

## RETHINKING SECURITY POLICY OF BOSNIA AND HERZEGOVINA AND IMPROVING THE RESPONSE TO CHALLENGES AND THREATS

Zlatan Bajramović<sup>28</sup>

University of Sarajevo, Faculty of Political Sciences

**Abstract:** The General framework agreement for peace in Bosnia and Herzegovina initialled in Dayton, USA, and signed in Paris, France, in 1995 stopped the war and brought peace. Bosnia and Herzegovina didn't have a common army or police in that moment. First law enforcement agency on state level was State Bordes Service established in 2000 and after this several more has been established. Defense reform is completed in 2005 with the establishment of Armed Forces of Bosnia and Herzegovina. Security policy of Bosnia and Herzegovina have been adopted by the Presidency of Bosnia and Herzegovina on February 8th 2006. Since then no change has been made to this policy. Security sector in Bosnia and Herzegovina but also in other countries in the region of South Eastern Europe has been changed. Security threats and challenges significantly changed the perspective on security sector, organizational structure and response in many countries. Bosnia and Herzegovina don't have National Security Strategy and Security policy is one the main documents for foreign policy, inner policy, defence policy, social policy, financial policy, democracy and human rights and protection of the environment. There is a clear need for redefinition of this document and approach to security challenges and threats in Bosnia and Herzegovina and harmonization with the documents of European union and neighboring countries in South eastern Europe

**Key words:** Security policy, Bosnia and Herzegovina

### 1. Introduction

The General framework agreement for peace in Bosnia and Herzegovina (also known as Dayton Peace Agreement) was agreed under the auspices of the United States of America (USA), European Union (EU), France, Germany, Great Britain and Russia at the air base Wright Patterson in Dayton, Ohio, USA, in November 1995. It was signed on December 14, 1995. in Paris, France. This agreement successfully ended the war in BiH (Abazović and Hammer, 2010:14; Beridan, 2001:81; Ćurak, 2002:62; Holbrooke, 1998:321; Huseinbašić, 2007:132; Leskovac, 2009:276; Pejanović, 2005:42; Bayley and Perito, 2012:53)

Political organization and development of the security sector in BiH after the signing of the Dayton Peace Agreement are related. The security sector is a broad term that most often encompasses the structure, institutions and people responsible for managing, preparing and reviewing security in the country. Includes defense, law enforcement institutions, correctional institutions, intelligence services, border management, customs, elements of legal sector, management and supervisory bodies, groups within civil society and other non-governmental actors (Bajramović, 2022:120). Acknowledging the fact that Dayton Peace Agreement ended

<sup>28</sup> Contact address: zlatan.bajramovic@fpn.unsa.ba

the war but also laid the foundations for work and functioning of the state of BiH it is clear that this document is not enough. The process of transition in which BiH is striving through various reforms to improve the situation in the country takes 28 years after the end of the war. In the security sector, defense reform, police reform and reform of the protection and rescue system in Bosnia and Herzegovina have been initiated.

Security policy implies a unique political-philosophical, ideological, state-political, state-national, national, military-political, and even scientific point of view on issues of war, security and defense - a set of basic determinations and solutions on organizing and preparing the state, society, nation, movement for defense and protection in war and other forms of endangerment (Beridan, 2008:30). It represents the sum of all measures, activities and procedures intended for the establishment and operation of the national system security (Tatalović and Bilandžić, 2005:46).

“A national security policy is an official description of how a state aims to provide for its own security and that of its population: it establishes a national understanding of the threats and risks of the security environment, and the values and principles that will guide the state in providing state and human security. It is intended to provide an overarching national vision as the basis for the development of other documents such as a national security strategy or subsector plans. A national security policy can take the form of a single document, but it can also be reflected in a collection of existing documents that together compose a coherent integrated policy. A national security policy is defined by the purpose it serves and not by its title: it might also be called a plan, strategy, concept, doctrine or similar.” ([www.dcaf.ch/sites/default/files/publications/documents/DCAF\\_BG\\_9\\_National%20Security%20Policies.11.15.pdf](http://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_9_National%20Security%20Policies.11.15.pdf) access on 15/04/2023)

## 2. Security Sector Reform

Security Sector Reform primarily concerned societies in transition in Central and Eastern Europe. The area of the Western Balkans without a successful one implementation of reforms is not capable of permanent political and security normalization post-conflict societies, in their area. After the collapse of socialism in the area The citizens of Central and Eastern Europe have found a model in the societies of Western Europe, whose values they tried to adopt. The thinking that almost everything should be taken over from the societies of Western Europe crept into the overall idea of the reform. The Partnership for Peace program as a pre-level and NATO as the final goal was what was offered societies in reform. Due to this situation, in the last decade of the 20th century, the USA, NATO and the EU were in the process of defining a new security identity. The disappearance of the bloc division of the world allowed them to create changed societies on the territory of the former opposing bloc, they adapted to their own political and security needs (Hadžić et al., 2004: 9-11).

Components of the security system, i.e. activities dealing with security issues in Bosnia and Herzegovina that needed to be reformed are: army, police, customs and border service, judiciary, penal institutions and security (intelligence) services (King et al., 2002: 8-9).

After the signing of the Dayton Peace Agreement in December 1995, there were three armies on the territory of Bosnia and Herzegovina: the Army of the Republic of Bosnia and Herzegovina, the Croatian Defense Council (after the war these two have been united in Army of the Federation of Bosnia and Herzegovina) and the Army of the Republic of

Srpska. Defense reform started in 2003 and ended in 2005 with the adoption of the Law on the Defense of Bosnia and Herzegovina. With the adoption of this law, the unique defense structure of BiH was made official and the chain of command and control over the Armed Forces of BiH was established (Bajramović, 2022:213-214).

The European Commission in its Readiness Report for Bosnia and Herzegovina in 2003 presented that the police reform is main short-term priority to start negotiate the Stabilization and Association Agreement with the EU (Čepon, 2008:9). Very complicated structure of police services in Bosnia and Herzegovina (Čepon, 2008:9), a total of 16, in addition to police agencies at the state level (Border Police, State Investigation and Protection Agency, Directorate for Coordination of Police Authorities) includes 13 more agencies: two entity agencies, one in the entity of Federation of BiH (in which all ten cantons have their own police agencies) and another in entity of the Republic of Srpska, and the police forces of Brčko District of BiH (Hadžović, 2012:27; Smajić, 2010:60). "The existing system and operation of the police in Bosnia and Herzegovina is organizationally complex, dysfunctional and irrational" (Spahić, 2012:212). The police reform in Bosnia and Herzegovina has been politicized to the greatest extent because it is the result of a political process, negotiations and compromises. A prerequisite for the continuation of police reform is constitutional changes, which are currently difficult to implement (Čepon, 2008:10). The reform of the police in BiH is still not finished and they are still wanted possible solutions for its successful completion

### **3. Security policy of Bosnia and Herzegovina**

A document that defines the goals and role of Bosnia and Herzegovina in the field of security institution in achieving these goals is the Security Policy of Bosnia and Herzegovina, which adopted by the BiH Presidency on February 8, 2006. (Dautović, 2010:37). The security policy of BiH "is a document that defines a long-term and coherent strategy, which provides a framework and guidelines for the construction of systems, structures and all mechanisms necessary for the efficient operation of the security sector." (SP BiH, 2006:1). The executive branch elaborates the BiH Security Policy because it has the ability to coordinate the use of intelligence-security, military, economic, diplomatic, technological, information and other resources for the purpose of achieving security goals (SP BiH, 2006:1). The principles of security policy are: legal order, indivisibility of security, comprehensiveness in the protection of vital values, peacefulness and partnership, transparency and openness to changes (SP BiH, 2006:2-3).

The elements of security policy are: foreign policy, internal policy, defense policy, social policy, financial policy, democratization and human rights. and protection of the human environment (SP BiH, 2006:6-16). "Presidency of Bosnia and Herzegovina in the document "General directions and priorities for the implementation of external of the politics of Bosnia and Herzegovina", determined the principles, directions and priorities of the foreign policy as an active component within the overall security policy. BiH's foreign policy is aimed at preserving and promoting permanent peace, security and stability democratic and overall state development" (SP BiH, 2006:6).

"Bosnia and Herzegovina's determination is to access and enter Euro-Atlantic integration. Related to this is the consistent elaboration and application of security sector reforms" (SP BiH, 2006:8). In order to strengthen the rule of law and internal security

implementation of the improvement of the judicial and police system. Part of internal policy is also intelligence policy, which, in its operative part, is part of the security system of the entire country and is organized depoliticized and in accordance with the constitutional and legal solutions in order to be at the service of all citizens and institutions of BiH (SP BiH, 2006:9). "The defense policy of Bosnia and Herzegovina is an important part of the internal policy and foreign policies. It was built on strategic principles that correspond to foreign and security policy and is the result of consideration of the broader security environment." ... "For significant human and material resources are engaged and spent on the defense of Bosnia and Herzegovina a large part of the state budget, which is why transparency is especially important in defense planning and financing processes (SP BiH, 2006:9-10). One of the most important tasks is the restoration of the social security system in order to provide insurance equal access to all social rights. It is necessary to reform social services in order to strengthen their resources and in order to promote the prosperity of citizens. Defining concrete measures to combat poverty, determining measures for the protection of at-risk social groups, determining measures for the protection of victims of violence and victims in criminal matters, suppression of violence and the preparation of documents on rehabilitation of social funds are only part of it of the total work on ensuring equal access to social rights (SP BiH, 2006:12-13). "The economic situation in every country, including Bosnia and Herzegovina, has direct consequences on security. Economic problems are not the only ones threat to the security of one country, they represent a threat to collective security." (SP BiH, 2006:13). "Implementation of economic and financial reforms, adoption of appropriate laws in accordance with European standards contributed stable economic and financial situation in Bosnia and Herzegovina. It is necessary to improve financial discipline and responsibility in the procedures of planning and spending budget funds" (SP BiH, 2006:14). "Bosnia and Herzegovina strives to build and improve the legal framework that would enable the supervision and reaction of competent institutions in order to prevent violations of human rights ... The fight against violence and drug abuse, suppression of juvenile delinquency and protection of victims of all forms of violence in society implies new standards of protection. At the level of Bosnia and Herzegovina, it is necessary to systematically develop and institutionally connect activities of all state bodies, including security, related to prevention and work with victims from these areas" (SP BiH, 2006:15-16). "Protection of man of the environment refers to the tasks of protecting water resources, air, land and plant material... Every state, including Bosnia and Herzegovina, has the obligation to create an atmosphere and political will to local, regional and global level within which it will be possible to adopt and implement measures to stop the destruction of nature and protect human health and increased security. The right to preserve the environment and human environment is the same time, the interest of the citizens and one of the obligations of BiH in the international community." (SP BiH, 2006:16).

The objectives of the security policy are:

- "establishment and development of security system institutions that will be able to responses to all risks and threats to the basic values and interests of Bosnia and Herzegovina;
- active participation in building collective security at the regional and global levels plan by joining international security conventions, European and Euro-Atlantic structures;

- recovery and development of the economic potential, which will ensure the long-term resources and means for effective countermeasures against security risks and threats" (SP BiH, 2006:17).

The ultimate goal is for Bosnia and Herzegovina to reach a level of self-sustaining peace and social stability in the near future that will enable the withdrawal of the mission of international forces from Bosnia and Herzegovina, and further prosperity of the country (SP BiH, 2006:17).

The implementation of the security policy or a part of it is the responsibility of the legislative and executive authorities. The security policy of BiH is adopted by the Presidency of BiH in order to provide strategic guidance in foreign affairs and defense matters and ensures timely information of the Parliamentary Assembly of BiH on strategic security and defense issues. Institutional political level of design and implementation of the BiH Security Policy, in the legislative area, are represented by the Parliamentary Assembly of BiH, entity parliaments and cantonal assemblies in accordance with its powers. Each of these, at its own level, determines the legal framework, long-term development guidelines and provides material prerequisites for implementation Security policies of Bosnia and Herzegovina. Achieving and developing parliamentary control over the functioning of the security sector is extremely important and for this purpose the Parliamentary the assembly of BiH and the entity parliaments can form expert bodies that will assess the situation in the field of security. The implementation of the BiH Security Policy and the functioning of the security sector are carried out by the Council of Ministers of BiH and entity governments, as the bearers executive authorities, in accordance with their powers, and undertake the necessary legal, organizational and other measures. Executive authorities of all levels will improve each other cooperation in order to achieve more efficient use of available resources and raise the level security and in accordance with accepted European standards and in cooperation with representatives and institutions of the international community (SP BiH, 2006:18).

Multidimensional observation of the Security Policy of Bosnia and Herzegovina shows that it is "a document that does not offer final answers to all security questions, but represents a starting point" which is why it also has shortcomings (Smajić, 2011b:395). Accepting the time and circumstances in which this document was adopted and the constant changes taking place in the socio-political, economic and security environment in BiH, the region and in international relations, changes are inevitable in order to remained current. Special significance in the content of the BiH Security Policy and its redefinition - the level and dynamics of Euro-Atlantic integration, i.e. the processes of accession to NATO and the European Union, will have an impact on the changes in the institutional framework and legal system in order to adapt to the standards of these organizations (Smajić, 2011:396).

The security policy of BiH represents the basis for the establishment and operation of the security sector and institutions, agencies and services at different levels in BiH, with the aim to secure the citizens, their property, material and cultural values and socio-political order. There are numerous shortcomings in the content of the BiH Security Policy, but they are the result of a minimum of political compromise among the holders of power in Bosnia and Herzegovina. The adoption of the document in 2006, 11 years after the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina, is a sufficient sign that the long negotiations and finding the smallest common ground marked its creation. At least it is absurd that laws at the BiH level, such as the Law on the Intelligence and Security

Agency of BiH, the Law on the State Agency for Investigation and Protection and the Law on Defense, passed and adopted before the BiH Security Policy. It is clear that these laws are partly forced by international institutions in order to improve work and activities institution of internal and external security, but it is the opposite way in the creation of the security sector. Requests to additionally incorporate them into the BiH Security Policy are becoming more and more frequent certain elements of internal security, i.e. protection and rescue. These requirements are the result of meetings and seminars in which it was clearly observed that without a guidelines at the state level, it is not possible to successfully carry out protection and rescue. BiH's security policy does not deal directly with human resources issues, but indirectly, mentioning them only as part of the resources and structure of security institutions, services and forces. Considering the need to upgrade the BiH Security Policy in many areas, the principle of transparency and openness to change, and in accordance with the goal of establishing and developing security system institutions that will be able to respond to all risks and threats.

### 3.1. Disadvantages and recommendations for improvement of Security policy of Bosnia and Herzegovina

It is important that the next revision of the Security policy of BiH document is the result of will and knowledge of internal actors, and not to become the subject of political pressure from the external actors, namely NATO and the EU. This is possible only through overcoming social and political animosities, through finding a model for long-term reconciliation of attitudes, construction trust and cooperation, recognition of common social values and commitment to them conservation and development. Given the dynamics of contemporary security threats and the fact that they transcend state borders and require the cooperation of national and supranational security organizations, it is necessary to update the Security Policy of BiH every four years.

In the process of creating a new security policy document, include a larger number of actors, in addition to state institutions and bodies, to include cooperation with representatives of civil society - non-governmental organizations, scientific research centers, media and the academic community. Next to experts who come from institutions and bodies responsible for drafting and implementing the Security Policy, it is important to include experts who work in civil society institutions. Coping with transnational security threats and challenges require the engagement of a wider circle of actors – from governmental institutions and bodies to institutions of the non-governmental sector. Civil society entities should actively participate in the process of adopting strategic documents, as well as decisions of interest to security, especially those related to the protection of human rights and freedoms, and the rule of law | rights. The civil society sector has the professional and scientific potential to propose opinions and attitudes that refer to guidelines, measures and activities for improving the security of the state and society. Institutions and civil society organizations can provide essential information and guidance regarding assessment and analysis security risks, as well as provide the necessary education on security issues for both government officials as well as for citizens. Civil society, with its capacity, can inform the public promote the importance of security policy, and offer independent control of security implementation policies, and

influence the authorities to faithfully implement the necessary measures in order to protect the state, society and citizens.

In redefining the security policy document, pay special attention to issues from areas of protection and rescue, cyber security, critical infrastructure protection, infectious diseases, migration, terrorism, organized crime and corruption, offering the necessary guidelines for a systematic response to harmful consequences arising from these security issues.

BiH still does not have a unified state register of security risks. Institutions and organizations from all levels of the security system, which are competent for the assessment and management of risks from their field of activity, would submit all relevant data to the Central Database, which consolidates all relevant data on security risks. The establishment of such a central database would greatly facilitate the review, revision and drafting of the Security policy of BiH.

Institutions of BiH are obligate to comply with its opportunities to continue active participation in the processes that lead to the construction of a stable security environment. By active participation, BiH will demonstrate its ability for long-term partnership, and thereby create prerequisites for improving the position and influence on international level. BiH can improve through international cooperation with other countries economic and security perspective, improve the economic potential, and contribute to the development of the state and society.

## **Conclusion**

Adoption of the document Security Policy of Bosnia and Herzegovina by the Presidency of BiH, on 8th of February 2006. expressed determination of Bosnia and Herzegovina for intensive cooperation and integration on the political, economic and security issues within the Euro-Atlantic integrations, as well as making contributions further building a democratic, peaceful and stable Europe and world peace. Security policy of Bosnia and Herzegovina represents the most important document that deals with the security of a state and society. The document contains a framework set of measures and activities that the state plans to implement in this regard economic policy, social policy, personal security, defense policy, environmental policy, financial policy, culture, health, energy, and in other areas that affect the total the security situation of the state, all with the aim of protecting citizens and the state. The content of Security policy does not provide comprehensive answers in the approach to various security issues, it does actually represents a starting point emphasizing the obligations necessary to achieve stability, security and development of Bosnia and Herzegovina, which must be initiated and implemented by competent authorities and the institution of Bosnia and Herzegovina. For the implementation of security policy, it is very important that security and political/ administrative system in BiH is functioning in an integral and comprehensive manner. However, BiH has a very complex state regulation, and thus the complex security system of the state, where it often happens that different levels have different approaches in creating their policies, strategies and plans in security aspect. Accordingly, it is necessary to work on harmonizing attitudes, through cooperation and action, exchange of information and data, harmonization of the legal framework, respecting the strategic positions of the highest state authorities, as well as the recommendations of the EU authorities and other organizations that BiH is.

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