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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 2012

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.



To:

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

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.¹

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 to implementing various UN Security Council Resolutions². 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. Since 2001, B&H submitted five reports on the implementation of UNSCR 1373 to the UN Counter-Terrorism Committee (UN CTC).

As a member of the Council of Europe, Bosnia and Herzegovina is signatory to conventions pertaining to the fight against terrorism (Annex 1). 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."³

Bosnia and Herzegovina has signed the Stabilization and Association Agreement (SAA) with the European Union, and the SAA is currently undergoing the ratification procedure. Bosnia and Herzegovina is 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 1.

¹ For full list, see Annex 1

² For a complete list, see Annex 1

³ See <http://www.nato.int/docu/update/2008/09-september/e0909a.html> and <http://www.nato.int/docu/pr/2008/p08-049e.html#ipap>

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

Bosnia Herzegovina has adopted a **Strategy for prevention and fight against terrorism** for the period 2010-2013. This Strategy establishes a general framework for Bosnia and Herzegovina's actions in its fight against terrorism, and it offers guidelines for improving existing and developing new measures and instruments for the prevention and suppression of terrorism.

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. The present Strategy is therefore very important 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 is a vehicle for the transfer and application of European antiterrorism standards and regulations into the constitutional and legal system of Bosnia and Herzegovina.

Taking into account the existing security structure, as well as its development in the past period, the present Strategy defines objectives in the prevention of all forms of terrorism and crimes related to it, as well as in the prevention of all their negative effects. General objectives are:

- 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.

The Ministry of Security of Bosnia and Herzegovina 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 Ministers and comprises representatives of state level and lower levels of government.

As a part of the Strategy's implementation, on 14 January 2011, the Intelligence-Security Agency of B&H has drafted up the "Action Plan of the Intelligence-Security Agency B&H for Implementation of the B&H Strategy for Preventing and Countering Terrorism" for the period 2010-2013, which was submitted to the B&H Ministry of Security.

Starting from the indications of presence and threats posed by terrorism, the importance of countering the issue, and the Agency's role in preventing and countering terrorism, the Action Plan has stipulated the overall and specific goals of the Agency in implementing the Strategy, as

well as the measures and activities for achieving the set goals, the persons in charge of the activities, the deadlines for implementation of activities, and the indicators of implementation.

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 (CCB&H)⁴. The same is true for criminal codes of lower levels of government.

In cooperation with experts from the UN Office on Drugs and Crime Terrorism Prevention Branch (UNODC-TPB) and the Council of Europe, a specialized working group nominated by B&H Council of Ministers, made recommendations on amending the criminal code, resulting in the adoption of new articles in the CC B&H: Encouraging Terrorist Activities in Public; Recruitment for Terrorist Activities; Training to Perform Terrorist Activities; Organizing a Terrorist Group.⁵

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.

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 more details on Court jurisdiction of Bosnia and Herzegovina, Procedural rules, Special investigative methods, as well as the application of international restrictive measures, please refer to the 2011 Answers to the Code of Conduct Questionnaire for Bosnia and Herzegovina.⁶

For an extended list of national legislation as well as full-text of certain articles pertaining to terrorism related offences, please see Annex 2.

⁴ Criminal Code of Bosnia and Herzegovina. For the text of articles of the Criminal Code pertaining to the offenses listed, please see Annex 2.

⁵ For a full list of amendments and full-text of the articles, see http://www.tuzilastvobih.gov.ba/files/docs/izmjene_krivicnog_zakona_8_10_-_eng.pdf

⁶ Please visit: <http://www.osce.org/fsc/78003>

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 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**, 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 the state of B&H.

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.

The NATO Coordination Team has been established at the B&H Council of Ministers level, with the purpose to improve the Inter-ministerial activities in B&H. In July 2004, the Minister of Defense of B&H issued an instruction that defines the deadlines and obligations for meeting the deadlines for prohibiting the trade of SALW that are owned by the Armed Forces of B&H. The Instruction prescribes that all SALW owned by the Armed Forces of B&H, that were not exported before 30 June 2005, according to the precisely defined procedure, shall be subject to destruction.

A Military-Intelligence Branch exists within the Armed Forces of B&H that is tasked to work on a timely detection of terrorist activities 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**⁷, as the country's main security institution, is responsible for the protection of international borders, prevention and tracing of

⁷ <http://msb.gov.ba/Default.aspx?pageIndex=1>

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 B&H.

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 cooperation; 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, and the Service for Foreigners, Directorate for the Coordination of Police Bodies, as administrative organizations whose rights, duties and operational autonomies are regulated by separate laws, and the Office for Cooperation with Interpol, as an autonomous service whose rights and duties are regulated by separate regulations.

The **State Investigation and Protection Agency (SIPA)**⁸ is an agency within Ministry of Security. SIPA has police power and it's responsible for fighting terrorism, organized crime and other criminal offences which are under responsibility of Court of B&H. The mission of the Section for Combating Terrorism and Trafficking in Nuclear, Biological and Chemical Weapons in preventing and combating terrorism is based on the Strategic Plan and the mission of our Agency, which is "efficient suppression, detection and investigation of criminal offences of terrorism with the aim of providing protection to all the citizens of B&H and enhancing their sense of security and trust in the system of security, as well as the active participation in international inter-agency cooperation in combating global terrorism". Financial Intelligence Department (FID), as a part of the SIPA, receives, collects, investigates and analyses information and data and forwards them to the B&H Prosecutor's Office in accordance with the Law on Preventing Money Laundering and Financing of Terrorist Activities. It is responsible for international cooperation on issues relating to the fight against the financing of terrorism, and offers expert assistance to the Prosecutor's Office in this area. The FID has been a member of the EGMONT group since 29 June 2005; exchanges of information on money laundering and the financing of terrorism are ongoing amongst the members of the group. With the aim of improving the exchange of data and information relating to the fight against the financing of terrorism, the FID has signed Memorandums of Understanding with several countries in the region. The Agency, through its Financial-Intelligence Department, carries out the following concrete activities on prevention and combating terrorism funding:

- In compliance with the obligations of our country stemming from a non-permanent UN membership, and in cooperation with other competent institutions in our country, we continually collect data and information in relation to persons and organizations designated on the lists established under the United Nations Security Council's Resolutions and apply measures against them prescribed by these resolutions

⁸ <http://www.sipa.gov.ba/en/>

- Within the operational actions implemented by the Agency against persons and legal entities interesting from the aspect of terrorism funding, we collect information and data for the purpose of preventing, detecting and investigating linkage of these persons and entities with possible financing of terrorist activities.

The Crime Investigation Department offers operational assistance to the FID, detects and investigates criminal terrorist activities, identifies and extradites the perpetrators of such criminal offences to the Prosecutor's Office, collects notifications and data on criminal offences, and monitors and analyses the security situation. The Witness Protection Department provides protection to witnesses in accordance with the laws and other regulations of B&H on witness protection. The Unit for Special Support offers its support to FID and other departments, ensuring additional po-lice tactics, equipment and human resources when stronger security measures are needed. The Unit also performs the most demanding and the most complex technical, operational, and tactical police actions.

The **Border Police**⁹ of Bosnia and Herzegovina is responsible for surveillance and control of state borders, implements the Law on Movement and Stay of Foreign Persons and Asylum, detects, investigates and suppresses offences prescribed by the Criminal Code of B&H, particularly those directed at the security of B&H and the security of state borders. The Central Investigation Office and Specialized Units are entities within the State Border Service.

In accordance with legal authorization, B&H Border Police conducts activities on state border protection, airport security, traffic control at BCPs, approves of legal crossings of the state border, i.e. prevents illegal entries to B&H, ensures for consistent enforcement of legal provisions regulating control of crossings and security of the state border and international airports. Following policy of international community and EU Member States, B&H BP, in cooperation with other competent authorities in B&H, strives to adopt in its work best European normative for monitoring and preventing all forms of illegal migration, cross-border crime and terrorism. In regard to this, measures have been taken to put border and migration management within framework of Schengen standards.

In 2011, the Border Police regularly submitted all terrorism-related information to competent institutions, through different information and criminal intelligence reports. On behalf of Border Police, one officer participated in the work of Operational Anti-terrorism Group.

The **Service for Foreigners**¹⁰ 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**¹¹ (DCPB), beside the earlier established police agencies (Border Police, SIPA, Service for Foreigners), officially started with its work on January 1, 2012 within the Ministry of Security of B&H, as an administrative organization with operational autonomy whose work was regulated by special laws and above all by the Law on

⁹ <http://www.granpol.gov.ba/Home.aspx>

¹⁰ <http://www.sps.gov.ba/index.php?lang=en>

¹¹ <http://www.dkpt.ba/Default.aspx?pageIndex=1>

Directorate for the Coordination of Police Bodies of B&H and Agencies for Police Structure Support. The Directorate took over particular competencies from the Ministry of Security and SIPA (NCB Interpol tasks and protection of VIPs and facilities). NCB Interpol continued to perform its tasks within the Sector for international operative police cooperation and tasks of protection of VIPs and facilities were continued within the Sector for protection of VIPs and facilities. Beside the mentioned competencies, the Directorate took over the employees and necessary material and technical resources from the mentioned institutions in order to continue performing of the tasks and duties.

Directorate for the Coordination of Police Bodies of B&H is the police agency which has a role in combating terrorism through the following most important competencies:

- 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.

The Agency for Education and Professional Training has, among other things, within its mandate the conducting the basic training of police officers and of other police forces of B&H, as well as vocational training and further training of police officers (for SIPA, Border Police and the Directorate for the Coordination of Police Bodies). This Agency is also responsible for the training of members of security agencies for protection of persons and property, as well as the training of private detectives. As this training used to be performed at lower levels of government, this is a work in progress. Among preparatory activities, there are projects under way in the area of drafting ordinances, plans and programs, training of members of agencies for the protection of persons and property, as well as training of members of private detective agencies. Among its other priorities is the legislative process for a state level law on this matter.

When it comes to **police agencies in Bosnia and Herzegovina**¹², 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
- 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
- Monitoring of radical groups whose behavior can lead to any form of violence

¹² <http://www.fmup.gov.ba>, http://www.mup.vladars.net/index_eng.php, <http://www.policijabdbih.gov.ba>

- Preventive measures through prevention of support and recruitment in sensitive and isolated communities

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). This Task Force was established by a Decision of the Council of Ministers of Bosnia and Herzegovina. It operates under the leadership of the Office of Prosecutor of Bosnia and Herzegovina and supervision of the Ministry of Security of Bosnia and Herzegovina.

Pursuant to the Law on Intelligence-Security Agency of B&H, The **Intelligence and Security Agency of Bosnia and Herzegovina**¹³ 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.

The Agency has been established so that a significant part of its human and technical resources is directed to collection and analysis of information of use for preventing and countering terrorist threats. With that aim, in late 2009, an internal reorganization of the Agency has been conducted and the education of its employees in the area of counterterrorism has been intensified.

Counterterrorism is exactly the field in which 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 Agency has become a member of two European intelligence services' associations.

Several **commissions, task and strike forces** currently operate on the state level, which are directly or indirectly connected to the B&H system for fighting terrorism. For example, there are:

- Task Force for Fighting Terrorism that has been established by the Council of Ministers of B&H with the role of coordinating all the activities relating to the fight against terrorism. The Task Force is led by the Chief Prosecutor of B&H.
- Special Working Group for the Suppression of Money Laundering and Financing of Terrorism is in charge of drafting of new legal solutions and coordinates all activities of relevant institutions in the field of AML and CFT.
- State Commission for the Review of Decisions on Naturalization of Foreigners in B&H - The review procedure includes all persons admitted to citizenship through naturalization, who prior to their admission, were not provided with a "JMB" (Citizen ID number) for the period after 6 April 1992 and before 1 January 2006 (war and post war period). The Commission started working in February 2006. Based on the report for 2007, the Commission has made 661 decisions which referred to citizenship withdrawal.

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

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

¹³ <http://www.osa-oba.gov.ba/indexeng.htm>

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.

On October 10, 2011, the Council of Ministers of Bosnia and Herzegovina adopted the Action Plan for elimination of deficiencies identified in the Moneyval III Round of mutual Evaluation Report on Bosnia and Herzegovina. Also, the Council of Ministers adopted on November 9, 2011, a Decision on implementation of restrictive measures against Al-Qaida members, Taliban and groups associated with them, economic subjects and individuals, incl. freezing of funds and other financial and economic assets owned by the designated persons or managed directly or indirectly by other persons acting on their behalf. These measures include ban on entry into and transit across Bosnia and Herzegovina territory, as well as trafficking or trade in weapons and military equipment for designated individuals, groups, associations and organizations.

In addition to activities carried out by SIPA's Financial Intelligence Department (FID), the officials of SIPA's Criminal Investigation Department, as well as 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 operations activities.

Through the FID, SIPA also undertakes continuous activities on prevention and the fight against the financing of terrorism. According to 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 and implements the measures against them, as provided by the resolutions. Also, as part of operational activities carried out by SIPA, in relation to persons 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. As a member of the EGMONT Group, the FID has achieved a considerable degree of international cooperation as well, enabling an efficient exchange of information and data at the international level.

There are also several agencies at lower levels of government¹⁴ that actively cooperate with the Financial Intelligence Department (SIPA FID).

Aware of transitional challenges, especially in the field of economy, which create fertile ground for development of various forms of illegal activities, the Intelligence and Security Agency of Bosnia and Herzegovina 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 accordance with the conclusions from the United Nations Programme for Prevention, Combat and Elimination of Illegal Trade with Small Arms and Light Weapons (SALW) in all aspects, and the Regional Implementation Plan for the Combat against the Proliferation of SALW of the SEE Stability Pact, State-level SALW Co-ordination Committee was established in 2003. Further, upon the proposal by the National SALW Co-ordination Board, the B&H Council of Ministers adopted the SALW Strategy and Action Plan for SALW Control in B&H in May 2006.

¹⁴ Currently, bank supervision is not regulated on the state level. Instead the established institutions are the Bank Agency of RS and the Bank Agency of FB&H (www.fba.ba, www.abrs.ba)

In B&H there is no state level legislation regulating civilian procurement, possession and carrying of SALW. This area is regulated by entity legislation and in Federation of B&H by additional canton legislation (laws on weapons and criminal codes). After the decision made by the B&H Council of Ministers on necessity to harmonize legal arrangements, activities were initiated with the assistance of the UNDP to harmonize legal arrangements in accordance with the EU directives.

With the aim of fulfilling requirements for the accession to NATO and EU, B&H has passed the Law on Production of Weapons and Military equipment, the Law on Movement Control of Armaments and Military Equipment, and the Law on Foreign Trade in Goods and Services of Strategic Importance for Security in B&H, as well as appropriate by-laws entered into force. The passed laws are being applied

The National Strategy and Action Plan have been adopted in accordance with the UN Programme of Fight against Illicit Arms and the EU Strategy. Updated Strategy for the period 2008-2012 is upgrade of national efforts, formalized through SALW Co-ordination Board, particularly directed towards strengthening B&H capacities for destruction of surplus equipment, legal regulation of SALW control, raising awareness of citizens on danger related to SALW and possible impact of increased SALW destruction on health of people and environment. It is obvious that with fewer SALW in circulation, and tighter controls over their use, there are lower rates of violent death.¹⁵

- **Border controls**

Bosnia and Herzegovina's Law on border control regulates border control and crossing of state border of B&H, border crossing points, border line, protected area, control of weapons and ammunition transfer across the State Border, international police cooperation, data collection and keeping, and other issues relating to border control. This law includes the international border and police cooperation, the activities of foreign police services within the territory of Bosnia and Herzegovina, and activity of B&H Border Police in a foreign territory, and cooperation with foreign security services and the exchange of police liaison officers in accordance with international treaty and an agreement on cooperation.

More recently, in regards to border control issues, the following has been done:

- Realization of an EC-funded project called „ISM Upgrade“, within which the existing ISM is upgraded, is in the final stage, with a remark that within the mentioned project, planned activities to create new applications, i.e. Border Police Information System, have been realized.
- The new application has been in the production stage since 28 November 2011, when it was put into function at the Airport Sarajevo, with a remark that it was, until 31 December 2011, put into function at five international border crossing points.
- By creation and putting into function this new application, a functional system of automatic and direct checks on persons and documents was developed, in available Border Police databases, as well as in registers, i.e. databases of other police agencies and institutions in B&H (Ministry of Security and IDDEEA) and Interpol databases (databases of searches for persons and documents), and for the following period, establishment of system for checks in databases containing data on vehicles is planned.
- The new application has already been set up at all international border crossing points (there only remains BPU Velika Kladaša, where activities will be finished by March 15, 2012).

¹⁵ For more details on operations of the FID as well as other measures aimed at combating the financing of terrorism, please refer to last year's Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

The Law on Control of Arms and Military Equipment Movement regulates conditions for arms and military equipment movement in B&H, movement of arms and military equipment related to crossing the state border for import, export or transit purpose, actions of certain authorities reference authorization issuance for movement, submission of request as well as arms and equipment movement surveillance and control.¹⁶

- **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.

¹⁶ For a more detailed report on border control issues, please refer to last year's Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

In reference to the security of travel documents, there were no major changes since the introduction of biometric travel documents.¹⁷

- **Container and supply chain security**

The Indirect Taxation Authority of Bosnia and Herzegovina, 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.

- **Security of radioactive sources**

Licensing of agencies to deal with radioactive material is carried out by Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina, while control is conducted by Indirect Taxation Authority of B&H. Furthermore, transport control of radioactive sources is conducted by the Border Police of B&H, the Veterinary Office of B&H, Phytosanitary Inspection, Market Inspection and Sanitary Inspection, whereby each agency acts according to its authority regulations.

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

- Treaty on the Non-Proliferation of Nuclear Weapons
- Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons;
- Convention on the Physical Protection of Nuclear Material;
- Amendment to the Convention on the Physical Protection of Nuclear Material.

In addition, legal procedures are under way toward ratification of the "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." Also, Bosnia and Herzegovina has expressed political support to the implementation of the "Code of Conduct on the Safety and Security of Radioactive Sources."

In order to establish the state system of accounting for and control of nuclear material (SSAC), in 2011 the Agency carried out the activities on establishing a register of all nuclear material in Bosnia and Herzegovina and on designing forms for keeping the register. This was the foundation for the work on the initial report created in late 2011. In 2011 the Agency inspectors visited the country locations where nuclear material is being used and gathered the data necessary for the creation for the initial report. Since the Agency is the national partner of IAEA, and it represents Bosnia and Herzegovina internationally in the field of radiation safety and nuclear security, it has had many contacts and bilateral meetings with the IAEA representatives. A meeting was held with representatives of the Department of Safeguards in late August 2011, where further activities in this field were defined.

¹⁷ For a more detailed report on security of travel documents, please refer to last year's Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

Also, the activities were carried out during 2011 and early 2012 toward the development of the "Draft Regulation on the Safety of Radioactive Sources and Nuclear Material" and the "Draft Regulation on the Control of High-Activity Sources and Orphan Sources." In order to improve the infrastructure of the safety and security of radiation sources, the "Draft Rulebook on Keeping the Register on Ionizing Radiation Sources" has been prepared.

- **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.

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 of internet websites used by extremist groups, and they, accordingly, undertake other investigative activities in cooperation with the B&H Office of the Prosecutor. Since the internet may be used by terrorists for communication, recruiting, radicalization, financing, cyber attacks, and similar actions, this area is improved through planning in several segments, like training of staff in more efficient usage of the internet for purposes of collection of intelligence and conducting investigative and special investigative techniques. Furthermore, initiatives are planned for amendments to the B&H Criminal Code, in relation to the application of investigative and special investigative techniques on the internet as well as the improvement of technical capacities and international cooperation.

Fully aware of cyber technology exploitation for public promotion of radical-extreme ideologies with national, religious, or political connotations, but in terrorist purposes as well, being relatively new phenomenon requiring an urgent and creative response, several institutions on the state and lower levels have created specialized organizational units or departments dealing exclusively various kinds of cyber technology misuse, with a particular focus on use for extremist and possible terrorist purposes.

- **Legal cooperation 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.

- Safe havens and shelter to terrorists and terrorist organizations

In terms of secure places and havens for terrorists and terrorist organizations, the State Investigation and Protection Agency continually performs field checks with the aim of possible identification of havens of terrorists and terrorist organizations. Through intensified criminal-intelligence investigations (collection and analysis of criminal intelligence information related to extremist persons and groups, SIPA acquires information whether certain locations or groups are used for hiding terrorists or potential terrorists. These activities conducted by SIPA, as well as other law enforcement agencies in Bosnia and Herzegovina, contribute to the fact that Bosnia and Herzegovina is not a safe place and shelter for terrorists or terrorist organizations.

2. STATIONING OF ARMED FORCES ON FOREIGN TERRITORY

2.1 Provide information on stationing of your State's 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 10 staff officers in NATO operation ISAF in Afghanistan. They are engaged in German (8) and Dutch (2) contingents. In NATO ISAF peacekeeping operations is engaged 6 police instructors from Bosnia and Herzegovina (NATO Training Mission - NTM-A).

Since November 23, 2002, there have been 5 officers of the Armed Forces of B&H 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) on December 14, 2006, 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.

Members of the Armed Forces of B&H are also engaged in UN missions in Congo in accordance with the UN Security Council Resolutions as military observers. There are five (5) observers, in this mission (MONUSCO).

The Intelligence-Security Agency of Bosnia and Herzegovina regularly submits information to the Ministry of Defense of B&H 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.

In total, 120 police officers from Bosnia and Herzegovina have participated in the peacekeeping operations since 2000. They took part in peace operations in Liberia, 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 jeopardized 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 23 police officers deployed in peacekeeping missions of the United Nations (below represented by missions):

- Peacekeeping mission in Liberia – UNMIL: since 2004, there have been 53 police officers deployed in total, out of which currently deployed are 13 police officers (2 of currently deployed total are female officers).
- Peacekeeping mission in Sudan – UNMIS: since 2006, there have been 12 police officers deployed in total, out of which currently are deployed 7 police officers (3 of currently deployed total are female police officers).
- Peacekeeping mission in Cyprus – UNFICYP: since 2004 until today, there have been 12 police officers deployed in total, out of which currently deployed are 3 police officers (currently no female officers deployed).
- Peacekeeping mission in Haiti – MINUSTAH: since 2004 until 2006, there had been 12 police officers deployed in total.
- Peacekeeping mission in East Timor – UNMISET: since 2000 until 2005, there had been 31 police officers deployed in total.

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 will take all necessary measures to make the police officers from Bosnia and Herzegovina competent to participate in peacekeeping operations of the United Nations.

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.

In regards to the representation of female members in peace-keeping forces, out of 120 police officers who have participated in peace-keeping missions, there have been 16 female members, which represents 13,33 % of female participation. Currently, there are 5 female members in peace-keeping missions out of 23 deployed police officers in total, which represents 21,74% of female participation.

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 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 early 2007, the Ministry of Defense of B&H, with the UNDP B&H, developed and signed a document under the title Small Arms Control and Reduction Project in B&H (SACB&H)

The SACB&H is implemented with the partnership of B&H authorities and includes activities intended to reduce the threats to people that are caused by the large and uncontrolled presence of SALW and ammunition in the country. The Project is based on three components, each targeted toward specific goals; such as:

- Improvement of institutional capabilities for SALW control;
- Destruction of SALW and associated weapon systems;
- Destruction and demilitarization of ammunition.

Within the implementation of the Project on Control and Reduction of Small Arms and Light Weapons in the time period from 2004-2006, the B&H Ministry of Defense destroyed over 90.000 pieces of SALW with the assistance of the UNDP Office in B&H. At the beginning of 2007 the B&H Ministry of Defense proclaimed that 5.740 tons of light ammunition were unstable and developed the Plan for disposal of unsafe ammunition for the time period from 2007-2008. With the delaboration and open combustion method in 2008, approximately 2.000 tons have been destroyed. In 2009, approximately 1.200 tons have been destroyed. In 2010, 30.600 pieces of SALW have been destroyed. In 2011 1.500 tons of unsafe ammunition has been destroyed.

At the end of 2007, the B&H Armed Forces Inspection Teams and EUFOR Verification Teams began the project “One Hundred Percent Inspection,” aimed to inspect every military armament storage site in B&H. Project “One Hundred Percent Inspection” is finished in 2008. During 2008 the Ministry of Defense of B&H has begun and ended Control Technical Inspection of all ammunition stockpiles.

The UNDP Office in B&H as the proposer and author of the material in the cooperation with the B&H Ministry of Defense has initiated the revision procedure for the Project Document – Small Arms Control Reduction Project in the 2008 year.

The revision of document includes the following changes:

- Extension of the program time line from 4 to 6 years, which means instead of the 2005-2009 period to 2005-2011 period,
- The new activity - „The Police Work in the Community“ will be included within the development component for institutional capacities for the SACB&H project,
- The SALW destruction component and arms system include improvement up to four industrial capacities for ammunition destruction instead of one that existed.

In June 2009, this Project was signed by the B&H Ministry of Defense and UNDP Office in B&H.

Bosnia and Herzegovina, as a post-conflict society, faces a number of important challenges related to the control of SALW at the present time. These include the abundant availability of illicit SALW, certain difficulties related to inter-agency co-ordination at the state level, inconsistent legislation governing the civilian possession of weapons and ongoing problems with the management of large surplus military stockpiles of weaponry and ammunition.

In line with the conclusions of the Regional Implementation Plan to Combat the Proliferation of SALW, approved by Stability Pact in 2001, and the United Nations Programme on Action to Prevent, Combat, and Eradicate the Illicit Trade in SALW in All Aspect (UN A/CONF.192/15, July 2001, hereafter UN Programme of Action), Bosnia and Herzegovina has established the Coordination Board for the Control of SALW with responsibilities for these activities and have drawn up a Strategy and Action Plan for the Control of SALW in B&H. The Ministry of Foreign Affairs of B&H is the focal point on the issue of SALW.

According to the assessments of the working group the estimated surplus of military is up to 95,000 SALW and between 25,000 to 30,000 tons of ammunition. To date, around 6,800 tons of ammunition was destroyed and some 65,000 of military rifles.

In 2010, approximately 1,550 tons of ammunition were destroyed and 30,081 pieces of M16A1 automatic rifles. Currently there are additional 4,000 tons assigned for destruction.

In 2011, the Ministry of Defense of B&H with USA State Department signed Technical Arrangement for Assistance in the Destruction of SALW and various types of ammunition. USA Government will provide practical support in the destruction process of declared surpluses of SALW in Bosnia and Herzegovina.

In December 2010, the Ministry of Defense of State of Bosnia and Herzegovina (MOD B&H) requested technical and financial assistance from the OSCE in enhancing stockpile management and security of prospective SALW and SCA in accordance with FSC Documents on SALW and on Stockpiles of Conventional Ammunition. Due to the lack of expert and financial resources, the condition of the storage sites has deteriorated over the past two decades. In their present condition they do not ensure sufficient safety and security of the stored SALW and ammunition, thus increasing the risk of accident, theft, and human losses. On 30 March 2011, this assistance request was confirmed through an official statement of Bosnia and Herzegovina to the FSC Plenary Meeting. Following the assessment visit conducted by the OSCE in June 2011, a set of measures was recommended by the OSCE to improve the situation. Although MOD B&H identified five ammunition (ASS) and two weapons storage sites (WSS) as prospective, this project is developed

to improve safety and security of two WSSs & two ASSs: in Visoko, Derventa, Mrkonjic Grad and Pazarić. It is hoped that, provided that funding is available, remaining three prospective ammunition storage sites could be appropriately tackled at a later stage.

Ultimately, the Project will contribute to regional stability in South-East Europe by improving storage conditions to meet international standards laid out in the OSCE Best Practices on stockpiling of SALW and conventional ammunition, ensuring safe and secure storage of SALW and CA within Bosnia and Herzegovina, thereby reducing human threat and risks of SALW and Ammunition misuse and destabilizing proliferation.

As a part of regional security, related to the SALW project, various activities are being organized within SIPRI (Stockholm International Peace Research Institute), RACVIAC (Regional Arms Control and Verification Assistance Center of the Stability Pact for SE Europe), 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. More than 9000 items of heavy weapon have been reduced so far.

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 1999** 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 Vienna Document 1999, 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.

A May 19, 2010 decision by the Forum for Security Cooperation (FSC.DEC/1/10) created a procedure for continuous updating of the Vienna Document, under which decisions that update document text will be called **Vienna Document Plus**. Every five years the Vienna Document will be reissued with the changes from "Plus" incorporated. This will not delay the entry into force of changes, which will be effective immediately, unless expressly stated otherwise. Decisions in Vienna Document Plus will supersede those of Vienna Document 1999 as they are the most recent. The reissue marks the first time in twelve years that the Document has been updated, Bosnia and Herzegovina will continue to participate in implementation process in cooperation with other members States.

Guided by the General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 1-B, Agreement on Regional Stabilizations, Article IV, signed in Paris on 14 December 1995, Bosnia and Herzegovina signed **Agreement on Sub-regional Arms Control** in Vienna on 4 January 1996. The Agreement is based on the same guidelines and principles as the CFE Treaty. Four countries are involved in 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 joint effort to further strengthen stability, transparency and confidence. More than 9000 items of heavy weapon have been reduced so far.

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 lower government level ministries and police agencies 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 the procedure for processing requests for issuance of documents for transit of goods that are defined by the Decision on taking over the List of weapons and military equipment that need a Transfer Authorization, the content of the requests, as well as the competent authority for issuance of transit permit.

Other legislation worthy of mentioning here is the **law on controlling the movement of weapons and military equipment.** Ministry of Security of Bosnia and Herzegovina supervises the implementation of this law. Also, the Ministry of Security of Bosnia and Herzegovina, in the process of conducting surveillance, may authorize the competent police authorities to carry out supervision and control over the movement of weapons. In accordance with this law, the Ministry of Security of Bosnia and Herzegovina prescribes the manner and scope of surveillance and control of movement of arms.¹⁸

In order to effectively implement the Law on Control of Weapons and Military Equipment and the Law on Control of International Transfer of Goods and Services of Strategic Importance for the Security of Bosnia and Herzegovina, and in accordance with the security policy of Bosnia and Herzegovina, there are periodical controls and monitoring over commercial entities, which are registered for import and export of weapons and foreign goods and services of strategic importance for Bosnia and Herzegovina.

In that respect, the minister of security in accordance with the Law on Control of Weapons and Military Equipment and the Book of Rules on the Method and Procedure of Supervision and Control over the implementation of the Law on Control of Weapons and Military Equipment issued the Annual Plan for monitoring and control of commercial entities which are registered for import and export of weapons and international transfer of goods and services of strategic importance for Bosnia and Herzegovina.

With the technical assistance provided by the UNDP, there have been activities on the establishment of the Central Registry for the control of movement of weapons and military equipment.

¹⁸ For further details on this law and its implementation, please refer to last year's Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

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 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**:

- 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

The following 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 was significantly improved and transparent. The Ministry of Defense initiated a process of developing the defense budget. The Parliamentary Assembly reviews and adopts the total budget through 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.

As of the 2010 fiscal year, all activities involved in preparing, adopting, implementing, accounting, reporting, and supervising the budget for the Ministry of Defense and Armed Forces are conducted in accordance with the Law on Funding the Institutions of B&H. The approved budget for 2010 was 334.6 million BAM, which is about 1,21% of projected GDP.

Defense sector in B&H and the defence expenditures are brought under control and have significantly decreased (the budget of the B&H Ministry of Defense and Armed forces in 2006 was over 1.26% of GDP).

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 2012.

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 and overall state development, as well as to include Bosnia and Herzegovina (B&H) in modern European, political, economic and security integration, B&H set accession to Euro-Atlantic integration processes as one of its foreign policy priorities. By accession to 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 PARP, actively participate in consultations with NATO through modalities of the “Intensified Dialogue” cooperation, implement IPAP provisions and accession to the 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 a 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 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 SAA. B&H intends to establish and continually improve functional coordination mechanisms between the institutions at all levels in the State of B&H within political, legislative and technical framework. It is necessary that B&H continues to individually and responsibly create its own policies and decision-making.

Improvement of cooperation with neighboring countries (Republic of Croatia, Republic of Serbia, and Montenegro), based on common interest and principles of equality, mutual respect, respect of sovereignty and territorial integrity, is a permanent priority of B&H foreign policy. In this regard, B&H will in the future period 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, political and security cooperation, and resolving issues to define border line 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 given in the future period 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.

The new mandate Joint Committee for Defense and Security of B&H was appointed at the beginning of July 2011, and it has, in reference to the period July - December 2011, completely realized its annual work plan. Concerning the activities and oversight of the work of the Ministry of Defense, the Armed Forces of B&H, the Ministry of Security and the police agencies under this ministry, the following can be stated:

Members of the Joint Committee for Defense and Security of B&H have, in accordance to the Orientation Plan for 2011, organized a workshop on 19&20 September 2011 themed: „Legislative framework, competencies and plans of B&H in the area of defense and security“. Following representatives from the defense and security sector were present at the workshop: Ministry of Defense of B&H, Joint Staff of the AF B&H, Ministry of Security of B&H, State Investigation and protection Agency – SIPA, Border Police of B&H, Service for Foreigner’s Affairs B&H, Sector for Protection of Classified Information from the Ministry of Security of B&H, Directorate for Coordination of Police Bodies of B&H, Police Support Agency, Forensic Investigation and Expertise Agency, Agency for Education and Vocational Training, Ministry of Foreign Trade and Economic Relations of B&H, Demining Commission of B&H, B&H Mine Action Centre – BHMACE, Committee for Security of the House of Representatives of the Parliament of F B&H and the Committee for Security of the National Assembly of RS.

Representatives of the international organizations in Bosnia and Herzegovina were also present at the workshop: OSCE Mission to B&H, EUFOR HQ, NATO HQ in Sarajevo, USAID – Parliamentary Strengthening Programme, UNDP – Sarajevo Office and the EUPM.

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.

Thereafter, Members of the Joint Committee had the working visit to all institutions in the defense and security sector in order to check status and implementation of adopted Conclusions.

Members of the Joint Committee visited a number of AF B&H Commanding Offices and Units after the workshop in September 2011, which had influenced the work of defense and security sector institutions with its conclusions, where they directly ascertained the situation.

After the visit, some concrete conclusions were adopted regarding the method for improvement of the situation in the defense and security sector.

Regular field visits created conditions for initiation of further steps where Members of the Joint Committee had committed the Ministry of Defense of B&H to make an Action Plan to remove spotted work problems.

Annual Security Conference was held in December 2011 and all defense and security sector representatives were again invited. Analyses were made during the Conference in connection to the current security status in B&H which had resulted with conclusions on how to make security situation in B&H better, how to make the work of the police agencies better and more efficient and how to better coordinate all security subjects in confrontation with the actual security threats. There were particular discussions regarding activities related to the anti-terrorism.

In order to improve the situation and eliminate problems and weaknesses that jeopardize the security of citizens of Bosnia and Herzegovina, as well as to improve the work and better coordination in the work of ministries, institutions and agencies in the defense and security sector, the Joint Committee has adopted conclusions which clearly indicate that goals set for preparation and work of the conference were completely achieved.

Composition and the turnout of participants as well as speeches and discussions during the conference have proved that the conference participants have responsibly approached the consideration of issues which are the premise for stabile security situation in Bosnia and Herzegovina. Conference participants have expressed the willingness to face current problems, to publicly speak about security threats and challenges and to suggest the best possible way to fight them. Discussions during the two-day Conference have proved that the fight against terrorism, corruption, organized crime, smuggling of drugs and narcotics, as well as activities of a number of groups and organizations with radical programme and activities, national and religious extremism, hooliganistic behavior of certain fan groups, as well as worrying security aspects of some foreigners, represent only some of main security challenges which all institutions in the security sector must adequately face with clear strategy and coordinated activities.

Ministry of Security of B&H is tasked to deliver the analysis of implementation of the Anti-terrorism Strategy with the Action Plan to the Joint Committee.

Experience and performance of the police during the terrorist attack on USA Embassy in B&H, which was also discussed during the conference, show that there was some obscurity and overlapping of competences during the confrontation and neutralization of the terrorist attack participants.

In consideration of numerous changes that occurred in security sector after 2006, and in order to act timely and in accordance with the new security challenges, the Ministry of Security is instructed to, in accordance to its competencies, draft amendments and to redefine Security Policy

of B&H which is to be delivered to the Presidency of B&H for consideration at latest by end of the first half-year of 2012.

Conference participants have stated that the problem of illegal holding of weapons and illicit arms trade are still present. We are witnesses to disappearance of arms and weapons from military warehouses and that weapons end up at destinations which are restricted by international conventions. Competent security agencies are obliged to find out the full truth so to enable the judicial authorities to make final decisions. The issue of destruction of unstable weapons, ammunition, mine-explosive assets has culminated so much that the Parliamentary Assembly of Bosnia and Herzegovina has adopted a Decision on establishment of the Investigation Committee which is to investigate the process of destruction in period between 2006 and 2010 and then to propose conclusions to the Parliamentary Assembly B&H.

Along with the Members from the both Houses of PA B&H, representatives of international organizations in B&H will participate in the work of the Investigation Committee: EUFOR HQ, NATO HQ in B&H and OSCE Mission to B&H.

Members of the Joint Committee have also undertaken a number of steps in order to amend the existing legislation in the defense and security sector. Activities have also started on drafting of the proposal of the Law on the Parliamentary Oversight over the Defense and Security Sector in B&H.

A big progress was made in monitoring of the status of human rights in the Armed Forces of B&H through activities of the parliamentary Military Commissioner of the Parliamentary Assembly of B&H.

The work of the Citizens Complaints Board for the work of the Police officers in Police bodies of B&H was intensified during 2011; both Boards are PA B&H bodies.

Armed Forces are becoming more and more open to the public and the efforts for implementation of initiated programs with NATO and other international organizations are unquestionable. Members of B&H Armed Forces show high respect for the representatives of legislative authorities and are quite open for discussion and presentation of problems they encounter in their work.

Joint Committee for Defense and Security is directly involved in surveillance of the Defense and Security Sector budget items. Preparation of the Defense and Security Sector budget proposal and monitoring of its expenditure is transparent. Problems related to adoption of the Budget for 2011 are well known. The highest ranking representatives, ministers and directors of police agencies with their associates accept invitations and actively participate in the workshops and parliamentary hearings regarding the budget; significant progress has also been made in this area. During current year, Joint Committee will be involved in budget preparation process from its very beginning, i.e. immediately after the users submitted their budget requests. This will enable ever higher level of the parliamentary oversight and control because the Joint Committee will be give its proposals regarding the budget requests, so it will act before formal budget adoption.

Defense and Security Sector institutions regularly inform the Joint Committee for Defense and Security of B&H and the Parliamentary Assembly of B&H on realization of short-term and long-term plans related to the structure, professional conducts and ethical standards for civil and military staff, the combat readiness, military exercises and operations including the fulfillment of international liabilities and international peace support operations.

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.

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, 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.

Ministries and police agencies at the lower levels of government also have constitutionally established procedures ensuring the effective, democratic control over their activities.¹⁹

¹⁹ For further information on oversight of ministries and police agencies at the lower levels of government, as well as details in regards to the laws and legislative acts, please refer to last year's Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

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,
- 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 sense, this means that ever since its establishment the Committee had over 30 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 wider region.

The House of Representatives and the House of People of the B&H Parliamentary Assembly form the Security-Intelligence Committee for Supervision over the Security-Intelligence Agency of Bosnia and Herzegovina. It consists of 12 members, 6 from each House, and the Committee meets at least twice a year. In addition to other responsibilities, the Security-Intelligence 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.

There are periodical educational gatherings and seminars for the OSA/OBA B&H employees and the members of the Security-Intelligence Committee on importance of the parliamentary supervision over the Agency's work, often supported by the specialized programs of the OSCE Mission in B&H, and even with members of the public taking part (different political structures, media, NGOs, educational institutions, etc.). Such gatherings have significantly contributed to maintaining and enhancing the constructive relationship between the OSA/OBA B&H and the Security-Intelligence Committee, as well as getting the public more familiarized with the position and work (rights and responsibilities) of both the Security-Intelligence Committee as a supervising factor and the OSA/OBA B&H as the object of supervision, which serves the purpose of involving the public in democratic supervision of the OSA/OBA B&H work.

There are also committees on supervision at lower levels of government, overseeing ministries and police agencies at those levels of government, and ensuring the effective, democratic control over their activities.²⁰

The OSCE Mission provides an immense support and gives instructions to secure adequate legal framework needed for setting-up and respecting defense, security and intelligence structures in Bosnia and Herzegovina, through a strong parliamentary supervision. The OSCE Mission's Program on Security Cooperation also includes development of specialized projects which stream parliamentary committees to understanding and performing their roles in providing democratic political supervision over entire security sector in Bosnia and Herzegovina. One of the tasks focuses on enhancement of cooperation between national and entity parliamentary committees for supervision with an aim of organizing mutual meetings on security matters and visits to B&H

²⁰ For further information on oversight of ministries and police agencies at the lower levels of government, as well as details in regards to the laws and legislative acts, please refer to last year's Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

institutions. In wider context, bilateral meetings in neighboring countries would contribute to transparent bilateral relations aimed at providing support for stability in the 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 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.²¹

²¹ For further information and a more detailed list legislative acts and mechanisms ensuring an appropriate control of forces at all levels of government, please refer to last year's Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

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 on January 1, 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 envisaged 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.

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 following:

- 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
- The Law on Parliamentarian Military Commissionaire B&H

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 consists 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.²²

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.²³

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 follows:

- Command and Staff Course,
- Basic Officer Course,
- Basic NCO Course,
- Advanced Officer Course,
- Advanced NCO Course.

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.

²² For a complete list of laws and legislative acts, at the state level and lower levels of government, please refer to last year’s Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

²³ For further information and a more detailed list of legislative acts as well as mechanisms at all levels of government, please refer to last year’s Code of Conduct questionnaire for Bosnia and Herzegovina (<http://www.osce.org/fsc/78003>)

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, Serbian and Croatian 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 the mid 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 the OSCE's Code of Conduct, under competence of Ministry of Security, through the official website of the Ministry of Security²⁴, which states as follows:

“The OSCE's Code was adopted in 1994 when many European democracies in establishment had faced the process of transition. Through clear definition of norms which set stabile European democracies as well as roles and functions of their security institutions, the Code of Conduct had contributed to introduction of regular process of transition for European countries which strived to develop democratic governments and adequate institutions for defense and security.”

Bosnia and Herzegovina is one of the co-signatory and participating countries in this process.

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?

This 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 of May 2001, 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, citizens and the Entities in, and at the level of B&H, and establish and consolidate a permanent, stable and self-sustaining peace in B&H.

This principle implies the implementation of the following objectives:

²⁴ www.msb.gov.ba

- 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. This Law defines that all information under the control of a public body represent public property of value. A Public body has a relevant obligation to release such information. Every citizen of B&H has access to information in accordance with public interest.

A public body can define exceptions in cases when release of information can cause damage to legitimate objects in B&H, such as: foreign policy; defense and security interests; protection of public security; monetary policy interests; prevention of crime and any detection of criminal activities.

Other examples include: the protection of the decision making process, opinions, advices or recommendations by a public body in accordance with the Law on secret data protection B&H.

Media representatives are invited on regular basis to attend all important events taking place at defense institutions and in the Armed Forces of B&H.

The Ministry of Defense of B&H has established a Public Relations Office in order to inform the public on the Ministry's activities in accordance with Defense Policy adopted in November 2008, and to inform the public on all important issues related to the work and activities of the Ministry of Defense of B&H.

2. CONTACT

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

Additional:

Information on Gender Equality in Bosnia and Herzegovina - What state has done and what is currently doing in the field of gender equality:

The **Institutional Gender Mainstreaming Mechanisms (IGMMs)** were established as a part of an overall endeavor for the improvement of the equality of women and men in Bosnia and Herzegovina. This action took place at a time when gender issues were not easily recognized as a development priority. The IGMMs consist today of legislative and executive permanent and ad hoc bodies. Today these include:

- The Gender Equality Agency of B&H (at the state level, established in 2004), established by the Gender Equality Law of B&H (Art. 22) under the Ministry for Human Rights and Refugees of B&H;
- The Gender Centres of FB&H (established by the Decision of the Government of the FB&H in 2000) and RS (established by the Decision of the Government of the RS in 2001).
- The Commission under the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina at the state level;
- The Gender Equality Commissions within the Parliament of Federation of Bosnia and Herzegovina (House of People and House of Representatives of the FB&H Parliament);
- The Board for Equal Opportunities of the National Assembly of Republika Srpska;
- The Gender Equality Agency of B&H of the Ministry for Human Rights and Refugees of B&H;
- The Gender Centre of the Federation of Bosnia and Herzegovina as the expert body for gender equality of the Government of the Federation B&H
- The Gender Centre of Republika Srpska as the expert body for gender equality of the Government of the Republika Srpska
- The commissions in all cantonal assemblies and cantonal governments; and
- The commissions in municipal councils/assemblies and in Mayors' offices.
- The Commission for gender equality of Brcko District of B&H

In regards to **international legal obligations and political commitments**, B&H is party to a range of human rights conventions, international and European, and has, in addition, made policy commitments towards promoting women's rights. These legal and political commitments were incorporated into the development of the GAP. The key documents are:

UN Convention on the elimination of all forms of discrimination of Women (CEDAW): Bosnia and Herzegovina ratified CEDAW in 1993, and the Convention became integral part of the B&H Constitution and integral part of national rules. Optional Protocol of the Convention was ratified in 2002. The Convention commits B&H to eliminate discrimination from the legal, political, social and cultural life. CEDAW recognizes that discrimination is the part of everyday life of women and such discrimination violates women's rights and human dignity. By ratification of CEDAW B&H expressed its readiness to eliminate discrimination of women and undertake in that regard all needed measures and activities at all levels. Articles 2 and 3 of the CEDAW stipulate general legislative and political measures to be undertaken and enable B&H to fulfill its obligations. Article 4 of CEDAW is of the most importance as that Article, together with Articles 2 and 3, bind countries acceded to the Convention to put its provisions into practice. Reporting system, every four years, on measures the signatory states have taken to comply with the treaty obligations is the good instrument for actions in different fields. This system encourages signatory states to consider and initiate debate within society as a whole and may give impetus to the political and legal mechanisms in order to promote realization of gender equality and woman human rights. Bosnia and Herzegovina submitted Initial and then the Second and Third

(combined) periodical reports to CEDAW Committee in 2005 followed presentation before the Committee in May 2006. After that the UN CEDAW Committee developed its Recommendations for Bosnia and Herzegovina. Recommendations of the UN CEDAW Committee are incorporated into Gender Action Plan of B&H. The Agency for Gender Equality of Bosnia and Herzegovina has developed the Fourth and Fifth period report based on the reports of entity gender centers and the information obtained from relevant institutions, non-governmental and international organizations.

Beijing Declaration and Platform for Action: An important international document in the area of gender equality is the Beijing Declaration and Platform for Action . From 1995 and Herzegovina is obliged to implement Beijing Declaration and Platform for Action³⁴ (from 1995). This Declaration has not the status of legal binding document but every member state (signatory state of Beijing Declaration and Platform for Action) is obliged to develop National Action Plan to improve the status of women. Bosnia and Herzegovina developed such Plan in 2004 and it had important role in development of GAP . The Gender agency has created the report of B&H on Beijing 15+.

Council of Europe Recommendations: B&H Agency for Gender Equality takes part in the work of the Council of Europe Committee for Gender Equality and contributes with other member states in development of recommendations of the Committee of Ministers. Those recommendations enable establishment of standards in the field of gender equality in all member states of the Council of Europe (47) and make integral part of the policies enacted by Bosnia and Herzegovina. Those Recommendations were important tool used in development of the B&H Law on Gender Equality and Gender Action Plan. The Director of the Agency for Gender Equality of Bosnia and Herzegovina is a member of Ad Hoc Committee on preventing and combating violence against women and domestic violence (CAHVIO), which developed the text of the Convention which should be adopted in the mid-2011.

UN Security Council Resolution 1325 (UNSCR 1325): Security Council Resolution no.1325 was passed unanimously on 31 October 2000. The Resolution is binding for all member states. The Resolution addresses inclusive concept of security and member states are called to ensure full and equal participation of women in all efforts for the maintenance and promotion of peace and security. The Resolution urges Member States to strengthen gender perspective at all decision-making levels in national, regional and international institutions and mechanisms for prevention, management and resolution of conflicts. The resolution calls all actors involved, when negotiating and implementing peace agreements, to adopt gender perspective, including, inter alia:

- The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict resolution
- Measures that support local women's peace initiatives and indigenous processes for conflict resolution and that involve women in all of the implementation mechanisms of the peace agreements;
- Measures that ensure the protection and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;
- It is important to underline that the Security Council called all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and forms of sexual abuse and all other forms of violence in situations of armed conflict.

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The Council of Ministers of Bosnia and Herzegovina adopted the Action Plan for the implementation of UNSC Resolution 1325 "Women, Peace and Security" in B&H, on 27th of July 2010. The Action Plan, which is the first action plan for implementation of this Resolution in Southeast Europe, was developed by the members of the Working group, that was consisted of representatives of responsible ministries, such as: Ministry of Security (SIPA and Border Police), Ministry of Defense, Ministry of Foreign Affairs, Ministry of Finance and Treasury, Gender Centre of Federation of Bosnia and Herzegovina, Gender Centre of the Republika Srpska, Federal Ministry of Internal Affairs, Ministry of Internal Affairs of Republika Srpska, Bosnia and Herzegovina Mine Action Centre and non-governmental organizations. The Agency for Gender Equality of B&H was leading institution in this process.

The Action Plan contains eight goals:

- Increasing the number of women at decision-making positions,
- Increasing the number of women in the military and police forces,
- The inclusion of women in peacekeeping missions,
- Demining,
- Combat against trafficking in human beings,
- Assistance to women and girls, who were victims of war,
- Conducting training of civil servants,
- Cooperation between government, NGOs and international organizations.

The key goal of the Action Plan for implementation of UNSCR 1325 in Bosnia and Herzegovina is the empowerment of women civil victims of war and larger participation of women at decision-making positions, including military and police forces and peacekeeping missions. Development of the Action Plan included numerous consultations with representatives of governmental, nongovernmental and international organizations. The Action Plan, in addition to defined objectives and activities includes a list of responsible institutions; financial resources, and qualitative and quantitative indicators.

The Council of Ministers of B&H has appointed the Coordinating body for monitoring of implementation of the Action Plan. The Coordination body will be consisted of representatives of all relevant institutions at the state and entity levels who participated in development of the Action Plan. Given that the implementation of UN-SCR 1325 in Bosnia and Herzegovina is recognized as a priority, by the relevant institutions, the activities planned for 2011 are included in the Agenda of ministries, and will be implemented with the technical and financial support from the Agency for Gender Equality of Bosnia and Herzegovina (FIGAP Program).

It is important to emphasize that in the process of implementation of the Action Plan was developed a module for training of civil servants from the security sector, members of military and police forces, judiciary and NGOs. Until this point trainings have been organized, in Banja Luka and in Sarajevo.

In 2011 the Council of Ministers adopted during the 154th session a decision on forming of the Coordination Board for the monitoring of the implementation of the Action plan for the implementation of UNSCR 1325. This Coordination Board is composed of representatives of the Ministry of Security, Ministry of Defense, Ministry for Foreign Affairs, Ministry of Finance and Treasury, Gender Centre of Federation of B&H, Gender Centre of Republika Srpska, Federal Ministry of Interior, Ministry of Interior of Republika Srpska, Demining Centre and non-governmental organizations.

During 2011 teachers and trainers in the policy academies were educated on gender equality. These sessions were organized by the Agency for Gender Equality of Bosnia and Herzegovina and the European Police Mission in Bosnia and Herzegovina. A total of 48 teachers and trainers participated. Sessions included education on gender equality thus entrenching a path toward the inclusion of gender equality in the curricula of the police academies.

The implementation of the project „Implementation of UNSCR 1325 in B&H through integration of gender sensitive public policies in the security sector continued. The aim of the project was to, through the promotion of the Action plan and empowerment of partners, ensure a better implementation of UNSCR 1325 in B&H on all levels of government. As a part of the project a two-day Train the trainers session for the members of the Coordination Board was held, two one day seminar for the members of the security sector, six meetings of the Coordination Board and ten one day workshops on the local level.

- Associations of women in police forces were registered in Republika Srpska and in Federation of B&H. The establishment of these associations was supported by the Agency for Gender Equality.
- Agency for Gender Equality established a cooperation with the Women Police Officers Network in South East Europe (WPON)
- A close cooperation with the NATO HQ was established and joint meetings and trainings for the members of Armed Forces were organized.
- Agency for Gender Equality, in cooperation with the NATO HQ and UN Women organized a Information Sharing Forum on the implementation of UNSCR 1325 in B&H;
- In cooperation with the OSCE Mission in B&H a Regional Conference „Implementation of UNSCR 1325 – from theory to the implementation of the Resolution in practice“
- A web site was launched monitor the implementation of the Action plan-
- UNSCR Resolutions 1325, 1820, 1888 and 1889 were translated and prepared for print.

A Report on the Implementation of the Action plan for the implementation of UNSCR 1325 in B&H was adopted on the 161st session of the Council of Ministers of Bosnia and Herzegovina. The Report was also adopted on the 169th session of the Parliamentary Assembly. The Report was presented to the general public during the „Open Days of the United Nations“ on 26 September 2011.

Domestic legal framework and policies referring to gender equality in B&H (key documents):

Law on Gender Equality in Bosnia and Herzegovina: Law on Gender Equality in Bosnia and Herzegovina (GEL) is a central document for strengthening gender equality in B&H. GEL was adopted in 2003 and is an important instrument for increasing gender awareness and introduces a gender perspective in public policies and legislation. The law follows CEDAW in all aspects It promotes gender equality and guarantees equal opportunities for male and female citizens, in both in the private and public spheres, and prevents their direct or indirect discrimination on the basis of gender or sexual orientation. The Law includes chapters on discrimination and definitions, education, employment, social welfare and health protection, sports, culture, public life, media, prohibition of gender-based violence, statistical records, court protection, obligations of the authorities and measures they should implement, sanctions and etc. The Law on Gender Equality obliges Government and its institutions to develop programs on implementation of the Law in all spheres of life. In compliance with the Law the B&H Agency for Gender Equality was established with competence to develop National Action Plan for the implementation of the gender equality.

Although a good instrument, the Law needs continuous monitoring and revisions. The content of the relevant provisions will be changed for the purpose of a more efficient implementation, better

protection of rights which are violated, building of the capacity and defining the institutional responsibility at all levels, and the creation of clear legal procedures and sanctions for breaking the Law.

Implementation of the GEL includes the need to harmonize existing legislation with the GEL provisions. Especially legislation in the following areas:

- Electoral law
- Labor law
- Family law
- Civil law
- Criminal law

Much work has been done by the gender mechanisms to ensure harmonization of legislation with the Law, some of this work has been done in coordination with NGOs, but continuous efforts to ensure harmonization are needed.

General public is not sufficiently informed on the content of the Law on Gender Equality and on implementation of its provisions. One of the fields that cause concerns, as it is the case with other laws in B&H, is the lack of the court protection of the rights contained in the B&H Law on the Gender Equality. Majority of employees within judiciary bodies as well as lawyers do not recognize the Law and its provisions. Implementation of the law provisions at different level across B&H (national, entity, cantonal and municipal) requires permanent monitoring by the state authorities, civil society and academic community.

Trainings for the civil servants, judges and prosecutors on necessity of implementation of the Law on Gender Equality in B&H was conducted by the Gender Institutional mechanisms.

Amendments to the Law on Gender Equality in B&H were adopted in November 2009 which redefined the obligations of the institutions for the inclusion of the concept of gender equality. An obligation has been added to establish bodies, or focal points, which would in their area of responsibility act to any issued in relation to the implementation of the Law on Gender Equality in B-H or the Gender Action Plan.

The Gender Action Plan of Bosnia and Herzegovina (GAP): The Gender Action Plan (GAP) of B&H, as the 5-year strategy for gender mainstreaming in B&H, was adopted by the Council of Ministers of B&H on the 14th of September, 2006. The main goal of the B&H GAP is “to define strategies and realize program objectives to reach equality of women and men in Bosnia and Herzegovina”.

The GAP contains 15 areas related to gender inequalities in:

- European integrations in light of gender equality
- Cooperation and capacity building
- Macroeconomic and development strategies
- Gender sensitive budgets
- Political life and decision-making
- Employment and labor market
- Social inclusion
- Gender sensitive media
- Lifelong education
- Health, prevention and protection
- Domestic violence, gender-based violence, harassment, sexual harassment and human trafficking

- The role of men
- Reconciliation of professional and family life
- Gender and sustainable environment
- Information and communication technologies

Joint strategic goals in all fields of work defined in the GAP document:

- “Harmonization of legislation in each field with domestic and international legal standards for gender equity and equality;
- Advancement of databases, research and socio-economic analysis of the gender equality situation in all GAP areas;
- Education and raising awareness of public on the need to introduce gender equality in all fields of life and work; and
- Building capacities and encouraging an active cooperation and participatory approach of all institutional and non-institutional participants in Bosnia and Herzegovina”.

Role and participation of women in conflict, conflict prevention, crisis management and rehabilitation: As in other countries which have gone through conflict, women in B-H were during wartime those which created the strongest bond amongst families, provided care for women victim of war, took care of widows and children which took refuge and organized activities to gain income, educate women and taking care of elderly. This experience was a basis for a new role and status of women in B-H society and their empowerment in the reconstruction and the development of the country so they could become equal partners and actors in this process, and not only victims of war. Nevertheless, the attention of domestic and foreign actors was, due to war and the reconstruction period, directed on the importance of ethnic, regional and religious equality in B-H, leaving the issues of gender equality and women on the margins of public and political interest. The heritage of the economic crisis and the war continues to endanger the participation of women in public life, including politics and economy.

The number of candidates in the 2010 General Elections differs depending on the level of government. From a total of 19 candidates for the B-H Presidency only 2 women were amongst the candidates or 10.52%. Both candidates were from the Federation of B-H.

From the total number of 1.442 candidates for the House of Representative of the Parliament of FB&H 560 where women or 38,83 %. Out of 1.539 candidates for the National Assembly of RS 560 were women or 36,39%. Out of 10 cantons the biggest number of candidates were in canton Bosansko-podrinjski where out of 293 candidates 112 where women or 38,23%.

According to the results of the General Elections 2011 the participation of women in the legislature and the executive was as follows:

- The Presidency, which consists of three members, there are no women.
- No women are represented in any of the nine ministers in the Council of Ministers of B&H, there are five women Deputy Ministers
- The President of the Federation of B&H is a woman and the Deputy Presidents of the Federation of B&H are both men.
- The President and the Deputy Presidents of Republika Srpska are men.
- The Federal Government Prime Minister and his two Deputies are men.
- The Government of Republika Srpska Prime Minister is a man, and out of two Deputy Prime Ministers one is a woman.
- The Government of the Federation of B&H has only one woman minister, and in the Government of Republika Srpska five women ministers out of 16 ministerial seats
- Among the elected members of the House of Representatives of the Parliamentary Assembly 19% are women

- The House of People has two women out of 15 delegates;
- The National Assembly of Republika Srpska has 22% of women
- The House of Representatives of the Parliament of Federation of B&H has 17,3% women

When it comes to the representation of women in the sector of security of B&H, following is extract from data from 2008 as an illustration on women representation:

- B&H Armed Forces (m 93,5%, w 4,5%)
- B&H Ministry of Defense (m 66%, w 34%)
- B&H Ministry of Security (48,73% are women out of which 26,47% at the leading positions)
- State Investigation and Protection Agency of B&H (14 % women out of which 0,53% at the leading positions)
- B&H Border Police (11% women out of which 0,19 at the leading positions)
- Services for aliens (34,83 out of which 2,25 at the leading positions)
- Peacekeeping missions of UN (Liberia, Cyprus, Haiti, East Timor)
- in the period 2000 – 2008, 101 police officer from B&H participated in the UN

Peacekeeping missions out of which 13 officers were women or 12,87% - in 2008 that number was 18 in total (3 women or 15,79%)

When it comes to the representation of women at the diplomatic level the situation is similar. Women are excluded from the process of the police reform as it is very sensitive political issue which is limited within the leadership of the political parties where women have little power and influence.

Perception of the defense, police and security as issues that concern only man is widespread, although in the last years we see a rise in projects aiming to increase the number of women in arms and police forces. Ministry of Defense is dedicated to increase number of women in armed forces, to reach its standard of 10%. Women usually work in the administration. Although equal number of men and women enrolled the Police Academy, women have less chance to be promoted to higher positions at which decisions and research are making.

Because of all said, implementation of above UNSCR 1325 which is promoted and implemented by the B&H institutional mechanisms has great importance for involving of the aspect of gender equality into education of police and military staff and creation of the programs and policies within the security sector of B&H.

European Union Forces have their own officer dealing with issues of gender equality and who acts as the legal advisor and has mandate to ensure that military staff do not violate local and cultural customs of the host country and to be in general in-formed on ethic codex. International Military Forces in B&H act in accordance with orders of their countries and when it comes to the training from the aspect of gender equality there are still big differences regarding involvement of women. Some Euro-pean countries that send their soldiers into peace missions are obliged to conduct training in the field of human rights including training on women's rights as well and in some cases even UNSCR 1325 and CEDAW.

Financial mechanisms for the implementation of the Gender Action Plan of Bosnia and Herzegovina – FIGAP program: B&H governments allocate funds to implement priority activities of the GAP in accordance with Work Plan. When it comes to the support of International organizations in B&H, mainstreaming activities were financed through independent, partially coordinated donor's projects. Lack of common time frame and overviews of donor's funds caused uncoordinated activities in the field of gender equality.

In order to ensure future sustainable implementation of GAP, Agency for Gender Equality for B&H, Gender Centre of Federation B&H and Gender Centre of Republika Srpska developed, in the course 2007 and 2008, draft Program for implementation of the Gender Action Plan of B&H (FIGAP Program). Program proposal is the result of the consultative process between gender institutional mechanisms and local actors and donors group interested to financially support this program. Program activities require donors' professional and financial support in order to establish capacity building for program managing and sustainability of activities. The program will contribute to increased level of gender equality in Bosnia and Herzegovina (B&H) society. It means that the concept of gender equality and gender mainstreaming is accepted as an approach in formulating and implementing programs and policies in all sectors of society, as described in the B&H Gender Action Plan. This means that the concept of gender equality and gender mainstreaming is accepted as an approach when defining and implementing programs and policies in all sectors of society and all levels of government in B&H, as defined in the Gender Action Plan.

All 15 areas of the Gender Action Plan are important for the promotion of gender equality in B&H, but FIGAP program has set up priority areas which are of a strategic importance for B&H. Priority activities in these areas of GAP will be defined in accordance with the operative plans and programs of the governments in B&H:

By signing the Joint financial agreement between the Council of Ministers of B&H and the group of donors (Swedish International Development Cooperation Agency, Austrian Development Agency, Agency for Development and Cooperation Department for International Development) The Financial Mechanism for the implementation of the Gender Action Plan (FIGAP program) was established for the period 2008-2014. Doing so the Agency for gender Equality and the entity gender centers have, through coordination, ensured, that besides the regular budgets, important amount of donor funds will be used for the implementation of the GAP.

Taking into consideration that this is a new type of a financial mechanisms not only in B&H, but also in the region, during the first half of 2010 new procedures were developed in order to ensure the full functioning of the implementation of the FIGAP program. The Supervisory and the Management Board both include representatives of the state and entity institutions and the donors. In 2010 36 grants were approved for projects submitted by NGOs. Joint planning with the institutions for the future cooperation on the implementation of GAP and the allocation of their funds has started. Only in this way a systematic gender mainstreaming in the work of the ministries and other institutions will be ensured.

Annex 1 (Add. 1.1.):

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
- Convention on Physical Protection of Nuclear Material
- 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, ratified and published in Official Gazzette no 10/07;
- 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 and published in Official Gazzette no 10/07;
- Agreement on the Exchange of Security Data with the European Union, signed in 2004, published in "Official Gazette of B&H", no. 2/06).

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.

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 Taliban, 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]

Annex 2 (Add I – 1.2.):

National Legislation related to combating terrorism and terrorism-related activities

- 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

Criminal Code of Bosnia and Herzegovina – Articles on terrorism:

Article 201 of the Criminal Code of B&H on Terrorism states:

- (1) Whoever perpetrates a terrorist act with the aim of seriously intimidating a population or unduly compelling the Bosnia and Herzegovina authorities, government of another state or international organization to perform or abstain from performing any act, or with the aim of seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of Bosnia and Herzegovina, of another state or international organization, shall be punished by imprisonment for a term not less than three years.
- (2) If the death of one or more people resulted from perpetration of the criminal offence referred to in paragraph 1 of this Article, the perpetrator, shall be punished by imprisonment for a term not less than five years.
- (3) If in the course of the perpetration of the criminal offence referred to in paragraph 1 of this Article the perpetrator intention-ally deprived another person of his life, shall be punished by imprisonment for a term not less than ten years or long-term im-prisonment.
- (4) A terrorist act, in terms of this Article, means one of the following intentional acts which, given its nature or its context, may cause serious damage to a state or international organization:
 - a) Attack upon person's life, which may cause death;
 - b) Attack upon the physical integrity of a person;
 - c) Unlawful confinement of, keeping confined or in some other manner depriving another of the freedom of movement, or restricting it in some way, with the aim to force him or some other person to do or to omit or to bear something (kidnapping) or taking of hostages;
 - d) Causing a great damage to facility of Bosnia and Herzegovina, facility of government of another state or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property, likely to endanger human life or result in major economic loss;
 - e) Kidnapping of aircraft, ships or other means of public or goods transport;
 - f) Manufacture, possession, acquisition, transport, supply, use of or training for the use of weapons, explosives, nuclear, biological or chemical weapons or radioactive material, as well as research into, and development of, biological and chemi-cal weapons or radioactive material;
 - g) Releasing dangerous substances, or causing fire, explosion or floods the effect of which is to endanger human life;
 - h) Interfering with or disrupting the supply of water, power or any other fundamental natural resource the effect of which is to endanger human life;
 - i) Threatening to perpetrate any of the acts referred to in items a) to h) of this paragraph.

Article 202 of the Criminal Code of B&H on Terrorism states:

Whoever by any means, directly or indirectly, provides or collects funds with the aim that they should be used or knowing that they are to be used, in full or in part, in order to perpetrate:

a) A criminal offence referred to in Article 191 (Taking of Hostages), 192 (Endangering Internationally Protected Persons), 194 (Illicit Procurement and Disposal of Nuclear Material), 196 (Piracy), 197 (Hijacking an Aircraft or a Ship), 198 (Endangering the Safety of Air Traffic and Maritime Navigation), 199 (Destruction and Removal of Signal Devices Utilised for Safety of the Air Traffic), 200 (Misuse of Telecommunication Signals) and 201 (Terrorism) of this Code;

b) Any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel the authorities of Bosnia and Herzegovina or any other government or an international organisation to perform or to abstain from performing any act, shall be punished by imprisonment for a term between one and ten years.