfilled through the chain of command as well as through the application to Inspectorate General of the Ministry of Defence (MoD). The Inspectorate General is an organizational section of the MoD, and it is responsible for its work to the MoD. Professional soldiers who complain to PMC can follow the legal way of lodging an appeal to two above mentioned bodies, but are not obliged to do it. Nevertheless, PMC encourages them to lodge an appeal first by the chain of command, and second, to Inspectorate General. Finally, in case the appeal is not solved, professional soldier can sue MoD (on the ground of violating the soldiers s law) to the Court of B&H to its administrative domain.

Speaking of appeals to courts of law, as above said, there is a possibility that professional soldier lodges an appeal to the Court of B&H. That was the case of a major of Armed Forces B&H who sued MoD for the inability for promotion during his career in the Armed Forces. The PMC Office is monitoring this process, also attend all Court hearings, and the most of soldier s evidence are legal acts enacted by the PMC.

Specific disciplinary issues and the duty to obey, that is regarding the chain of command and the integrity and commander in chief s personality. There is right to submit complaints, applications and requests, and appeals to disciplinary measures. All the above mentioned is set out by bylaws. Although it is fully prescribed, there are some discrepancies in practice. The PMC has drawn attention to these violations of soldiers' rights in his four annual reports (2010-2013)

Speaking of establishment of policies to prevent and address cases of sexual harassment and sexual discrimination of forces personnel it is important to say that the act which strongly sanctions sexual harassment is Ethical code of conduct in MoD and Armed forces. It has been recently enacted by the MoD. This act regulates all kind of forbidden behavior in AF and also *establishes ethic standards. Oversight of its functioning and implementing is given to Inspectorate General.*

When it comes to **ombudspersons** – there is an Institution of Human Rights Ombudsman and PMC Office. The first one protects human rights of all citizens and the protection of human rights of military personnel (soldiers) is PMC obligation. This is enacted by the Guidelines of cooperation between Institution of Human Rights Ombudsman and Parliamentary Military Commissioner. So, if there is a case in which an applicant is not a professional soldier, PMC Office officially sends it to Ombudsman Institution. On the other hand, if Human Rights Institution receives a case/an application, it sends it to PMC Office, regarding that PMC Office has more knowledge, experience and legislation that is necessary to deal with these specific issues.

Social protection, benefits and pay package is defined by Law on professional military service B&H and also by the Council of Ministers Decisions. Military personnel have a salary addition in case of carrying out senior rank assignments, in case of substitution of an absent soldier, also in case of attending a Peace support Mission there is a special benefit. Payment categories for military personnel are divided through soldiers' categories as well as by ranks.

When it comes to professional working conditions and gender-sensitive environment, it is necessary to say that there have not been complaints to PMC Office. Generally, the discrimination on gender basis, as well as discrimination in any other way is forbidden in the AF. There have been complaints to the PMC regarding working environment, and also regarding inability to work with a specific person in close working environment. It was a problem between two female soldiers in AF and PMC had solved those cases using methods of mediation and intercession.

The MoD Sector for governing personnel is in charge for Policy and reform of human resource management. It is also the mandate for the Joint Staff Sector for personnel. These two poles of the same organization should work together in establishing the unitary personnel file base. The PMC has pointed out several times that professional soldiers personal files should be authentic, complete and uniformed. Personal files should be provided as mentioned especially because information from them is important for the promotion and grading in AF. As PMC had frequently emphasized, personal file is a soldier's identity card.

The PMC Office had dealt with 117 complaints during the year 2013. Since the establishment of the Office until today there have been more than 460 complaints of professional soldiers, with more than 60% in favorem appellant.

Using his authorizations, PMC has given about 22 recommendations, and oversight of their implementation is a constant process. PMC also issues various kinds of announcements, meanings and stands of opinion concerning a specific issue. PMC Office is everyday place for making an appointment to a soldier who has a problem. After having a conversation with a professional soldier, PMC makes an official note which contains all the important matters of a subject. The next big area of PMC work and authorities are field visits to troops and commands of AF which can be announced or unannounced. There have been around 80 PMC visits in the period from the institution establishment (during 4 years of existence).

All bylaws that are set out by the MoD are being analyzed by the PMC Office according to positive legislative in B&H. Where it is necessary PMC issues his opinion and suggestions so that MoD could pay an attention to regulate it in a proper way. The final aim is to respect the rule of law and military personnel human rights and freedoms.

Security agencies for protection of persons and property, as well as Private Detective Agencies, establishment of such agencies and control over their activities is under the auspices of and executed by, in cooperation, between the Agency for Education and Professional Training (AEPTM) at the state level and lower government level ministries and police agencies. Legislation is also available on the state level as well as lower levels of government.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

Bosnia and Herzegovina ensures that the Armed Forces of B&H (AF B&H) are equipped, trained, and managed in accordance with the provisions of the International Humanitarian Law through the implementation of the Security and Defense Policy as well as the military Doctrine.

The training curriculum of basic and advance courses for NCOs and officers of the Armed Forces includes studying of the International Humanitarian Law and conventions, which must be applied in armed conflicts, as well as relevant state legislation.

The rules of engagement of AF B&H in peace support operations are identified in accordance with the provisions of the IHL.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

Through the training of military professionals, prescribed in the "Leader's Development" manual, the mandatory courses have been defined at the Center for Professional Development for the AFB&H officers and NCOs as: Command and Staff Course; Basic Officer Course; Basic NCO Course; Advanced Officer Course; Advanced NCO Course; Staff Officer Courses and Staff NCO Courses at Peace Support Operations Training Center B&H.

The attendance of these courses is mandatory for each AFB&H officer and NCO. Programs of instructions for all above-mentioned courses contain lessons, which address in details the IHL and Law on War. Also, at the level of all AFB&H units, the mentioned topics are mandatory and they are being planned on a regular basis and conducted through unit training. All unit members attend this training.

The newly recruited soldiers that are being trained through TRADOC Basic Training Center attend classes in accordance with the approved programs of instructions on the Law on War, Geneva and Hague Conventions. The AFB&H in coordination with the ICRC organizes the execution of seminars and courses according to the ICRC plans and programs.

All AFB&H units that are to be deployed in peace support operations must be trained on IHL and Law on War. Additionally, the AFB&H has developed manuals that they can use during their mission execution in order to remind themselves on some provisions regarding stated

rules and laws. The mentioned manuals are the part of the additional equipment for the AFB&H soldiers in peace support missions.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

The Article 4 of the AFB&H Service Law defines the usage of language and alphabet in the AFB&H, e.g. official languages in the AF are Bosnian, Croatian, and Serbian, as well as two alphabets: Latin and Cyrillic.

The Article 6 of the AFB&H Service Law defines infantry regiments, which among other things, inherit identity and military heritage of the units and constituent peoples, foster cultural-historical heritage, publish regimental bulletin and perform other cultural-historical regimental activities.

In 2007 the Agreement between the B&H Council of Ministers and churches and religious communities in Bosnia and Herzegovina was signed on the establishment, organization, and functions of catholic spiritual care, orthodox spiritual care and military mufti office as integral parts of the common religious service at the B&H Ministry of Defense and B&H Armed Forces.

The topic of the OSCE Code of Conduct on politico-military aspects of security is included in curricula for officer and NCO training on top of training in International Humanitarian Law.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

The Article 5 of the B&H Defense Law defined that the B&H Armed Forces cannot be used for political purposes or for political party activities.

The AF members are allowed to register for voting as well to participate in voting, and can candidate themselves for the elections in accordance with the Election Law. The same article defined political engagement of the reserve members in a way that if the reserve member is elected or appointed on a public position, he/she is not obliged to resign if he/she is engaged in a regular training, but during the time in the AFB&H, he/she can not perform activities from the party point of view.

The Article 26 of the AFB&H Service Law strictly prohibits syndical and political organization of the all AF members. In accordance with article 44 Law on Police officials of Brcko District B&H, the rights of police officials are defined, and the political neutralism is defined by the Code of conduct of members of the Police of Brcko District B&H.

4.5 How does your State ensure that its defense policy and doctrine are consistent with international law?

The 1949 Geneva Convention and its Additional Protocols compose an integral part to the Military Doctrine of the Armed Forces of B&H. This ensures that military professionals are

aware of the obligations to comply with and to implement certain humanitarian principles and rules during armed conflicts.

SECTION III: PUBLIC ACCESS AND CONTACT INFORMATION

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

The public is informed about all strategic documents, laws, policies and strategies related to OSCE's Code of Conduct through official websites of ministries and other relevant institutions of Bosnia and Herzegovina.

All relevant institutions are encouraged to publish the Code of Conduct on their respective websites, as well as offer it to the public in other forms, and many institutions do so – either electronically or in printed form upon request.

There are also efforts undertaken to raise awareness through seminars and involvement of civil society and non-governmental organizations, by relevant authorities, and often with the assistance of the OSCE Mission to Bosnia and Herzegovina.

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

Relevant institutions of Bosnia and Herzegovina are encouraged to publish the Code of Conduct as well as Bosnia and Herzegovina's reply to the Questionnaire on their respective websites. Any other information is available upon request.

1.3 How does your State ensure public access to information related to your State's armed forces?

According to Bosnia and Herzegovina's defense policy, a transparent approach to the defense activities is in accordance with international standards, which will help to restore and develop *mutual confidence between the three constituent peoples and all citizens of Bosnia and Herzegovina.*

This principle implies the implementation of the following objectives:

- Mutual exchange of information with reference to the planning of defense activities, engagement of assets and their origin and on the location of the military units and facilities;
- Transparency of the budget and foreign military assistance;
- Transparency of cooperation with the armed forces of other states;
- Full access to and oversight of all defense activities by civilian authorities exercising command and control of the defense structures in B&H;
- Cooperation with appropriate government and non-governmental organizations dealing *with security and defense issues*;
- Openness to the media and continued informing of the public about defense activities.

Public access to information related to the Armed Forces of B&H is in accordance with the Law on Free Access to Information in B&H. Also, representatives of media are invited on a regular basis to attend all significant events taking place at defense institutions and in the Armed Forces of B&H.

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct

Ministry of Foreign Affairs of Bosnia and Herzegovina
Sector for Multilateral Affairs - Department for OSCE
Musala 2, 71000 Sarajevo, Bosnia and Herzegovina
Telephone: +387 (33) 281-107; Fax: +387 (33) 227-156

Answer to the Reference list concerning women, peace, and security in the Questionnaire on the code of conduct on politico-military aspects of security:

I. Prevention

1. Measures for spreading understanding among Armed forces personnel about special role that women have in conflicts

It is evident that progress has been made in setting up and updating database about participation of women in police and military. Existing database of Armed forces has been updated and sorted by unit, formation charge, duty, rank, military and civil education, interest in participation in peace missions, as well as by other relevant data.

Organizational units of Ministry of Defense and Joint HQ of BH Armed forces have also been obligated to sort their data by gender.

2. Measures for processing violations of rights of women and girls, according to international standards

Ministry of Interior of the Federation of Bosnia and Herzegovina (FB&H) and Ministry of Interior of Republika Srpska (RS) are undertaking the activities related to affirmation of women in decision making positions in police structures, career advancement (additional education of women that used maternity leave, introducing quotas when it comes to managerial positions and awarding ranks, cadet recruitment etc.), records classified by gender, and harmonizing laws and by-laws with Law on Gender Equality in Bosnia and Herzegovina. Positive example was Decision by Ministry of Interior of RS to take into account that 25% of recruited cadets in Police academy should be women.

Another good example is Law on Interior Affairs in Tuzla canton that introduces gender representation criterion in the context of appointing and relieving police commissioners through the Commission appointed by Assembly of Tuzla canton, which presumes equal representation of both sexes. Same goes for membership in Commission for complaints against police officers, which, apart from ethnic representation, introduced gender equality criterion when it comes to selection of police officers.

II. Participation

1. Measures for increase of number of women in general and decision making positions in Armed forces and Ministry of Defense

According to the recent data base analysis, from total number of employees of Ministry of Defense, there is 35, 6% women. When it comes to total number of civilians employed in Armed forces, there are 23, 8 % women. There is 4, 8% of professional servicewomen in Armed forces. There is 3, 5% of women in peace missions. From total number of personnel in BH Armed forces, there is 6, 5% of women.

From 189 employees of **Ministry of Security**, there is 90 women or 47, 61%. Minister, deputy minister and secretary are men. From 10 assistant ministers, there are 9 men and one woman. From 20 heads of departments, there are 12 men and 8 women.

State Investigation and Protection agency (SIPA), as a part of Ministry of Security, employs 736 people, 173 women (23, 50%) which is a 9, 5% increase in comparison to 2009. From total number of employees, there are 112 employees (64 women, or 57, 14%), 78 public servants (39 women or 50%; 3 women, or 3, 85% have managerial positions) and 546 police officers (70 women or 12, 82%, while 6 women or 1, 1% hold managerial positions – senior inspectors / team leaders).

B&H Border Police, as a part of B&H Ministry of security, from total of 2053 police officers, employs 137 women or 6, 67%, while managerial positions have 2 women, or 0, 097%. From total of 45 public servants, there are 23 women or 51, 11%, while managerial positions hold 3 women or 6, 67%. Among 150 employees, 97 or 64, 67% of them are women.

According the data of **FB&H Ministry of Interior**, by December 20 2013, there were 177 employees, 99 women (56%) and 78 men (44%). From six senior civil servants, there are 4 women (67%) and 2 men (33%). From remaining 55 public servants, there are 27 women (49, 10%) and 28 men (50, 9%). From total of 110 employees, there are 68 women (61, 82%) and 42 men (38, 18%).

From total of 773 employees in **Federal police administration** there are 137 women (17, 72%) and 634 men (82, 27%). Two senior public servants are men. From remaining 49 civil servants there are 27 women (55, 10%) and 22 men (44, 89%). From total of 159 employees, there are 66 women (41, 50%) and 93 men (58, 49%). From 565 police officers, there are 44 women (7, 78%) and 521 men (92, 21%). None of the women have the rank of chief inspector, two are independent inspectors, two are senior inspectors and 10 are inspectors. Most of employed women have the rank of senior police officer.

In **cantonal Ministries of Interior** there are 7336 police officers. There are 469 women or 6, 39%. Most of the women have ranks of police officer, senior police officer and junior inspector. There are 14 women ranked senior inspectors (0, 19%), 12 are senior inspectors (0, 16%) and only two hold the rank of independent inspector (0, 035%). None of the women are chief inspectors.

From total number of employees in the **RS Ministry of Interior** there are 21,45% of women, 5, 64% police officers (2, 83% uniformed, 2, 81% out of uniform). There are 82 women in managerial positions (1, 20%). There are 12 policewomen in managerial positions up till level of commander of police station, 12 women (0, 16%) hold the rank of independent inspector, while 2 are chief inspectors.

From 46 employees of **Brcko District Police**, there are 27 women (58,67%). Two women have managerial positions. Out of total of 256 police officers, there are 12 women, or 4, 68%. Two women (0, 78%) hold the rank of inspectors, while three (1, 17%) hold the rank of junior inspectors.

This data indicates that there is a lack of women in all positions within these institutions, but they also point to the fact that only a small number of police officers in the foreseeable future will have requirements for promotion to a higher rank. Bearing in mind that the number of women in the starting and middle positions is already small, it is hard to expect real increase of number of women in managerial positions, or acquiring higher ranks.

2. Measures to increase number of women in peacekeeping forces

B&H Ministry of Defense is working on **improvement of data base about interest and participation of women in peace missions**. PR Office of MoD in cooperation with Staff management center were obligated to organize promotion of military calling and activities that were carried out by participants of peace keeping missions within their mandate. There were educations about significance of participation of women in armed forces and peace keeping missions held in all levels of BH Armed forces.

In order to affirm participation of women in peace missions, Ministry of security has used **affirmative measures**, by reducing the number of required years of work experience as one of main criterion for applying for participation in peace keeping **from 8 to 5 years for women**. This affirmative measure has been introduced since law enforcement agencies in B&H were lacking women with 8 years of continuous work experience in police forces. That

would result in suspension of sending men in peace missions since UN require and expect from their member states to give advantage to the women when choosing troops for deploying in specific mission.

UN police mandate consists of provision of support to implementation of peace agreements, support to governments in implementation of security reform, protection of civilians (especially the most vulnerable groups; displaced persons, returnees, women and children), providing and organizing different trainings for local police officers, as well as preventing escalation of conflicts, maintaining public order and peace. Policewomen from Bosnia and Herzegovina have been participating in peace support missions of UN since 2000. Female members of BH Armed forces took part in peace-keeping operations in Ethiopia, Eritrea and Iraq. First rotation of Infantry of BH Armed forces in Afghanistan also had a female member. Women in peace keeping operations have the most demanding tasks, as military observers, deminers and infantrywomen.

- Number and percentage of women in peace-keeping forces, according to rank

According to BH Ministry of security Report, at this time there are 52+1+1 women participating in United Nations peace keeping missions (South Sudan and Libya). From 52 police officers, there are 12 women (23,07%). If we count professional and semi-professional police officers, number of deployed policemen would be 54, including 13 women (24, 04%). This data¹³ shows growth in trend of increasing interest and opportunities for participation of women in peace missions. Women have been assigned positions of commanders and deputy commanders of BH contingent in peace missions. Current percentage is greater than in member countries of NATO and EU. Such a success would not be possible without understanding and support of all law enforcement agencies in BH who, in their starting phase give approval to their police officers to apply for deployment in peacekeeping missions.

III. Protection

1. Greater access to judiciary for women whose rights were violated

- Number and percentage of reported cases of exploitation and abuse allegedly committed by uniformed persons, that are being forwarded, investigated and looked into.

Office of parliamentary commissioner in Bosnia and Herzegovina continues the practice of keeping separate records about complaints made by members of BH Armed forces. In 2012 there has been only one complaint made by female member of BH Armed forces. According to the basis, that complaint was categorized under "other issues". It is relevant to say that in prior period there was no obvious violations of rights of female members of BH Armed forces, just because they are women, respectively, there was no gender based harassment or discrimination.

IV. Other information

- Information about making, implementation and evaluation of National plan for Implementation of UNSC Resolution 1325

In accordance with recommendations from independent evaluation of implementation of prior Action plan, the structure of the new plan for the period from 2014 to 2017 was established.

¹³ BH Ministry of Security statistics; available on <http://www.bihat.ba>

Strategic and midterm goals, but also, expected outcomes have been defined more clearly, as well as formulation of specific, result-based activities.

New structure ensures prevention and protection through strategic goal 2: **Increased degree of humane security**. Action plan introduces a new concept based upon the fact that security does not solely mean safety of the country or institutions, but also individuals and groups from the threats they face on the daily basis. Humane security opened the way to the introduction of gender equality principles to the security sector since it made possible to qualitatively different way of considering security on all levels of government in Bosnia and Herzegovina, especially in local communities. It also offers new solutions to increase the level of security of all citizens.

- Information of best practices and lessons learned

Independent evaluation of Action plan implementation (conducted in July 2013) concluded that this plan is a model of good practice for making and implementing public policy. Bosnia and Herzegovina is internationally recognized for this.

Action plan has been successful for several reasons. First, it has been created in a way that it connects the goals and activities with existing mandates of relevant institutions in charge of security policies. Expertise of personnel with experience in this field was used in promotion of cooperation of institutions. Second, Agency for Gender Equality of Bosnia and Herzegovina has had a key role and provided expert and technical support to most institutions in implementation of Action plan. By creation and distribution of educational materials and conducting of trainings, Agency for Gender Equality B&H has raised awareness about gender equality and its importance to the peace and security. Also, BH GE Agency has tried to practically bring these topics closer and ensure practical approach to implementation of Action plan. Through these educational activities, UN Resolution 1325 and Action plan for B&H have been presented as strategies connected to broader country goals.

Several NGOs in cooperation with Agency for Gender Equality and with financial support of UN Women BH and FIGAP program, have implemented specific projects of localization of Action plan through application of concept of humane security. These initiatives, used for identification of local priorities and obstacles in realization of security of women in local communities, represent an innovative example, on a global level, how to bring the message of UN SC Resolution 1325 on a local level of power in Bosnia and Herzegovina.

- Other relevant information

Gender action plan for Bosnia and Herzegovina for the period from 2014 to 2017 (GAP B&H) is a strategic paper that contains of strategic goals, programs and measures for achieving gender equality in all the areas of life, public and private. It provides guidelines for making annual operative plans on entity, canton and local level. GAP BH follows the priorities of all the levels of power in B&H, relying on the previous GAP (2006-2011) and other relevant strategic country and entity papers, and documents by European Council, European Union and United Nations.

In May of 2013 the PARP¹⁴ Estimate for Bosnia and Herzegovina was adopted at NATO Council level, and within that framework there has been adopted a new Partnership goal G4590 "Gender Equality Perspective". Ministry of defense of Bosnia and Herzegovina is appointed as a stakeholder for this goal, so certain activities in that direction have already been undertaken.

¹⁴ PARP – Process of planning and revision – one of the mechanisms of interactive co-operation with NATO

Answer in regards to private security companies:

In accordance with the Law on the Directorate for the Coordination of Police Bodies and Police Support Agencies of Bosnia and Herzegovina, the Agency for Education and Professional Training Mostar¹⁵ is responsible for the training of members of the agencies for protection of people and property, as well as the training of members of the detective agencies, and keeping records of their competency.

At the same time, in accordance with the Work Program of the Council of Ministers of 2009 and the plan to produce a Draft Law on Security Guard and Private Detective Agencies, the Ministry of Security established a task force to prepare the Draft Law on Security Guard and Private Detective Agencies. This Task Force has completed its assignment, and the Draft Law on Security Guard and Private Detective Agencies has been submitted to the Parliamentary Assembly of Bosnia and Herzegovina. The parliamentary procedure for this law has not been completed yet, however, and this matter is still in the process of adoption.

There is adequate legislation in place, however, at lower levels of government that deal with the establishment, the organization, and the oversight of agencies that primarily deal with activities to protect persons and property.

In accordance with the above-mentioned legislation, the RS and FB&H Ministries of the Interior, as well as BD Police maintain oversight and detailed databases of agencies for protection of persons and property and private detective agencies. They also maintain information about the precise number of employees of those agencies, as well as the number of firearms.

¹⁵ <http://www.aeptm.gov.ba/naslovnica>

ANNEX I

Political documents:

- Declaration on Measures to Eliminate International Terrorism, adopted by the General Assembly of the UN, 09 December 1994;
- Declaration to supplement the Declaration on Measures to Eliminate International Terrorism, adopted by the General Assembly of the UN, 17 December 1996;
- Proliferation Security Initiative, 09 February 2005.

Universal international multilateral treaties:

- Convention on Criminal Acts and other Acts Committed in Aircraft
- Convention on Suppression of Unlawful Seizure of Aircraft (Hijacking Convention)
- Convention on Suppression of Unlawful Acts Against Safety of Civil Aviation
- Convention on Prevention and Punishment of Criminal Acts against Persons under International Protection, Including Diplomatic Agents
- International Convention against the Taking of Hostages
- Protocol on Suppression of Unlawful Acts of Violence at the Airports serving International Civil Aviation, as an amendment to the Convention on Suppression of Unlawful Acts against the Safety of Civil Aviation dated 23 September 1971
- Convention on Suppression of Unlawful Acts against the Safety of Maritime Navigation (in the ratification procedure)
- Protocol on Suppression of Unlawful Acts against the Safety of Fixed Platforms Located in Epicontinental Seaway
- Convention on the Marking of Plastic Explosives for the Purpose of Detection, 01 March 1991;
- International Convention for the Suppression of Terrorist Bombings, 15 December 1997, ratified 19.06.2003
- International Convention for the Suppression of the Financing of Terrorism, 09 December 1999;

Regional multilateral treaties:

- Agreement on Cooperation to Prevent and Combat Trans-border Crime with the Charter of Organization and Operation of the South-East European Cooperative Initiative Regional Centre SECI for Combating Trans-border Crime, 16 May 1999.
- OSCE Document on SALW (Vienna, 24.11.2001)
- OSCE Charter on Preventing and Combating Terrorism (Porto, December, 2002)
- OSCE Document on Stockpiles of Conventional Ammunition
- Strategic agreement between the Council of Ministers of B&H and the Office of the European Police (EUROPOL), signed on 26 January 2007;
- Agreement between the Council of Ministers of B&H and the North-Atlantic Treaty Organization (NATO) on security of information, signed on 16 March 2007, ratified ;
- Agreement on the Exchange of Security Data with the European Union, signed in 2004.

Bilateral agreements that define of police cooperation between Bosnia and Herzegovina (B&H) and other states:

- Agreement between the Government of Bosnia and Herzegovina and the Government of the Republic of Hungary on Cooperation on Combating Terrorism, Traffic of Narcotics and Organized Crime, signed in Budapest (Hungary), on 21 April 1996 (ratification in the process of preparation);
- Agreement between the Council of Ministers of Bosnia and Herzegovina and the Government of the Republic of Turkey on Cooperation in Combating International Terrorism, Traffic of Narcotic Drugs and Psychotropic Substances and Organized Crime, signed in Ankara (Turkey), on 21 June 2000 (ratified by the Presidency of B&H on 5 April 2002);
- Agreement on cooperation between the Council of Ministers of B&H and the Government of the Republic of Italy in the field of the combat against organized crime, developed and signed in 2002, entered into force on 26 October 2007;
- Agreement between the Council of Ministers of Bosnia and Herzegovina and the Government of the Republic of Croatia on Cooperation in Combating Terrorism, Smuggling and Abuse of Drugs and Organized Crime, concluded in Sarajevo in 2002;
- Cooperation Agreement between the Ministry of Security of B&H and the Ministry of Internal Affairs of the Russian Federation, signed in September 2004;
- Agreement on Police cooperation between the Council of Ministers of B&H and the Republic of Greece, signed in March 2006.

- Agreement on Police cooperation between the Council of Ministers of B&H and the Republic of Austria, signed on 5 May 2006, entered into force on 01 September 2007.
- Agreement on Police cooperation between the Council of Ministers of B&H and the Islamic Republic of Iran, signed in 2005.
- Agreement on Police cooperation between the Council of Ministers of B&H and Switzerland, signed 25 April 2007.
- Agreement on Police cooperation between the Council of Ministers of B&H and the Republic of Slovakia, initiated in 2006.
- Agreement between the Council of Ministers of Bosnia and Herzegovina and Government of Serbia on cooperation in fight against organized crime, terrorism, drug trade, illegal migration and other criminal acts-in procedure, Presidency of BH agreed to initialize the Agreement on 18.01.2007, awaiting approval from the Serbian side
- Strategic agreement between the Council of Ministers of B&H and the Office of the European Police (EUROPOL), signed on 26 January 2007;
- Agreement between the Council of Ministers of B&H and the North-Atlantic Treaty Organization (NATO) on security of information, signed on 16 March 2007;
- Agreement between the Council of Ministers of B&H and the Government of the Republic of Croatia on Cooperation and Monitoring of the State Border (signed on 29 March 2007);
- Agreement between the Council of Ministers of B&H and the Government of the Republic of Romania on Police Cooperation in Bucharest, signed 04 June 2007;
- Protocol on Implementation between the B&H Ministry of Security and the Government of the Republic of Romania Ministry of Internal Affairs and Administrative Reform, signed in Bucharest on 06 July, 2007;
- Agreement between the B&H Council of Ministers and the Government of the Republic of Romania on readmission of their citizens and foreigners, signed in Bucharest on 10 October 2005;
- Agreement between the Council of Ministers of B&H and the Government of the Republic of Bulgaria on Police Cooperation in Pleven, signed on 20 September 2007;
- Agreement between the Council of Ministers of B&H and the Government of Montenegro on Police Cooperation in Becici, signed on 07 September 2007;
- Agreement between the Council of Ministers of B&H and the European Union on Readmission; Agreement ratified and entered into force on 01 January 2008;
- Agreement between the B&H Council of Ministers and the European Union on Benefits for Visas; Agreement ratified and entered into force on 01 January 2008;
- Agreement on police cooperation with the Republic of Macedonia, signed on 24.03.2009, Official Gazette no 7/09
- Protocol on joint border patrols along the state border with the Republic of Serbia, signed on 6 March 2009, Official Gazette, no 08/09
- Memorandum on fight against terrorism, organized crime and illegal drug trade between Bosnia and Herzegovina and Belgium, negotiations conducted during 2009; in the procedure
- Memorandum on understanding on cooperation in fight against crime, terrorism, organized crime and illegal drug trade between Council of Ministers of BH and Government of Germany, in the procedure
- Agreement on cooperation in fight against organized crime, terrorism and illegal drug trade between Bosnia and Herzegovina and Ukraine, in procedure
- Agreement on cooperation in the area of security between Council of Ministers of Bosnia and Herzegovina and Government of the Republic of France, signed on 29.03.2010. Concrete measures and actions are anticipated with special attention devoted to fight against terrorism, organized crime, illegal drug trade, money laundering and human trafficking.
- According to Agreement on State Border Surveillance Cooperation, the following protocols were created and signed between the Council of Ministers of Bosnia and Herzegovina and the Government of Republic Croatia:
 - Protocol between Ministry of Security of B&H - Border Police and Ministry of Interior of Republic Croatia – Police Directorate, on Conducting Joint patrols along Common Border;
 - Protocol between Ministry of Security of B&H - Border Police and Ministry of Interior of Republic Croatia – Police Directorate, on Forming Joint Groups for Fighting Crime;
 - Protocol between Ministry of Security of B&H - Border Police and Ministry of Interior of Republic Croatia – Police Directorate, on Assigning Liaison Officers;
 - Protocol between Ministry of Security of B&H - Border Police and Ministry of Interior of Republic Croatia – Police Directorate, on Official Transit Across the Other Contracting Party Territory to Act in Own State Area.
- In accordance with Police Cooperation Convention in Southeastern Europe, the following Protocols and Agreements were signed with the Republic of Serbia:

- Protocol between Ministry of Security of Bosnia and Herzegovina and Ministry of Interior of Republic Serbia on Conducting Joint patrols along Common Border;
- Protocol between Ministry of Security of Bosnia and Herzegovina and Ministry of Interior of Republic Serbia on Holding Regular Meetings of Border Police Representatives at National, Regional and Local Levels.
- In accordance with Police Cooperation Convention in Southeastern Europe, the following Protocols and Agreements were signed with Montenegro:
 - Protocol between Ministry of Security of Bosnia and Herzegovina and Ministry of Interior and Public Administration of Montenegro on Organizing and Holding Regular Meetings of Border Polices at National, Regional and Local Levels;
 - Protocol between Ministry of Security of Bosnia and Herzegovina and Ministry of Interior and Public Administration of Montenegro on Conducting Joint patrols along Common Border;
 - Agreement between Council of Ministers of Bosnia and Herzegovina and Government of Montenegro on Conducting Border Checks at Joint Border-crossing Points.
- In accordance with signed Protocols on Conducting Joint Patrols, regional Plans for conducting joint patrols with Republic Croatia, Montenegro, and the Republic Serbia have been agreed upon, and currently, appropriate actions are being taken in the field.

National legislation related to combating terrorism and terrorism-related activities and legislation related to democratic control of armed forces:

- Criminal Code of Bosnia and Herzegovina
- Law on Criminal Proceedings of Bosnia and Herzegovina
- Law on State Investigation and Protection Agency
- Law on Police Officials of Bosnia and Herzegovina
- Law on Border Control of Bosnia and Herzegovina, followed by creation of implementation regulations to enable full enforcement of all provisions of the Law and the mentioned Protocols and Agreements. So far, the following have entered into force:
 - Book of rules on the manner of weapons and ammunition transport across the state border
 - Book of rules on layouts, contents, conditions and procedure of issuing and taking away permits for movement and stay of persons at international airports
 - Law on Protection of Witnesses under Threat and Vulnerable Witnesses
 - Law on Witness Protection Program
 - Law on applying certain temporary measures for the efficient enforcement of the mandate of International Crime Court for ex Yugoslavia and other international restrictive measures.
- The Law on Classified Data Protection of B&H
- Law on the Protection and Rescue of People and Property in the Event of Natural or Other Disasters
- Law on Prevention of Money Laundering and Financing of Terrorist
- Law on Identity Cards of Citizens of Bosnia and Herzegovina
- Bosnia and Herzegovina has also ratified the following treaties in the field of radioactive and nuclear material security:
 - Treaty on the Non-Proliferation of Nuclear Weapons;
 - The New Safeguards Agreement between Bosnia and Herzegovina and International Atomic Energy Agency in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (Ratified on 12th December 2012);
 - Additional Protocol to the Safeguards Agreement between Bosnia and Herzegovina and International Atomic Energy Agency in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (Ratified on 12th December 2012).
 - Convention on the Physical Protection of Nuclear Material;
 - Amendment to the Convention on the Physical Protection of Nuclear Material.
 - Also, Bosnia and Herzegovina has expressed political support to the implementation of the "Code of Conduct on the Safety and Security of Radioactive Sources."
- There are also other legal and secondary legislation (strategies, and similar documents), which regulate different aspects of institutions and agencies in the area of combating and preventing terrorism in Bosnia and Herzegovina.
- Constitution of Bosnia and Herzegovina
- Law on the Parliamentary Military Commissioner of Bosnia and Herzegovina
- Law on Defense of B&H
- Law on Service in the AF of B&H
- Law on participation of the members of AF of B&H, police officers, civil servants and other employees in peace support missions and other activities abroad

- Law on travel documents of B&H
- Law on amendments to the law on travel documents of B&H
- Constitution of Federation of B&H (FB&H)
- Memorandum of Cooperation in the Fight against Terrorism between the Federal Police Administration and Cantonal Ministries of Interior in the FB&H
- Constitution of Republika Srpska (RS)
- Law on Agencies for Protection of Persons and Property and on Private Detective Activities of RS
- Law on the Government of RS
- Law on Administration of RS
- Law on Internal Affairs of RS
- Law on Parliamentary Oversight of the Defense and Security Sector of RS
- Law on Amendments of the Law on Parliamentary Oversight of the Defense and Security Sector of RS
- Law on Police Officers of RS
- Law on Amendments of the Criminal Code of the RS
- Criminal Code of Brcko District (BD)
- Statute of BD
- Law on Police of BD
- Law on Agencies for Protection of Persons and Property and on Private Detective Activities of BD
- Law on police officers of BD
- Law on civil service in administration of BD
- Labor Law of BD
- Regulation on Security of Nuclear Material and Radioactive Sources

Relevant Council of Europe anti-terrorism conventions:

- European Convention on Combating Terrorism (ETS 90)
- Additional Protocol (ETS 190)
- European Convention on Extradition (ETS 24)
- First Additional Protocol (ETS 86)
- Second Additional Protocol (ETS 98)
- European Convention on Mutual Assistance in Criminal Matters (ETS 30)
- First Additional Protocol (ETS 99)
- Second Additional Protocol (ETS 182)
- European Convention on Transfer of Proceedings in Criminal Matters (ETS 73)
- European Convention on Compensation of Damage to the Victims of Violent Crimes (ETS 116)
- European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS 141)
- Convention on Cybercrime (ETS 185)
- Additional protocol to the Convention on Cybercrime on Incrimination of the Acts of Xenophobic and Racist Nature (ETS 189)
- European Council Convention on Terrorism Prevention (ETS 196)
- European Council Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on Combating Terrorism (ETS 198)

Security Council Resolutions:

S/RES/1963 (2010)[on extension of the mandate of Counter-Terrorism Committee Executive Directorate (CTED) as special political mission under the policy guidance of Counter-Terrorism Committee (CTC)]

S/RES/1904 (2009)[on threats to international peace and security caused by terrorist acts]

S/RES/1822 (2008)[on directing 1267 Committee to conduct a review of all names on the Consolidated List by 30 June 2010 and followed by regular reviews; making accessible publicly releasable reasons for the listing of individuals and entities and extending the mandate of the Analytical Support and Sanctions Monitoring Team for a further period of 18 months]

S/RES/1810 (2008)[on extending mandate of the 1540 Committee for a further three years until 25 April 2011]

S/RES/1805 (2008)[on extending mandate of Counter-Terrorism Committee Executive Directorate (CTED) until 31 December 2010]

S/RES/1787 (2007) [on extension of Counter-Terrorism Committee Executive Directorate (CTED) mandate]

S/RES/1735 (2006) [on reviewing the measures imposed resolution 1267 (1999) with a view to their further strengthening in 18 months; providing cover sheet for listing submissions, extending consideration period for exemption requests under resolution 1452 (2002), and extending the mandate of the Analytical Support and Sanctions Monitoring Team for a further period of 18 months]

S/RES/1732 (2006) [on taking note with interest of the best practices and methods contained in the report of the Informal Working Group on General Issues of sanctions (S/2006/997) and requesting subsidiary bodies to take note as well.]

S/RES/1730 (2006) [on establishment of a focal point within the Secretariat to receive de-listing requests and directs the relevant sanctions committees to revise their guidelines accordingly]

S/RES/1699 (2006) [on requesting the Secretary-General to take the necessary steps to increase cooperation between the United Nations and Interpol]

S/RES/1673 (2006) [on extending mandate of the 1540 Committee for a further two years]

S/RES/1631 (2005) [on cooperation between the United Nations and regional organizations in maintaining international peace and security]

S/RES/1625 (2005) [Threats to international peace and security caused by terrorist acts]

S/RES/1624 (2005) [on prohibition of incitement to commit terrorist acts] requires that the national criminal legislations incriminate incitement to terrorism as a criminal offence and prevent every form of subversive terrorist action via religious and educational organizations.

S/RES/1618 (2005) [on condemnation of terrorist attacks in Iraq]

S/RES/1617 (2005) [on reviewing the measures imposed by resolution 1267 (1999) with a view to their further strengthening in 17 months; providing definition of "associated with", calling for submission of checklist, and requesting the Secretary-General to extend the mandate of the Analytical Support and Sanctions Monitoring Team for 17 months] It calls upon all the countries to use Interpol resources and databases for suppression of terrorism

S/RES/1611 (2005) [on condemnation of terrorist attacks in London]

S/RES/1566 (2004) [on creation of working group to consider measures against individuals, groups and entities other than Al-Qaida/Taliban]

S/RES/1540 (2004) [Under Chapter VII of the United Nations Charter, obliges States to refrain from supporting by any means non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their delivery systems]

S/RES/1535 (2004) [on creation of Counter-Terrorism Committee Executive Directorate (CTED)]

S/RES/1530 (2004) [on the bomb attacks in Madrid, Spain, on 11 March 2004]

S/RES/1526 (2004) [on further improving the implementation of resolution 1267 (1999), strengthening the mandate of the 1267 Committee and requesting the Secretary-General to appoint an Analytical Support and Sanctions Monitoring Team for 18 months (paras 1, 3, 6 & 7)] the Security Council requests the member states to take intensified measures, particularly financial measures against targeted individuals and entities, that include not only finances, but also undertakings and organizations, including finances obtained from the property owned or controlled, directly or indirectly, by individuals and groups related to Al-Qaida. The countries are requested to prevent such individuals from having benefit, directly or

indirectly, from the above mentioned finances. The Resolution strengthens the measures directed towards prevention of movement of the individuals the sanctions are applied to. The Resolution forbids direct or indirect supply, sale or transfer of weapons and military equipment for such individuals and groups. The Resolution establishes the Analytical Support and Sanctions Monitoring Team that will, as an expert body, assist the Security Council Committee in carrying out its tasks.

S/RES/1516 (2003)[on the bomb attacks in Istanbul, Turkey, on 15 November 2003 and 20 November 2003]

S/RES/1465 (2003)[on the bomb attack in Bogota, Colombia]

S/RES/1456 (2003)[on high-level meeting of the Security Council on combating terrorism] the Security Council adopts the Ministerial Declaration on combating terrorism

S/RES/1455 (2003)[on improving implementation of measures imposed by resolution 1267 (1999)]

S/RES/1452 (2002)[on implementation of measures imposed by resolution 1267 (1999)]

S/RES/1450 (2002)[on condemning the terrorist bomb attack, in Kikambala, Kenya, and the attempted missile attack on the airline departing Mombasa, Kenya, 28 November 2002]

S/RES/1440 (2002)[on condemning the act of taking hostages in Moscow, Russian Federation, on 23 October 2002]

S/RES/1438 (2002)[on the bomb attacks in Bali, Indonesia]

S/RES/1390 (2002) on lifting the provisions imposed by the Resolutions 1267 (1999) and 1333 (2000) in relation to forbidding taking off and landing in their territory to Afghan aircrafts, and lifts the provision on closing Ariane Afghan Airlines offices (lifts the air embargo)

S/RES/1377 (2001)[on the adoption of declaration on the global effort to combat terrorism]

S/RES/1373 (2001)[on international cooperation to combat threats to international peace and security caused by terrorist acts] As a consequence of the terrorist attacks on USA on September 11th, 2001 the UN Security Council on September 28th, 2001 unanimously adopted the resolution 1373 presenting a comprehensive strategy for combating international terrorism. The Resolution establishes the Committee for supervision of the implementation of R-1373. The Resolution requests all the countries to take measures for prevention of terrorism, e.g. freeze the funds of those who commit, prepare to commit or assist terrorist acts, ensure that terrorist acts in domestic legislation are described as severe criminal offences with appropriate punishment, *mutually exchange information on terrorist activities, become parties to relevant conventions* in combating terrorism, ensure that refugee and asylum status is not misused for the purpose of terrorism.

S/RES/1368 (2001)[condemning the terrorist attacks of 11 September 2001 in New York, Washington, D.C. and Pennsylvania, United States of America]

S/RES/1363 (2001)[on the establishment of a mechanism to monitor the implementation of measures imposed by resolutions 1267 (1999) and 1333 (2000)]

S/RES/1333 (2000)[on measures against the Taliban] decides that all the countries introduce weapons embargo and military *know-how* on the territory of Afghanistan controlled by the Taliban:

- a) Countries having diplomatic relations with the Taliban are requested to reduce them significantly, including reduction of staff within the Taliban's missions, and limitations and control of movement of the Taliban's representatives (diplomatic sanctions).
- b) All the countries are requested to close offices that represent Taliban's interests, as well as Ariane Afgan Airlines.

S/RES/1269 (1999)[on international cooperation in the fight against terrorism]

S/RES/1267 (1999)[on measures against the Taliban] requests from the Taliban to end the trainings of

international terrorists and hand over Osama bin Laden. It prescribes that on November 14th, 1999 all UN member states start applying the following measures:

- freezing of funds and financial sources originating from the Talibans, except if the Sanctions Committee decides otherwise for humanitarian reasons (financial sanctions).
- decision on the establishment of the Security Council Committee supervision of the implementation of the mentioned measures

S/RES/1214 (1998) [on the situation in Afghanistan]

S/RES/1189 (1998) [on the terrorist bomb attacks of 7 Aug. 1998 in Kenya and Tanzania]

S/RES/1054 (1996) [on sanctions against the Sudan in connection with non-compliance with Security Council resolution 1044 (1996) demanding extradition to Ethiopia of the three suspects wanted in connection with assassination attempt on President Mubarak of Egypt]

S/RES/1044 (1996) [calling upon the Sudan to extradite to Ethiopia the three suspects wanted in connection with the assassination attempt against President Mubarak of Egypt]

S/RES/731 (1992) [on the destruction of Pan American flight 103 and Union des transports aériens flights 772]

S/RES/748 (1992) [on sanctions against the Libyan Arab Jamahiriya]

S/RES/687 (1991) [on restoration of the sovereignty, independence and territorial integrity of Kuwait]

S/RES/635 (1989) [on marking of plastic or sheet explosives for the purpose of detection]
