



Bosnia and Herzegovina  
Ministry of Security

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**BOSNIA AND HERZEGOVINA STRATEGY  
FOR PREVENTION AND FIGHT AGAINST  
TERRORISM**

**(2010–2013)**

**Sarajevo, 2010**

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## **ABBREVIATIONS**

AFIS – Automated Fingerprint Identification System

CIPS/IDDEEA – Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina

SBS/BiH BP – BiH State Border Service/Border Police

DICAF – Geneva Centre for Democratic Control of Armed Forces

EU – European Commission

EU – European Union

ISAF – International Security Assistance Force

ISM – Migration Information System

IT – Information Technology

Criminal Law of Bosnia and Herzegovina – *abbreviation not used in this document*

Law on Criminal Procedure of Bosnia and Herzegovina - *abbreviation not used in this document*

MARRI – Geneva Centre for Democratic Control of Armed Forces

OHR – Office of the High Representative

OSA – Intelligence and Security Agency

AF BiH – Armed Forces of Bosnia and Herzegovina

OSCE – Organization of Security and Cooperation in Europe

BiH PA– Parliamentary Assembly of Bosnia and Herzegovina

RACVIAC – Regional Arms Control Verification and Implementation Assistance Centre

RCC – Regional Cooperation Council

ROS – Register of Certain Foreigners

SIPA – State Investigation and Protection Agency

SOP – Standard Operation Procedures

SPR – Standard Police Reporting

UNODC – United Nations Office on Drugs and Crime

ITA – Indirect Taxation Administration

CoE – Council of Europe

BiHCoM – Council of Ministers of Bosnia and Herzegovina

WTO – World Trade Organization

## **1. INTRODUCTION**

### **1.1. Reasons for adopting a new Strategy for fight against terrorism**

The threat of potential terrorist attacks has grown in all countries of the Coalition against Terrorism, including BiH. There is an infrastructure (both legal and institutional) in place but it requires vigilant upgrade and expansion. This issue has not been approached in a synergic and coordinated way for various reasons, for example because laws in force do not suffice or are only partially implemented, while, on the other hand, potential threats have grown and, if negative trends continue, we may soon face a serious security crisis with far fetching consequences.

The Strategy for prevention and fight against terrorism (hereinafter: the Strategy) establishes a general framework for Bosnia and Herzegovina's actions in its fight against terrorism and offers guidelines for improving the existing and developing new measures and instruments for the prevention and suppression of terrorism.

Protection against terrorism is a state competence, a part of its fundamental function to establish conditions allowing for peaceful and safe life of all its citizens, free from violence and fear, democratic, creative and prosperous, respectful of law and order. Any form of terrorism directed against Bosnia and Herzegovina would be 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, Bosnia and Herzegovina's priority is to develop comprehensive measures, national and international, for the prevention of and protection from all forms of terrorism, measures which should produce, along with direct benefits, a strong deterrent effect against any terrorist act targeting Bosnia and Herzegovina.

A stable security environment in BiH means also that the country must keep the upper hand in dealing with terrorism and other crimes connected with terrorism, as it is one of the key requirements for BiH's accession to the EU and NATO. Whether problems in this field will be solved quickly does not hinge on the security situation alone but also on the country's general progress, especially in the context of the EU and NATO enlargement. The present Strategy is therefore very important for BiH as a means for initiating changes which should provide for a long-term framework of the antiterrorist fight; at the same time, the Strategy is a vehicle for the transfer and application of European antiterrorist standards and regulations into the constitutional and legal system of Bosnia and Herzegovina.

This document was drafted on the basis of an analysis of the achievements of the previous Strategy, and as an attempt to answer the following question: 'Which improvements must be done and activities initiated in order to find an effective solution to the issue of preventing and fighting terrorism in BiH?' For all the above reasons, this document describes the current situation in the field of prevention and fight against terrorism, considers problems, and suggests objectives to be achieved, starting from the highest relevant institutional level.

## 1.2. National policy

BiH's geostrategic position is that of a country in the Southeast Europe, and, as a rule, its institutions are well aware of potential terrorist threats and pay increasingly more attention to the prevention and suppression of all types of terrorism.

In the 2006 Security Strategy, BiH already recognized potential dangers, as illustrated by this stipulation, "In the conduct of its internal policies, subjects of the BiH security system will direct their efforts to the fight against terrorism, organized crime and corruption through the strengthening of control and disciplinary mechanisms. The fight against terrorism will be one of the drivers of interagency cooperation, which will be functionally and institutionally shaped to fit legal and constitutional arrangements and fulfill endorsed international commitments."<sup>1</sup>

Through its actions, BiH has reaffirmed its position as an active member of the Antiterrorist Coalition against international terrorism. By the same token, BiH offered to contribute to the efforts on establishing a safe and secure environment in Iraq: a Bosnian contingent, whose soldiers carried out demining and demolition of found or seized UXO, was deployed to Iraq as part of the UN peace mission. Deployment to the peace mission within ISAF is currently under consideration.

To the extent of its possibilities, BiH will continue to take part in the efforts of the International Antiterrorist Coalition; BiH has also declared its willingness to join EU activities on the suppression of terrorism, including the harmonization of its legislation and signing and ratification of relevant resolutions and protocols, and the adoption of concrete action plans.

In addition, within the framework of the legitimate fight against terrorism, BiH will strive towards respecting individual and collective human rights, which is also an obligation under the BiH Constitution. Consequently, Bosnia and Herzegovina advocates for a quick completion of negotiations on the Comprehensive UN Convention on International Terrorism.

In the larger context of fight against terrorism, BiH invests considerable efforts in the prevention of and fight against organized crime and illegal migrations, as confirmed by a number of statements and declarations to which BiH subscribed under regional and international initiatives and, more importantly, by activities of BiH law enforcement agencies.

Unfortunately, the media have often linked BiH to terrorism; through its institutional and legislative development and reforms and the active fight against terrorism, locally and globally, BiH has proved its commitment to fighting all types of terrorist activities. The country's cooperative relations with the US and EU member countries deserve to be quoted as a prominent example of this commitment.

Bosnia and Herzegovina will persist in the fight against terrorism, and will focus in particular on the coordination of its national institutions responsible for the fight against terrorism and development of international cooperative instruments, especially with

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<sup>1</sup> *Security Policy*, BiH Presidency, February 2006.

relation to the US, EU member countries and countries of the region. Also, BiH will need to be more proactive in existing international police organizations.

### **1.3. EU and NATO partnership and membership as BiH's security objectives**

The enlargement of the EU and NATO are the most important international processes for BiH. By the same token, rapprochement and the eventual accession are also among the most important national and security objectives of BiH. BiH shares and fully upholds the values and objectives on which the EU and NATO are based. Since their establishment, these organizations have been instrumental to maintaining peace, stability, social progress, human rights and economic growth. The links between these two organizations and the complementary nature of their mechanisms and procedures in the field of military and political cooperation and security have become more prominent and strong, across the systems. The common European Security and Defence Policy is based on direct cooperation with NATO and does not challenge the autonomy of the countries involved. To BiH, membership in the EU and NATO will provide a unique historical opportunity for safeguarding and strengthening democracy, protecting independence, establishing a fully secure environment, as well as unlimited potentials for economic progress.

Geostrategically, BiH is located between the lines of communication with areas whose inherent instability can affect its own stability. This is particularly true with regard to the Southern Mediterranean basin, North Africa, Middle East, and the Caucuses. As a consequence of crises, conflicts, high population growth and the depletion of energy resources, these regions suffer from instability which overflows into Europe, in particular its parts that can be considered weak links, including Bosnia and Herzegovina with its unfavorable economic and security situation, worsened by the transition. Economic uncertainties, corruption, negative demographic changes, reduction in active population, and a high unemployment rate all together create a fertile soil for all kinds of organized crime, money laundering, terrorism and the financing of terrorism.

The proliferation of weapons of mass destruction, nuclear, chemical or biological, generation of refugee crises, ethnic conflicts or violations of human rights are just a small part of the spectrum of developments that the phenomenon of globalization brings along. The international community therefore strives towards creating supranational capabilities to respond to globalization challenges.

Terrorism is a global threat and its consequences underline the importance of the principle of indivisible security. After the attacks on the US on September 11<sup>th</sup>, terrorism became a global challenge, and the International Antiterrorist Coalition led by the US, that is to say international cooperation, is the only appropriate response to this development.

For all the above reasons, BiH considers cooperation to be of utmost importance, bilateral and regional, same as its involvement in the work of international organizations such as the UN, OSCE, EC, CoE, WTO, RCC, RACVIAC, MARRI, SECI, DICAF, etc. Bosnia and Herzegovina sees the UN as an international umbrella organization capable of not only catering to the collective security but also of conducting preventive diplomatic actions, peace operations and implementing other peace and security building measures at global level. The OSCE is the staple of the European cooperative security, and its field missions contribute to the propagation of security and highest international standards of democracy. Both organizations together invest efforts in developing the tenets of

indivisible security and establishing security coalitions, in particular in the areas where some occurrences must be stopped, such as BiH.

BiH's position, history and regional links, on the one hand, and its integration ambitions and prospects, on the other, point at the country's weaknesses. The territory of BiH is 51,129 square kilometers, with a 1,551 km-long border, and 89 border crossings; the terrain configuration makes for a great number of potential or 'crossable' illegal border crossings, which is an important factor in relation to migrations from the regions that we have identified earlier in this text as BiH's unstable surroundings.

A poorly regulated field of information technology in BiH is a specific destabilizing factor, and at the same time a factor in the potential growth of the economic power of terrorism. The growing trend of intense reliance on information technology, in commercial and private spheres, is accompanied by the growing risk of cyber crime, including the hacking of financial systems and abuse of BiH citizens' personal information or company information; these crimes are often used as vehicles for financing terrorism and contributing to its economic power.

Finally, we should not forget a challenge common to all transition countries, which can also contribute to terrorism: the problem of small calibre arms and light weapons (SALW), which, because of how easily SALW can be smuggled and the permeability of borders, also calls for a coordinated international approach.

Clearly, Bosnia and Herzegovina needs a single national action plan. BiH's constitutional arrangements are complex, including security, but it is necessary to establish a unified plan for the work of all BiH bodies that have relevant competencies or play a role in the prevention of terrorism. The decision was made to make the BiH Strategy for Preventing and Fighting Terrorism that plan. The issuing authority for the Strategy is the Council of Ministers. The Strategy will give to all the responsible and relevant bodies in BiH the task to develop their action or operational plans within their respective fields of expertise.

## **2. GENERAL OBJECTIVES OF THE STRATEGY FOR PREVENTION AND FIGHT AGAINST TERRORISM**

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.

1. To conduct continued activities with the aim of deterring any support to terrorism, terrorist activities or radical movements through public awareness<sup>2</sup> activities directed at positive communication;
2. To implement the Strategy in such a way as to prevent violations of fundamental human rights and freedoms guaranteed by international conventions and regulations<sup>3</sup>;
3. To improve interagency coordination and cooperation and develop capabilities in those institutions or agencies that lack them;
4. To ensure monitoring and supervision of the Strategy's implementing documents.

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<sup>2</sup> Disabling indoctrination into radical and negative ideologies, which may lead to terrorist acts as a means to achieve certain goals.

<sup>3</sup> In particular the European Convention for the Protection of Human Rights and Fundamental Freedoms which BiH signed, ratified and included in full in its Constitution.



### 3. OVERVIEW OF THE IMPLEMENTATION OF OBLIGATIONS SET FORTH BY THE 2006-2009 STRATEGY

1	Legislation	Responsible body	Deadlines
1.1	<p>Compile draft amendments to the BiH Law on Criminal Procedure and the BiH Criminal Law with the aim of including international instruments and standards (in particular UN and EU standards) in the field of the antiterrorist fight.</p>	<p>The BiH Ministry of Security and the BiH Ministry of Justice</p>	<p>6 months from the adoption of the Strategy.</p>
<p>A comprehensive analysis of the portion of the BiH Criminal Law pertaining to terrorism was carried out, and it was established that the Law, to a great degree, was in agreement with international instruments and standards but required some corrections, primarily a clearer and more encompassing definition of some provisions and terms; it was also established that BiH needed to begin implementing international instruments and standards to which the country subscribed after 2003. Along those lines, in November 2006, the BiH Ministry of Security agreed with UNDOC and the Council of Europe to initiate the work on Draft Amendments to the BiH Criminal Law, that is to say to the portion of the Law pertaining to terrorism, through the Technical Assistance Programme. Along with domestic experts, OHR, CoE, and UNODC experts also took part in the drafting process. The Law on the Amendments to the BiH Law on Criminal Procedure was adopted on 30 December 2009. The BiH Law on Criminal Procedure – Amendments to the BiH Law on Criminal Procedure - was published in <i>BiH Official Gazette</i> 58/8, and it included the recommendations of the BiH Ministry of Security.</p>			
1.2	<p>Compile a Draft Law on the Fight against Terrorism and Financing of Terrorism as <i>lex specialis</i>, in parallel with the activities on the drafting of amendments to the BiH Criminal Law and the BiH Law on Criminal Procedure in item 1.1.</p>	<p>The BiH Ministry of Security and the BiH Ministry of Justice</p>	<p>6 months from the adoption of the Strategy.</p>
<p>A preliminary analysis of the BiH Criminal Law and talks with OHR, CoE, and UNODC experts led to the joint position that only Amendments to the BiH Criminal Law should be tackled, and that adopting a separate law on terrorism as <i>lex specialis</i> was superfluous.</p>			
1.3	<p>Carry out an analysis and draft a proposal of amendments to the Law on State Agencies – OSA, SIPA, SBS (taking into account activities in items 1.1 and 1.2)</p>	<p>The BiH Ministry of Security (taking into account the already conducted activities of the OHR Security Sector Reform Working Group)</p>	<p>6 months from the adoption of the Strategy.</p>

<p>Article 33 of the Law on the Directorate for Coordination of BiH Police Bodies and on Support Agencies to the BiH Police Structures set forth that the BiH Ministry of Security was responsible for harmonizing all relevant laws. On 27 April 2009, the Parliament adopted the Amendments to the Law on Police Officials of BiH, <i>Official Gazette</i> 27/04, 03/04, 05/06, 333/06, 15/08, 63/08, 35/09, the Law on the BiH Border Police, <i>Official Gazette</i> 59/08, 35/09, the Law on the Sate Investigation and Protection Agency, <i>Official Gazette</i> 27/04, 63/04, 35/05, 49/04. The adoption of these laws and the appointment of the Independent Board will complete the first phase of the police reform in BiH.</p>			
1.4.	<p>Conduct activities on drafting amendments to laws and adopting new laws and bylaws in the fields that are indirectly linked with the fight against terrorism: the Law on Movement and Stay of Aliens, Law on Witness Protection Programme, Law on the Protection of Classified Information, Law on the Import/Export of Weapons, Law on the Movement of Weapons and Military Equipment and the Law on the Protection of Rescue of People and Material Goods from Natural and Other Disasters in BiH</p>	<p>The BiH Ministry of Security as the coordinator of activities. Bodies responsible for the drafting of each individual law are listed on pages 15 and 19, in item 5.1. – Legislation.</p>	<p>6 months from the adoption of the Strategy.</p>
<p>The Law on Protection and Rescue of People and Material Property from Natural and Other Disasters in BiH (adopted in 2008);  The Law on Movement and Stay of Foreign Nationals and Asylum (<i>Official Gazette</i> 81/08)  The Law on Protection of Classified Information (<i>Official Gazette</i> 54/05)  The Amendments to the Law on Protection of Classified Information (<i>Official Gazette</i> 12/09)  The Law on Prevention of Money Laundering and Financing of Terrorist Activities (59/09)  The Law on Movement of Weapons and Military Equipment (53/09)  The Law on Control of Foreign Trade in Goods and Services of Strategic Importance to BiH) (adopted in 2009 - it will replace the Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items)</p>			
1.5	<p>Use bylaws to define the critical infrastructure, set up a plan for its protection, and establish ‘an early warning system’</p>	<p>The BiH Ministry of Security and the State Investigation and Protection Agency</p>	<p>6 months from the adoption of the Strategy.</p>
<p>Not implemented</p>			

2	<b>Institution-building</b>	<b>Responsible body</b>	<b>Deadline</b>
2.1	Fully man teams and departments for the fight against terrorism	The BiH Ministry of Security (coordinator) and all relevant institutions/agencies, SIPA in particular	End of 2006
<p>The Antiterrorist Department of the BiH Ministry of Security, the level of manning 50%  The Antiterrorist Department of SIPA, the level of manning 100% as of 1 January 2009  The BiH Border Police does not have an element dedicated solely to the fight against terrorism</p>			
2.2	Intensify the work of the Antiterrorist Task Force	BiH Council of Ministers	Now
<p>In 2006, 2007 and the first nine months of 2008, the Antiterrorist Task Force met regularly (once a month on average).</p>			
2.3	Establish a Central Analysis HQ (with SIPA) and work on the establishment of a central record and connection with relevant INTERPOL databases.	State Investigation and Protection Agency with the assistance from the Antiterrorist Task Force.	12 months from the adoption of the Strategy.
<p>The Analytical HQ was not established but SIPA has personnel working on the analysis of developments in the fight against terrorism. The Analysis HQ is to be established ad hoc, as the need arises</p>			
2.4.	Create circumstances for the establishment of joint investigative teams (among all law enforcement bodies) for efficient discovery and prosecution of attempted or committed criminal acts of terrorism.	State Investigation and Protection Agency	9 months from the adoption of the Strategy.
<p>Circumstances for the establishment of joint investigative teams were not established; as a result, cooperation between law enforcement agencies depends mostly on cooperation agreements signed and the good will of agencies.</p>			

3	Strategic operability	Responsible body	Deadlines
3.1	Fully support and intensify the work of the Commission for the citizenship review	BiH Council of Ministers	Meet the deadlines for the citizenship review
The Commission for the citizenship review completed its work pertaining to individuals of African/Asian origin within the given timeframe.			
3.2	Adopt a national action plan for combating terrorism. All relevant institutions/agencies should previously develop their own action plans (List of action plans that need to be adopted is given in Appendix 1a)	State Investigation and Protection Agency (as the body responsible for coordination of activities and development of the National Action Plan)	The deadline for development of action plans by relevant institutions is four months after the adoption of the Strategy. SIPA's task is to adopt a National Action Plan within two months from the adoption of the Strategy
Implementation stage: The State Investigation and Protection Agency adopted its own Action Plan for Combating Terrorism no. 17-02/1-04-1-1154/07, dated 23 January 2007. The Intelligence-Security Agency (OSA) also adopted its own, classified action plan for combating terrorism.			
3.3	Control and improve the procedures for registration of residence and address. Develop a system of control and sanctions for violators. Fully update all CIPS databases.	Ministry of Civil Affairs, Directorate for Implementation of the CIPS Project	Six months of the date of adoption of the Strategy
The system of registration and control of movement and residence of foreign nationals in BiH has been improved by a number of recently adopted regulations.			
3.4.	Develop witness protection plans	State Investigation and Protection Agency	Three months of the day of adoption of the Law on Fight against Terrorism
The Law on Changes and Amendments to the Law on Witness Protection is currently in the parliamentary procedure.			

3.5	Make an analysis and improvements to agency and inter-agency IT networks. This activity is directly linked to the establishment of the Central Analysis HQ at SIPA (2.3)	IT departments of the Ministry of Security and SIPA in cooperation with IT departments of other relevant agencies and institutions.	Deadline for the assessment is six months
A comprehensive analysis of IT network requirements of the law enforcement agencies has never been done. Active projects, such as AFIS, SPI, ROS, ISM, are at different stages of implementation.			
3.6	Make an assessment of material and technical requirements of all bodies involved in combating terrorism	BiH Ministry of Security	Six months of the date of adoption of the Strategy
State Investigation and Protection Agency is the only agency that submitted the Assessment and the Material and Technical Equipment Plan (no.17-02/1-04-1-1154/06, of 12 January 2007).			
3.7.	Develop plans of civil-military cooperation (in response to terrorist attacks)	BiH Ministry of Security in cooperation with BiH Ministry of Defense	Four months of the day of adoption of the Strategy
The plan for civil-military cooperation in case of terrorist attacks and elimination of consequences was adopted at the 51 <sup>st</sup> session of the Council of Ministers, held on 3 June 2008. The implementation is in progress and it involves development of an SOP, signing of the memorandum on cooperation between the Ministry of Security and Ministry of Defense, and organization of a training exercise by the end of 2009.			
3.8	Strengthen border surveillance, develop a national action plan for border management	BiH Ministry of Security, Working Group for Integrated Border Management and BiH State Border Service	Six months of the day of adoption of the Strategy
In line with the Integrated border management strategy and Action Plan, and the obligation to strengthen the surveillance of the state border, the BiH Border Police signed a number of agreements and protocols with other agencies (for instance, with the BiH ITA). In cooperation with the Republic of Croatia, BiH began with the implementation of the project of joint border patrols. Also, the first joint course was organized for leaders from both border services. As part of the efforts to strengthen surveillance and control of border crossings, a document titled „Preliminary specification of software requirements – IT systems for comprehensive control of persons at border crossings“ (a tender for equipment is to be launched during this year) was developed. There are ongoing activities on the establishment of communication links between border crossings. The SPIN communications network has been established and it covers 85% of field offices, 57% of Border Police units and 39% of the busiest border crossings.			

4	<b>Inter-agency and international cooperation</b>	<b>Responsible body</b>	<b>Deadline</b>
4.1	Upon providing necessary legal prerequisites, commence with the implementation and establishment of full inter-agency cooperation, particularly in the area of information exchange.	BiH Ministry of Security and State Investigation and Protection Agency	Two years of the day of adoption of the Strategy
Projects for establishment of a communication network for law enforcement agencies have been launched with the purpose of facilitating exchange of information. Also, the Project of strengthening cooperation between prosecutors' offices and police is in the implementation phase.			
5.1	Improve international police and judicial cooperation by implementing the existing and initiation of new cooperation agreements.	BiH Ministry of Security, BiH Prosecutor's Office, BiH Court	Two years of the day of adoption of the Strategy
BiH signed a series of agreements on police cooperation with other countries and international organizations.			
5.2	Improve and intensify cooperation with the SECI center, Interpol (Fusion Task Force), Europol (prioritize the signing and ratification of the Agreement on cooperation between BiH and Europol), appoint a contact person to <i>Eurojust</i> .	BiH Ministry of Security	Two years of the day of adoption of the Strategy
<p>The following agreements have been signed and ratified:</p> <p>EU-BiH --- Agreement between BiH and the EU on security procedures for exchange of classified information (ratified, <i>BiH Official Gazette</i>, no. 2/06)</p> <p>SECI ----Police Cooperation Convention for Southeast Europe (ratified, <i>BiH Official Gazette</i>, no. 4/07)</p> <p>EUROPOL – Strategic cooperation agreement between BiH and the European Police Office (ratified, <i>BiH Official Gazette</i>, no. 10/07)</p>			
6 7	<b>Education and media relations</b>	<b>Responsible body</b>	<b>Deadline</b>
6.1	Education of judicial and investigating bodies in the areas ranging from the collection of evidence to proceedings (seminars,	BiH Ministry of Security and BiH Ministry of Justice	Basic education within two years of adoption of the Strategy, followed by continuous personnel

	advice, study visits). Training of investigators on the application of safe methods of identification of possible perpetrators of terrorist acts.		training
In cooperation with the United Nations (in particular UNODC/TPB) and the Council of Europe, three workshops have been organized on the following topics: 1) International instruments in combating terrorism 2) Changes and amendments to the BiH Criminal Code with the purpose of harmonization with international standards 3) International criminal justice cooperation in combating terrorism. Also, in cooperation with the USA under the ATA program, a number of seminars on prevention and combating terrorism were organized for police officers. BiH police officers also attended a number of international conferences, seminars and courses relating to combating terrorism.			
7.1	Media campaign aimed at promotion of the Strategy. Develop a specific information plan in case of terrorist attacks as well as a preventative media action plan.	BiH Ministry of Security	<i>Information plan</i> to be developed within six months of the day of adoption of the Strategy.
None of these activities has been implemented.			
<b>Action plan</b>		<b>Responsible body</b>	<b>Deadline</b>
National Action Plan for combating terrorism and financing of terrorism		State Investigation and Protection Agency (SIPA)	Six months of the day of the adoption of the Strategy
Not developed.			
Action Plan for Integrated Border Management		BiH Ministry of Security, Working group for integrated border management	Four months of the day of adoption of the Strategy
Adopted, currently in the implementation phase.			
Civil-military cooperation plan for prevention of terrorist attacks and elimination of consequences		BiH Ministry of Security in cooperation with the BiH Ministry of Defense	Four months of the day of adoption of the Strategy
Adopted in 2008, currently in the implementation phase			
A continuing education action plan for personnel engaged in combating terrorism and financing of terrorism		BiH Ministry of Security and BiH Ministry of Justice	Six months of the day of adoption of the Strategy
Not developed nor adopted.			
Material-technical equipment plan for counter-terrorist teams		BiH Ministry of Security in cooperation with the State Investigation and Protection Agency	Six months of the day of adoption of the Strategy
Not developed. Only SIPA adopted its own material-technical equipment plan.			
Action Plan for media anti-terrorist campaign and promotion of the Strategy objectives		BiH Ministry of Security	Six months of the day of adoption of Strategy
Not developed			

Action Plan for intelligence-security activities in combating terrorism	BiH Intelligence-Security Agency	Four months of the day of adoption of the Strategy
Adopted a classified plan.		
Action Plan for protection of key infrastructure and „establishment of an early warning system“	State Investigation and Protection Agency	Four months of the day of adoption of the Strategy
As envisaged in the course of civil-military cooperation planning, the 112 Center, operational 24/7, was officially open on 22 May 2009. The work of the Center is regulated by the Book of rules on organization, conditions and the functioning of the BiH Operations and Communications Center 112 ( <i>Official Gazette, 56/09</i> )		



## **4. ASSESSMENT OF CURRENT SECURITY SITUATION AND TERRORISM THREAT IN AND FROM BOSNIA AND HERZEGOVINA<sup>4</sup>**

### **4.1. Terrorism threat assessment in BiH**

By mid 2009, the security situation in Bosnia and Herzegovina was significantly impacted by some local, regional and global developments in certain aspects of terrorism and extremism, and other violent acts and intolerance. The current situation is similar. The general situation in the above indicated security segments is characterized by relatively steady tendencies with occasional periods of higher intensity or stagnation of certain aspects of the mentioned problems. Generally, it can be concluded that there were no events which resulted in long-term or major deterioration of the security situation in BiH as a whole or in some parts of BiH.

Not a single act which could be qualified as international terrorism was perpetrated in BiH by mid 2009.<sup>5</sup> There is no evidence to substantiate that BiH is currently used for preparation of execution of such acts, but they are yet not entirely dismissed and this should be always considered as a possibility.

Security-related data on certain persons of foreign descent in BiH do not indicate, for time being, any concrete connection between those individuals and international terrorism. However, some indications suggest that they maintain contacts with individuals abroad from the same milieu, and potential use of BiH as a transit country. A certain number of foreigners who had BiH citizenship and are still living in BiH, were stripped of BiH citizenship because, based on previous assessments, it was established that they posed threat to national security; the deportation procedure is ongoing. It is worth mentioning that earlier, when such individuals were stripped of citizenship or while their status was deliberated, this caused various reactions, mainly verbal, but also those that indicated some security challenges. However, in 2009 there were no reactions that may have resulted in any significant security consequences. Except for some instances of individual and group verbal dissatisfaction with the activities of the state agencies related to deportation, and some minor incidents regarding the deportation procedure itself, there has been no information to suggest possible situations that would be of security interest in this context.

Up to now, in 2009, there are no data on newly established humanitarian organizations in BiH which abuse their purpose in terms of being transformed and continuing illegal activities under a different form or name. In that context, allegations by some media were continuously checked during the past period, as well as allegations of some 'experts', but no confirmation or evidence was found to substantiate their allegations on activities that would be of security interest.

Regarding potential internal terrorist acts or terrorist acts against certain national, religious or other groups, not a single terrorist act or another act which would have a direct impact

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<sup>4</sup> The assessment made by members of the working group of police agencies and OSA.

<sup>5</sup> This term is introduced based on Article 5, the Law on OSA, Official Gazette 12/04

From 2005 to today, only one substantiated terrorist act has been committed in BiH, which was qualified as an act international terrorism. In October 2005, OSA and FBiH Ministry of the Interior stopped illegal activities of a terrorist group whose aim was to carry out terrorist attacks in BiH and abroad. The perpetrators were arrested and processed before the BiH Court in Sarajevo.

on lives and property of citizens and the state was committed in the course of this year on the territory of Bosnia and Herzegovina. However, in mid December 2009, BiH Office of the Prosecutor pressed charges against five individuals as co-perpetrators who acted as an organized group in the period November 2007 – November 2009 with the purpose to commit a terrorist attack on the territory of BiH against an identified target i.e. desired targets with an aim to intimidate the community and seriously destabilize the constitutional, political, economic and social establishment. The process against this group is ongoing before BiH Court.<sup>6</sup>

However, in 2009 and several years earlier, a number of violent acts were registered throughout Bosnia and Herzegovina against certain national, religious or other groups, their property, buildings and symbols, as well as other incidents, which affected interethnic relations and general safety and security of the population (damage to sacral buildings, graves and other monuments of all denominations in BiH, disturbance of law and order on ethnic grounds, activation of explosive ordnance, writing and dissemination of insulting nationalistic graffiti, posters and stickers, sending threatening and radical email and text messages, destruction of state symbols and insignia, etc.).

Provocative and destructive behavior of a number of football supporters (mainly younger population) continued in this period. Unlike in the previous period when they caused public disturbances (harassment of citizens, property destruction, verbal conflicts, fights under influence of alcohol, offensive graffiti, etc.), the recent events in Široki Brijeg resulted in a homicide. This caused revolt in BiH citizens and significantly affected safety and security, but also had a negative impact on interethnic relations. Incidents perpetrated by football fans, strongly charged with very negative and even nationalist emotions, but with less severe consequences, were registered in other communities during 2009. This problem is an alarming indicator of the prevailing inclinations and mood among the young population, and the possible extent of ensuing destruction, which may turn into violent acts in more complex situations.

Based on available information, it may be said that there is a continuing trend of aggressive and provocative action by some individuals or groups from legally established

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<sup>6</sup> In August 2006, a bomb was planted under the gravestone of former chair of BiH Presidency Alija Izetbegović. This act was characterized as a terrorist attack. So far, the investigation has proved that the background of this terrorist act could be political, national, or religious or all of the above. A perpetrator or perpetrators have still not been found.

In March 2008, a group of individuals was arrested (whose whereabouts were known to the law-enforcement agencies at the time). The group leader was a R.R. from Sarajevo. Authorized BiH agencies found and seized a large quantity of weapons and explosives after searching several apartments in Sarajevo and Bugojno. The BiH Office of the Prosecutor detained those persons for one month, but they were released after a couple of days in detention only because the relevant office of the prosecutor decided that there was no credible evidence to substantiate reasonable suspicion that they had engaged or conspired to commit terrorist acts. Nevertheless, the BiH Office of the Prosecutor continued the investigation and collected evidence based on which the same persons were rearrested at the end of October and beginning of November 2009. They are all currently held in the detention unit of the BiH Court.

On 9 October 2008, a bomb was planted and activated in the FIS Vitez shopping center. One person was killed, one sustained severe and several others minor injuries. Three persons were indicted of this act. One person was charged with terrorism under Article 201, BiH Criminal Code, and it is believed that this individual is directly linked with a crime committed in FIS Vitez. The second individual was charged with terrorism and production and possession of explosives which may be linked to terrorist activities and lead to suspicion of potential preparation for a terrorist attack, and the third person was charged with an act of terrorism. The trial is ongoing.

organizations, ethnic or religious associations active in BiH. On various occasions in 2009, individuals and groups belonging to those associations and organizations caused incidents by displaying intolerant, provocative and aggressive attitude, varying in form and intensity, towards members of other ethnicities, religions or religious beliefs, creating incidents, perpetrating incidents, and expressing intolerance and hatred, sometimes under the false pretext of their own national and religious interests. All those activities further affected the security situation in parts of BiH where they were committed or in the whole of BiH. They are more or less of the same intensity, characteristics and background as in the previous period.

Same or intensified activities of some members of radical religious groups in BiH and the region continued in the previous period. Those activities aim at spreading radical religious ideology and recruiting new followers. Some of them, through intensive religious and ideological activity (mainly verbal), generally deny the constitutional order and rule of law, regulations and laws of any state, including BiH, and democracy and democratic trends, calling for disrespect for the rule of law, democratically elected government, etc.

In terms of active display of hatred and creating of incidents, some individuals and groups have been more prominent lately. They belong to legally established organizations and associations with ethnic or religious denominators, active in BiH, whose members or followers display, spread, and incite ethnic and religious hatred and intolerance. This is done mainly verbally, but also through writing and dissemination of offensive nationalistic graffiti, posters and stickers, sending threatening and radical email and text messages, disturbance of law and order and participation in incidents and fights due to disagreement and disapproval of ideas and beliefs of others.

The impression may be that the intensity and background of those activities are directly linked to certain “current public developments in the society” (and general negative atmosphere) related to the resolution of problems in BiH (primarily political, but economic and social as well as of lately) and its neighborhood.

A relatively new trend in BiH is abuse of cyber technology by extreme radical subjects of security interest (individuals, groups, organizations, associations, etc.). However, there are no reliable indicators as to the extent of problem. There are some indications that cyber technology is used by individuals and groups from this area for purposes which have or may have security implications.

The main characteristic of the mentioned structures is that they use cyber technology primarily for their mutual communication, to spread radical ideology, to indoctrinate declared or potential followers, to distribute various materials (such as propaganda and support to global terrorist organizations and movements using chat, web forums and web sites), to collect and exchange data and information (documents, brochures, books, audio and video materials), to raise funds, to woo, recruit, mobilize and train new members, for networking, and connecting cells and members, for planning, coordination and control of activities, and to conduct computer and psychological warfare.

By analyzing some web sites, it becomes clear that cyber attacks are no longer sporadic individual activities and that they become increasingly coordinated. In BiH and in the region, the use of modern technology for promotion and spreading of radical beliefs and ideas is a new phenomenon, primarily targeting young people, who are computer literate and most eager Internet users.

According to available information, there has been no abuse of the Internet for traditional terrorist purposes or cyber terrorism in BiH so far.

According to available information, there are several web sites in Bosnia and Herzegovina which, according to their content, incite or call for intolerance, even hatred. These are mainly web sites hosted outside Bosnia and Herzegovina, in other European countries (Austria, Germany, Norway, etc). It is believed that free Internet distribution of such contents, which openly call to violence and retaliation, considerably motivates consumers of such sites to display intolerance and hatred and to spread negative atmosphere and create an overall negative security and safety situation in Bosnia and Herzegovina.

Additionally, individuals use such web sites to state their verbal support to some global terrorist organizations and movements by broadcasting videos produced by the media outlet supported by Al Qaida. Some videos openly call to violence and retaliation against the coalition troops in Iraq and Afghanistan. In some cases, the Internet was used to incite national intolerance, conflict, to frighten other ethnic and religious groups.

#### **4.2. Assessment of potential terrorist-related threats in BiH**

The security situation in BiH is still heavily burdened by various problems, which is manifested, inter alia, through nationalism- or religion-driven acts of intolerance, provocations and even violence. A great number of individuals participate in such activities, though at various degrees and with different roles. The total of available information makes us believe that nationalism- and religion-driven acts of violence in various forms will remain a problem that will block BiH's progress in the future, although the system is trying to eliminate or alleviate it.

The security situation in BiH will be crucially affected by the development and outcome of the world economic crisis. With the current negative trend, and especially if the impact of the global economic crisis deepens, it is expected not only that all forms of illegal activities in BiH will persist but that they will be intensified, which will create new negative aspects and further complicate security circumstances. Since the 2009 assessments do not predict changes in the current financial and economic trends, the potential negative impact seems even more likely.

If the economic crisis persists and becomes more complicated, all aspects of violent may increase in scope and content. If the economic/social dissatisfaction grows, this may result in various politically motivated negative displays of intolerance towards representatives of other social and political groups, as well as other ethnic and religious groups. In that context, we must not dismiss the possibility of massive rallies with some elements of violent behavior, but also individual illegal violent acts, used by individuals and groups to express their negative views and even the intent to make the economic situation ever worse by jeopardizing lives and property of citizens.

We cannot entirely dismiss a situation where announced protest rallies, with different motives and causes, could be used by some individuals or groups of security significance, or other disgruntled persons, who might, wittingly or with no regard for consequences of their actions, independently or encouraged by someone, create some type of threat or apply different forms of violence against current authorities in BiH and the entities, but also the facilities they work or stay in or the assets they use.

Based on the current intelligence and information from the previous period, it is estimated that in the future period as well it is possible to expect security incidents and violent acts in a similar or larger volume, inspired by the economic/social situation and other causes, but also acts against returnees, their property, religious facilities and so forth (damaging sacral buildings, tombstones and markings, ethnically-motivated disturbances of public peace and order, activation of explosive devices, offensive nationalistic graffiti, destruction of state symbols, etc.)

The economic and social status of individuals may be taken advantage of by some legally established organizations and associations with an ethnic or religious denominator, for the purpose of continued demonstration of intolerance, individually or as a group, towards other ethnicities or religions.

Based on the available intelligence, it is estimated that the current course of activity by some individuals or groups from certain legally established organizations and associations with an ethnic or religious denominator, which are active in BiH, will continue in different forms and with varying intensity, as an individual or group demonstration of intolerant, resentful, provocative or aggressive attitude towards other ethnicities, religions and beliefs, or by creating incidents or participating in incidents that reflect intolerance and hatred, sometimes even under the pretext of “protection” of ethnic and religious interests. In doing that, they will continue to use global communication systems as well. Despite the lack of information suggesting that such organizations or individuals are actually preparing large-scale acts of violence or acts with some elements of terrorism, they still cannot be excluded from the mentioned categories, especially in the event of complex internal circumstances.

Estimates indicate that the provocative and destructive behavior of some football supporter groups (mostly younger ones) may cause large-scale public disturbances during sport events in the future period, unless the relevant authorities take appropriate legal action and if the society in general, different organizations and civil associations around which this particular population gathers, do more in terms of prevention.

Currently available information does not suggest that acts of international terrorism are being prepared in any form in Bosnia and Herzegovina, either targeting BiH or any foreign subject or facility within or outside BiH borders. However, presence of a certain number of foreign nationals of Afro-Asian descent who still reside in our country and who earlier maintained contacts with persons connected with international terrorism, and some of whom still do not have a regulated status in BiH, creates a possibility for them, under certain circumstances and enhanced by their dissatisfaction over their legal status, to reactivate their indicated connections and develop them into an activity of specific security importance, even play a role in a specific operation that may involve assistance or possible participation in acts of terrorism, as an ultimate consequence.

Although some illegally obtained weapon caches were located and then found by the relevant authorities, based on bulk information it may be supposed that some amounts of weapon and explosive ordnance are still secretly kept by individuals and groups in BiH. This fact will have a significant negative impact in the context of possible threats to BiH security in the future period. Therefore, realistic assessments suggest that some quantities will continue to end up on foreign black market, but also in the hands of buyers who are contemplating terrorist actions. Available information indicates that the stage of such

activities will remain larger than BiH, with an international dimension and elements of organized crime.

Abuse of the Internet, as a global communication medium, is becoming a serious security threat, especially in the context of what we call, since 11 September 2001, the fight against terrorism.

«Cyber» attacks can be planned as to target the key infrastructure of any country, overload communication systems and cause severe consequences on the security system of the country under attack.

The Internet, as a true virtual training camp, is increasingly taking over the role previously played by Al Qaida's camps in Afghanistan and Pakistan. A growing number of young people resort to individual web page development and advocate creation of autonomous extremist cells and construction of explosive devices made of freely retailed substances, and attempt to independently plan terrorist attacks (e.g. the case Bektašević and alia).

In order to successfully counter *cyber terrorism*, and with the aim of suppressing all forms of abuse of cyber technology for terrorist purposes, based on existing (and global) experiences, it is required to take certain general steps in order to reduce potential risks to a minimum and gradually shrink the available room for possible abuse.

## **5. MAIN PROBLEMS AND SOLUTIONS**

### **5.1. Problems**

1. Due to a large number of institutional and legislative frameworks, there is a distinct problem with surveillance coordination and oversight. A problem caused by the diversity and discord between some legislative arrangements has also been identified;
2. Another problem observed (and analysis proved it to be a consequence of the previous problem) is delayed exchange of information such as fresh intelligence, experience, good practice, new forms of crime associated with terrorism and even specific situations connected with terrorist activities;
3. Inadequate education in the areas of counterterrorism and a low rate of specialized training;
4. Inadequate single analytic approach to the fight against terrorism;
5. Absence of clearly defined political objectives by the National Security Council and the Joint Committee for Defense and Security of the BiH Parliamentary Assembly, authorities responsible to lay down the fundamental political platform with a definition of future political challenges and clearly formulated objectives;
6. Absence of a body that would provide monitoring and oversight over the implementation of the strategic goals and Action Plans of the institutions;
7. Absence of a single and adequate approach to prevention in the fight against terrorism;

### **5.2. Objectives derived from problem analysis**

1. Implementation of the Security Policy document and strengthening BiH security policy;
2. Adoption of proposed changes and amendments to the BiH Criminal Code and Law on Criminal Procedure;
3. Timely exchange of data and improvement and enhancement of technical capabilities for successful exchange of all types of data;
4. Continued improvement of information exchange, coordination and cooperation among all agencies / institutions, both in the country and internationally;
5. Analysis and improvement of intra-agency and interagency IT networks for timely data exchange;
6. Acquisition of fresh knowledge on different manifestations of terrorist activity for the purpose of prevention and fight against terrorism, understanding of the fundamental guidelines on human rights, as well as permanent improvement of language skills to enable as efficient exchange of information and data as possible;

7. Establishment of teams to handle terrorism-related cases in a manner that the State Investigation and Protection Agency leads teams based on the local jurisdiction over the crime in question;
8. Strengthening the crime detecting/intelligence capabilities of the relevant agencies in BiH in response to any type of terrorist threat; in that context, appropriate human resources need to be ensured in order to enhance the existing counterterrorist capabilities.
9. Continuous adjustment of the domestic legislation to the requirements of modern counterterrorism in accordance with the international instruments in the fight against terrorism and its prevention;
10. Strengthening the capabilities of the Border Police for prevention and reduction of transborder crimes and illegal migrations by improving the border control and check system;
11. Assessment of the level of protection of the key infrastructure against natural and other disasters;
12. Development of a control system and introduction of sanctions against persons who make certain rights available to persons from the UN Security Council's Consolidated List or to persons with operational or criminal records in BiH in relation to terrorism, contrary to Resolutions of the UN SC;
13. Development of special plans for protection of witnesses, persons of trust and other persons who can provide solid information on potential terrorist activities or their consequences;
14. Simplified procedures for use of special investigating methods in the event of a suspected terrorist action;
15. Production of an analysis of all material and equipment requirements for fight against terrorism, to be submitted by all police agencies at the request of the Body;
16. Creation of a plan of permanent education of official personnel in prevention and fight against terrorism and terrorism funding, with a special emphasis on new manifestations of terrorism;
17. A media campaign aiming at prevention of public dissemination, media broadcast, distribution or any other method of dispatching public messages with the aim of deterrence of any support to terrorist activities or encouragement of others to commit terrorist acts;
18. Protection of AFBiH personnel, material resources, information and activities in accordance with NATO standards;
19. Development of prevention plans based on intelligence activities, to include all police levels, especially police work in the community;



20. Establishment of national mechanisms for effective prevention and suppression of cyber terrorism, including protection of the key computer infrastructure from possible terrorist attacks and suppression of abuse of the computer net for terrorist purposes;
21. Continuous surveillance over radical groups whose behavior could lead to any form of violence;
22. Preventative action through prevention of incitement and recruitment in sensitive or isolated communities;
23. Each institution/agency shall produce an Action Plan from within its purview in prevention and fight against terrorism;
24. Establishment of a Body for oversight of the implementation of the Strategy and Action Plans of the institutions and agencies envisaged by the Strategy.

## **6. BASIS FOR DEVELOPMENT OF ACTION PLANS OF INSTITUTIONS AND AGENCIES**

### **6.1. Problem definition**

For proper articulation of objectives, it is required to first identify the problems and obstacles within the purview of the institution/agency in question in prevention and fight against terrorism, whereas the general objectives will be derived from the Strategy.

### **6.2. Articulation of objectives and tasks**

The objectives need to be articulated as to be realistically achievable within the validity period of the Strategy.

### **6.3. Deadlines and task assignment**

Specific objectives and tasks are to be assigned to specific personnel or entire departments and realistic deadlines are to be set.

### **6.4. Success measuring**

Success indicators are to be set for each task (implemented, established, executed, realized).

## **7. PLANNED STRATEGY IMPLEMENTATION DYNAMIC**

### **7.1. Validity period of the Strategy**

The Strategy is valid for a period of three (3) years (2009 - 2012). Since the Strategy and the Action Plan for prevention of money laundering and financing of terrorist activities in BiH were adopted for the period 2009-2013, it would be required to extend the Strategy validity period to another year.

Given the ever-present threat of terrorist attacks, all relevant institutions and agencies are invited to undertake appropriate measures and activities without further delay.

### **7.2. Deadlines for issuance of Action Plans**

The deadline for issuance of action plans for institutions/agencies is six (6) months from the date of the adoption of the Strategy. Each institution shall appoint a responsible person - the leader of the activities from the finalized Action Plan.

## **8. BODIES RESPONSIBLE FOR THE IMPLEMENTATION OF THE STRATEGY**

### **8.1. Supervisory body for the implementation of the Strategy**

The Ministry of Security of Bosnia and Herzegovina and all other institutions will be responsible for the implementation of the Strategy. At the proposal of the BiH Ministry of Security, a supervisory body for the implementation of the Strategy and Action Plans of the institutions and agencies, envisaged by the Strategy, will be formed within three months after the adoption of the Strategy. This body will be appointed by the decision of the BiH Council of Ministers and will comprise representatives of the BiH Ministry of Security, SIPA, BiH Border Police, RS Ministry of Internal Affairs, Federation Ministry of Internal Affairs, Brčko District Police. The supervisory body shall report on the implementation of the Strategy and Action Plans to the Council of Ministers of Bosnia and Herzegovina. The Body shall adopt its book of rules, while other rights and duties will be a subject of a special regulation.

### **8.2. List of major BiH laws pertaining to combating terrorism**

Criminal codes and laws on criminal proceedings:

- BiH Criminal Code<sup>7</sup>
- BiH Law on Criminal Procedure<sup>8</sup>
- FBiH Criminal Code
- FBiH Law on Criminal Procedure
- RS Criminal Code
- RS Law on Criminal Proceedings
- Brčko District Criminal Code
- Law on Criminal Proceedings of the Brčko District<sup>9</sup>

Other relevant laws:

- Law on Implementation of Appropriate Measures for Effective Implementation of ICTY Mandate and Other International Restrictive Measures<sup>10</sup>
- BiH Law on Prevention of Money Laundering and Financing of Terrorist Activities<sup>11</sup>
- BiH Law on Protection of Witnesses under Threat and Vulnerable Witnesses<sup>12</sup>
- Law on Witness Protection Program<sup>13</sup>
- Law on Protection of Classified Information<sup>14</sup>
- Law on Intelligence and Security Agency of BiH<sup>15</sup>
- Law on State Investigation and Protection Agency<sup>16</sup>
- Law on State Border Service<sup>17</sup>

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<sup>7</sup> *BiH Official Gazette*, no. 3/03.

<sup>8</sup> *BiH Official Gazette*, no. 3/03.

<sup>9</sup> *Brčko District Official Gazette*, 7/00 and 1/01.

<sup>10</sup> *BiH Official Gazette*, no. 25/06.

<sup>11</sup> *BiH Official Gazette*, no. 29/04, 59/09.

<sup>12</sup> *BiH Official Gazette*, no. 3/03, 21/03 and 61/04.

<sup>13</sup> *BiH Official Gazette*, no. 29/04.

<sup>14</sup> *BiH Official Gazette*, no. 54/05, 12/09.

<sup>15</sup> *BiH Official Gazette*, 12/04 and 20/04.

<sup>16</sup> *BiH Official Gazette*, no. 27/04, 63/04, 35/05, 49/09.

- Law on Border Police<sup>18</sup>
- Law on Defense of Bosnia and Herzegovina<sup>19</sup>
- Framework Law on Protection and Rescue of People and Material Property in Case of Natural or Other Disasters in BiH<sup>20</sup>
- Law on International Legal Assistance in Legal Matters<sup>21</sup>
- Law on Control of Movement of Weapons and Military Equipment<sup>22</sup>

### 8.3. List of international regulations

#### UN Security Council resolutions:

- **R-1267** (1999) demands from the Taliban to cease training international terrorists and to turn in Osama bin Laden. The Security Council also decided that on 14 November 1999, all states should impose the following measures:
  - freeze funds and other financial resources owned or controlled by the Taliban, except as may be authorized by the Sanctions Committee on the grounds of humanitarian need (financial sanctions);
  - The Security Council decided to establish a Committee of the Security Council to monitor the implementation of the measures.
- **R-1333** (2000). The Security Council decided that all states should enforce an embargo on arms and military *know-how* at the territory of Afghanistan under the control of the Taliban.
  - The Security Council urged all states that maintained diplomatic relations with the Taliban to reduce significantly the number and level of the staff at Taliban missions and restrict or control the movement of the Taliban representatives (diplomatic sanctions);
  - It also decided that all states should close immediately all Taliban offices, as well as offices of the *Ariana Afghan Airlines*.
- **R-1373** (2001). Reaffirming its unequivocal condemnation of the 9/11 terrorist attack on the USA, the UN Security Council, on 28 September 2001, unanimously adopted a comprehensive resolution with strategies to combat international terrorism. By Resolution 1373 the Council also established a Committee of the Council to monitor the resolution's implementation. Under the terms of the text, the Council decided that all States should take measures in prevention of terrorism, such as freezing funds of persons who commit, or attempt to commit terrorist acts, or participate in or facilitate the commission of terrorist acts. The Council decided that states should ensure that terrorist acts are established as serious criminal offences in domestic laws and regulations and that the seriousness of such acts is duly reflected in sentences served. States were also called on to exchange information in prevention of terrorist attacks,

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<sup>17</sup> *BiH Official Gazette*, no. 50/04.

<sup>18</sup> *BiH official Gazette*, no. 59/08, 35/09.

<sup>19</sup> *BiH Official Gazette*, no. 55/08.

<sup>20</sup> *BiH Official Gazette*, no. 50/08.

<sup>21</sup> *BiH Official Gazette*, no. 53/09.

<sup>22</sup> *BiH Official Gazette*, no. 53/09.

become parties to the relevant anti-terrorist conventions and ensure that the refugee and asylum status is not abused by terrorists.

- **R-1390** (2002). The Security Council decided to terminate the measures imposed by resolutions 1267 (1999) and 1333 (2000) relating to the denial of permission for Afghan aircraft to take off from or land in their territory, as well as the measure on closing of *Ariana Afghan Airline* offices (air embargo lifted).
- **R-1452** (2002) introduced certain exceptions into the sanctions regime imposed by the Resolution R-1267.
- **R-1455** (2003) improved the sanctions regime imposed by R-1390 (2002) and re-appointed the Monitoring Group for 12 months.
- **R-1456** (2003). The Security Council adopted a ministerial declaration on the issue of combating terrorism.
- **R-1526** (2004) called upon all states to take more vigorous measures, in particular financial measures, with regard to listed individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly by individuals and groups associated with Al-Qaida. The states should ensure that these funds are not made available, directly or indirectly, to such persons' benefits. The Resolution reinforced the measures aimed at prevention of movement of such individuals. It also called upon all states to prevent direct or indirect supply, sale or transfer of weapons and military equipment to such individuals and groups. With this Resolution, the Security Council established an Analytical Support and Sanctions Monitoring Team in order to assist the Committee of the Security Council in fulfillment of its mandate.
- **R-1617**. The Security Council decided that all member states should take the measures against individuals and entities from the UN Consolidated List (R-1267) and submit reports to the UN Security Council Committee on a regular basis. The resolution encouraged all member states to use the resources and databases of Interpol in combating terrorism.
- **R-1624**. This resolution called upon all states to prohibit by law incitement to commit terrorist acts and to prevent the subversion of educational and religious institutions by terrorists.
- **R-1735** (2006) called upon member states to freeze without delay the funds and other financial assets or economic resources of individuals and entities, as referred to in the Consolidated List created pursuant to resolutions 1267 (1999) and 1333 (2000), and to redouble their efforts in preventing the entry into or the transit through their territories of these individuals. This resolution adopted the rules regarding the de-listing of individuals and entities.
- **R-1822** (2008) reaffirmed the provisions from the previous resolution and directed review and maintenance of the Consolidated List. The resolution called for implementation of measures and reiterated the need for coordination and outreach. It also established the Monitoring Team to work closely with the Committee (1267).

### **UN anti-terrorism conventions:**

- (Universal international multilateral agreements)
- Convention on Offences and Certain Other Acts Committed on Board Aircraft, *BiH Official Gazette*, 47/70, BiH succeeded to the convention, *BiH Official Gazette no. 26/98*.
- **Convention** for the Suppression of Unlawful Seizure of **Aircraft**, **SFRY Official Gazette no. 33/72**, **BiH succeeded to the convention**, **RBiH Official Gazette no. 15/95**.
- **Convention** for the **Suppression** of **Unlawful** Acts against the Safety of **Civil Aviation**, **SFRY Official Gazette no. 33/72**, **BiH succeeded to the convention**, **RBiH Official Gazette no. 15/95**.
- Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons including Diplomatic Agents, *SFRY Official Gazette – International Treaties no. 54/76*, BiH succeeded to the convention, *RBiH Official Gazette no. 25/93*.
- International Convention against the Taking of Hostages, *SFRY Official Gazette – International Treaties no. 9/84*, BiH succeeded to the convention, *RBiH Official Gazette no. 25/93*.
- International Convention on the Physical Protection of Nuclear Material, *SFRY Official Gazette no. 9/85*, BiH succeeded to the convention, *BiH Official Gazette no. 26/98*.
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 23 September 1971, *SFRY Official Gazette – International Treaties no. 14/89*, BiH succeeded to the protocol, *RBiH Official Gazette no. 15/95*.
- Convention for the Suppression of Unlawful Acts against Maritime Navigation (in process for ratification).
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located in Continental Shelf.
- Convention on the Marking of Plastic Explosives for the Purpose of Detection.
- International Convention for the Suppression of Terrorist Bombings.
- International Convention for the Suppression of the Financing of Terrorism.

**European anti-terrorism conventions** signed and ratified by Bosnia and Herzegovina:

<b>Council of Europe Conventions – Bosnia and Herzegovina</b>	<b>Signed</b>	<b>Ratified</b>
European Convention on the Suppression of Terrorism (ETS 90)	17/03/2003	3/10/2003
Additional Protocol (ETS 190)	4/02/2005	-
European Convention on Extradition (ETS 24)	30/04/2004	25/04/2005
First Additional Protocol (ETS 86)	30/04/2004	25/04/2005
Second Additional Protocol (ETS 98)	30/04/2004	25/04/2005
European Convention on Mutual Assistance in Criminal Matters (ETS 30)	30/04/2004	25/04/2005
First Additional Protocol (ETS 99)	-	-
Second Additional Protocol (ETS 182)	-	-
European Convention on the Transfer of Proceedings in Criminal Matters (ETS 73)	30/04/2004	25/04/2005
European Convention on the Compensation of Victims of Violent Crimes (ETS 116)	30/04/2004	25/04/2005
<u>Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime</u> (ETS 141)	30/03/2004	30/03/2004
Convention on Cybercrime (ETS 185)	9/02/2005	19/05/2006
<u>Additional Protocol to the Convention on cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems</u> (ETS 189)	9/02/2005	19/05/2006
Council of Europe Convention on the Prevention of Terrorism (ETS 196)	19/01/2006	11/01/2008
<u>Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism</u> (ETS 198)	19/01/2006	11/01/2008

### **EU *acquis* in the area of combating terrorism**

- *Acquis communautaire*, Chapter: Justice, Freedom and Security. EU *acquis* pertaining to suppression of organized crime and terrorism.
- On 25 November 2005, Bosnia and Herzegovina started negotiations on the Stabilization and Association Agreement with the European Union. Also, BiH made a commitment to approximate its national legislation to the EU regulations and standards, particularly in the area of justice and internal affairs.
- Bosnia and Herzegovina and the European Union signed the Agreement on security procedures for the exchange of classified information (Agreement signed in 2004).

### **International bilateral agreements on police cooperation between Bosnia and Herzegovina and other countries:**

- Agreement between the Government of Bosnia and Herzegovina and the Government of Republic of Hungary on cooperation in matters related to combating terrorism, drug trafficking and organized crime, signed in Budapest (Hungary) on 21 April 1996 (ratification process in 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, illicit traffic in narcotic drugs and psychotropic substances and organized crime, signed in Ankara (Turkey) on 21 June 2006 (ratified by the BiH Presidency on 5 April 2002);

- Agreement between the Council of Ministers of Bosnia and Herzegovina and the Government of Republic of Italy on cooperation in combating organized crime, concluded and signed in 2002.
- 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, signed in 2002;
- Agreement on cooperation between the Ministry of Security of Bosnia and Herzegovina and Ministry of Internal Affairs of the Russian Federation, signed in September 2004;
- Agreement on police cooperation with the Republic of Greece, signed in February 2006, *Official Gazette*, no. 14/06;
- Agreement on police cooperation with the Republic of Austria, signed on 5 May 2006, *Official Gazette*, no. 3/07;
- Agreement on police cooperation with the Islamic Republic of Iran, signed on 8 March 2005, *Official Gazette*, no. 10/07;
- Agreement on police cooperation with Switzerland, signed on 24 April 2007, *Official Gazette*, no. 12/07;
- Agreement on police cooperation with the Republic of Slovakia, signed on 5 June 2006, *Official Gazette*, no. 3/07;
- Agreement on police cooperation with the Republic of Turkey, signed on 21 June 2000, *Official Gazette*, no. 4/04;
- Agreement on police cooperation with the Republic of Hungary, signed on 21 April 1996, *Official Gazette*, no. 8/05;
- Agreement on police cooperation with the Republic of Italy, signed on 28 January 2002, *Official Gazette*, no. 10/07;
- Agreement on police cooperation with the Arab Republic of Egypt, signed on 14 December 2006, *Official Gazette*, no. 8/07;
- Agreement on police cooperation with the Republic of Slovenia, signed on 22 December 2006, *Official Gazette*, no. 8/07;
- Agreement on police cooperation with Romania, signed on 4 June 2007, *Official Gazette*, no. 2/08;
- Agreement on police cooperation with Montenegro, signed on 7 September 2007, *Official Gazette*, no. 2/08;
- Agreement on police cooperation with Bulgaria, signed on 20 September 2007, *Official Gazette*, no. 2/08;



- Agreement on police cooperation with the Republic of Macedonia, signed on 21 March 2008, *Official Gazette*, no. 8/08;
- Agreement on police cooperation with the Republic of Albania, signed on 24 March 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.
- Protocol between the Ministry of Security of Bosnia and Herzegovina and the Ministry of Internal Affairs of the Republic of Serbia on regular state, regional and local meetings of border police representatives, signed on 31 March 2009, *Official Gazette*, no. 08/09.