

Since the Dayton Peace Agreement of 1995, Bosnia and Herzegovina (BiH) has maintained a delicate peace. A complicated, decentralised government system and deeply-entrenched ethnic divisions have hindered democratic development, as well as progress towards the country's European integration ambitions. Security sector oversight tasks are divided among state-, entity-, and canton-level governance systems. This backgrounder outlines security sector oversight at the state level in BiH.

Condition of democratic oversight of security



CULTURE

Lack of common purpose and responsibility among oversight actors in holding the executive to account.



CAPACITY

Insufficient use by elected representatives of existing capacities available in institutions.



COOPERATION

Limited to institutional procedures; lacking inclusiveness of different actors.

International democracy rankings

FREEDOM HOUSE, NATIONS IN TRANSIT - DEMOCRACY SCORE



3.21 in 2023 compared to 3.61 in 2013 (on a scale of 1 to 7, 1 is the lowest and 7 the highest level of democratic progress).

Measures 29 countries from Central Europe and Central Asia on National Democratic Governance; Electoral Process; Civil Society; Independent Media; Local Democratic Governance; Judicial Framework and Independence; and Corruption.

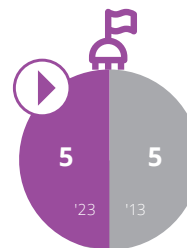
BERTELSMANN FOUNDATION - TRANSFORMATION INDEX



5.9 in 2022 (ranking 54th), compared to 6.4 in 2012 (on a scale of 1 to 10).

Analyses and evaluates transformation processes of democracy, market economy, and governance in 137 developing and transition countries.

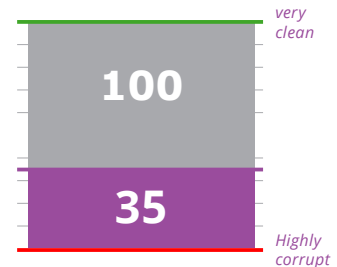
ECONOMIST INTELLIGENCE UNIT - DEMOCRACY INDEX



5 in 2023 and 5 in 2013 (ranking 94th): Hybrid regime, in-between authoritarian regime and flawed democracy.

Grades 167 countries and territories on a scale of 1 to 10 according to the strength of their democratic practices.

TRANSPARENCY INTERNATIONAL - CORRUPTION PERCEPTION INDEX



35 points in 2023 (out of 100), ranking 108th. Steady decline from 42 points in 2013.

Ranks 180 countries and territories by their perceived level of public sector corruption, according to experts and business representatives.

Bosnia and Herzegovina has a bicameral Parliamentary Assembly (PA). Each chamber is made up of the country's respective ethnicities (constituent peoples):



HOUSE OF PEOPLES (HoP) – UPPER HOUSE

- CONSISTS OF 5 BOSNIAKS, 5 CROATS, 5 SERBS
- DECISION MAKING BY MAJORITY – ONLY IF A MINIMUM OF 9 MEMBERS ARE PRESENT (3 PER ETHNICITY)
- 4-YEAR MANDATE



HOUSE OF REPRESENTATIVES (HoR) – LOWER HOUSE

- 42 MEMBERS, CONSISTING OF 28 REPRESENTATIVES ELECTED FROM THE FEDERATION AND 14 FROM REPUBLIKA SRPSKA
- DECISION MAKING BY MAJORITY (INCL. 1/3 OF EACH ENTITY)
- 4-YEAR MANDATE



Joint Committee on Defence and Security (JCDS)

- 12 members (elected by the PA:
6 HoP, 6 HoR and 2/3 FBiH, 1/3 RS)
- Met 3 times in 2022 and 6 times in 2023
- Is responsible for:**
 - Monitoring BiH's security and defence policy
 - Budgetary oversight
 - Preparing security sector legislation
 - Overseeing the import and export of weapons



Joint Committee on Supervision on the Work of Intelligence and Security Agency of BiH (JCSWISA)

- 12 members (elected by the PA: 6 HoP, 6 HoR and 2/3 FBiH, 1/3 RS)
- Did not meet in 2022, but met 4 times in 2023
- Is responsible for:**
 - Supervising the work of the Intelligence and Security Agency
 - Oversight on implementation of the Law on Protection of Classified Information
 - Handling reports on the Intelligence and Security Agency
 - Budgetary oversight.

Other oversight actors:

Parliamentary Military Commissioner (PMC)

- JDCS proposes; plenary PA selects
- Is responsible for protecting human rights and freedoms of military personnel and for starting investigations as instructed by the PA and JDCS
- Cooperates with the Ministry of Defence, the General Inspectorate, the Armed Forces, and the Human Rights Ombudsman
- Attends sessions of the PA and JDCS.

Independent Board

- 9 members, elected from judiciary institutions, retired or senior civil servants, as well as legal experts
- Impartial and independent body of the Parliamentary Assembly relating to police force issues
- Is responsible for conducting candidate selection processes, proposing the removal of police officials and deputies in state-level police bodies, and handling complaints regarding officials and deputies.

Citizens' Complaint Board on Work of the Police Officers in Police Bodies in BiH

- 7 members
- All members are citizens not affiliated with the police
- Tasked with receiving, registering, assessing, and forwarding complaints relating to the conduct of BiH police officers.

The Human Rights Ombudsmen handle complaints and investigate human rights violations committed by any organ of BiH, its entities and the Brčko District of BiH. The three ombudspersons (Bosniak, Croat and Serb) have offices in Banja Luka (main seat of the institution), Brčko, Mostar, Sarajevo and a field office in Livno.

- 6-year mandate, appointed by the Parliamentary Assembly
- Reports to the PA of BiH as well as to entity parliaments and the Assembly of the Brčko District.



Agency for the Prevention of Corruption and Coordination of the Fight against Corruption

- Responsible for preventing and coordinating the fight against corruption in public and private sector institutions

Is tasked with:

- Preparing, supervising, and coordinating the Anti-Corruption Strategy
 - Coordinating public institutions' work in preventing corruption
 - Analysing and collecting data on corruption
- The Parliamentary Committee for election and monitoring over the work of the Agency for Prevention of Corruption and Coordination of the Fight against Corruption exercises oversight.

Civil Society Organisations

- There are 25,646 registered associations and foundations in BiH. Only a few of these work within the field of security.
- Many organisations are active on a national scale; others focus on a specific entity, canton or municipality.
- Civil society and academia can critically scrutinize the executive and should therefore be considered a stakeholder in democratic security sector oversight.



Audit Office of the Institutions in Bosnia and Herzegovina

- Appointed by the Parliament
- External and independent auditor auditing the operations of BiH institutions

Is tasked with:

- Performing financial audits
- Assessing institutions' operations compliance with laws and regulations
- Performing annual audits and opinions.



Increasing committee and individual oversight activity over party discipline.

2

Performing oversight within the constraints of the current governance system.

1

Boosting buy-in of oversight actors to make use of available capacity.

3

About BIHOS

BIHOS seeks to strengthen democratic governance and inclusive oversight of the security sector in Bosnia and Herzegovina at the state, entity, and canton levels. It does so by:

- Investing in *capacities* through providing tools, skills, and techniques to oversight actors.
- Fostering *cooperation* among parliaments, civil society organisations, and other oversight actors.
- Promoting a *culture* of oversight that is critical and constructive.

BIHOS consists of a capacity-building component (training courses, peer-to-peer consultations, training-of-trainers, fellowship programme, and study visits) and a research component (expert labs, policy-oriented analysis, regular publications). The project is implemented by CESS from the Netherlands, in cooperation with the Centre for Security Studies (CSS), and the European Defendology Center (EDC) from BiH. BIHOS is funded by the Netherlands Ministry of Foreign Affairs.

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