



# **STRATEGIC ACTION PLAN**

## **STATE INVESTIGATION AND PROTECTION AGENCY**

### **2012-2014**

**Istočno Sarajevo, February 2012**

## **Members of Working Group for Strategic Planning**

By the Decision of the State Investigation and Protection Agency Director, number 16-09-02-6314-1/11, dated 11 November 2012, the Working Group of the State Investigation and Protection Agency for drawing up the Strategic Action Plan Proposal 2012-2014 was appointed, composed of

- Jasmin Gogić, Chairman,
- Enes Karić, Member,
- Miroslav Pejčinović, Member,
- Milan Rodić, Member,
- Nebojša Pušara, Member,
- Žarko Kalem, Member;
- Dragiša Stanišić, Analytical Information Support, and
- Snežana Beganović, Administrative Technical Work.

At a meeting held on 24 November 2011, the Working Group was formed and a methodology of its work was adopted, as well as the concept of making the Strategic Action Plan of the State Investigation and Protection Agency 2012-2014.

After completing a comprehensive implementation analysis of the Strategic Action Plan of the State Investigation and Protection Agency 2009 – 2011, and upon a comprehensive insight into the level of the implementation of the mentioned document, the Working Group started drafting a proposal of the Strategic Action Plan of the State Investigation and Protection Agency 2012-2014.

The initial – basic document the Working Group used for drafting the Strategic Action Plan of the State Investigation and Protection Agency 2012-2014 was the Strategic Plan of the Ministry of Security of Bosnia and Herzegovina for the period 2011-2013.

From its establishment until 10 February 2012, the Working Group was engaged in a comprehensive drafting of the Strategic Action Plan proposal of the State Investigation and Protection Agency 2012-2014.

## **Message from BH Minister of Security**

## Message from Agency's Director

Bearing in mind the fact that the State Investigation and Protection Agency was established as the result of efforts to establish a police agency at the state level of Bosnia and Herzegovina, which would provide efficient combating all types of organised crime, terrorism, money laundering, financing of terrorism, trafficking in human beings and other types of crime within its competence, by carrying out the work and tasks from its competence at the territory of the entire BH, all for the purpose of creating a high level of security for its citizens, without false modesty, today we can claim to be on the right path to achieve our vision and mission.

Having gone a long way from the establishment of the Information and Protection Agency (2002) with reduced police authorities, to its transformation into the State Investigation and Protection Agency with full police authorities (2004), along with full support from relevant government authorities and international organisations and adequate equipping, staffing and education, this Agency has become a recognisable and dominant police institution at the level of Bosnia and Herzegovina for combating the most serious types of criminal offences.

Being aware of the fact that our main goal is to create a safe environment for our citizens, with the document of the Strategic Action Plan of the State Investigation and Protection Agency 2012-2014, in the forthcoming three-year period, we wish to direct our efforts to achieving and promoting efficacy, efficiency, ethics and professionalism in our own work and relationships with our strategic partners in a complete security sector in Bosnia and Herzegovina, the region of South-Eastern Europe and beyond.

We are aware that the progress in the security sector in Bosnia and Herzegovina is possible only with a high level of cooperation and coordination between key participants. Therefore, our Strategic Plan provides guidelines for activities within the Agency, informs and encourages the cooperation from our strategic partners so that together we can accomplish the vision of Bosnia in Herzegovina where its citizens feel safe and protected from crime.

DIRECTOR

Goran Zubac

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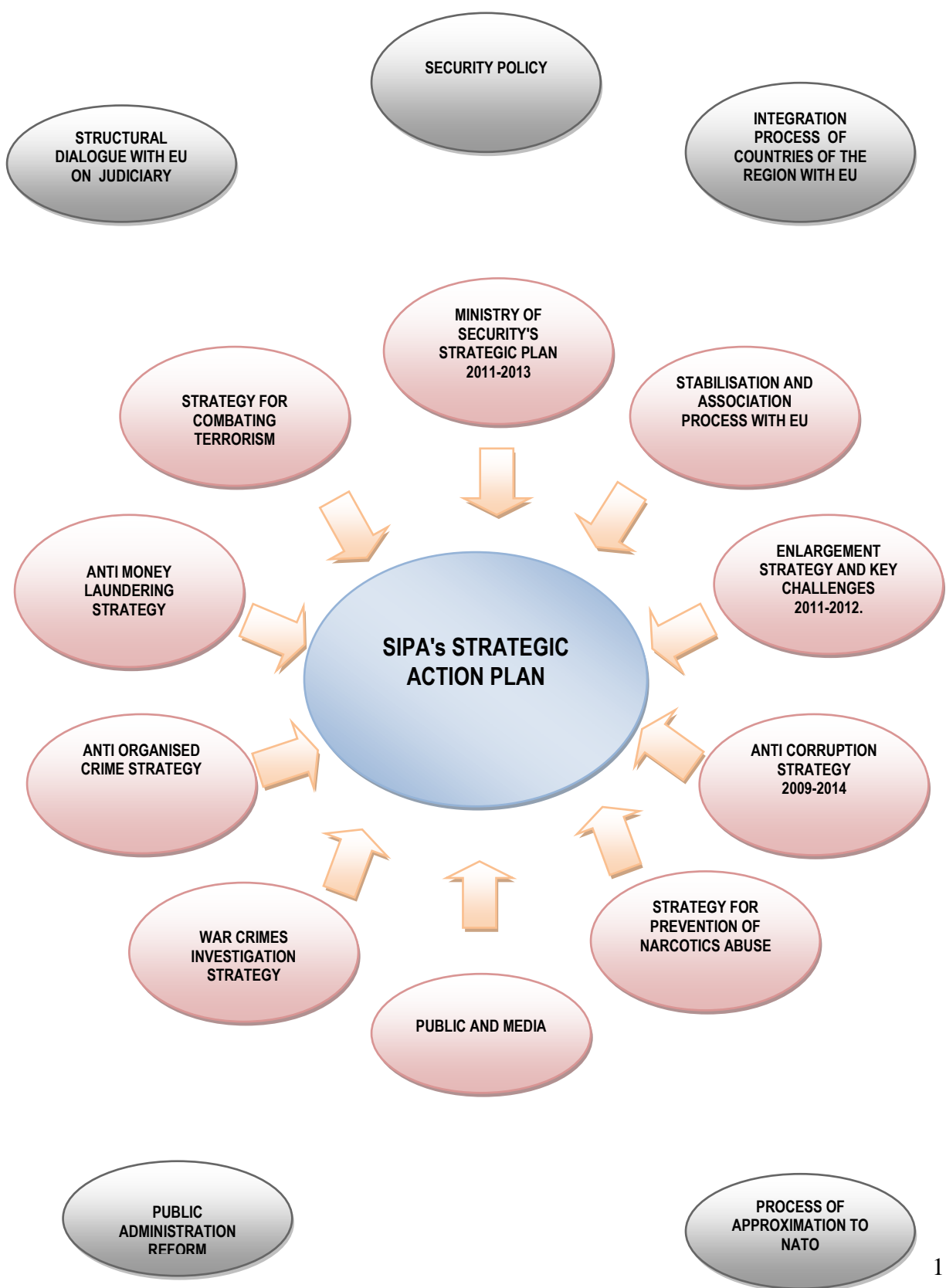


## **1.1. Reasons for Adopting the Agency's Strategic Plan**

Strategic planning is a structural, rational methodology, assisting an organisation to direct its energy in order to provide that all its members work in reaching the same goals. It also enables a systematic approach to assessment and adaptation of organisational directions in accordance with changeable external factors. To put it simply, strategic planning is a disciplined activity with the aim of making fundamental decisions and initiating activities that shape and lead an organisation, answering the questions: What does the organisation represent? What does it do and why does it do it?

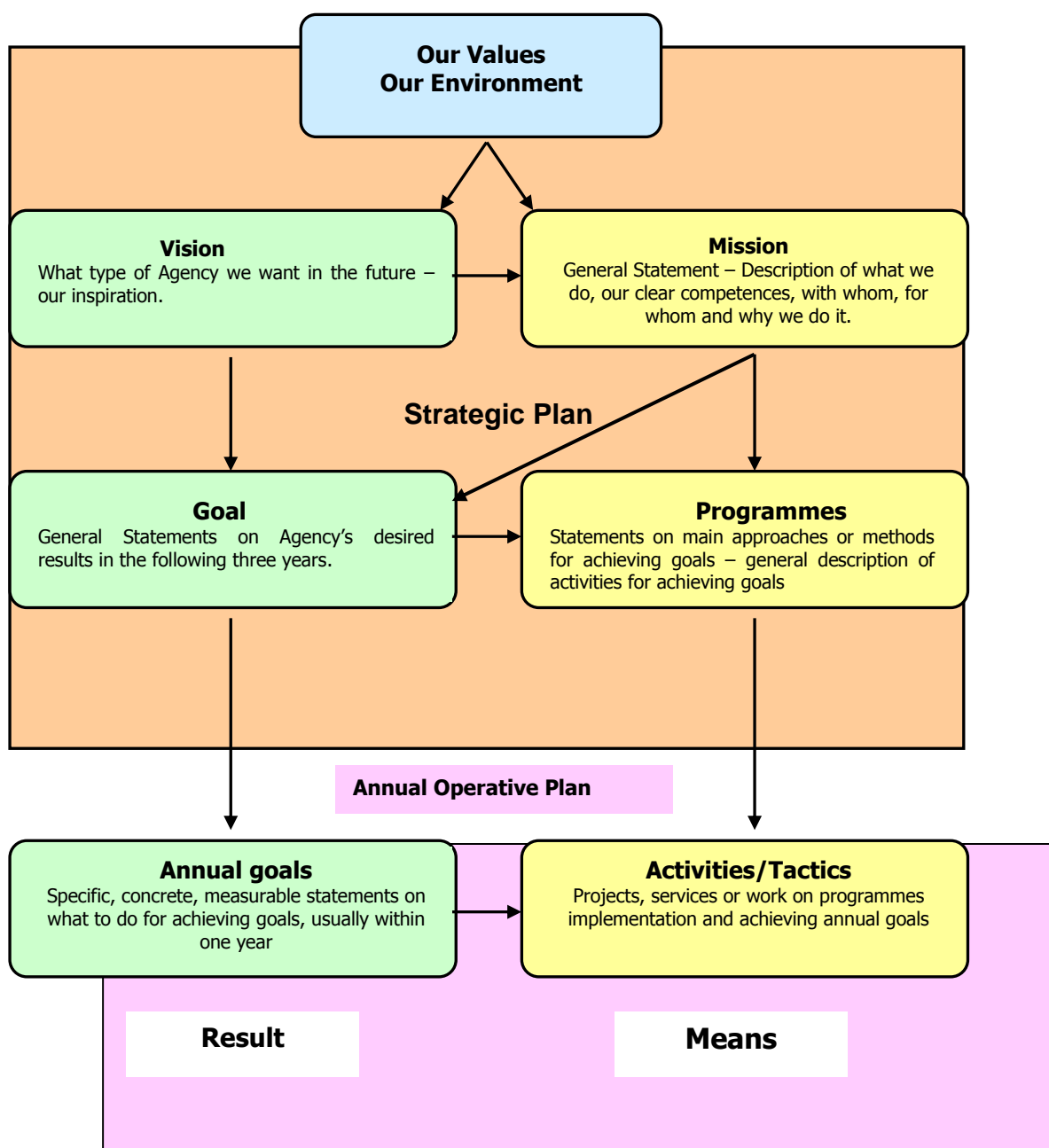
Apart from personal satisfaction in taking over the responsibility over the future of the organisation, strategic planning offers at least six reasons that fully justify its application:

1. it defines the entire mission of the organisation and focuses on strategic goals;;
2. it raises awareness on the Agency's needs and internal and external environment;
3. it gives a sense of direction, continuity and efficient use of available human resources and improves the process of management;
4. it establishes standards and principles of responsibility for individuals, implementation programmes and projects, and assigned resources;
5. it offers basic elements for quality projections of strategic programmes oriented towards the future and gives the opportunity for taking a proactive approach in carrying out the Agency's competences;
6. it emphasises and establishes the most important catalyst in efficient planning – monitoring and upgrading.



## 1.2. Strategic Planning Model and Definitions

Strategic Planning is easy to recognise by the lack of standardised methods and terminology in the particular area. Therefore, even before the initialisation of the strategic planning process, it is desirable and useful to determine operative definitions of the terms used in the planning process, and clarify which elements were used in drafting the Strategic Action Plan of the State Investigation and Protection Agency.



### **1.3. SIPA's Strategic Planning Process**

This Strategic Action Plan indicates the current and projected internal and external environment of the State Investigation and Protection Agency (SIPA) by establishing new priorities, as well as a systematic structure for achieving the set goals resulting from a comprehensive analysis. Our planning process transforms these goals into achievable and measurable activities, so that we may monitor the flow of their implementation. It is clear to us that improvements are possible and we expect annual updates. The Agency will continue its activities in pursuing thorough changes in the organisational structure and its processes.

Activities in the making of the Strategic Plan were initiated by presenting the idea to managerial staff, in order to introduce the purpose, benefits and process of strategic planning. Thereupon, the Working Group was established, composed of SIPA's officials from various organisational units, and its goal was to lead the planning process. Apart from the Working Group members, many other SIPA's officials contributed to the process of our plan's development.

The initial step in the planning process implied a detailed and comprehensive implementation analysis of the State Investigation and Protection Agency's Strategic Action Plan 2012-2014. The analysis process began by sending an adjusted document to all the organisational units, which in accordance to the mentioned document, made a report on the implementation of the mentioned strategic document. The aim of the analysis was to determine the degree of the implementation of every individual strategic goal and make a summary of every goal's implementation, which will become the basis for defining our future strategic goals.

In the previous time period, in the making SIPA's Strategic Action Plan 2009-2011, information gathering was carried out, as well as their analysis, which the Working Group took into consideration while making the State Investigation and Protection Agency's Strategic Plan 2012-2014, as the second step in the planning process. The information gathering and analysis in the making of SIPA's Strategic Action Plan 2009-2011, included three components: environment assessment, assessment of external interest groups and internal assessment. The environment assessment determined the presence of significant changes and trends in the world that might reflect in the work of SIPA. In addition, feedback was requested from our interest groups in order to determine their needs, views and expectations in terms of services. Information collected from the key interest groups assisted in detecting growing trends in external environment. For the purpose of assessing the Agency's internal structure, processes and operations, senior management and medium management officials were surveyed and replies were collected including lower organisational structures as well within their organisational units. Thereafter, a comparison of the information collected within the assessments was made, and key strategic issues set before our Agency were determined. The key issues were related to the basic principles or programme orientation defining the most significant situations the Agency currently faces and which it will be facing in the future. The key issues were determined by using the SWOT analysis – advantages, weaknesses, opportunities and threats – used in analysing the information collected during the assessments. Advantages and weaknesses are internal factors, and opportunities and threats are external factors. The significance of these key issues was determined by detecting

ratios between the status or the Agency's success and necessary steps for achieving the desirable response to internal and external factors in the future.

The third and fourth steps represented a modification of SIPA's strategic vision and mission statement. The strategic vision statement portrays the Agency's preferred "appearance" in the future. It gives the direction and inspiration for setting up organisational goals. The mission statement represents a generalised description of what we do, with whom/for whom we do it, description of our public competences and answer to the question "Why do we do it?" All the following steps in the planning process comply with our statements about the vision and mission. Although the terms "vision" and "mission" are in practice sometimes mutually exchangeable, they clearly differ in the following: the vision describes the "future direction" and the mission describes "general purpose".

After carrying out the comprehensive analysis of SIPA's Strategic Plan 2009-2011 implementation, the Working Group determined that the defined goals in the mentioned document were compatible and adequate, and that they may be applied in the State Investigation and Protection Agency's Strategic Plan 2012-2014, which is the next step in the planning process. However, it is necessary to terminologically redefine the goals, taking into account the reached implementation level in the past time period. The determined SIPA's goals, described in detail in this document, are generalised statements on the Agency's desirable results in the following three years. Within the description of each goal, there are "success indicators" offering the framework for the future design of more precise standards and measures for achieving goals progress in their achievement. Apart from compliance with SIPA's vision and mission statements, certain strategic goals also point to previously recognised key issues and offer the basis for formulating programmes and annual goals.

The sixth and final step also implied formulating programmes for each strategic goal. The programmes are statements on main approaches or methods for achieving goals and solving particular issues. The ideas for the mentioned programmes originated from the previous assessments of environments, external interest groups and internal assessment, as well as implications of the statements developed as a part of the assessments of the environment and external interest groups. The programmes offer the answer to the question: "In what way will we achieve our goal?"

The Diagram presents a simplified illustration of our Strategic Planning Process:



#### **1.4. Annual Operating Plan – Implementation of Strategic Planning Model**

SIPA's Strategic Plan sets up the basis for preparations and implementation of the Annual Operating Plan. The Annual Operating Plan contains annual goals implementing programmes contained in the Strategic Plan. The annual goals are specific, concrete, measurable statements on what to do in order to achieve a goal, most frequently within one year (or less).

With the Strategic Plan we will develop annual goals containing information on what will be done, until when it will be done and who will be in charge of the activity (individual, group, unit, etc.). As a part of every annual goal, there will be at least one success indicator for measuring success. The success indicators will comply with success indicators accompanying every strategic goal. By a periodic analysis of the success indicators, we will be able to monitor progress in the implementation of our strategic goals and efficiency of our programmes and annual goals. Occasionally, it will be necessary to revise programmes and annual goals within a planned period due to changeable circumstances.

The Working Group did not deal with elaborating the programme in the sense of making particular projects within which the programme is being implemented, as well as the goals. In the mentioned document, success indicators are defined for the purpose of quantitative and qualitative implementation of the monitoring of goals.

As an additional accessory means in the implementation of the Strategic Plan, we will create an integrated system according to which the Strategic Plan will become a measure of success in our organisation. Consequently, it becomes the system of responsibility and the context from which annual goals and our services originate. This methodology of ongoing monitoring and evaluation will also initialise evaluation of the results of SIPA's organisational units.

It is important to explain the principles of strategic planning to all the Agency's members. We must create an environment in which every individual, although not a member of the Working Group, may influence its work and make recommendations. It is a duty of the management and employees of SIPA to determine ways in which to achieve each of annual goals. The Working Group for Strategic Planning created general recommendations on possible lines of activity. The management, Operative Planning Committee and staff determine the real lines of activity. Recommendations, feedback and general understanding are essential elements of each mentioned step.

The strategic planning is a cooperative process. All individuals should take part and, in ideal circumstances, everyone should have a sense of "ownership" over the plan. This individual dedication will enable additional incentive to the implementation process.

The strategic planning is essential for achieving the Agency's preparedness to respond efficiently to security challenges expected in the future.



The Working Group proposes that the Committee for Project Implementation is formed at the level of an annual Plan of Operations, emphasising the need for introducing officials in charge of the programme (programme managers), with particular tasks, implementation deadlines, as well as the need for defining who participates in cooperation and which organisational units participate.

## 2 AGENCY'S MISSION

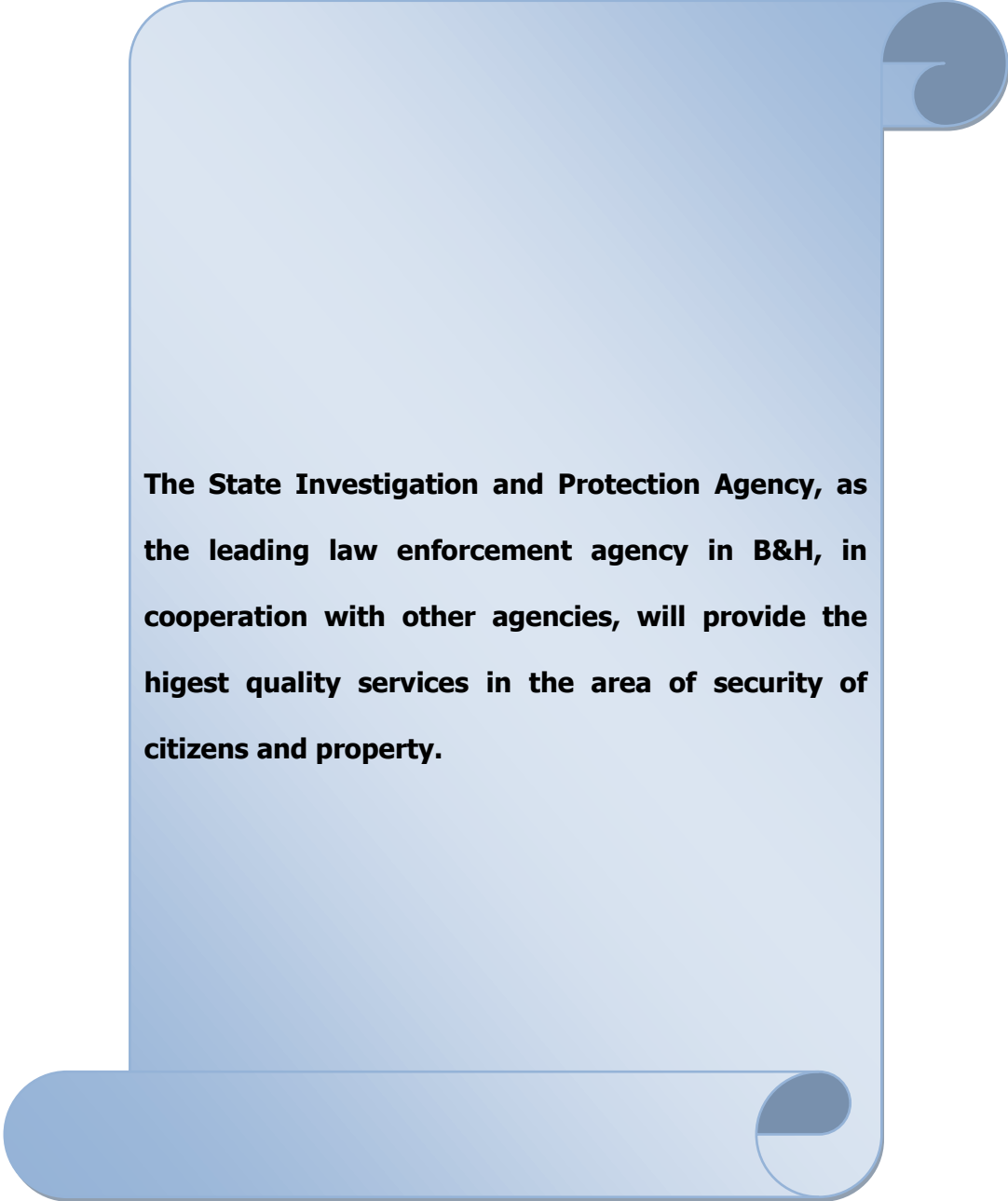
**Our mission is efficient prevention of organised crime, corruption, serious financial crime and terrorism, detection and investigation of war crimes and witness protection.**

**We will provide protection to all B&H citizens and enhance their sense of security and trust in the security system.**

**We will cooperate with the public and other agencies in law enforcement.**

**We will retain the leading position and remain a distinctive cooperation partner in the carrying out international investigations of organised crime.**

## 3. AGENCY'S VISION



**The State Investigation and Protection Agency, as the leading law enforcement agency in B&H, in cooperation with other agencies, will provide the highest quality services in the area of security of citizens and property.**



## 4. INSTITUTIONAL AND LEGAL FRAMEWORK FOR SIPA'S FUNCTIONING

#### **4.1. Agency's Competences**

The State Investigation and Protection Agency was founded in 2004 by enacting the Law on the State Investigation and Protection Agency<sup>1</sup>. This Law determines the competence and organisation of SIPA as a police authority. SIPA legally inherited the Agency for Information and Protection, which was founded in 2002 as an independent institution of Bosnia and Herzegovina, responsible for collecting and processing information of interest for the implementation of international and criminal laws of B&H, as well as protection of very important persons, diplomatic and consular missions and premises of B&H institutions and diplomatic missions with a mandate in B&H.

In accordance with the Law on State Investigation and Protection Agency, SIPA is an administrative organisation within the Ministry of Security B&H, with an operating independence, established for the purpose of carrying out police work, headed by the Director and funded from the budget of B&H institutions and B&H international obligations. SIPA is the first police agency with a competence in the entire B&H territory.

Te issues of organisation and management, and all other issues of significance for the functioning of SIPA as an administrative organisation, such as the adoption of the Book of Rules on internal organisation and other regulations, administrative supervision, relationship between B&H institutions, and a relationship with legal and physical entities, to a degree not provided for by this Law, the Law on Ministries and other Administrative Authorities in B&H<sup>2</sup>, is applied, as well as the Law on Administration in B&H<sup>3</sup>.

The work from SIPA's competence is as follows<sup>4</sup>:

1. Prevention, detection and investigation of criminal offences from the competence of the Court of B&H, and particularly organised crime, terrorism, war crimes, trafficking in human beings and other criminal offences against humanity and values protected by the international law, and serious financial crime;

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<sup>1</sup> Law on State Investigation and Protection Agency („B&H Official Gazette“, No. 27/04, 63/04, 35/05 and 49/09).

<sup>2</sup> The Law on Ministries and other Administrative Bodies in Bosnia and Herzegovina („B&H Official Gazette“, no. 5/03, 42/03, 26/04, 42/04, 45/06, 88/07, 35/09 and 59/09).

<sup>3</sup> The Law on Administration („B&H Official Gazette“, No. 32/02 and 102/09).

<sup>4</sup> Due to the adoption of the Law on Directorate for Coordination of Police Bodies and Agencies for Support to Bosnia and Herzegovina police structure („B&H Official Gazette“, no. 36/08), amendments to the Law on State Investigation and Protection Agency were made („B&H Official Gazette“, no. 49/09), with which provisions relating to physical and technical protection of persons, premises and other property protected by this law were deleted.

2. Collection of information and data on criminal offences from the previous item, and monitoring and analysis of security situation and occurrences serving the emergence and development of crime;
3. Providing assistance to the Court of B&H and the Prosecutor's Office of B&H in collecting information and executing orders from the Court of B&H and the Chief Prosecutor B&H;
4. Witness protection;
5. Implementation of international agreements on police cooperation and other international instruments within its competence;
6. Criminal expertise;
7. Other work prescribed by the law and other regulations.

SIPA processes information and keeps records in accordance with the Law on Police Officials B&H<sup>5</sup>, Law on Protection on Personal Information<sup>6</sup>, Law on Protection of Secret Information<sup>7</sup> and other regulations in B&H.

#### **4.2. Agency's Organisational Structure**

The work from SIPA's competences defined by the Law is carried out in the framework of basic organisational units set up in accordance with the Book of Rules on Internal Organisation and Systematisation of the State Investigation and Protection Agency.

The Agency's basic organisational units are:

1. Director's Office,
2. Criminal Investigation Department,
3. Financial Intelligence Department,
4. Centre for Investigation of War Crimes and Criminal Offences Punishable by International War and Humanitarian Law,
5. Witness Protection Department,
6. Internal Control Department,
7. Special Support Unit,
8. Operational Support Service,
9. Service for Administration and Internal Support,
10. Service for Material and Financial Matters,
11. Banja Luka Regional Office,
12. Mostar Regional Office,
13. Sarajevo Regional Office, and
14. Tuzla Regional Office.

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<sup>5</sup> The Law on Police Officials of Bosnia and Herzegovina („B&H Official Gazette“ no. 27/04, 63/04, 5/06, 33/06, 58/06, 15/08, 63/08 and 35/09)

<sup>6</sup> The Law on Protection of Personal Information („B&H Official Gazette“, no. 49/06).

<sup>7</sup> The Law on Protection of Secret Information („B&H Official Gazette“ no. 12/09).



Organisational Units set out in Items 2, 3, 5, 6 and 7 were established by the Law on State Investigation and Protection Agency, and other organisational units were established by the Book of Rules on Internal Organisation and Systematisation of State Investigation and Protection Agency<sup>8</sup>.

Due to the adoption of the Law on Directorate for Coordination of Police Bodies and Agencies for Support of Police Structure of Bosnia and Herzegovina, amendments to the Law on State Investigation and Protection Agency were made, with which provisions were deleted from SIPA's competences relating to physical and technical protection of persons, buildings and other property protected in accordance with this Law, and the Department for Protection of Persons and Buildings was also deleted, as the basic unit carrying out the work and tasks mentioned above. However, even after the mentioned laws entered into force, the Department for Protection of Persons and Buildings, within the work from its competence, functioned in the full capacity within SIPA, until the Decision on taking over work, buildings, resources and employees between the Ministry of Security B&H, State Investigation and Protection Agency and Directorate for Coordination of Police Bodies of Bosnia and Herzegovina<sup>9</sup> came into force, i.e. on 31 December 2010.

#### **4.3. SIPA's Position in Relation to Executive and Legislative Authority in BH**

The legal solutions related to SIPA's position in relation to executive, legislative and judicial authority in B&H are rather deficient.

With reference to judicial authority at the state level, SIPA has a legal obligation to provide assistance to the Court of B&H and Prosecutor's Office of B&H in collecting information and executing orders from the Court of B&H and Chief Prosecutor of B&H.

With reference to the Ministry of Security B&H, within which SIPA operates as an administrative organisation, the situation is not completely defined, e.g. the Ministry should give instructions and supervise administrative bodies under its jurisdiction (SIPA among others), but at the same time an operative independence of those authorities is provided for by the Law. In this sense, the current legal framework remains incomplete in terms of the following issues:

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<sup>8</sup> Book of Rules on Internal Organisation and Systematisation of State Investigation and Protection Agency (Consolidated Text), no. 17- 01-02-1279/06, dated October 2nd, 2006, and Book of Rules on Amendments to the Book of Rules on Internal Organisation and Systematisation of the State Investigation and Protection Agency, no. 17-10-02-949/07 dated October 25th, 2007

<sup>9</sup> Decision on taking over work, buildings, resources and employees between the Ministry of Security B&H, State Investigation and Protection Agency and Directorate for Coordination of Police Bodies of Bosnia and Herzegovina, VM No. 258/10, September 14th, 2010.

- In which cases and in what manner is the Ministry of Security expected to give instructions?
- In which cases and in what manner the Ministry of Security carries out political supervision and control?
- In what issues and in what manner are the administrative bodies responsible to the Ministry of Security (in only two instances, SIPA is requested to consult the Ministry of Security: in procuring weapons and other material means and in instances of training).

Other references and position of SIPA in relation to the executive authority, i.e. Ministry of Security and the Council of Ministers B&H, are reflected in the following:

- The Council of Ministers appoints SIPA's Director and Deputy;
- The Council of Ministers issues a decision on establishment of SIPA's new regional offices;
- The Council of Ministers gives approval to the Book of Rules on SIPA's Internal Organisation;
- For his work and the work of SIPA, as well as for the situation in the areas from SIPA's competence, the Director is responsible to the Minister of Security B&H (hereinafter: Minister) and the Council of Ministers B&H;
- Director submits reports on SIPA's work to the Minister;
- Director makes an annual Action Plan in accordance with the guidelines from the Chair of the Council of Ministers B&H, and SIPA's annual budget and proposes them to the Minister who forwards them to the Council of Ministers B&H;
- Director has a legal obligation to submit the annual report on activities and situation in the areas of SIPA's competence to the Minister, who then forwards it to the Council of Ministers B&H, and special reports as needed or upon the Minister's request;
- Director submits a report to the Parliamentary Assembly B&H, Council of Ministers B&H and B&H Presidency upon their request.

With reference to the legislative authority in B&H, SIPA primarily has indirect relations carried out via the Ministry of Security B&H. In this sense, as already mentioned, SIPA's Director is obliged to submit the report to the Parliamentary Assembly B&H upon its request.

Certain competences in relation to security, and therefore to SIPA, are also with the Joint Committee on Defence and Security, which is a joint and permanent body of the Parliamentary Assembly B&H. This Committee, among other things, has a competence over taking into consideration and monitoring the implementation of the security policy in B&H, taking into consideration the reports from the Ministry of Security B&H and other executive bodies dealing with issues from the area of security and inform the Parliamentary Assembly B&H, taking into consideration audit reports on institutions in the area of security policy B&H, as well as taking other issues from the area of B&H security into consideration

#### **4.4. Agency's Cooperation with other Institutions**

Article 21 of the Law on State Investigation and Protection Agency defines official cooperation between SIPA and other institutions in the sense of providing mutual assistance for

carrying out other work from SIPA's competence. In this sense, administrative and other bodies, services and other institutions in B&H, entity and cantonal Ministries of Interior, customs and tax authorities, financial police, bodies for communication with Interpol, competent bodies of the Brcko District and other appropriate bodies are obliged to cooperate with SIPA and provide assistance upon its request for the work from its competence, and coordinate activities from its competence, in accordance with the law and other regulations on the protection of sources, methods and other non-public information. Likewise, the same Article prescribes that SIPA is obliged to cooperate and assist the mentioned authorities upon their request.

The manner of providing assistance is prescribed by law, and all that is not covered by law is governed by agreements. In this sense, apart from police agencies, SIPA signed a number of Memoranda of Understanding with relevant B&H institutions, and among others in 2005 a Memorandum of Understanding was signed between the Ministry of Security B&H and Ministry of Civil Affairs, State Investigation and Protection Agency and Directorate for the Implementation of the Citizens' Identification Information Project on designing a software for the prevention of money laundering for the Financial Intelligence Department within the State Investigation and Protection Agency.

Apart from the mentioned Memorandum, SIPA signed the Memorandum with the Tax Administration of the Republic of Srpska, Tax Administration of the Federation B&H and Brcko District and with police authorities in B&H, on coordination of intelligence, security and police activities, and Memorandum on Intelligence Exchange in relation to criminal offences with the mentioned institutions. The Memoranda are listed in the Section on SIPA's cooperation with police agencies in B&H.

Previously, SIPA achieved notable cooperation with the Agency for Identification Documents, Registers and Data Exchange B&H (IDDEEA), which is of particular significance in the segment defining the Law on Witness Protection Programme in B&H, which prescribes the obligation of public services to issue or change certificates or other documents, upon a request from the Witness Protection Department, necessary for the creation or maintenance of temporarily changed identity for persons under protection and police officials. However, it is still not possible to carry out the change of identity for persons in the Witness Protection Programme and police officials engaged in this work, although the existence of legal grounds for the execution of this measure is unquestionable.

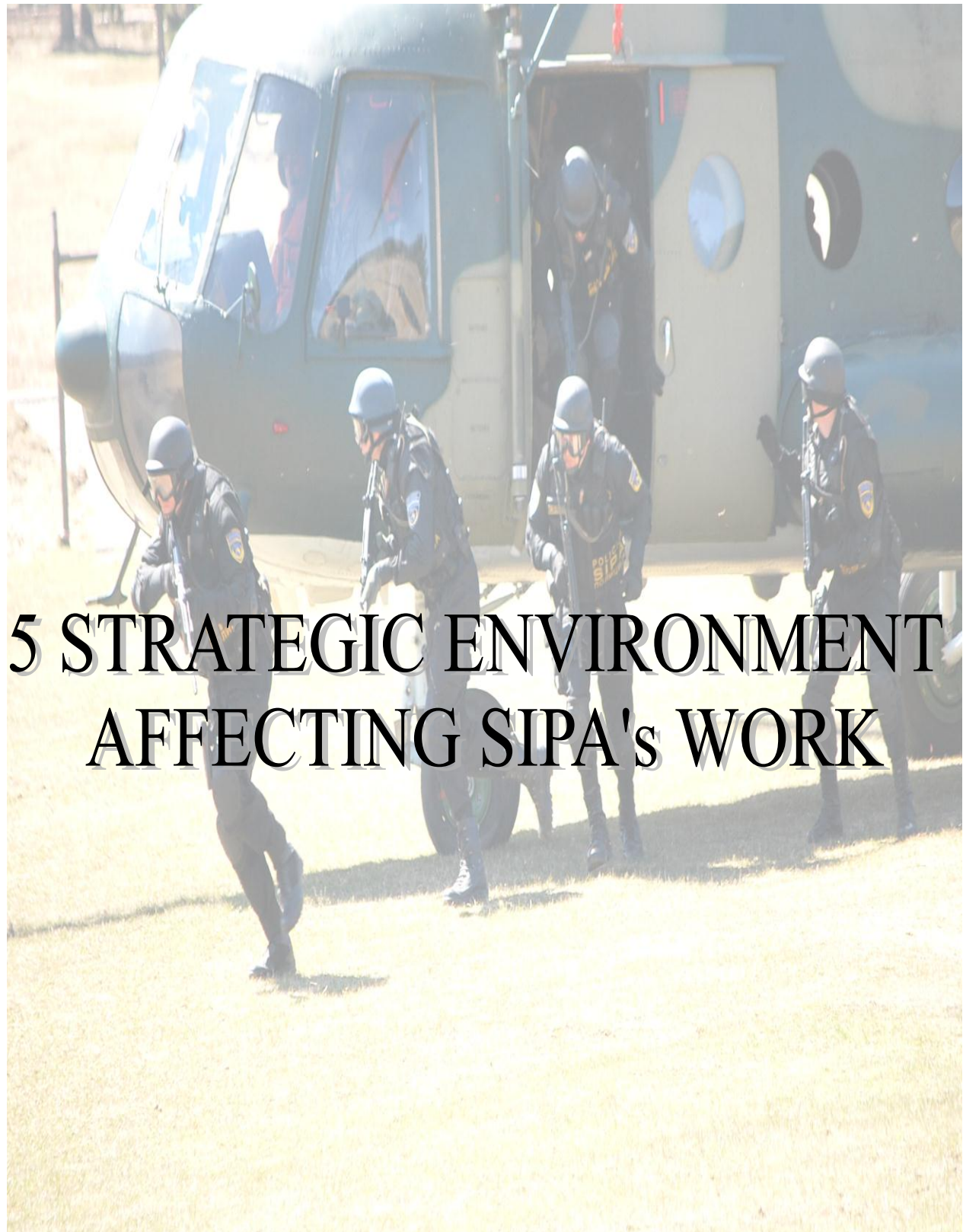
#### **4.5. International Cooperation**

International police cooperation and its different aspects are defined in the Articles 3, 13 and 23 of the Law on State Investigation and Protection Agency and Articles 53, 54 and 55 of the Law on Prevention of Money Laundering and Financing of Terrorist Activities. Since the work within SIPA's competence includes prevention, detection and investigation of criminal offences from the jurisdiction of the Court of Bosnia and Herzegovina, and particularly organised crime, terrorism, war crimes, trafficking in human beings and other criminal offences against humanity and values protected by the international law, as well as serious financial crime, in other words, international criminal offences possible to solve unilaterally, relying exclusively on own capacities, the international police cooperation becomes more important.



Globalisation in the world today creates new forms of interaction from all areas of life and work, breaking traditional boundaries of national states and leading directly to security implications, on the one hand, and the need for integrating forms of cooperation, on the other hand. Multidimensional shapes and forms of organised and trans-national crime demand a new systematic approach in a timely and efficient response to growing threats and new forms of criminal activities. The territory of B&H is very interesting from the standpoint of the perpetration of illegal acts by trans-national criminal organisations, with emphasised symbiotic relations realised with domestic criminal groups and directly affecting general security situation.

Since international official cooperation is within the original competence of state institutions and the State Investigation and Protection Agency is the leading police agency in B&H, it can be concluded that official police cooperation, both international and inter-agency, is one of the most significant aspects of the Agency's work. Nevertheless, the work from the Agency's competence is in relation to prevention, detection and investigation of the most serious forms of criminal offences, based on international and organised principles demanding the establishment of unified mechanisms, which apart from information exchange, must include operative and strategic aspects expressed in the form of bilateral, regional and multilateral official cooperation.



## 5 STRATEGIC ENVIRONMENT AFFECTING SIPA's WORK

## **5.1. BH Security Policy**

B&H Security Policy is a document defining a long term and coherent strategy, giving a framework and guidelines for building a system and all mechanisms necessary for effective functioning of the security sector. The B&H Security Policy significantly affects SIPA's work and its strategic planning. One of the goals referring to the security policy is also the establishment and development of the security system institutions capable of responding to all risks and threats to fundamental values and interests of B&H. In relation to this, in the framework of internal policy, it is stated that B&H security system entities will direct their activities particularly to combating terrorism, organised crime and corruption, against illegal migration and trafficking in human beings.

In a section referring to the achievement of internal security goals, this document provides for the inclusion into regional and Euro-Atlantic initiatives, and execution of obligations set out in international agreements, which will contribute for the scope of work of bodies and services implementing B&H internal policy to be harmonised with European standards.

In the framework of foreign policy, Bosnia and Herzegovina holds the same position as the European Union in the areas of prohibition of development, production, storage and use of chemical weapons, wide prohibition of nuclear experiments, control of weapons of mass destruction, etc. Bosnia and Herzegovina approved the EU Code of Conduct in terms of weapons export and built it into its own legislation. It is also a signatory to the majority of existing agreements and contracts on non-proliferation of weapons of mass destruction. Bosnia and Herzegovina promotes the Action Programme on illegal trafficking in light weapons at the regional level in the framework of OESS.

## **5.2. EU Stabilisation and Association Process**

Bosnia and Herzegovina is a potential candidate for the membership in the European Union, and as such, it participates in the Stabilisation and Association Process. The Stabilisation and Association Agreement (SAA) between B&H and EU was signed in June 2008 and it was ratified by all the EU members. A number of challenges and tasks have been set before Bosnia and Herzegovina, necessary to be implemented in order for it to join the European Union. In the European Union Progress Report on Bosnia and Herzegovina in 2011, areas were specified which require more effort in order for satisfactory results to be achieved. Additional progress is necessary in the following areas having to do with the State Investigation and Protection Agency's scope of work and competences:

**Organised Crime:** Today, organised crime poses one of the biggest threats to the security of all world countries' citizens. As a socially negative occurrence, organised crime has the capacity to adjust to a particular social, political and economic situation, not only within one country, but also internationally.

Organised crime does not manifested itself in all countries with the same forms and intensity, but the form and intensity of its manifestation are related to the existing social relations and

favourable conditions for particular types of criminal activity. Therefore, types of organised crime conditioned by the existing social relations should be looked after in our country.

Organised crime, mainly in serious forms, has become increasingly manifested internationally and its successful prevention and detection imply certain international measures. Combating organised crime can be efficient only if its true position in socio-economic and political system of a country is realistically perceived and if all competent authorities, headed by the state, act in an organised manner, with a clear perception that it is not a matter of individual criminals, but that these are the forms of organised crime rooted in the very system and its combating demands facing all its elements.

In Bosnia and Herzegovina, there is a lack of coordination, problems arise in carrying out investigations because there is no cooperation between law enforcement agencies, and often so called “parallel investigations” are carried out, diminishing the agencies’ efficiency in the implementation of particular measures and actions. For efficient organised crime combating, an ongoing cooperation between law enforcement agencies at all levels is necessary, as well as cooperation with other international institutions.

In the previous period, the State Investigation and Protection Agency achieved significant cooperation with OLAF (European Commission Office for Prevention of Money Counterfeiting, Money Laundering, Fraud, etc.), as well as with Europol, which significantly contributed to detection and investigation of certain criminal activities. Within the regional cooperation, the State Investigation and Protection Agency accomplished significant results, since the activities of all the police agencies in the region have been carried out in coordination, because one organised criminal group does not act in the territory of a single country, but overpasses regional boundaries.

In order to overcome national boundaries in combating organised crime, it is necessary to strengthen police capacities in material and technical sense. In addition, it is necessary to carry out specialisation of police structures, since the lack of specific resources limits the efficacy of investigations.

Being aware of the fact that, apart from the national security, regional and global security is also of crucial significance, Bosnia and Herzegovina is determined in its intention to develop national capacities and potentials for efficient combating all types of organised crime, and particularly different types of corruptive activities and influences of their bearers at all levels of government structures, with the assistance from international community, as well as harmonised and coordinated activities of legislative, judicial and executive authorities.

**Combating Corruption:** Bosnia and Herzegovina made little progress in the area of combating corruption. The progress in this area is the adoption of the new Strategy for Combating Corruption 2009-2014 and Action Plan. However, it is necessary to make additional efforts in this area. In the implementation of activities related to corruption, set out in the Strategy for combating organised crime and corruption 2006-2009, limited results were accomplished. Efficient investigations and prosecutions of suspects have not been carried out in cases of “high level” corruption. Weak coordination in the implementation of activities related to combating corruption at the state level is still an issue. Special investigative measures applicable to

corruption cases are not utilised efficiently, and cooperation between police and prosecutors must be improved. Corruption in Bosnia and Herzegovina is still a serious problem, particularly within the government and other state and entity structures.

**Terrorism:** In the period 2009-2011, the Strategy of Bosnia and Herzegovina for Terrorism Prevention and Combating 2010-2013 was issued and adopted, and the Agency's Action Plan for the Implementation of this Strategy was made based on this.

Likewise, amendments to the Criminal Procedure Code of B&H were made, therefore Article 201 (Terrorism) was supplemented by Article 202 a) (Public Incitement to Terrorism), Article 202 b. (Recruitment for Terrorist Activities), Article 202 c. (Training for Terrorist Activities) and 202 d. (Organising of Terrorist Group), as well as to the Criminal Procedure Code of B&H, Article 139 Paragraph 2 (Deprivation of Liberty and Detention), where an individual may be detained for 72 hours and then handed over to a Prosecutor, and they facilitate the work in the area of fighting terrorism.

Staffing of the Section for Combating Terrorism and Trafficking in Nuclear, Biological and Chemical Weapons has been finalised.

With the aim of improving information exchange and cooperation with other competent institutions, the Agency assumed active participation in the establishment and work of the Task Force, i.e. Operative Group for Combating Terrorism, by appointing five of its employees for the work of the Operative Group, and provided premises for its accommodation and other material and technical support.

Activities in international cooperation and combating terrorism were intensified as well as participation in joint work, such as in the SECI Centre (SELEC) within the Antiterrorism Group – Subgroup for small and light weapons. Likewise, police officials working on these projects also participated in the "Joint Investigative Teams" project in the framework of the Convention for Police Cooperation of the South-Eastern European countries.

**Money Laundering and Financing of Terrorist Activities:** In the area of money laundering, Bosnia and Herzegovina has made some progress. In 2011, Amendments to the Law on Prevention of Money Laundering and Financing of Terrorist Activities were in legislative procedure. The Amendments to the Law provide for the establishment of the Financial Intelligence Unit as an independent administrative agency in B&H.

A separate Board of Experts from the Council of Europe's MONEYVAL, in charge of monitoring the implementation of measures for the prevention of money laundering and terrorism financing, at the 35<sup>th</sup> Plenary Meeting held on 11 April 2011, adopted the Progress Report in the framework of the third round Evaluation for B&H, produced on the basis of the visit of Moneyval Team of Experts to Bosnia and Herzegovina in 2009. The MONEYVAL Team, in contact with representatives from the state and private sectors, collected information on the compliance of B&H legislation and practice in the area of prevention of money laundering and financing of terrorist activities, evaluating the level of compliance with the FATF Recommendations.

An electronic transaction reporting system so far included only the banking sector, and from the beginning of 2011, it has been adjusted to other obligors as well from the non-banking sector, creating preconditions for their connection to a single information system at the state level.

In the area related to the implementation of relevant specialised trainings for officials carrying out specific work in this field, certain activities were carried out, but it is necessary to emphasise special investigative techniques, equipment utilisation and information tools.

Furthermore, it is necessary to improve significantly the cooperation between Financial-Intelligence Department and law enforcement agencies at the entity level, and improve the quality of information exchange by international cooperation via the EGMONT System.

Likewise, it is necessary to implement preventive and supervisory measures and extend them to non-banking financial institutions and mediators.

Bosnia and Herzegovina needs to finalise the compliance of its legislation with the Council of Europe Convention on Money Laundering, Search, Seizure and Confiscation of Proceeds of Crime. Management of confiscated property is still not harmonised within the country. The laws are different at the state and entity level, and the harmonisation with international standards is still lacking.

Unlike money laundering, which is always preceded by an illegal activity, terrorism may be financed from proceeds of legal activities (humanitarian organisations, various associations, donations, etc.). This fact significantly complicates the detection of terrorist activities financing, even more so since transaction amounts financing terrorism are frequently lower than the amount prescribed for reporting to the Financial Intelligence Department. Therefore, measures taken for the prevention of money laundering are not sufficient in combating the financing of terrorist activities and they need to be supplemented by separate measures prescribed by competent international authorities.

In order to achieve an ongoing progress in this area, it is necessary, among other things, to strengthen administrative capacities as well, efficiently implement legal framework and raise consciousness on negative effects and dangers of money laundering and financing of terrorist activities to overall social and economic movements of Bosnia and Herzegovina and its citizens.

**Trafficking in Narcotics:** Bosnia and Herzegovina is primarily a transit and destination area for trafficking in narcotics and it is positioned at the so-called “Balkan Route” of drug trafficking. It is safe to say that it is mainly a transit area for smuggling synthetic drugs and cocaine from the west, and heroin and cannabis products from the east. Surely, certain quantities of heroin and marihuana remain in the territory of BH for the needs of domestic narcotics market and notably lower quantities of cocaine in comparison to heroin are distributed in larger centres of BH with wealthier clients. The drug present the most is still marihuana, but other narcotic drugs are also present in certain quantities, primarily synthetic drugs.

The Council of Ministers BH, upon the Proposal from the Ministry of Security BH, at 99<sup>th</sup> Session held on 24 September 2009 issued the Decision on Adoption of State Action Plan for

Fight against Abuse of Narcotics in BH 2009-2013. The Action Plan was published in the Official Gazette of BH, no. 08/10, dated 10 February 2010, and for the purpose of its implementation, as a competent institution, the Section for Prevention of Narcotics Abuse of the Ministry of Security BH is in charge.

At the BH level, separate umbrella institutions were established for combating narcotics abuse (Committee for Prevention of Narcotics Abuse) and other planned activities were implemented in accordance with the Law on Prevention of the Abuse of Narcotics and their Precursors and the National Strategy for Control, Prevention and Suppression of Drugs 2009-2013 and the Action Plan.

The basic problem is that the Office for Narcotics has not been established at the BH level, since this Office is specified as one of the responsible institutions in all the implementation activities in this area. This Office has been conceived as a professional body bringing together a multidisciplinary team of experts in charge of the coordination and supervision of all activities provided for by the Strategy and Action Plan, as well as professional consultation and assistance to all institutions in charge of special activities provided for by the Action Plan, particularly in the area of prevention, treatment, rehabilitation and resocialization, education, statistics and research, as well as evaluation. Activities for its establishment have been initiated and provided for by the State Strategy and State Action Plan. The establishment of this Office is also provided for by the Proposal of the Law on Amendments to the Law on Prevention and Suppression of Narcotics Abuse, which is in the adoption procedure.

Previously, Amendments to the Law on Prevention and Prohibition of Narcotics Abuse, as well as the Book of Rules on Destruction of Confiscated Drugs were adopted.

The Ministry of Security has established a database on criminal offences in connection to narcotics abuse, which is available at the majority of the border crossings. Progress has been made in gathering information in accordance with standards of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). Likewise, activities in the implementation of testing drivers to the abuse of narcotics have been initiated, as well as the introduction of the obligation for the implementation of quantity toxicology analyses of bodily fluids and tissues of living people as well as dead to psychoactive substances, and keeping statistics on mortality by establishing toxicology laboratories. To a certain degree, activities in providing support for counselling services and laboratories for diagnosing infectious diseases are carried out, as well as activities of distribution/replacement of sterilised syringes and needles.

At the state level, no registry on seized amounts of narcotics, funds and other property originating from illicit trafficking in narcotics has been established. In the following period, it is necessary to establish a unique and transparent procedure for storage and destruction of confiscated drugs.

**Trafficking in Human Beings:** Trafficking in human beings covers recruiting, transport, transfer, providing refuge or reception of individuals by the use of force or other means of coercion, kidnapping, fraud, deception, abuse of powers or position or abuse of disability of others or by giving or taking payment or benefits in order to obtain approval from an individual controlling other individual with the aim of exploitation. Trafficking in human beings is a type of

crime adapting to a system, by monitoring activities of government authorities as well. Although the issue of trafficking in human beings is not as evident as in previous years and the number of registered cases is much lower in comparison to the previous period, it does not mean that this phenomenon is completely under control. The available information suggests that traffickers in human beings have changed their “modus operandi”. Available indications suggest that the prevailing form of trafficking in human beings for sexual exploitation is now being carried out in private apartments and houses, and victims are being ordered by a telephone and “rented” for an agreed period. Unlike raids in night bars, for example, that were frequent in the past, due to a clandestine nature of these activities, the detection, investigation and registration of this type of crime is now more difficult.

**Cooperation between Bosnia and Herzegovina and International Criminal Tribunal for the Former Yugoslavia (ICTY):** In September 2005, the Memorandum of Understanding between the Prosecutor’s Office of the International Criminal Tribunal for the Former Yugoslavia and the Prosecutor’s Office of BH – Special Department for War Crimes, was signed for the purpose of an efficient work between the Department for War Crimes of Bosnia and Herzegovina in processing war crime cases, with the support and assistance from the Prosecutor’s Office of ICTY.

With this Memorandum, its signatories regulate cooperation in terms of requests for assistance, access to documents, access to witnesses’ statements, contacts with witnesses and witnesses under protective measures, access to reports, experts, etc.

The Prosecutor’s Office of ICTY and Prosecutor’s Office of BH have a good cooperation in criminal processing of war crimes and frequent contacts and communication in relation to the work on cases of war crimes. In relation to this, offices of the liaison officer for the Hague Tribunal respond to all requests from the Prosecutor’s Office and provide full support to the work of the Tribunal.

This sort of cooperation should be continued in the future, but having in mind the fact that the Tribunal will cease its work, good cooperation and internal communication should be improved with neighbouring countries as well in solving war crimes.

SIPA has a good cooperation with the Prosecutor’s Office of the ICTY and the Prosecutor’s Office of BH, and the goal is to make the cooperation more efficient in the near future. It is also necessary to put more effort and remove legal impediments with the neighbouring countries for extradition of individuals who committed criminal offences, because legal impediments relating to the extradition in the Criminal Procedure Code of B&H still interfere with the efforts in processing war crime cases.



### 5.3. Judiciary Reform

The Constitution of BH<sup>10</sup> stipulates that BH is a democratic country functioning in accordance with the rule of law and obliges the state and entity authorities to ensure the highest level of compliance with internationally recognised human rights and fundamental freedoms. The achievement of these goals depends on strong, efficient and independent judiciary.

The legal system reform in BH developed quickly in the past years by the adoption of new Criminal Procedure Codes at the state and entity level, establishment of the High Judicial and Prosecutorial Council, and comprehensive restructuring of courts.

Despite progress in the criminal legislation reform, there is still work to be done in reforming judiciary, which actively includes international factors as well. This particularly relates to the area of monitoring judiciary processes, implementation of the criminal procedure reform, processing of war crimes before domestic courts, issues of access to the judicial system, the area of informing the public by Prosecutors on cases related to war crimes, and the reform of criminal correctional institutions.

The aim of the reforms is to ensure:

- That everyone, regardless of their status, is equal before the law;
- That laws comply with the Constitution of BH and international instruments for the protection of human rights and that the implementation of law is in accordance with international obligations of BH;
- That the activities of the Judiciary are free from external interference, and the pressure of intervention;
- That everyone has an equal access to the judicial system, in order to determine their rights and obligations and that legal remedies available to them are efficient;
- That the right of the accused to fair trial, in accordance with international standards, are respected so that judgements are undisputed.

In June 2011, a structural dialogue on judiciary system between EU and Bosnia and Herzegovina was initiated. This dialogue was initiated in the framework of the process of stabilisation and accession in order to facilitate the review of legislation and the functioning of institutions in accordance with relevant European standards and to ensure secure, efficient, independent and responsible judiciary system securing the rule of law in BH.

There are more requests and needs for the establishment of the Supreme Court of BH, which would significantly contribute to the standardisation of court practice in the entire territory of BH.

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<sup>10</sup> Constitution of Bosnia and Herzegovina (General Framework Agreement for Peace in BH, Annex 4) and Amendment I to the Constitution of Bosnia and Herzegovina („Official Gazette BH“, no. 25/09).

Surely, the near finalisation of the ICTY mandate should be taken into account, because the United Nations Security Council adopted the Resolution 1966 (2010), by which the ICTY must finalise all remaining cases until 31 December 2014.

The mandate of international prosecutors, employed at the Special Section for War Crimes of the Prosecutor's Office B&H, in accordance with the Decision of the High Representative, expires on 31 December 2014.

The Agency will respond to every individual phase of the judiciary reform in time, by adequate reorganisation for the purpose of adjustment to the reforms, by training the staff and equipping, as well as proposing adequate legal provisions and secondary legislation. Likewise, it will strive for enhancing communication, coordination and cooperation between various state institutions in the process of the judiciary of BH reform, primarily between the Court of BH, Prosecutor's Office BH and SIPA, for the purpose of establishing an efficient judiciary system in BH.

#### **5.4. Public Administration Reform**

The aim of the Public Administration Reform is reforming the Public Administration of BH for the purpose of a significant improvement of the Administration of BH. The reform is a prerequisite for the integration of BH into the European Union, which takes administrative capacities and the ability to adopt and implement basic provisions of the European Union (*acquis communautaire*) as the main requirement for the membership in the European Union.

The reform requires improvement of all general administrative capacities by reforming basic horizontal systems and management structures, such as:

- Capacities for passing politics and coordination,
- Public finances,
- Human resources,
- Administrative procedure,
- Institutional communication, and
- Information technologies.

The Strategy also sets out specific guidelines in terms of the establishment of coherent administrative structures in the framework and between different levels of administration and in the sense of managing changes in order to achieve the set goals in every sector.

The public administration reform is carried out in three phases, where the third phase covers the period between January 2011 and the end of 2014 and relates to fulfilling long-term goals. At this stage, the European Integration Process shall demand higher standards for public administration. The goal of Bosnia and Herzegovina is to reach the quality level of European administrative space by the end of 2014, comply with common standards of the EU member states and implement *Acquis*. In order to fulfil these requirements, BH shall carry out the assessment of activities implementation from the previous period, and plan new activities in key areas of administration reform, among other things, in areas where satisfactory progress was not achieved.

SIPA is a part of the public administration and included in the reforms taking place in this area. The establishment of SIPA is also a part of the reform requirements for the public administration, particularly its positioning in the framework of the Ministry of Security BH as an administrative organisation with an operational independence. It is known that between 2002 and 2004 the State Information and Protection Agency was active, with a status of an independent administrative organisation. In the following period as well, SIPA shall adjust its organisation and structure to reform requirements of the public administration in BH.

## **5.5. Process of Accession to NATO**

The security of Bosnia and Herzegovina is in relation to security and perspectives of its direct surroundings, the region, Europe and international community as a whole. Starting with the need to preserve lasting peace, security and stable democratic and overall state development, as well as the need to include BH in current European political, economic and security integration flows, BH determined the accession to Euro-Atlantic integration processes as one of the priorities of foreign politics. Bosnia and Herzegovina has accepted the concept of a collective military security as the basis for a long-term military strategy. The key element for the achievement of an undisputable collective military security in BH is that it becomes a member of NATO, because in that case its sovereignty and territorial integrity is guaranteed by an entire alliance, as defined by the Washington Agreement. To that end, the Presidency of BH issued a statement in 2001 expressing political will for the membership in the Euro-Atlantic security structures.

By the accession into the NATO Programme “Partnership for Peace” (PfP), BH has expressed its determination to achieve a full interoperability in all segments with all NATO member countries as soon as possible. BH shall continue the Planning and Revision Process (PARP), active participation in consultations with the NATO Alliance through cooperation modalities “Dialogue Intensification” and implementation of IPAP provisions (B&H – NATO Individual Partnership Action Plan), all for the purpose of an expedited entry into the Membership Action Plan (MAP) and finally a full membership in the NATO Alliance. Namely, NATO Programme “Partnership for Peace” possesses very useful tools and mechanisms assisting the member states of the Programme to achieve goals set out in the Presentation Document when accessing the Partnership for Peace. One of such documents is also IPAP – Individual Partnership Action Plan specifying actions and activities to be carried out to meet requirements for entry into NATO. When BH meets all the requirements of NATO to become a credible candidate for the membership in NATO, it shall access the “Membership Action Plan” Programme, which is the highest level of partnership and the last step before the full membership in NATO.

Pursuant to the strategic commitment of BH to the full membership in NATO and the Decision of BH Presidency on strengthening cooperation with NATO at the level of IPAP, NATO Coordination Team of the BH Council of Ministers (NATO CT) has been established with the task of inter-institutional cooperation between BH Ministries and Institutions in order to secure effective implementation of IPAP. NATO CT consists of representatives from all the state Ministries and Institutions, and representatives of the Joint Defence and Security Committee of the Parliamentary Assembly of BH, as well as the NATO HQ representative in Sarajevo, regularly participate in the work of NATO CT. In the following period, NATO CT shall work on

further securing inter-institutional cooperation and coordination of activities of BH Ministries and Institutions and improving cooperation.

IPAP is a mechanism of cooperation between the NATO Alliance and a partner country. Areas of cooperation are much wider than the area of defence, and their aim is to strengthen cooperation and implementation of reform processes in a partner country, which are necessary for the entry into European and Euro-Atlantic Integrations. IPAP covers all significant areas of social life and the IPAP Presentation document contains four Chapters, which are:

1. Politics and security issues;
2. Defence and military issues;
3. Public diplomacy, crisis management and planning response to emergency situations;
4. Administrative issues, issues of security protection and resources.

The IPAP presentation document is a sublimation of activities and goals a partner country plans to implement in this direction in a two-year period.

In BH - NATO Individual Partnership Action Plan – IPAP for the period 2011 – 2013 in Chapter I referring to policy and security issues, areas and activities are set out that need to be implemented for the improvement of cooperation with European and Euro-Atlantic institutions, which are directly related to the work within the State Investigation and Protection Agency's (SIPA) competence:

*Combating Organised Crime:* Continuous activities of all types of organised crime are one of the key priorities in BH. In this context, BH has adopted the Strategy for combating organised crime (for the period 2009 – 2012), and Action Plan for the implementation of the Strategy, elaborating in detail measures, deadlines, implementation indicators and institutions in charge of the measures' implementation. The Action Plan analyses a preventive and repressive form of combating organised crime, as well as confiscation of proceeds from crime.

In the framework of the above mentioned, activities will be carried out, provided for by the Action Plan of the Strategy for Prevention of Money Laundering and Financing of Terrorist Activities (2009-2013). The Working Group of the institutions of BH for Prevention of Money Laundering and Financing Terrorist Activities is responsible for the implementation monitoring of the Strategy. The implementation monitoring of the Strategy for Combating Organised Crime, and reporting to the Council of Ministers, will be one of the obligations of the Working Group for the Making of the Action Plan for the Implementation of the Strategy BH for Combating Organised Crime (2009-2012).

*Combating Trafficking in Human Beings and Illegal Migration:* In the period 2011-2013, BH will continue to combat trafficking in human beings and illegal migration. In this sense, the implementation of the state Action Plan for combating trafficking in human beings, which provides for numerous activities for prevention, trafficking in human beings victims' protection and prosecution of traffickers, is of particular importance. Likewise, education on trafficking in human beings and managing illegal migration is very important, particularly in the application of the new legislation and international law. Apart from the above mentioned, the cooperation

between institutions in BH should be additionally improved, as well as between BH and the countries of the region and Europe.

*Combating Terrorism:* BH is committed to strengthen capacities for combating terrorism. Therein, the Council of Ministers BH, at its 116<sup>th</sup> Session held on 9 March 2010, adopted the new Strategy of BH for the prevention and combating terrorism 2010-2013. In accordance with the obligations set out in the Strategy, competent institutions, including SIPA, adopted their respective Action Plans for the implementation of the Strategy. Additionally, the Supervisory Authority was established for the implementation monitoring of the Strategy with the main goal of strengthening cooperation in combating terrorism (in the area of prevention, crucial infrastructure protection, response to terrorist threats and effects of terrorist attacks).

Within terrorism combating, activities for the establishment of national mechanisms for an efficient prevention and suppression of “cyber” terrorism will be carried out, including the protection of critical cyber infrastructure from possible terrorist attacks and suppression of internet abuse for terrorism purposes, particularly suppression of terrorist propaganda dissemination, terrorism glorification, invitation to terrorist acts, organisation of virtual terrorist trainings, etc., as well as establishment of efficient system for the implementation of international restrictive measures. The deadline for the implementation of these activities is the year 2013, which corresponds to the implementation period for the new BH Strategy for the prevention and combating terrorism, which was adopted, and also to the plans for the implementation of a series of other international instruments and standards, the implementation of which BH committed to by the act of accession (signature/ratification), primarily in relation to documents from United Nations, Council of Europe and European Union.

## **5.6. Strategy for Work on War Crime Cases**

A number of unsolved war crime cases and the fact that a number of individuals responsible for the committed criminal offences are still unpunished, indicated the need to strengthen judicial and police structures, primarily the Court BH, Prosecutor's Office BH and State Investigation and Protection Agency and to find methods in the process of solving the mentioned issues. In order to find a systematic approach to the problem area of solving a number of war crime cases, the State Strategy for the work on war crime cases (State Strategy) was adopted in December 2008.

The State Strategy provides for the establishment of a single registry on all unfinished war crime cases in BH, classification of the cases into two groups, evaluation criteria for the cases' complexity, harmonisation of case law in the entire BH territory, personnel, material and financial capacities for processing, regional cooperation and protection and support for victims and witnesses.

Although the State Strategy was adopted in 2008, a limited progress was made in its implementation, and some of the key goals were not accomplished. Namely, war crime case law is not harmonised and it is implemented differently by the Court of BH, entity judiciary and judiciary of the Brčko District BH. A distribution of war crime cases between the state and entity judiciary takes place in unsatisfactory dynamics that needs to be expedited. In addition, adequate

laws need to be amended (Law on Court of BH, Laws on Courts of Entities and Brčko District BH), etc.

Therefore, in the following period, it is necessary that the institutions responsible for the implementation of the State Strategy efficiently start the implementation of the programme activities, complying to the set deadlines, that they become more efficient in the processing of war crime cases, particularly the most complex and those of the highest priority.

All these aspects directly or indirectly guide SIPA's work in war crime cases because criminal offences of war crimes are one of the basic competences of SIPA.

### **5.7. Enlargement Strategy and Key Challenges**

The State Investigation and Protection Agency is responsible, among other things, for combating all types of organised crime and it has the leading role in this segment of the security system. In the framework of the Road Map for the Liberalisation of the Visa Regime, the main requirements were defined, which BH must meet in order to meet the requirements for the Stabilisation and Accession Process. In relation to this, the Council of Ministers BH adopted and considered the Information on Orders and Recommendations of the European Commission in the Stabilisation and Accession Process contained in the BH Progress Report for 2011 and the Document of the Enlargement Strategy and Key Challenges 2011-2012.

The orders from the European Commission specify that a very limited progress was made in the area of combating money laundering in the sense of staffing the Department with personnel working on investigations, and the submission method for reports on suspicious transactions is rather weak because the reports do not provide statistical information necessary for risk assessment. Likewise, it is specified that the implementation of the Strategy for Prevention of Money Laundering and Financing Terrorist Activities as well as the Action Plan is still low.

The report also specifies that a limited progress was made in combating narcotics abuse and that BH is still a transit country for the international trafficking in narcotics and that the organised criminal groups dealing with trafficking in narcotics are still active in the territory of BH. Coordination between law enforcement agencies is still carried out in individual cases only.

The Report points out that a limited progress was made in combating organised crime and that the implementation of special investigative measures and actions is still insufficient. Likewise, one of the specified deficiencies is an insufficient implementation of the Law on Protection of Witnesses under Threat and Vulnerable Witnesses.

Some progress was made in the area of combating trafficking in human beings, as the Report states. However, Bosnia and Herzegovina is still a country of origin and transit for trafficking in human beings, and a destination for the victims of trafficking. Coordination between competent police institutions and coordination with non-government organisations dealing with combating trafficking in human beings in the country and the region is very poor.

Some progress was also made in combating terrorism, the Report specifies, but the implementation of the BH Strategy for Prevention and Combating Terrorism is not at a satisfactory level.

Staffing of SIPA has increased significantly, according to the Report, but one of the identified deficiencies is the failure to adopt the Book of Rules on internal organisation and systematisation of SIPA.

Likewise, as a deficiency that needs to be remedied, a poor operative cooperation between law enforcements agencies is pointed out, which takes place only in individual cases. At the strategic level, regular informal meetings of police agencies' directors are still held, in the presence of the Chief Prosecutor and representatives from the Ministry of Security. However, intelligence exchange between the law enforcement agencies is still poor.

It is necessary to implement the Memorandum of Understanding on the establishment of coordination bodies for the coordination of the international law implementation, signed by the Directorate for the Coordination of Police Bodies, State Investigation and Protection Agency (SIPA), Border Police, Ministry of Interior of the Republic of Srpska, Federal Police Administration, Police of Brčko District and Indirect Taxation Authority.

Therefore, in the BH Progress Report 2011 and Enlargement Strategy and Key Challenges 2011-2012, activities are set out that need to be carried out to remedy the mentioned deficiencies. In relation to this, it is necessary to implement the following activities:

- Strengthen the Agency's capacities in combating organised crime, money laundering, narcotics abuse, trafficking in human beings and terrorism;
- Improve operative cooperation with the law enforcement agencies in intelligence exchange and cooperation with law enforcement agencies from other countries;
- Strengthen the Agency's capacities for criminal-investigative work and intensified application of special investigative actions;
- Improve cooperation between competent police authorities and cooperation with non-government organisations dealing with combating trafficking in human beings;
- Implement relevant strategies and action plans;
- Make the Book of Rules on internal organisation and systematisation of SIPA;
- Change the manner of submitting reports on suspicious transactions in the sense that they should contain more statistical information.

## **5.8. Ministry of Security Strategic Plan 2011-2013**

The Ministry of Security Strategic Plan 2011-2013 stipulates three strategic goals:

1. Create preconditions to secure improved coordination between institutions and the leading role of the Ministry of Security BH in the security sector;
2. Improve efficiency, efficacy and professionalism in the Ministry of Security BH;
3. Fulfil obligations resulting from the process of accession to Euro-Atlantic Integrations.

**Strategic Goal 1** covers programmes and projects contributing to the establishment of a functional and increasingly harmonised security sector. Such a complex security sector might function only if all key participants would put significant efforts to provide a high level of cooperation and coordination. The implementation of this Strategic Plan needs to provide the creation of necessary preconditions enabling a consolidation of relations and clear roles and responsibilities of all key participants within the security sector. The measures provided for by this Strategic Goal imply intensified communication between the institution in order to improve understanding and trust, as well as further distinguishing between political and operative role of the key participants in the security sector.

**Strategic Goal 2** implies programmes and projects that need to strengthen the Ministry of Security institutionally and organisationally. Fulfilment of this Strategic Goal needs to improve areas and skills within an organisation which are a prerequisite for an efficient carrying out of the Ministry's key functions.

**Strategic Goal 3** implies programmes and projects that need to provide a structured approach to the implementation of the set obligations in the BH Stabilisation and Accession Agreement (combating terrorism, organised crime, corruption, trafficking in human beings, secret information protection, etc.), complete control and supervision of the success and made progress in relation to the obligations taken over, to enable coherence and coordination within the entire institution and secure that these strategic priorities are consistently contained in operative plans of the Ministry of Security and in the budget requirements. The fulfilment of this goal shall define a very clear institutional message on the manner and time limit in which the Ministry of Security, in cooperation with key strategic partners, plans to fulfil all the obligations resulting from the Stabilisation and Accession Agreement.

## **5.9. International and Inter-Agency Police Cooperation**

International police cooperation, i.e. its various aspects, are defined in the Articles 3, 13 and 23 of the Law on State Investigation and Protection Agency and Articles 53, 54 and 55 of the Law on Prevention of Money Laundering and Financing of Terrorist Activities. Since the work from SIPA's competence includes prevention, detection and investigation of criminal offences from the competence of the Court BH, particularly organised crime, terrorism, war crimes, trafficking in human beings and other criminal offences against humanity and values protected by international law, as well as serious financial crime, i.e. international criminal offences which cannot be solved unilaterally and relying exclusively on own capacities, international police cooperation gains more importance.

On the other hand, since we live in the world of globalisation, where organised criminal groups are almost perfectly connected and with a developed infrastructure, the response of a law enforcement agency in the sense of prevention, detection and investigation of these groups must be equal.



In the framework of an organisational and systematic action in combating all types of organised crime, and defining the role of the Agency in this combat, current deficiencies were identified and the need for the affirmation of official cooperation at all levels, national and international, was recognised, implying the improvement of support, cooperation, information and available resources exchange, as well as operative action in the implementation of the joint anti-crime activities. One of the most significant arguments for the improvement of cooperation is the fact that the cooperation is within the original competence of state institutions, including SIPA, and its obligations and responsibility in this area are significant.

Therefore, SIPA should be the bearer of police cooperation on behalf of Bosnia and Herzegovina, i.e. the leading police agency for this work, which apart from information exchange includes operative and strategic aspects of international police cooperation, cooperation within Interpol, bilateral cooperation with other countries and multilateral cooperation, which is currently not the case.

International police cooperation within the State Investigation and Protection Agency is carried out in three directions: bilateral, regional and multilateral.

#### *5.9.1. SIPA's Multilateral Cooperation*

SIPA's multilateral cooperation is carried out in the framework of multilateral structures, i.e. it is based on the implementation of Agreements that Bosnia and Herzegovina signed with multilateral structures such as the European Union, SECI Centre, Interpol, Europol, NATO, UN, Council of Europe, DCAF and Egmont Group:

- Agreement between Bosnia and Herzegovina and European Union on security procedures for the exchange of confidential information (Official Gazette BH, no. 2/06);
- Convention on Police Cooperation in South-Eastern Europe (Official Gazette BH, no. 4/07);
- Strategic Agreement on Cooperation between Bosnia and Herzegovina and the European Police Office – EUROPOL (Official Gazette BH, no. 10/07);
- Agreement with European Union on the readmission of persons residing without a permit (Official Gazette BH, no. 13/07);
- Agreement between Bosnia and Herzegovina and North Atlantic Treaty Organisation (NATO) on information security (Official Gazette BH, no. 10/07);
- Convention on the Establishment of Law Enforcement Centre in South-Eastern Europe (SECI-SELEC);
- Protocol on illicit production and trafficking in weapons, its parts and components and ammunition, as an Addendum to the United Nations Convention against Trans-National Organised Crime;
- Convention on Trafficking in Human Beings – Council of Europe (Official Gazette BH, no. 14/07);
- Convention on Money Laundering, Search, Seizure and Confiscation of Proceeds from Crime and Terrorism Financing – Council of Europe (Official Gazette BH, no. 14/07);
- Convention on the Prevention of Terrorism – Council of Europe (Official Gazette BH, no. 14/07);

- Agreement on Long-Term Strategic Partnership – DCAF (Official Gazette BH, no. 03/08);
- Memorandum of Understanding between the State Investigation and Protection Agency (SIPA) and European Union Force (EUFOR) on the exchange of information obtained from SIPA via the “Crime-Stoppers” hotline (15 September 2005);
- Agreement on Understanding and Cooperation in the area of protection and support of witnesses and other participants in a criminal procedure between witness protection units in BH and the countries of the region (20 July 2006 and Amendments to the Agreement dated 6 September 2007 and 15 July 2008);
- Agreement on Understanding and Cooperation between the Unit for Protection of the Police Directorate of the Ministry of Interior of the Republic of Serbia, Witness Protection Department of the State Investigation and Protection Agency (SIPA) BH and the Witness Protection Unit of the Police Administration of Montenegro in the area of the protection and support of witnesses and other participants in criminal procedure;
- Memorandum of Understanding for the implementation of ILECU in Bosnia and Herzegovina and the principles of its functioning (4 November 2010).

#### *ILECUs Project – Establishment of International Law Enforcement Coordination Units*

The project “Establishment of International Law Enforcement Coordination Units – ILECUs” was initiated in the late 2008 by the EUROPOL and Interpol. The Beneficiary Countries of the Project are: Albania, Bosnia and Herzegovina, Montenegro, Croatia, Macedonia and Serbia, and international partners in the Project are Slovenia, Romania, EUROPOL, Interpol, BKA, EUROJUST, FRONTEX, SECI, OLAF, and the Stability Pact for South-Eastern Europe.

ILECUs Project, whose financing was secured by the European Commission, was implemented by the Ministry of Interior of the Austrian Federal Criminal Police Office. The Project’s goal is the improvement of international police cooperation in combating organised crime, at both strategic and operative level, and the improvement of cooperation between law enforcement institutions. Organisationally, the goal is to establish contact points in all six beneficiary countries for more efficient carrying out of international investigations for improving information flow in international investigations, and finally raise the efficacy of the law implementation in the area of international cooperation to a high quality level.

In addition, one of the very important Project goals is compliance of the existing mechanisms with *EU Acquis* and standards, best practices of the European Union member states and relevant international provisions. Therefore, the ILECUs Project implementation in Bosnia and Herzegovina will enable improvements in the entire security sector in our country and all member states, as well as significant improvements in relation to Euro-Atlantic integrations of Bosnia and Herzegovina.

#### *5.9.2. SIPA’s Regional Cooperation*

An improvement of cooperation with the law enforcement agencies of the neighbouring countries – the Republic of Montenegro, Republic of Croatia and Republic of Serbia, based on joint interest and principles of equality, mutual respect, respect to sovereignty and territorial

integrity is SIPA's permanent priority. Therefore, it is necessary to initiate a series of activities in strengthening cooperation with neighbouring countries.

Up to his point, Bosnia and Herzegovina signed the Agreement on police cooperation in combating cross-border crime with the following neighbouring countries and countries of the region:

- Albania (Official Gazette BH, no. 7/09),
- Montenegro (Official Gazette BH, no. 2/08),
- Croatia (17 September 2010),
- Macedonia (21 March 2008),
- Slovenia (Official Gazette BH, no. 8/07),
- Serbia (24 September 2010).

A development of the regional police cooperation between the Western Balkan countries in order for the individual countries of the region and the region as a whole to reach standards for the integration into the European and Euro-Atlantic structures needs to be SIPA's priority. In this regard, it is necessary for SIPA, by an intensified participation in the work of regional initiatives, to contribute to security strengthening, good political environment and economic relations and cooperation in the area of combating illegal activities and terrorism, in order for the region to transform into the area of peace and stability. In this context, it is important to point out the Regional Cooperation Council (RCC) with the main office in Sarajevo, a regional organisation established by the transformation process of the Stability Pact for South-Eastern Europe into the ownership of the region's countries. The RCC operates under the political "umbrella" of the South-Eastern European countries, organised into the South-Eastern Europe Cooperation Process (SEECPP) and gathers partner and donor countries that were involved in the PS activities, ensuring its continuity in this regard. Finally, it is important to point out the SEEGROUP as a platform for the support for the regional practical cooperation in the area of security and defence, and intensified compliance and coordination between the countries in the region.

#### *5.9.3. SIPA's Bilateral Cooperation*

As a part of a wider bilateral cooperation system, SIPA cooperates with a number of countries with which agreements on police cooperation were signed, since practical implementation of this cooperation is based on signed agreements.

SIPA maintains bilateral cooperation with other countries of the European Union as well, and beyond. In this regard, it is necessary to carry out activities with the aim of implementing the signed agreements on police cooperation and bilateral regulation of the joint approach of judicial and executive authorities of the countries with which we do not have a signed agreement, in cases of international organised crime, corruption, money laundering, terrorism, terrorism financing and international legal cooperation for detection, investigation, prosecution and conviction in these criminal offences. Bosnia and Herzegovina signed bilateral agreements on police cooperation with the following countries:

- Republic of Turkey (Official Gazette BH, no. 4/04),
- Republic of Hungary (Official Gazette BH, no. 8/05),

- Republic of Greece (Official Gazette BH, no. 14/06),
- Republic of Italy (Official Gazette BH, no. 10/07),
- Russian Federation (9 September 2004),
- Islamic Republic of Iran (Official Gazette BH, no. 10/07),
- Federal Republic of Austria (Official Gazette BH, no. 3/07),
- Republic of Slovakia (Official Gazette BH, no. 3/07),
- Arabic Republic of Egypt (Official Gazette BH, no. 8/07),
- Swiss Confederation (Official Gazette BH, no. 12/07),
- Romania (Official Gazette BH, no. 2/08),
- Republic of Bulgaria (Official Gazette BH, no. 2/08),
- Republic of France (29 March 2010),
- State of Qatar (20 June 2010),
- Hashemite Kingdom of Jordan (30 January 2011),
- Kingdom of Spain (3 March 2011).

In the framework of bilateral cooperation, Memoranda on Agreement of SIPA's Financial Intelligence Department with other Financial Intelligence Units in the world were signed:

- Memorandum of Understanding between Financial Intelligence Units of Macedonia and Bosnia and Herzegovina (February 2005);
- Memorandum of Understanding between Financial Intelligence Units of Croatia and Bosnia and Herzegovina (March 2005);
- Memorandum of Understanding between Financial intelligence Units of Montenegro and Bosnia and Herzegovina (2005);
- Memorandum of Understanding between Financial Intelligence Units of Slovenia and Bosnia and Herzegovina (October 2005);
- Memorandum of Understanding between Financial Intelligence Units of Serbia and Bosnia and Herzegovina (2005);
- Memorandum of Understanding between Financial Intelligence Units of Albania and Bosnia and Herzegovina (November 2005);
- Memorandum of Understanding between Financial Intelligence Units of Spain and Bosnia and Herzegovina (September 2006);
- Memorandum of Understanding between Financial Intelligence Units of Aruba and Bosnia and Herzegovina (January 2007);
- Memorandum of Understanding between Financial Intelligence Units of Netherlands Antilles and Bosnia and Herzegovina (May 2007);
- Memorandum of Understanding between Financial Intelligence Units of Paraguay and Bosnia and Herzegovina (October 2007).

#### *5.9.4. SIPA's Inter-Agency Cooperation at BH Level*

In the contemporary world, security, i.e. an efficient security system of any country, implies good cooperation between all relevant agencies. In this sense, the State Investigation and Protection Agency's priority should be the improvement of cooperation with BH judicial authorities, as well as cooperation by joint work and information exchange with the law enforcement agencies in BH.

Cooperation of SIPA with other law enforcement agencies in BH has been strengthened by signing memoranda on cooperation, whose implementation needs to be improved, as well as the initiation of signing new ones in required areas. So far, SIPA signed the following documents with domestic institutions:

- Agreement on Cooperation between SIPA and the Office for Cooperation with Interpol (2004);
- Memorandum of Understanding between the Ministry of Security BH, Ministry of Civil Affairs, State Border Service BH, State Investigation and Protection Agency, Ministry of Interior of the Federation BH, Ministry of Interior RS, Brčko District, Ministries of Interior of Cantons (Una-Sana, Posavina, Tuzla, Zenica-Doboj, Bosnia-Podrinje, Central Bosnia, Herzegovina-Neretva, West Herzegovina, Sarajevo and Canton 10) and the Commission of the European Union on the establishment of the Automatic Fingertip Identification System (2004);
- Memorandum of Understanding between the State Investigation and Protection Agency and Prosecutor's Office BH on cooperation in criminal investigations of serious violations of international humanitarian law (2005);
- Memorandum of Understanding between the State Investigation and Protection Agency and Prosecutor's Office BH in detection and criminal prosecution of perpetrators of criminal offences (2005);
- Annex to the Agreement of Understanding between the State Investigation and Protection Agency and the Registry Office for Section I and Section II of the Criminal and Appellate Department of the Court BH and special departments of the Prosecutor's Office BH (2005);
- Memorandum of Understanding between the Ministry of Security BH, State Investigation and Protection Agency, State Border Service BH and International Criminal Investigative Training Assistance Programme – ICITAP (2005);
- Memorandum of Understanding on the exchange of intelligence, information and documents on criminal offences against humanity and values protected by international law between the Ministry of Security BH, Ministry of Interior FBH, Ministry of Interior RS, State Investigation and Protection Agency, Police Administration FBH, NCB Interpol Sarajevo, State Border Service, Intelligence Security Agency and Brčko District Police (2005);
- Memorandum of Understanding between the State Investigation and Protection Agency and Registry Office for the Section I and Section II of the Criminal and Appellate Departments of the Court BH on cooperation in witness protection and witness support (2005);
- Agreement on Coordination of intelligence, security and police activities, signed by the Minister of Defence BH, Minister of Security BH, Director of the State Investigation and Protection Agency, Director of the State Border Service BH, General Director of the Intelligence Security Agency BH, Director of the Indirect Taxation Authority, Chief State Prosecutor BH, Minister of Interior FBH, Minister of Interior RS, Chief of the Brčko District Police, Chief of Financial Police FBH, Director of Tax Administration FBH, Director of Tax Administration RS, Director of Brčko District Tax Administration (2005);

- Memorandum of Understanding between the Ministry of Security BH, Ministry of Civil Affairs, State Investigation and Protection Agency, State Border Service BH, Ministry of Interior FBH, Ministry of Interior RS, District Brčko Police, Ministries of Interior of Cantons (Una-Sana, Posavina, Tuzla, Zenica-Doboj, Bosnia-Podrinje, Central Bosnia, Herzegovina-Neretva, West Herzegovina, Sarajevo and Canton 10) and the Commission of European Union and the Government of the United States of America on the development of state network on criminal analysis and information system in the framework of the State Investigation and Protection Agency (2005);
- Memorandum of Understanding on intelligence exchange in relation to criminal offences between the Ministry of Security BH, State Border Service BH, State Investigation and Protection Agency, Intelligence Security Agency, Indirect Taxation Authority BH, Ministry of Interior FBH, Ministry of Interior RS, Ministries of Interior of the Cantons (Una-Sana, Posavina, Tuzla, Zenica-Doboj, Bosnia-Podrinje, Central Bosnia, Herzegovina-Neretva, West Herzegovina, Sarajevo and Herzeg-Bosnia Canton), Brčko District BH, Tax Administration BH, Tax Administration RS, Tax Administration of Brčko District, Financial Police of RS (2005);
- Memorandum on Cooperation, Assistance and Coordination of work between the Intelligence Security Agency BH and State Investigation and Protection Agency (2005);
- Agreement on the Establishment of Electronic System for the exchange of data from the registries of police authorities and Prosecutor's Offices between the Ministry of Security BH, Border Police BH, State Investigation and Protection Agency, Federal Police Administration, Ministry of Interior RS, Brčko District Police, Ministries of Interior of Cantons (Una-Sana, Posavina, Tuzla, Zenica-Doboj, Bosnia-Podrinje, Central Bosnia, West Herzegovina, Herzegovina-Neretva, Sarajevo and Canton 10) and High Judicial and Prosecutorial Council (2009).

The Agreement on the Establishment of the electronic system for exchange of data from the registries of police authorities and Prosecutor's Offices ensures efficient work and strengthening of cooperation between law enforcement agencies and Prosecutor's Offices on the exchange of information from their registries. In the framework of this Agreement, SIPA has adopted all secondary legislation and fulfilled all technical requirements defined by the Agreement. The implementation of the Agreement has not begun and it has been transferred to the Directorate for the Coordination of Police Bodies. Once its implementation begins, SIPA is prepared to carry out activities in the framework of its competences.

#### **5.10. Strategy for Combating Organised Crime**

The Council of Ministers BH, at its 99<sup>th</sup> Session held on 24 September 2009 adopted the BH Strategy for Combating Organised Crime (2009-2012), which determines the area of the establishment of an efficient system for combating organised crime, defines strategic goals, roles and responsibilities of all subjects and sets out frameworks for the making of implementation plans. Likewise, the Strategy creates additional conditions for a more efficient inclusion of Bosnia and Herzegovina into a regional, European and the world concept of combating organised crime. The Strategy's goal, in accordance with international standards and recommendations, is to predict possible long-term trends and development directions for organised crime and define

general and special goals and capacities of Bosnia and Herzegovina for its prevention and suppression to the lowest level possible. Likewise, the Strategy defines a policy, direction and methodology of competent authorities in BH in combating organised crime.

The Council of Ministers BH, at its 115<sup>th</sup> Session held on 18 February 2010, adopted the Action Plan for the implementation of BH Strategy for combating organised crime (2009-2012), providing for specific measures, competent institutions, deadlines and implementation indicators.

In order to permanently supervise and monitor the implementation of the Action Plan, as well as coordination of all activities at all levels in BH, the Council of Ministers BH has established the Working Group for the implementation coordination and monitoring of the Action Plan for the implementation of the Strategy of Bosnia and Herzegovina for combating organised crime („Official Gazette BH, No. 81/11). The Working Group consists of representatives from all relevant judicial and police authorities, from the state level, entity levels and Brčko District BH, and the obligation of the Working group for regular reporting to the Council of Ministers BH has been determined as well.

The analysis confirms the implementation of continuous activities in strengthening legislative framework in combating organised crime and its harmonisation with international instruments and standards.

The law enforcement agencies carry out the planned strengthening of investigative and analytical capacities, and in accordance with the budget capacities, the procurement of material and technical means and equipment and a complete reconstruction of infrastructure.

Permanent cooperation between all law enforcement agencies in BH is being carried out at strategic, operative and tactical level. It is particularly important to mention joint activities and investigations on organised criminal groups, which are a direct result of strengthening and developing inter-institutional and inter-agency cooperation in Bosnia and Herzegovina.

The implementation of the Agreement on the establishment of the electronic data exchange system between police authorities and Prosecutor's Office in BH is at its final stage, and monthly meetings are held between Directors of police agencies, Secretary of the Ministry of Security BH and Prosecutor's Offices in BH, in the presence of the representatives from EUPM and ICITAP. At these meetings, strategic goals are defined, as well as inter-agency activities and all other activities related to the work of police agencies involving international cooperation at the level of BH, primarily in the area of combating organised crime, terrorism and other types of crime.

Based on the Convention on Police Cooperation in South-Eastern Europe, and in accordance with the signed Agreements and Protocols on Cooperation, continuous cooperation is being carried out with the neighbouring countries (Croatia, Serbia, Montenegro, Macedonia), in the framework of which a number of joint investigations has been carried out.

Apart from the cooperation with neighbouring countries, an intensive work is being carried out with the Interpol, SELEC Centre (former SECI Centre) and other international and

regional bodies and initiatives. A significant number of investigations have been carried out in cooperation with other countries.

All the law enforcement agencies have worked in educating their staff in the sense of participation in seminars, trainings and other educational activities in relation to combating organised crime, or its particular types, and related topics. The education is organised by local and international authorities, as well as international authorities and initiatives.

Activities in the prevention and suppression of cyber crime in Bosnia and Herzegovina have been intensified. Bosnia and Herzegovina is a part of the Project of the European Union and the Council of Europe in the area of combating cyber crime. Within the implementation of the mentioned project, continuous activities with the aim of strengthening legislative and institutional framework in this area have been carried out, as well as trainings of the representatives for the law enforcement agencies in BH.

Activities in the implementation of the general goals of the Action Plan referring to the strengthening of cooperation with civil society and non-government sector are also being carried out, as well as activities in raising awareness of the civil society and education of the population on risks and negative effects of organised crime. Media campaign titled “Stronger, Faster, Better” is ongoing and implemented by the law enforcement agencies in cooperation with EUPM.

The Action Plan of the Strategy for combating organised crime has been harmonised with other strategic documents and action plans referring to the area of combating particular types of crime, whose implementation is under way.

### **5.11. Strategy for Prevention of Money Laundering and Financing Terrorist Activities**

The Strategy and Action Plan for combating money laundering and financing terrorist activities in Bosnia and Herzegovina 2009-2013, adopted by the Council of Ministers BH, based on the risk assessment representing the prerequisite for the preparation of strategic goals and planning activities necessary for reaching the SIPA’s vision. They have been prepared based on the FATF model, and the combination of retrospective, prospective, quantitative and qualitative methodologies for obtaining the insight into a known operative environment, assessment of unknown factors, anticipation of future events, determination of objective indicators via indirect methods, and determination of subjective indicators via direct methods.

The Strategy for Prevention of Money Laundering and Financing of Terrorist Activities contains goals necessary to accomplish via the Action Plan:

- Develop mechanisms for reporting and cooperation between public and private sectors in combating money laundering and financing of terrorist activities;
- Intensify the information exchange between government authorities in Bosnia and Herzegovina;
- Provide comprehensive investigation, criminal prosecution and court proceedings for money laundering, predicate criminal offences and financing of terrorist activities;



- Develop and apply a proactive approach to international cooperation in the prevention of money laundering and financing terrorist activities;
- Develop and adjust legal framework in Bosnia and Herzegovina related to money laundering and international standards;
- Increase public awareness and develop joint programme of trainings for public and private sector.

## **5.12. Public and Media**

The State Investigation and Protection Agency is frequently in the focus of interest of mass media representatives in BH, who are in a media war on a daily basis in an intention to beat their competition with “exclusive” information and news and attract the public. Having in mind the afore mentioned, as well as the nature of works within SIPA’s competence and the importance of media, SIPA’s management together with its spokesperson attempts to specify information whose publication would contribute to creating a better image of the Agency on a daily basis and would not have an adverse effect on the activities being implemented, which are of interest for the public.

Public relations in SIPA are regulated by the law on Free Access to Information and Instruction on Standard Procedures for Public Relations of SIPA. In accordance with the mentioned Instruction, persons authorised for public relations are the Agency’s Director and Spokesperson. The Agency’s Director may authorise other person employed at the Agency to contact the public depending on the type of information to be announced.

Notwithstanding who, on behalf of the Agency, communicates with the public, the principles always adhered to are correctness, thoroughness, compliance with deadlines specified by law, all for professional and timely action towards the media and the public in general.

Being aware of the role and importance of public relations, and starting with the assumption that the Agency’s success of work largely depends on the public’s perception, it is necessary to develop internal institutional framework which would enable more professional and efficient public relations.



## 6. CURRENT TRENDS, SOCIAL CHANGES AND CHALLENGES AFFECTING SIPA'S WORK

## 6.1. European Integration

In addition to membership in NATO, a major foreign policy goal of BiH still remains the integration into the European Union. As the EU accession process progresses, it is necessary for BiH to intensify its efforts to fulfill the obligations that with each year become more complex. In order to complete all obligations timely and properly, the intention is to train and strengthen the administrative capacities so the process runs smoothly. For this purpose, B&H has to provide high-quality channels of coordination at all levels, so that the process has its own dynamics and ensures that all obligations are duly fulfilled. The process of European integration is complex and therefore it is very important to show that all institutions in BiH are ready to take over and complete this process and achieve the final goal, which is accession to the European Union.

Bosnia and Herzegovina is a potential candidate for membership in the European Union. Bosnia and Herzegovina participates in the Stabilisation and Association Process. The Stabilisation and Association Agreement (SAA) between BiH and EU was signed in June 2008. and ratified by all EU member states. Bosnia and Herzegovina faces a large number of challenges and tasks that need to be implemented in order to join the European Union. The 2011 progress report of the European Union for Bosnia and Herzegovina specifies the areas that require additional efforts in order to achieve satisfactory results. The areas that require further progress and fall within the scope and responsibilities of the State Investigation and Protection Agency are:

***Fighting organised crime and terrorism.*** There was little progress in fighting organised crime. Organised crime networks continue to operate throughout Bosnia and Herzegovina and have a negative impact on political structures and the economy. A number of large-scale operations were nevertheless successfully conducted, thanks to the cooperation amongst different law enforcement agencies. Implementation of the 2009-2012 strategy for the fight against organised crime continued. However, lack of adequate resources limits its effectiveness. There was a slight increase in special investigative measures but it is insufficient.

The Council of Ministers adopted a decision allowing the establishment of a network of police liaison officers in neighbouring countries, and in some EU countries. The aim of this network is to improve international cooperation and exchanges of information on fighting transnational organised crime. However, several legislative measures remain to be adopted. Bosnia and Herzegovina is not a party to the Council of Europe Convention on the international validity of criminal judgments or the additional protocol to the Council of Europe Convention on the transfer of sentenced persons. B&H legislation is not harmonised with the European Council Convention on cybercrime. The implementation of the laws on witness protection remains insufficient. The legal framework on confiscation of assets is not fully implemented and seizures of criminally gained assets remain uneven across the country. Efficient structures for management and maintenance of seized assets are missing. (*See Section 4.3.2. — Money laundering*). Cooperation between police and prosecutors remains weak. Specialisation of prosecutors and judges on organised crime cases is uneven and needs further strengthening, particularly in the entities.

Effective, sustainable and institutionalised mechanisms for cooperation between different law enforcement agencies are missing in the field of fighting organised crime.

Some progress can be reported on combating trafficking in human beings. Implementation of the relevant action plan continued. The State-level Criminal Code regulating THB is fully in line with international standards. The national coordinator's office continued an educational campaign targeting social workers, teachers, NGOs and high-risk populations (e.g. in asylum and immigration centres). The Council of Ministers secured the funds for three „safe houses“. A database of perpetrators is maintained by the SIPA. The number of THB victims identified decreased, as did the number of related investigations. This is, though, in line with the regional trend. To tackle the problem of trafficking for the purpose of child begging, Bosnia and Herzegovina organised State-wide inter-agency actions against child exploiters.

However, Bosnia and Herzegovina continues to be a country of origin, transit and destination for human trafficking. Provisions on THB in the Entity and Brcko District Criminal Codes are neither fully harmonised with the State-level Criminal Code nor with international instruments ratified. The Department for combating THB within the national coordinator's office and the database on THB victims are not fully operational. There is no proactive approach to identify victims. The issue of unrecorded THB victims remains to be tackled. Implementation of the national action plan on combating THB is financed mainly by donors and, thus, is not sustainable.

Bosnia and Herzegovina has not yet made a significant progress in the fight against trafficking of human beings. Further work needs to be done to tighten coordination and form effective partnerships, both between all competent authorities across all policy areas and with NGOs dealing with human trafficking within the country and the region. Proactive identification of victims and an effective and well-functioning national referral mechanism are crucial.

Some progress was made in the fight against terrorism. A rulebook was prepared on implementation of restrictive measures established by the UN Security Council Resolutions regarding persons and entities associated with Osama Bin Laden, the Al-Qaida network and the Taliban. This allows for implementation of the Law on restrictive measures regarding terrorism and financing of terrorism. The Joint Task Force to fight terrorism made up of representatives of the Prosecutor's Office and eight police agencies was re-established. An operational working group within this task force was set up. However, an amendment to the Law on protection of classified information, which ensures that the law is in line with the relevant standards remains to be adopted. The level of implementation of the B&H strategy for preventing and combating terrorism remains to be enhanced.

**Money laundering.** Very little progress was made in the fight against money laundering. Implementation of the strategy and action plan for the prevention of money laundering and financing of terrorist activities in Bosnia and Herzegovina remains limited. The existing provisions within the legal framework on confiscation are not fully used and seizures of criminally gained assets remain low. Structures for management and maintenance of seized assets are missing. Amendments to the Law on prevention of money laundering and financing of terrorist activities, addressing shortcomings identified by the MONEYVAL Mutual Evaluation Report and including measures to transform the Financial Intelligence Department (FID) within

the State Investigation and Protection Agency into an administrative agency remain to be adopted by the Parliament.

The FID operated in isolation from other law enforcement agencies and its investigative capacity remained weak. Its current staffing level still stands at approximately 66%. Operationally, the FID lacks strategic guidance and systematic financial intelligence support. The method of recording reports of suspicions within the FID is weak. It does not provide the statistical information necessary for risk assessment and decision-making. During 2010, only two out of 215 reports on money laundering were submitted to the Prosecutor's Office. No reports were made on financing of terrorist activities. Most of the transaction reports are from the banking sector. No significant changes were made to the reporting structure, methodology and analysis applied. A report and recommendations for the remainder of the persons liable to be directed to use the electronic reporting process for all suspicious transaction reports are pending. The number of reports on transactions significantly decreased.

Bosnia and Herzegovina is at an early stage in implementing its policy on preventing and fighting financial crime. Implementation of the relevant strategy and action plan remains weak. The unresolved issue of the institutional position of the FID represent an obstacle to achievement of better results in this area.

**Drugs.** Little progress was made in the fight against drugs. Bosnia and Herzegovina remains a transit country for international trafficking of narcotics. Organised crime groups linked with drug trafficking continue to operate across the territory. Local drug consumption remained relatively low compared with other European countries. Law enforcement agencies improved cooperation with countries in the region, resulting in a better and quicker flow of information. Bosnia and Herzegovina further improved international cooperation and reported regularly to the International Narcotics Control Board. However, reporting to the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) in line with the required standards remains a problem.

The database on perpetrators of drug-related offences improved with the aid of new equipment. State-level law enforcement agencies and the Federal police administration are using it and Cantons were also connected. Republic of Srpska is not connected to the database. A drug-user database integrating existing registries at rehabilitation centres is established in Republic of Srpska. The level of implementation of the 2009-2013 State strategy and action plan for the prevention and suppression of drug abuse remains very low. A mechanism for coordinating implementation is missing since the State-level Office for Drugs provided for in the strategy and action plan remains to be established. Amendments to the Law on prevention and suppression of the abuse of narcotic drugs, which establish the State-level Office for Drugs and improve control over precursors, remain to be adopted by the Parliament.

Coordination between the different enforcement agencies remained on a case-by-case basis. Effective judicial follow-up and a deterrent policy on crime are missing. *The rulebook on safekeeping and destruction of seized narcotic drugs*, agreed between the Entities, Brcko District and State-level law enforcement agencies, was not adopted because of financial constraints. Large amounts of illicit substances confiscated since the Law on prevention and suppression of abuse of narcotic drugs was adopted are still awaiting destruction.

Bosnia and Herzegovina remains at an early stage in the fight against drug trafficking, as well as in taking effective action on reducing drug demand. Without the establishment of the Drug Office, the institutional capacity to coordinate and systematically implement the policy framework remains weak. The performance of law enforcement agencies in the fight against drug trafficking is still uneven across the country.

**Police.** Some progress was made in police matters. Implementation of the police reform laws is slowly advancing. Police reform agencies and boards started to be operational. The Law on DNA regulating the duration of DNA storage in the database and the centralisation of database profiles remains to be adopted by the Parliament. Federation and Cantonal authorities continued to work on updating the legislation on internal affairs to increase the operational and budgetary independence of police commissioners from their Ministries of the Interior. The SIPA significantly increased its staff and all heads of unit were recruited. However, the Rulebook on Internal Organisation and Systematisation of SIPA remains to be adopted.

Special investigative measures are used and the system for interception of telecommunications, including regional listening stations, is fully functional. Preparations for establishment of a data exchange system between police and prosecutors continued. A road map for an operational agreement was submitted to Europol for assessment. The communication link with Europol is not yet operational. Operational cooperation between law enforcement agencies continued on a case-by-case basis. At strategic level, regular informal meetings between Directors of police agencies continued to take place, in the presence of the Chief Prosecutor and representatives from the State-level Ministry of Security. However, exchange of intelligence information between law enforcement agencies remained weak.

Bosnia and Herzegovina made some progress in the field of police, albeit uneven. Institutions created by the police reform laws were established at a slow pace. The lack of institutionalised cooperation between all law enforcement agencies and the limited strategic guidance remain challenges to achieve more efficient policing.

Regional cooperation and good neighbourly relations form an essential part of Bosnia and Herzegovina's process of moving towards the European Union. Bosnia and Herzegovina continued to be an active participant in regional initiatives, including the South East European Cooperation Process (SEECP), the Regional Cooperation Council (RCC), the Central European Free Trade Agreement (CEFTA), the Energy Community Treaty, the European Common Aviation Area Agreement and the EU Strategy for the Danube region. In March, within the framework of the SEECP, Bosnia and Herzegovina endorsed the Regional Strategic Document and Action Plan on Justice and Home Affairs 2011-2013. Many regional activities organised by the RCC Secretariat, which is based in Sarajevo, have been carried out. Bosnia and Herzegovina adopted a decision to recognise the Kosovo customs stamps, which is important for CEFTA implementation. Bosnia and Herzegovina continues to actively support the Igman initiative on reconciliation, which brings together NGOs from Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the RECOM initiative.

Bilateral relations with other enlargement countries remained stable. As a follow up to bilateral agreements on police cooperation between Bosnia and Herzegovina and countries in the

region, a decision was adopted to establish a network of police officers of Bosnia and Herzegovina in the countries in the region, EUROPOL and certain EU countries.

Relations with Albania have remained good. The implementation of existing bilateral agreements and protocols has continued to proceed smoothly.

Relations with Croatia have intensified. The Presidency of Bosnia and Herzegovina visited Croatia on several occasions during the reporting period. Croatia has expressed its support for the European integration of Bosnia and Herzegovina. A readmission agreement with shortened procedure and a police cooperation agreement on fighting trans-border crime, which provides for the exchange of information on investigations and the appointment of police liaison officers, were signed.

Relations with the Former Yugoslav Republic of Macedonia continued to be good. Negotiations started on agreements on cooperation in the field of health and medical sciences, mutual enforcement of court decisions in criminal matters and in legal aid in civil and criminal matters.

Relations with Montenegro have continued to improve. Three agreements were signed in the area of border crossings for local transport, border crossings for international transport and defence.

Relations with Serbia have improved further. Five agreements were signed in the field of tourism, protection from natural and other disasters, veterinarian cooperation, police cooperation and exchange of data with regard to social insurance.

## **6.2. Organised Crime**

Available intelligence suggests that there are different types of crime on the B&H territory (illicit production and trafficking in narcotic drugs, trafficking in human beings, smuggling of human beings and illegal migration, economic crime and tax evasion, counterfeiting and illegal obtaining of personal documents, money counterfeiting, abuse of credit cards and other securities, abuse of official position, high-tech crime, motor vehicle thefts, blackmailing, extortions, kidnappings and armed robberies, etc.). In a security context, occurrence and diffusion of organised crime in B&H is insufficiently explored area. Hence, an accurate assessment of the existing situation is not possible and is exclusively given on the basis of assessment of the data collected within the operational work of police officials and criminal processing as well as statistical information about persons reported to the prosecutor's offices. It is obvious that organised crime groups have a very harmful impact on the economic development of Bosnia and Herzegovina. The main method of their operations is investing huge amounts of illegally acquired money into the legal money flows, which is additionally enabled by some legal regulations in Bosnia and Herzegovina adopted with the aim of foreign investment attraction. With regard to this, the previous period recorded cases in which criminals coming from the countries in the region appeared in Bosnia and Herzegovina as direct foreign investors using all investment privileges. This phenomenon has significantly impacted their decisions to continue their illicit operations in and from the territory of Bosnia and Herzegovina. Corruption in the

government structures has a significant impact on organised crime, which is witnessed by previous investigations conducted into organised crime groups and investigations carried out by non-governmental organisations. There are multiple reasons for this phenomenon since criminals by accessing the protected information avoid investigations and court prosecutions (temporary cessation of criminal activities, temporary or permanent departure from B&H, etc.) as well as influence making decisions critical for their further criminal operations. It is impossible to assess material and financial damage inflicted by organised crime to Bosnia and Herzegovina but it is certainly huge. Previous analyses indicate that organised crime in B&H is significantly determined by three factors: geopolitical position, transition processes in the country and the region and disturbed social and economic system. The factors favouring development of organised crime in B&H are numerous and their types and intensity are similar to those in all transition countries.

The most influencing factors for development of organised crime are:

- disturbed social-economic system and corruption,
- transition of society and transition from social into private ownership,
- instable political situation,
- specific geostrategic position of B&H,
- social inequality and poverty,
- high unemployment rate,
- inadequate, inapplicable and selective application of regulations, lack of professionalism and abuse of modern technologies,
- absence of interagency and inter-institutional cooperation and non-coordination of activities.

One of specific factors, which remained unexplored in scientific and expert circles, is double citizenship enabling criminals from Bosnia and Herzegovina and surrounding countries to avoid investigations and execution of court decisions by obtaining citizenship of neighbouring countries.

It is anticipated that the consequences of global economic crisis will influence with different intensity the further scope and development of the organised crime. Overall experience under conditions of the economic crisis suggests that types of organised crime assume new intensity and contents. Namely, an increase of the unemployed and existentially threatened population could increase a number of potential new criminals involved in all types of organised crime particularly illicit drug trafficking, illegal migration, all segments of illegal trafficking in high-tariff goods, weapons, stolen vehicles, etc. All this could impact formation of „new“ criminal relations between „influential“ organised crime members which could result in mutual violent clashes (murders, blackmails, abductions).

### **6.3. Corruption**

Corruption as a widespread phenomenon throughout the public and private sector jeopardises stability and prosperity of Bosnia and Herzegovina since it:



- undermines trust in the government institutions thus destroying the system of values and introducing a regular practice of bribing to secure any right;
- hinders economic development and particularly impacts negatively the equality of all market entities, destroys a single economic space and ensures monopoly position for individual subjects;
- jeopardises the rule of law, undermines proper and efficient management, equity and social justice;
- undermines development of democracy and limits considerably the human rights;
- favours increase of organised crime and endangers stability of democratic institutions and overall social stability;
- impacts credibility, international image, credit ratings and series of other factors upon which the international financial institutions and investing countries operate and make decisions on placing their investments and under which conditions in Bosnia and Herzegovina.

A spread of corruption in all spheres of life and its negative impact on all important economic parameters has caused so far mainly unfavourable evaluations of the European Commission with regards to anti-corruption.

Research conducted so far, indicate that the corruption is mainly present in the government administration particularly in the area of expenditure of the budget through different forms of abuses and violations of Law on Public Procurement as well as various abuses in recruitment processes in which prevails a preferential treatment on the basis of the political party membership, family relations, giving and receiving gifts, illegal interventions and similar forms of corruption.

The issue of concessions in all aspects – awarding, usage and payments for the benefit of a government authority, i.e. concesor – is also highly under the risk of corruption.

Health and education, particularly university education, are also the areas exposed to the corruption having the public image of highly susceptible area to the corruption.

Political parties are very often designated as significant factors causing the corruption primarily taking into account their considerable influence on the justice sector. Namely, the high-ranking persons in the public institutions or political parties use a very effective method of exerting pressure on the justice sector in order to protect themselves from prosecution.

Ineffective and corrupt public administration and law enforcement agencies favour development of some types of crimes resulting in huge financial losses in collection of public revenues. These losses are so huge that they could endanger normal financing of the government at all levels in B&H. Primarily, this means an organised avoidance of payment of indirect taxes (customs and VAT), as well as a system of frauds related to unjustified return of considerable amounts of VAT resulting in considerable budget losses of the B&H Institutions and acquiring significant material gain by groups and individuals. The corruption is one of the important causes of the mentioned phenomenon and it is a signal that it is necessary to undertake decisive measures and investigate these cases for their suppression and neutralisation.

Therefore, it is necessary to create and apply an effective and permanent anti-corruption system for both prevention and suppression. Taking into account that B&H has the legal preconditions in place for commencement of an active work of the Agency for Prevention of Corruption, a significant progress could be expected in this area and thus, the State Investigation and Protection Agency could be more focused on development of more effective methods of investigation and prosecution of crime perpetrators as well as perpetrators of crimes favouring corruption the so called “corruptive criminal offences”.

Therefore, in future, it is necessary to efficiently use all available resources and so far acquired knowledge and experience in investigating and prosecuting crimes related to corruption. Bearing in mind that the basic motive for performing this type of crime is acquisition of the proceeds, it is necessary to work on developing reliable methods for the identification and securing of assets obtained through this type of crime, so that the criminally gained property is seized in line with the procedure prescribed by law. In this case it is necessary to insist that the executive government proposes and the legislative government adopts and improves the legislative and institutional framework, so the confiscation of property / proceeds of crime is carried out effectively and comprehensively.

This primarily relates to the amendments of the Criminal Code and adoption of a special law, which regulates this area, and establishment of an institution which would efficiently and rationally manage the confiscated property.

#### **6.4. Money Laundering**

Money laundering and financing of terrorist activities threaten the national economic interests, which, inter alia, include the reliable financial system, stable entrepreneurial sector, fair labour market and functional economy. These harmful phenomena endanger development of key social systems such as education, health, public peace and order, transportation network and social safety. Protection of the interests of Bosnia and Herzegovina requires an efficient system for prevention of money laundering and financing of terrorist activities.

Dangers related to efficiency of mechanisms for prevention of money laundering and financing of terrorist activities in Bosnia and Herzegovina, already defined in the MONEYVAL Report and analyses of collected information, are assessed as follows:

- Insufficient functioning of mechanisms for reporting suspicious and cash transactions endangers the mechanisms for preventing money laundering and financing of terrorist activities in Bosnia and Herzegovina.
- Insufficient functioning of reporting procedure endangers mechanism for preventing money laundering and financing of terrorist activities in Bosnia and Herzegovina.
- Fragmented and insufficient investigation, criminal prosecution and court trials endanger functionality of preventing money laundering and financing of terrorist activities in Bosnia and Herzegovina.

## 6.5. Terrorism

Terrorism as a plague of the modern age is becoming a real danger not only for national but both global and regional safety and represents one of the largest security challenges of any democratic society. A threat from terrorism, especially after September 11, 2001 has increased and the entire world realised a danger stemming from this phenomenon especially from a nuclear, chemical, biological and radiological terrorism. The modern terrorism, given its serious consequences, presents a security challenge impacting the work of all security services.

Protection from the terrorism is one of the main issues of national security structures of any country and at the same time is an integral part of the international obligations of B&H. Being aware of the danger from escalation of terrorist threats at the global level and taking into account a fact that the terrorism in B&H is not fully explored and investigated area, there is a need for a long-term and comprehensive tackling of this problem and its consequences. In order to define the issues related to terrorism and protect the existing security situation in B&H, the State Investigation and Protection Agency will in cooperation with other law enforcement agencies in B&H, continuously follow-up and investigate the activities of individuals, groups and organisations engaged in financing, plotting and planning terrorist acts, which are by their motives and other characteristics, directed against B&H, its interests and interests of the international community. Therefore, the main responsibility of the Agency is to prevent, detect and conduct investigations, monitor and analyse the situation and new emerging types of terrorism and trafficking in nuclear, biological and chemical weapons in compliance with the Criminal Code of B&H and B&H's obligations stemming from the international agreements related to international organised crime including international and domestic terrorism. Given the characteristics and trends of modern terrorism, the Agency strives to carry out its activities in a so called "proactive approach" and in interagency cooperation at national and international level.

## 6.6. Closure of the Hague Tribunal

The International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague was established by the UN Security Council Resolution 808 dated 22.2.1993 and 827 dated 25.5.1993 with the aim of criminal prosecution, processing and conviction of the persons responsible for crimes against humanity and values protected under the international humanitarian laws, perpetrated in the territory of the former Yugoslavia since 1991.

Since the ICTY was established as an *ad hoc* tribunal, whose existence is time limited, the UN Security Council adopted the Strategy for Completion of the ICTY, which envisages gradual and organised closure of the court. Additionally, on December 22, 2010, the UN Security Council adopted the Resolution 1966 (2010) by which the ICTY has to complete all remaining cases until December 31, 2014.

The UN Security Council adopted the Decision on establishing a Residual mechanism for the International tribunal, as an integral part of the United Nations. The residual mechanism was established to continue carrying out the work, which has to be completed before the end of the mandate of the International court. The Residual mechanism does not have the power to issue any

new indictments and open new cases, but it will complete all appeals, which are not completed by the closure of the Hague Tribunal.

Therefore, taking into account the Resolution 1503 dated 28.8.2003 on Completion of the work of the ICTY, war crime departments were established under the Court of B&H and the Prosecutor's Office, whose tasks are to continue the work on war crime cases in compliance with the highest international standards of the criminal laws and human rights protection. At the beginning of 2005, the war crimes departments were established under the B&H Court and B&H Prosecutor's Office as the highest court instances in B&H, whose general responsibility is to investigate serious violations of the international humanitarian law committed during the war in B&H in the period 1992-1995. The existence of these departments is not time-limited as opposed to the ICTY, and are required to adjudicate war crimes until there is evidence and suspects for war crimes.

Also, the SIPA as a police agency at the state level is a key link in the investigation and prosecution of war crimes, and in almost all actions related to arrest of persons suspected of war crimes. Specifically, the SIPA has a jurisdiction to detect and investigate the criminal offences of war crimes, and accordingly it has an organizational unit - the Center for investigation of war crimes and crimes punishable under international humanitarian laws, which in cooperation and by orders of the Court and Prosecutor's Office of B&H conducts the investigations and documents the war crimes and perpetrators.

## **6.7. High-Tech Crime**

Nowadays is more often called digital, electronic or information age. Immensity and infinitude are the features that can be attributed to these categories. Electronic devices that have the ability to store large quantities of information and data are developing and improving very fast and they represent one of the most important and most revolutionary achievements of the technical-technological civilization.

Owing to high speed data processing, great possibilities of data memorising, their universal application and low costs, as well as the possibility of integrating data from different sources (ie aggregation of information), the electronic devices (mainly computers and computer information systems) have become almost indispensable part or segment of all spheres of social life, from production, transport, service delivery, education, to defence and security in the broadest sense.

However, despite all the advantages and enormous benefits, "smart" electronic devices are quickly becoming the tool of abuse of the mindless and irresponsible individuals and groups who are trying to gain unlawfully the illicit financial profit or just to inflict harm to others. Thus, the electronic devices, but also the media, become the focus of many law enforcement agencies, either as evidence, or owners of evidence

In this sense, the law enforcement agencies must develop their capacities for successful fight against new forms of crime (*cybercrime*), but also for professional and proper handling of electronic or digital evidence, which can be found in all other areas of crime. For this purpose the Council of Europe has initiated and adopted the Convention on Cybercrime, which proposes a

standards material and criminal law and the standards of criminal procedure law relating to computer crimes, and all other offences in connection with computers or in connection with the collection of evidence in an electronic form. Bosnia and Herzegovina signed on 09.02.2005. the Convention and its Additional Protocol, and ratified them on 19.5.2006.



## 7. STRATEGIC OBJECTIVES

## **STRATEGIC OBJECTIVES OF SIPA:**

- 1. Strengthen criminal-investigative capacities in response to emerging forms of crime within the jurisdiction of the Agency**
- 2. Improve the criminal intelligence work of the Agency**
- 3. Develop the organizational capacity of the Agency in order to response strategically to the safety challenges**
- 4. Establish an adequate potential of employees, which reflects the optimal level of staffing capacities of the Agency**
- 5. Rise the level of support, cooperation and information exchange with the cantonal, entity, state and international partners**
- 6. Maintain a positive image of the Agency achieved in public and work intensively on its continued improvement**

**STRATEGIC OBJECTIVE 1. To strengthen criminal-investigative capacities in response to emerging forms of crime within the jurisdiction of the Agency**

Modern safety challenges, especially the current trends of criminal activities under the jurisdiction of the State Investigation and Protection Agency, pose the greatest threat to the B&H society and its institutions, from which arises the need for operational placement and requirements so the law enforcement agencies can quickly adapt and provide an adequate response.

The fact that the main driving force of organized crime in Bosnia and Herzegovina is gaining economic power, and that the economic power and influence of the organized crime in B&H enable its uncontrolled access to different areas of criminal activity, strongly commits the State Investigation and Protection Agency, by combining the optimal educated, technical and technologically equipped criminal investigative resources through preventive, detective and investigative activities, in cooperation with other law enforcement agencies in Bosnia and Herzegovina and the prosecutor's offices, to provide timely, lawful, professional and effective response, which will provide protection to the citizens and other individuals and their property and restore their sense of security, confidence and trust in the security system.



### 7.1.1. PROGRAMMMES

1.1. To expand and strengthen the operational capacity in order to more efficiently use the special investigative measures in the detection and investigation of the most serious forms of organized crime, terrorism and corruption.

1.2. To improve communication and cooperation, and exchange of information in the area of criminal investigations with the BiH Prosecutor's Office, other police agencies and other entities involved in the investigations.

1.3. To redefine the existing system of recruitment and preparation of work of the undercover investigators, and in cooperation with the B&H Prosecutor's Office define their engagement in investigations, carried out at the international level.

1.4. To structure and staff adequately the criminal investigative resources, and affirm the Agency's defined standards in structuring the investigative teams and methodological concept for managing the most complex criminal investigations.

1.5. To continue work on the harmonization of the existing instructional documents for work of the criminal-investigative capacities.

1.6. To establish standards and develop a high level of individual performance at all organizational levels, and improve the existing level of planning, organization, leadership, support and supervision in criminal investigations and clearly define the role of the Agency's headquarters and regional offices in relation to the commanding, advisory and coordinating role

1.7. To improve the system of integrated financial investigations with the purpose of a direct identification and effective seizure and forfeiture of illegally acquired property, or proceeds, and to set up, educate and equip specialized teams to conduct integrated financial investigations and disperse them over the territory.

1.8. To create the technical-technological and methodological requirements for effective management of criminal investigations, and develop better and more effective cooperation between the investigative and intelligence capacities and better access to the existing databases within the Agency.

1.9. To improve cooperation with the Witness Protection Department focusing on witnesses who entered the Protection Programme, in terms of information exchange and carrying out adequate security assessments.

### 7.1.2. EXPECTED RESULTS OF THE OBJECTIVE –INDICATORS OF SUCCESS

**Implementation of the Objective 1.** Continue work on providing the necessary organizational, personnel, normative-legal, technical-technological, operational-tactical, methodological and material-technical prerequisites for efficient and successful carrying out of demanding investigations in the field of organized crime, corruption, serious financial crimes, money laundering and terrorist financing activities, as well as the criminal investigation of war crimes. The implementation of clearly defined strategies for achieving this strategic objective will provide operability, orientation and target orientation of the capacities toward investigation of criminal activities of the high-profile organized criminal groups, by defined modeling, combining highly sophisticated investigative measures and actions within the adopted methods of detection, investigation and clarification of criminal organizations operating in B&H and the region

In the framework of the process of implementation of the Strategic Objective 1, the State Investigation and Protection Agency will adopt the defined indicators of success that will support the process of operative planning to implement the Strategic Plan. Some of the indicators of success of achieving this goal are:

- Number of investigations conducted in the area of organized crime, corruption, money laundering, terrorism and war crimes;
- Number of submitted reports on the offences committed and number of reported persons included in these reports in the specific areas of crime investigation;
- The frequency and efficiency of application of special investigative measures in criminal investigations;
- Number and quantity of seized and confiscated illegally obtained money and property, including contraband goods (drugs, weapons, counterfeit money, smuggled goods);
- Quantity of material damage caused by perpetration of criminal offences, i.e. unlawfully obtained profit;
- Number of apprehended persons, with particular emphasis on persons to whom temporary imprisonment is determined;
- Number of conducted investigative measures and actions;
- Efficiency in carrying out investigations (the ratio between the used capacities of the Agency and the results of the action).

## **STRATEGIC OBJECTIVE 2. To Improve Criminal Intelligence of the Agency**

In the context of threats to BiH society stemming from the criminal activities falling under the jurisdiction of the State Investigation and Protection Agency, and for the purpose of providing timely, efficient and professional response to the criminal activities of individuals and groups, the Agency strives to eliminate and identify the limitations and weaknesses in the criminal intelligence process, and to model the entire process in terms of its organization, personnel, technology and functionality in order to create a more effective system of collection, evaluation, comparison, analysis and distribution of crime-related intelligence.

By implementation of this strategic objective, the State Investigation and Protection Agency strives to enhance and structure the system of planning, coordination, supervision, security protection, information and recording of all semi-products and products and criminal intelligence processes in all functional and territorial modalities, including resident and non-resident multi-agency data exchange and operational cooperation.

### 7.2.1. PROGRAMMES

2.1. To define the legal framework for the Criminal Intelligence work with emphasis on the identification of strategic and operational directions of intelligence work, to identify the holders of the criminal intelligence work, to adopt the basic principles of criminal intelligence process, as well as the methodology of establishing and maintaining proper records, respecting the principles of data secrecy.

2.2. In accordance with the strategic objectives of the Agency, to standardise the development methodology of the plan of collecting crime-related intelligence, to develop a more adequate system of information gathering, assessment of reliability and quality of information sources, develop a high level of organization of activities of the criminal intelligence process in order to define the targets and create a crime intelligence network in Bosnia and Herzegovina

2.3. To develop appropriate models that include a structured and methodological approach to analytical processing of a large number of crime intelligence in order to present the analysed information visually simple and clear, to establish new and more adequate databases and use modern analytical programs, as well as to clearly define the products and semi-products of the intelligence work.

2.4. To continue with the process of systematic development of the Working Plan for informants, finding modalities for their infiltration into the criminal groups dealing with the most severe forms of crimes falling within the jurisdiction of the Agency as well as the implementation of all segments of the Instructions on Work with informants.

2.5. To ensure the necessary prerequisites for more effective system of exchange of crime intelligence through the criminal-analytical support to criminal investigative capacities of the Agency.

2.6. To provide necessary material and technical resources, IT and other equipment for the further development of Criminal Intelligence work of the Agency.

## 7.2.2. EXPECTED RESULTS OF THE OBJECTIVE –INDICATORS OF SUCCESS

By achievement of this strategic objective, the Agency will provide a structured criminal intelligence activity directed at the organized, planned and systematic process of gathering intelligence and analytical processing of intelligence within its competence, with the clear aim to identify, investigate and define the perpetrators of criminal activities, whether they are individuals or organized groups. Clearly defined legal framework for the Criminal Intelligence work will allow the Agency's organisation in terms of organising intelligence work, determining holders of certain components of criminal intelligence activities by adopting the principles and methodology of work. In addition, the existing model of analysis, development, distribution and exploitation of semi-products and products of criminal intelligence work and the system of intelligence analytical support for the ongoing investigations of the Agency will be improved in formal, material, capacity and functional terms.

The process of implementation of this strategic goal will be evaluated continually with respect to the following indicators of success:

- The quantity and quality of collected intelligence data in specified area of intelligence investigation (organized crime, corruption ...);
- Number, quality and quantity of strategic, operational and tactical reports, analyses;
- Indicators in the area of exchange of criminal intelligence with other agencies
- Indicators in the work with the Agency's informants;
- Number, quality and structure of products of intelligence work by types;
- Number, quality and structure of semi-products of the intelligence work;
- Indicators in the area of intelligence-analytical support;
- Intelligence capacities in the ongoing investigations;
- Indicators in the area of data entry in the databases, their selection, analysis, etc;
- The efficiency (ratio of invested capacities versus the results of work).

**STRATEGIC OBJECTIVE 3. To develop organizational capacities of the Agency to provide a strategic response to the security challenges**

Current trends of criminal activities in Bosnia and Herzegovina imply the need for a comprehensive and complete analysis of current organizational solutions, efficiency, and particularly the previously defined effective operational capacities foreseen for the realisation of the operational and detective/investigative functions of the Agency and its linear and functional plans. The agency expects in the future the adaptation of the existing internal structures, primarily criminal-investigative capacities by broadening and strengthening capacities to fight terrorism, organized crime, corruption, money laundering, serious financial crimes, and investigates the war crimes. In addition, insufficient linear and functional responsibility and under-defined relationships and roles of the basic organizational units and their counterparts in the regional offices particularly intelligence and investigative capacities result in a low level of coordination, joint activities and cooperation, which to some extent limits effectiveness of the Agency's operational capacities and the expected results of work.

At the same time, the modern security challenges require from the Agency to develop structural and organizational capacities for international and inter-agency cooperation, public relations, strategic planning and analysis, as well as the organizational units for administrative and electronic data protection and success management system for the purpose of disabling processes that prevent more efficient and effective operations.

### 7.3.1. PROGRAMMES

3.1. To conduct organizational restructuring of the criminal investigation capacities in order to adapt to the modern trends of criminal activities in Bosnia and Herzegovina and the region by systematising and organizational enhancement of the investigative capacities to combat terrorism, organised crime, corruption, money laundering, serious financial crimes, and investigations of war crimes.

3.2. To functionally harmonise the organizational components of the criminal intelligence activities, and normatively define the roles and tasks of the intelligence capacities in gathering the criminal intelligence, using intelligence databases and providing the regional offices with the access to the same databases.

3.3. To structure organisationally and systematically and develop the organisational capacities for the international and interagency cooperation, strategic planning and analysis, protection of classified documents, information and electronic security as well as to conduct the internal audits.

3.4. To enhance and normatively define the relationships between the basic organizational units of the Agency, with the focus on the functional relationships between the criminal-investigative capacities at the headquarters and their counterparts in the regional offices.

### 7.3.2. EXPECTED RESULTS OF THE OBJECTIVE –INDICATORS OF SUCCESS

Implementation of this strategic objective enables the Agency to adapt its future organisational structure, primarily the criminal-investigative capacities, to the modern trends of criminal activities in B&H and the region as well as to the obligations stemming from the strategic documents of the Ministry of Security and strategy papers related to combating organised crime, corruption, money laundering and financing terrorist activities and the strategy for war crimes processing and to adjust the legal provisions that require organizational structuring of specific organizational units within the Agency.

Strategies for implementing this objective will provide additional capacities for intelligence and investigative component of the Agency, through clearly defined linear and functional responsibilities of the basic organizational units at headquarters and their counterparts in the regional field offices. In addition, in the future, the strategies will allow the strengthening of the previously under-developed organizational and individual components, especially those pertaining to international and interagency cooperation, public relations and strategic planning and analysis. Consistent implementation of this strategic objective will establish an effective management system on a high, medium and tactical level, with clearly defined elements of programming the Agency's work and the entire management process, including coordination, span of control, monitoring and reporting.

Some of the possible indicators of success in connection with the implementation of the objective are:

- Adoption of Rulebook on internal organization and systematization of the Agency;
- Indicators of efficiency of the operational capacities of the regional offices within their territorial jurisdiction;
- Adoption of a number of operational and administrative policies and procedures (regulations, instructions, manuals, guidelines ...);
- Indicators of the efficiency in carrying out the complex investigations and management system and / or coordination between the headquarters and regional offices;
- Assessment and analysis of the effective operational capacities.



**STRATEGIC OBJECTIVE 4. To establish an adequate potential of the employees that reflects the optimal level of staffing capacities of the Agency**

The needs of times, current and future safety challenges require the development of policy planning, attracting and hiring the highest quality human resources with adequate professional and moral values, which with adequate training and professional development in the Agency will be a guarantee of the Agency's success. Bearing in mind the restrictions in hiring new staff, and considering the limited budget for these purposes, the significant efforts should be focused on better utilization of the existing human resources by improving organizational processes, personnel management practices in which only the best will be promoted and rewarded on the principle of fairness and equality. Therefore it is necessary to modernise and update the database of the employees, train the managers in an adequate management of human resources and increase their performance.

#### 7.4.1. PROGRAMMES

4.1. To continue the activities on implementation of the modern policy planning, recruitment, staffing of the Agency, and attracting and retaining the most quality human resources having adequate and professional values.

4.2. To distribute, promote and develop professionally the employees of the Agency, and position them in accordance with professional qualifications, professional experience, previous results and their affinities for specific tasks, especially in the field of operational activities carried out by the authorised officials of the Agency.

4.3. To modernise and update the relevant databases of the employees, and develop the modern management procedures through a continuous process of analysis.

4.4. To develop a comprehensive training program for all employees of the Agency, particularly the operational staff, for the purpose of acquiring additional knowledge and skills in the field of criminal tactics, techniques and methodologies in the use and exploitation of modern technical and technological achievements, necessary for conducting the most complex tasks in the detection and investigation of crimes falling within the jurisdiction of the Agency as well as to develop and create a modern program for further training of the police officers on managerial positions at all levels aiming at further improvement of management processes.

#### 7.4.2. EXPECTED RESULTS OF THE OBJECTIVE –INDICATORS OF SUCCESS

This strategic objective should ensure the recruitment of new human resources with adequate moral, educational and professional values, and better utilization of human and material capacities by improving organisational results and processes as well as developing the existing human resources.

Achievement of this objective will enable the Agency to successfully implement its mission and strategic objectives set out in this strategic plan, particularly the efficiency, accountability and professionalism of the Agency, and will create the prerequisites for establishing an efficient management system at all levels, with clearly defined elements for the functioning of a modern management system, which will result in increasing the performance of all employees.

Some of the indicators of success related to the implementation of this objective are:

- Number of announced vacancies and filled positions;
- Number of employees whose employment was terminated on any basis;
- The number of vacancies for internal promotion and the number of promoted officials;
- Establishment, modernisation and update of the databases of employees;
- Adoption and implementation of comprehensive training programs for all employees necessary for conducting the most demanding police tasks, and establishing a system of analysis and monitoring performance of personnel who have completed appropriate trainings;
- Establishment of internal control system.

**STRATEGIC OBJECTIVE 5. To improve support, cooperation and information exchange with the cantonal, entity, state and international partners**

Globalisation in the modern world brings new forms of interaction in all spheres of life and work, "breaks" the traditional boundaries of the national states and leads directly to the security implications and deficits on one hand and the need for integration forms of cooperation, on the other. The variety and different forms of organized and transnational condition a new systemic approach to the timely and effective response to the growing threats and contemporary forms of crime. Bosnia and Herzegovina is very interesting from the standpoint of illegal activities of transnational criminal organizations, which have very prominent symbolic links with the local criminal groups that directly affect the general security situation.

For the purpose of organisational and systematic action in the fight against all forms of organized crime, as well as defining the Agency's role in this fight, certain deficiencies and limitations are identified as well as the need for additional affirmation of official cooperation between the national and international level, particularly in the area of improving support, cooperation, exchange of information and available resources, and operational activities in the implementation of joint anti-crime operations.

### 7.5.1. PROGRAMMES

5.1. To continue the implementation of multilateral agreements signed at the state level pertaining to the international police cooperation and to initiate activities on the signing of bilateral agreements with neighboring countries and the region with whom there are no legal mechanisms in place for the international police cooperation.

5.2. To develop operational mechanisms, partnerships and relationships at the international level in order to improve international cooperation, information exchange and implementation of joint international investigations, respecting the existing legal framework of the partner country in the specific activities.

5.3. To ensure the cooperation and implementation of the signed agreements and memorandums of understanding between the Agency, police authorities and other official partners in Bosnia and initiate the adoption of additional memorandums of understanding and cooperation in all areas that fall within the jurisdiction of the Agency, especially in the development of operational mechanisms for the creation of joint operations in the fight against crime.

5.4. To improve the existing models and mechanisms for exchange of intelligence information for the purpose of improving the system of information exchange with the official partners of the Agency, using the modern and advanced communication systems, and ensuring protection in accordance with the legal regulations.

5.5. To establish an adequate system and concept of forwarding information internally and externally by adoption of instructional documents and respecting the legal and regulatory provisions pertaining to the exchange of data and information.

5.6. To improve the inter-agency cooperation in the field of organising joint specialized trainings, education, sharing of resources such as personnel, technical equipment and to appoint liaison officers.

#### 7.5.2. EXPECTED RESULTS OF THE OBJECTIVE –INDICATORS OF SUCCESS

By achievement of the strategic objective 5, the State Investigation and Protection Agency, as recognised partner in the field of international police cooperation in the region, strives to further affirm its integrity and improve inter-agency cooperation with the law enforcement agencies at the level of Bosnia and Herzegovina. In this context, the implementation of the existing multilateral and bilateral agreements on police cooperation, the establishment of operational mechanisms, partnerships and implementation of a coordinated police action at the state level in the region are the top priority in the defined strategy for the implementation of this objective. Directly linked to this objective are the strategies that provide for the institutional and organisational strengthening of the Agency by establishing an internal organisational unit tasked with international and inter-agency cooperation, which would be in the future linked with the Directorate for Coordination of Police Bodies in the area of international police activities.

The indicators of success in in the process of evaluation and measurement of achievement of this strategic objective are:

- Number of successfully completed interagency cooperation activities (trainings, education, exchange of personnel, equipment, facilities, liaison officers);
- Number and structure of the exchanged information with partners, and the results of this exchange;
- Degree of implementation of the agreements on police cooperation, number and structure of the memorandums of understanding and instructions that operationalise cooperation in the field;
- Number, scope, structure and efficiency of joint police operations;
- The Agency's participation in the interagency task forces, expert bodies, advisory groups;
- Assessment of readiness of the partner agencies for the enforcement of the laws (domestic and international) pertaining to the share of information.

**OBJECTIVE 6. To maintain the achieved positive image of the Agency in the public and work intensively on its continued improvement**

Continue with improving the information segment and public relations, as well as with creating a universal pattern of necessary ethical, moral and professional qualities and skills of all employees, in order to further affirm and promote the image of the Agency in public.

For the purpose of positioning the Agency as the leading force in the security system of BiH, it is necessary to strengthen the public relations capacities of the Agency which will with its innovative approach to the public relations, and presenting successful police activities and results of the Agency, further reinforce the leading position of the Agency domestically and internationally.

#### 7.6.1. PROGRAMMES

6.1. To create the organizational capacities for the implementation of the SIPA's Media and Public Relations Strategy (essential capacities include personnel, training, equipment, organizational structure, policies and procedures).

6.2. To develop and implement the action plan for establishing the Agency's Media and Public Relations Strategy.

6.3. To insist on full implementation of the Code of Ethics for the police officials of the State Investigation and Protection Agency and the secondary legislation regulating the conduct of the civil servants and employees, and create ethical and cultural environment in the Agency in order to further promote and affirm the positive public image of the Agency through strengthening the individual integrity of each employee, his/her professional, moral and expert qualities.

6.4. To improve internal communication within the Agency through the Intranet so that all employees are timely and accurately acquainted with all relevant information and current developments in the Agency.



## 7.6.2. EXPECTED RESULTS OF THE OBJECTIVE –INDICATORS OF SUCCESS

Bearing in mind the importance and role of public relations and public perception of the work of the State Investigation and Protection Agency, the achievement of this strategic objective provides the prerequisites for more professional and effective promotion of the Agency image by creation and designing concrete programmes particularly in the segment of quality presentation of the police success stories, security-related events within the jurisdiction of the Agency as well as modern informative campaigns focused on strengthening the reputation of the Agency. Establishment of an internal organizational unit responsible for public relations will provide a better and quality institutional basis and framework for a thorough and comprehensive implementation of the Media and Public Relations Strategy.

Indicators of success in the framework of the achievement of this objective are:

- Establishment of the Department of Public Relations - organizational framework;
- Filling the vacancies and creation of the material-technical prerequisites for the work of the Department;
- Seminars, educations, training programmes for employees in the Department;
- Number of published information about police operations;
- Analysis of published media and periodic surveys to determine public perceptions of the work of SIPA;
- Public campaigns related to anti-crime operations, *crime-stoppers*, participation in the public roundtables, debates, talk shows;
- Presentation of the institutional activities of SIPA (contacts with representatives of security agencies and other national and international partners and institutions, the signing of agreements, protocols and memoranda of understanding and cooperation);
- Cooperation programs with citizens (to continue with the organisation of Citizens' forum which will be composed of representatives from a wider community);
- The extent and quality of communication with the public via the website.



## 8. TABLE OVERVIEW OF STRATEGIC OBJECTIVES AND PROGRAMMES

Strategic objective 1: Strengthen criminal-investigative capacities in response to emerging forms of crime within the jurisdiction of the Agency					
Implementer : Head of the Criminal Investigative Department - 02					
Programme activities:					
Code	Overview of the programme activities	Organisational units for implementation of the activity	Indicators	Time Framework	Budget
1.1.	To expand and strengthen the operational capacity in order to more efficiently use the special investigative measures in the detection and investigation of the most serious forms of organized crime, terrorism and corruption.	02,03,04,11,12,13,14.		2014	YES
1.2.	To improve communication and cooperation, and exchange of information in the area of criminal investigations with the BiH Prosecutor's Office, other police agencies and other entities involved in the investigations.				
1.3.	To redefine the existing system of recruitment and preparation of work of the undercover investigators, and in cooperation with the B&H Prosecutor's Office define their engagement in investigations, carried out at the international level.				
1.4.	To structure and staff adequately the criminal investigative resources, and affirm the Agency's defined standards in structuring the investigative teams and methodological concept for managing the most complex criminal investigations.				
1.5.	To continue work on the harmonization of the existing instructional documents for work of the criminal-investigative capacities.				
1.6.	To establish standards and develop a high level of individual performance at all organizational levels, and improve the existing level of planning, organization, leadership, support and supervision in criminal investigations and clearly define the role of the Agency's headquarters and regional offices in relation to the commanding, advisory and coordinating role.				
1.7.	To improve the system of integrated financial investigations with the purpose of a direct identification and effective seizure and forfeiture of illegally acquired property, or proceeds, and to set up, educate and equip specialized teams to conduct integrated financial investigations and disperse them over the territory.				
1.8.	To create the technical-technological and methodological requirements for effective management of criminal investigations, and develop better and more effective cooperation between the investigative and intelligence capacities and better access to the existing databases within the Agency.				
1.9.	To improve cooperation with the Witness Protection Department focusing on witnesses who entered the Protection Programme, in terms of information exchange and carrying out				

	adequate security assessments.				
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## Strategic Objective 2: To Improve Criminal Intelligence of the Agency

Implementer: Head of the Intelligence Department within the main organisational unit

### Programme activities

Code	Overview of the programme activities	Organisational units for implementation of the activity	Indicators	Time Framework	Budget
2.1.	To define the legal framework for the Criminal Intelligence work with emphasis on the identification of strategic and operational directions of intelligence work, to identify the holders of the criminal intelligence work, to adopt the basic principles of criminal intelligence process, as well as the methodology of establishing and maintaining proper records, respecting the principles of data secrecy.	02,03,04,11,12,13,14.		2014. g.	YES
2.2	In accordance with the strategic objectives of the Agency, to standardise the development methodology of the plan of collecting crime-related intelligence, to develop a more adequate system of information gathering, assessment of reliability and quality of information sources, develop a high level of organization of activities of the criminal intelligence process in order to define the targets and create a crime intelligence network in Bosnia and Herzegovina.				
2.3.	To develop appropriate models that include a structured and methodological approach to analytical processing of a large number of crime intelligence in order to present the analysed information visually simple and clear, to establish new and more adequate databases and use modern analytical programs, as well as to clearly define the products and semi-products of the intelligence work.				
2.4.	To continue with the process of systematic development of the Working Plan for informants, finding modalities for their infiltration into the criminal groups dealing with the most severe forms of crimes falling within the jurisdiction of the Agency as well as the implementation of all segments of the Instructions on Work with informants.				
2.5.	To ensure the necessary prerequisites for more effective system of exchange of crime intelligence through the criminal-analytical support to criminal investigative capacities of the Agency.				
	To provide necessary material and technical resources, IT and other equipment for the further				

2.6.	development of Criminal Intelligence work of the Agency.				
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Strategic objective 3: To develop organizational capacities of the Agency to provide a strategic response to the security challenges					
Implementer: Director's Office					
Programme activities					
Code	Overview of the programme activities	Organisational units for implementation of the activity	Indicators	Time Framework	Budget
3.1.	To conduct organizational restructuring of the criminal investigation capacities in order to adapt to the modern trends of criminal activities in Bosnia and Herzegovina and the region by systematising and organizational enhancement of the investigative capacities to combat terrorism, organised crime, corruption, money laundering, serious financial crimes, and investigations of war crimes.	01		2014.	YES
3.2.	To functionally harmonise the organizational components of the criminal intelligence activities, and normatively define the roles and tasks of the intelligence capacities in gathering the criminal intelligence, using intelligence databases and providing the regional offices with the access to the same databases.				
3.3.	To structure organisationally and sistematically and develop the organisational capacities for the international and interagency cooperation, strategic planning and analysis, protection of classified documents, information and electronic security as well as to conduct the internal audits.				
3.4.	To enhance and normatively define the relationships between the basic organizational units of the Agency, with the focus on the functional relationships between the criminal-investigative capacities at the headquarters and their counterparts in the regional offices.				

Strategic objective 4: To establish an adequate potential of the employees that reflects the optimal level of staffing capacities of the Agency					
Implementer: Head of the Administration and Internal Support Service					
Programme activities:					
Code	Overview of the programme activities	Organisational units for implementation of the activity	Indicators	Time Framework	Budget
4.1.	To continue the activities on implementation of the modern policy planning, recruitment, staffing of the Agency, and attracting and retaining the most quality human resources having adequate and professional values.	09		2014. g.	DA
4.2.	To distribute, promote and develop professionally the employees of the Agency, and position them in accordance with professional qualifications, professional experience, previous results and their affinities for specific tasks, especially in the field of operational activities carried out by the authorised officials of the Agency.				
4.3.	To modernise and update the relevant databases of the employees, and develop the modern management procedures through a continuous process of analysis.				
4.4.	To develop a comprehensive training program for all employees of the Agency, particularly the operational staff, for the purpose of acquiring additional knowledge and skills in the field of criminal tactics, techniques and methodologies in the use and exploitation of modern technical and technological achievements, necessary for conducting the most complex tasks in the detection and investigation of crimes falling within the jurisdiction of the Agency as well as to develop and create a modern program for further training of the police officers on managerial positions at all levels aiming at further improvement of management processes.				

Strategic Objective 5: To improve support, cooperation and information exchange with the cantonal, entity, state and international partners					
Implementer: Director's Office					
Programme activities:					
Code	Overview of the programme activities	Organisational units for implementation of the activity	Indicators	Time Framework	Budget
5.1.	To continue the implementation of multilateral agreements signed at the state level pertaining to the international police cooperation and to initiate activities on the signing of bilateral agreements with neighboring countries and the region with whom there are no legal mechanisms in place for the international police cooperation.	01		2014. g.	NE/DA
5.2.	To develop operational mechanisms, partnerships and relationships at the international level in order to improve international cooperation, information exchange and implementation of joint international investigations, respecting the existing legal framework of the partner country in the specific activities.				
5.3.	To ensure the cooperation and implementation of the signed agreements and memorandums of understanding between the Agency, police authorities and other official partners in Bosnia and initiate the adoption of additional memorandums of understanding and cooperation in all areas that fall within the jurisdiction of the Agency, especially in the development of operational mechanisms for the creation of joint operations in the fight against crime.				
5.4.	To improve the existing models and mechanisms for exchange of intelligence information for the purpose of improving the system of information exchange with the official partners of the Agency, using the modern and advanced communication systems, and ensuring protection in accordance with the legal regulations.				
5.5.	To establish an adequate system and concept of forwarding information internally and externally by adoption of instructional documents and respecting the legal and regulatory provisions pertaining to the exchange of data and information.				
5.6.	To improve the inter-agency cooperation in the field of organising joint specialized trainings, education, sharing of resources such as personnel, technical equipment and to appoint liaison officers.				

Strategic Objective 6: To maintain the achieved positive image of the Agency in the public and work intensively on its continued improvement					
Implementer: Public Relations Department					
Programme activities:					
Code	Overview of the programme activities	Organisational units for implementation of the activity	Indicators	Time Framework	Budget
6.1.	To create the organizational capacities for the implementation of the SIPA's Media and Public Relations Strategy (essential capacities include personnel, training, equipment, organizational structure, policies and procedures).	01		2014	YES
6.2.	To develop and implement the action plan for establishing the Agency's Media and Public Relations Strategy.				
6.3.	To insist on full implementation of the Code of Ethics for the police officials of the State Investigation and Protection Agency and the secondary legislation regulating the conduct of the civil servants and employees, and create ethical and cultural environment in the Agency in order to further promote and affirm the positive public image of the Agency through strengthening the individual integrity of each employee, his/her professional, moral and expert qualities.				
6.4.	To improve internal communication within the Agency through the Intranet so that all employees are timely and accurately acquainted with all relevant information and current developments in the Agency.				



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- Law on Prevention of Money Laundering and Financing Terrorist Activities („Official Gazette B&H“, no. 53/09);
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## ABBREVIATIONS

CYBERCRIME- Kibernetički kriminal

DCAF – Geneva Centre for the Democratic Control of Armed Forces/Ženevski centar za demokratsku kontrolu oružanih snaga

Egmont – The *Egmont* Group of Financial Intelligence Units grupa/Egmont grupa

EU – European Union/Evropska unija

EUFOR – European Forces/Evropske snage

EUPM – European Union Police Mission/Policijska misija Evropske unije;

EUROPOL – The European Police Office/Kancelarija Evropske policije

FATF – Financial Action Task Force/Radna grupa za finansijske aktivnosti

ICITAP – International Criminal Investigative Training Assistance/ Međunarodni program pomoći SAD u oblasti krivičnog pravosuđa

ICTY- International Criminal Tribunal for the Former Yugoslavia/ Međunarodni krivični tribunal za bivšu Jugoslaviju

INTERPOL – International Criminal Police Organization/Međunarodna organizacija kriminalističke policije

IPAP – BiH-NATO Individualni partnerski akcioni plan/Individual Partnership Action Plan

MAP – Akcioni plan za partnerstvo BiH sa NATO-om / Membership Action Plan

MONEYVAL- Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism/Komitet Savjeta Evrope za sprečavanje pranja novca

MUP FBiH – Ministarstvo unutrašnjih poslova Federacije Bosne i Hercegovine/Ministry of Interior of the Federation of Bosnia and Herzegovina (MoI)

MUP RS- Ministry of Interior of the Republic of Srpska (MoI);

NATO – North Atlantic Treaty Organisation/ Sjevernoatlanski vojni savez

NATO KT- Koordinacioni tim Savjeta ministara BiH/NATO Coordination Team

OBA – Obavještajno-bezbjednosna agencija BiH/Intelligence Security Agency of B&H

OESS – The Organisation for Security and Co-operation in Europe/Organizacija za evropsku bezbjednost i saradnju

PfP – Partnership for Peace/Program partnerstva za mir (NATO)

SECI Centar – SECI Center/Centar za sprovođenje zakona u Jugoistočnoj Evropi/Southeast Europe Cooperation Initiative

SIPA – State Investigation and Protection Agency/ Državna Agencija za istrage i zaštitu

UN – United Nations/Organizacija Ujedinjenih nacija

UNODC – United Nations Office on Drugs and Crime/UN-ov Komitet za borbu protiv droga