

SECURITY COOPERATION OF BOSNIA AND HERZEGOVINA AND MONTENEGRO

Zlatan Bajramović⁴⁰

Faculty of Political Sciences Sarajevo, Bosnia and Herzegovina,

Ismet Latić⁴¹

Ministry of Human and Minority Rights, Montenegro

Abstract: Since the dissolution of Social Federal Republic of Yugoslavia (SFRY) in the beginning of the 1990s Bosnia and Herzegovina become independent. Montenegro was, after SFRY, federal unit in two states: Federal Republic of Yugoslavia and Serbia and Montenegro and become independent in 2006. Bosnia and Herzegovina and Montenegro are evolved from accusations of aggression to good neighbouring and security cooperation. Since Montenegro is member of NATO and Bosnia and Herzegovina is still making an effort for the membership security cooperation is necessary. Research in this paper is about security cooperation in armed forces, police and other law enforcement agencies and civil protection since both countries become independent.

Keywords: Security Cooperation, Bosnia and Herzegovina, Montenegro

Introduction

The last decade of the 20th century was marked by great and radical changes in international relations, both in Europe and in the world. With the collapse of the Soviet Union and the Eastern Bloc, the Cold War is over. With the Maastricht Treaty (February 7, 1992), the Western European Union (WEU) grew into the European Union (EU), and the Socialist Federal Republic of Yugoslavia (SFRY) disintegrated in south-eastern Europe, and Czechoslovakia in Central Europe. Unlike the Czechoslovakia, the SFRY disintegrated in the bloody wars fought in its former republics: Slovenia, Croatia, Bosnia and Herzegovina, Serbia and Northern Macedonia. The problems that arose on the territory of the former SFRY were transferred to the first years of the 21st century, when the former SFRY units became independent states: Republic of Slovenia (1991.), the Republic of Croatia (1991), Bosnia and Herzegovina (1992), The Republic of Serbia (2006.), Montenegro (2006.) and the Republic of Northern Macedonia (1991, and under its current name since 2019). From the break-up of the SFRY in the early 1990s until independence, Serbia and Montenegro were in two communities: the Federal Republic of Yugoslavia (1992-2003) and the State Union of Serbia and Montenegro (2003-2006). In the Republic of Serbia, the former autonomous province of Kosovo is practically an independent state, and Vojvodina, another former autonomous province, has redefined its status. The great changes that have taken place in Europe have also affected the security issues of the countries of the Euro-Atlantic region and especially Southeast Europe.

⁴⁰ Contact address: zlatan.bajramovic@fpn.unsa.ba

⁴¹ Contact address: ismet.latic@gmail.com

New security questions require new security answers that can be given through the new organization and structure of activities of the security sector, which enables faster and more efficient solution of set security tasks. According to neoliberal theory, there is a great deal of interdependence of states in the process of globalization on every level, including security. The neoliberal concept of collective security presupposes the renunciation of the state from the individual use of force and states must trust each other and their actions should not be for their own interests but for the sake of collective security.

The organizational structure and elements of the Bosnia and Herzegovina security sector emerged as a result of the political and legal structure of BiH produced by the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina, in Paris on 14. December 1995. With this agreement, security issues were left in the competence of the two entities, the Federation of BiH and the Republika Srpska, as lower administrative units in relation to the state of BiH of which they are a part. Further complication occurred in 1999 when the Brcko District of BiH was established by an arbitral award. Initially, the dual and later the triple structure indicates a non-unified and fragmented security sector that needs to be integrated to enable effective security tasks, primarily in BiH and then in the Western Balkans and Southeast Europe. (Bajramović,2016:9-11).

At the time of the break-up of Yugoslavia (1991), Montenegrin citizens decided to continue living in a two-member federation with Serbia, which soon proved unsustainable and dysfunctional. Therefore, in 1997, the process of distancing oneself from the Belgrade regime and restoring Montenegro's state independence began, with a stronger commitment to democratic reforms, good neighbourly cooperation and European and Euro-Atlantic integration. The Montenegrin government, headed by Prime Minister Milo Djukanovic, managed to create conditions for a referendum on state independence in 2006 on the basis of the Belgrade Agreement, which created the State Union of Serbia and Montenegro, under the auspices of the European Union. The referendum was held on May 21, 2006, and the absolute majority of Montenegrin citizens (55.5%) supported the restoration of Montenegrin independence. The EU has prescribed unique conditions for Montenegro in a referendum, hitherto unknown in European democratic practice. Montenegro has become the first country in the long history of the Balkans to be created in a peaceful, democratic way, according to the highest European standards (www.me/index.php/cg/istorija). "Montenegro became NATO's newest member on Monday (5 June 2017), upon depositing its instrument of accession to the North Atlantic Treaty with the United States State Department in Washington DC (www.nato.int/cps/en/natohq/news_144647.htm access on 10.05.2022).

Security sector in Bosnia and Herzegovina

Bosnia and Herzegovina are located in Southeast Europe and across its territory it is the shortest communication routes connecting the Danube area with the central Adriatic. By size, level of social product, position, communicative significance, and by Bosnia and Herzegovina has the basis for disposing of strategic raw materials and resources limited influence in the modern world. However, it is still a factor influencing stability Southeast Europe and Europe as a whole, which is why its internal and external dynamics development will be the subject of European and wider international attention in the coming period (The Security policy,2006:3).

There is no National Security Strategy in Bosnia and Herzegovina, so the Security Policy is taken as a reference document. The Security policy of Bosnia and Herzegovina is a document that defines a long - term and coherent strategy, which provides a framework and guidelines for building the system, structure and all mechanisms necessary for the efficient operation of the sector security. The security policy is developed by the executive power of Bosnia and Herzegovina, which has ability to coordinate the use of intelligence, military, economic, diplomatic, technological, information and other resources to achieve security goals. In addition to the basic values, which are due to the importance for the overall security of Bosnia and Herzegovina is particularly prominent, the document also assesses the security environment, risks and threats, and defines the principles, interests and goals that Bosnia and Herzegovina want to achieve in security areas (The Security Policy of BiH,2006:1). The level of functioning of the state dimensions of defence and security of Bosnia and Herzegovina, ie its security and defence system depends on the level of agreement of national policies (expressed by three national political elites) but also the policies of international organizations with competencies in Bosnia and Herzegovina and surrounding countries (Beridan,2008:199).

We generally divide the security structure in Bosnia and Herzegovina into external and internal. We integrate the Armed Forces of Bosnia and Herzegovina (with supporting elements of civilian government and democratic control) into external security, and law enforcement agencies, police agencies, intelligence agencies, courts and the prosecutor's office, and civil protection into internal security. The external security system is fully integrated at the level of the state of Bosnia and Herzegovina and includes the Presidency of BiH, the Council of Ministers of BiH, the Parliamentary Assembly of BiH and other state bodies. One special feature of the Armed Forces of Bosnia and Herzegovina (AF BiH) is the national key according to which the staffing must be maintained according to the shares provided by the 1991 census for the three constituent peoples - Bosniaks, Serbs and Croats and the so-called. others. That budget is right for the defence system as a whole, and that is why we are quoting data for the Ministry of Defence and the BiH Armed Forces, unlike other countries in Yugoslavia for which they did not calculate administrative positions. Of the planned 10,961 jobs in 2020, 9,556 were filled. That number includes 1,927 generals and officers, 2,931 non-commissioned officers, 3,871 soldiers, 572 civilians and 255 civil servants. According to the ethnicity by which the seats are divided, Bosniaks are represented with 4,464 people, Serbs with 3,386, Croats with 1,687 and "others" who are represented with only 19 people (www.balkansec.net/post/brojnost-vojski-srbije-hrvatske-bih-crne-gore-i-severne-makedonije-u-2021 access on 12.05.2022.).

Internal security is decentralized and at the state level we have the Intelligence Security Agency, Ministry of Security of Bosnia and Herzegovina and within the Border Police of BiH, the State Investigation and Protection Agency (SIPA), the Directorate for Coordination of Police Bodies, the Service for Foreigner Affairs and the Police Support Agencies (for education and training, for forensic examinations and expertise and for support of police agencies at the state level).

Security sector in Montenegro

Montenegro is focused on achieving state interests and security goals based on the principles of developed democracy, rule of law, market economy and orientation towards Euro-Atlantic and European integration, respecting international law and internationally accepted principles of peaceful settlement of disputes. National interests are the most important needs of Montenegro and its citizens. They derive from the highest values of Montenegro established by the Constitution, namely: freedom, equality, national and gender equality, stability of society, social justice, human rights, property security, nature and environmental protection, rule of law and democracy. Peaceful and stable environment, protection of life and property of citizens, development of democracy are important national interests. Montenegro's foreign and security policy is particularly focused on developing good relations with its neighbours and strengthening regional co-operation in order to build trust and promote peace in Southeast Europe, as well as membership in international and regional organizations. Montenegro believes that small states can best ensure and address their own security by joining the collective security system (National Security Strategy, 2008: article 2).

The structure of the national security system consists of state institutions and bodies that manage, plan, organize, coordinate and implement measures and activities in the security system. The basic elements of the national security system are: the Parliament of Montenegro, the President of Montenegro, the Government of Montenegro, the Defence and Security Council, the security forces, the emergency forces, the National Security Agency and the prosecutor's office and courts.

The security forces are the Army and the Police. Their use is regulated by law.

The security forces are under parliamentary and democratic oversight and civilian control.

The Army is the bearer of defence and represents an armed force that defends the independence, sovereignty and state territory of Montenegro, contributes to the construction and preservation of international peace in accordance with the principles of international law on the use of force. The military assists civilian authorities in the event of natural or man-made disasters, and can engage in supporting the police in the fight against terrorism.

The police provide general, personal and property security and protection of citizens. The police are the bearer of internal security, perform tasks related to the prevention and suppression of all forms of crime, especially organized and corruption, protection of human rights, supervision and control of the state border, ensuring public order and peace, security of citizens and traffic safety and assisting civilian authorities natural or man-made disasters. He is the bearer of the fight against terrorism, proliferation of weapons of mass destruction, corruption and drugs.

The Emergency Response Force is organized as part of an integrated response to emergencies caused by natural, environmental, technical-technological, chemical, biological, nuclear and radiological disasters and other disasters, as well as the consequences of terrorism and other hazards that can create risks and threats. for the security of Montenegro and the region. The holder of emergency management (hazard management, protection and rescue and emergency response) is the ministry in charge of internal affairs.

The National Security Agency, as part of the integrated security system, in cooperation with state bodies, ministries and administrative bodies, in accordance with security standards,

on the basis of the Constitution and laws, performs national security activities related to protection of the constitutional order, security and the territorial integrity of Montenegro, human rights and freedoms established by the Constitution, as well as other matters of interest to the national security of Montenegro (National Security Strategy, 2008: article 5.1).

According to the organizational and formation composition that has been in force since March 1, 2020, the Army of Montenegro (AMN) should have 2,368 people in peace. The actual filling on December 31, 2020 was only 1,980 people, 282 officers, 744 non-commissioned officers, 694 soldiers and 260 civilians. That number is full according to the previous formation from 2017, but in the meantime, Montenegro became a member of NATO and the topic of increasing the number of active forces and forming a reserve with which VCG should have 5,159 people in the war is open. According to the systematization of jobs, the Ministry of Defence has 232 people since June 2021, including the Minister (www.balkansec.net/post/brojnost-vojski-srbije-hrvatske-bih-crne-gore-i-severne-makedonije-u-2021 access on 12.05.2022.).

Cooperation of Bosnia and Herzegovina and Montenegro in Security Sector

Cooperation between Bosnia and Herzegovina and Montenegro in the security sector is taking place at several levels. The first is cooperation through the international organizations OSCE, NATO and the EU. The second is at the bilateral level and includes cooperation in the field of law enforcement, defence and protection and rescue agencies.

The OSCE Mission to Bosnia and Herzegovina “is involved in a wide variety of activities, ranging from arms control, security sector reform, war crimes processing and the fight against trafficking in human beings, to political and education reform, gender equality, programmes to support good governance, media reform, and civil society and human rights initiatives” (www.osce.org/mission-to-bosnia-and-herzegovina/what-we-do). In line with its mission, the OSCE supports co-operation between the countries of the Western Balkans. Bilateral co-operation between Bosnia and Herzegovina and Montenegro in resolving issues from the OSCE mission in both countries has been repeatedly supported.

On April 21, 2021, a bilateral meeting was held in Sarajevo at which the Deputy Minister of Foreign Affairs of Bosnia and Herzegovina and State Secretary at the Ministry of Foreign Affairs and European Integration of Montenegro had consultations on NATO issues. “The delegations exchanged views on Montenegro’s experiences in the field of Euro-Atlantic integration, and cooperation within the US-Adriatic Charter (A5) and best practices in the use of instruments and mechanisms of cooperation with NATO” (sarajevotimes.com/montenegro-supports-bosnias-path-to-nato-integration/ access on 12.05.2022.). Montenegro is member of NATO since 2017. and it is very important and useful that Bosnia and Herzegovina have support of this country in euro-Atlantic processes. “Bilateral relations between BiH and Montenegro are at a high level of mutual respect, and that they are an example of good neighbourly relations. Improving relations with Montenegro and other neighbouring countries are one of BiH’s foreign policy priorities, while regional cooperation is a vital and irreplaceable mechanism on the path to EU membership” (sarajevotimes.com/montenegro-supports-bosnias-path-to-nato-integration/ access on 12.05.2022.).

Cooperation between Bosnia and Herzegovina and Montenegro within EU projects and funds has been expressed through Euro Access, IPA Cross Border Cooperation Project. "The overall Programme objective is to support the sustainable development in the cross-border area between Bosnia and Herzegovina and Montenegro and to promote the implementation of common actions based on an efficient use of the comparative advantages of the Programme area. This objective has been translated into the following Thematic Priorities (TP): TP1: Promoting employment, labour mobility and social and cultural inclusion across the border; TP2: Protecting the environment, promoting climate change adaptation and mitigation, risk prevention and management; TP3: Encouraging tourism and cultural and natural heritage" (www.euro-access.eu/calls/ipa_bosnia_and_herzegovina_-_montenegro access on 12.05. 2022.). On 14. February, 2017. Foreign Minister of Bosnia and Herzegovina Igor Crnadak and Montenegrin European Affairs Minister Aleksandar Andrija Pejović signed an Agreement on Cooperation between the Council of Ministers of Bosnia and Herzegovina in Podgorica Herzegovina and the Government of Montenegro in the process of accession to the European Union. In this way, the Council of Ministers of BiH and the Government of Montenegro intensify politically on a bilateral basis dialogue and cooperation aimed at integration into the European Union (EU) in accordance with the Agreement on Stabilization and Association (SAA). This agreement strengthens dialogue and cooperation between state bodies in the field of European integration and encourages the strengthening of economic and cooperation in the field of tourism, justice and home affairs. By concluding this agreement, the two countries reaffirm their commitment to rapprochement EU standards and the further development of relations with the European Union (www.vijeceministara.gov.ba/saopstenja/ministri/default.aspx?id=24433&langTag=hr-HR access on 14.05.2022.).

At the bilateral level, cooperation between Bosnia and Herzegovina and Montenegro in the security sector is regulated through agreements and memoranda. Cooperation in the field of justice is regulated through Extradition treaty between Bosnia and Herzegovina and Montenegro (15.11.2012). This document regulates the procedure and conditions for the extradition of suspects, accused and convicted persons from one state to another. This Agreement enables, for the first time, the extradition of its own citizens for criminal offenses of organized crime, corruption, money laundering, as well as other forms of serious criminal offenses. The Treaty does not provide for extradition for crimes against humanity and other goods protected by international law (war crimes), provided that the signatory states still have the possibility of transferring criminal prosecution, provided for in the Treaty on Legal Assistance in Civil and Criminal Matters (www.mpr.gov.ba/aktuelnosti/vijesti/default.aspx?id=3073&langTag=bs-BA access on 13.05.2022.).

It is in the interest of Montenegro and Bosnia and Herzegovina that the police services of the two countries cooperate intensively in order to preserve security and stability in the region. This was ordered during the talks between the Montenegrin Minister of Internal Affairs, Filip Adzic, and the Ambassador of BiH to Montenegro, Branimir Jukic. The Montenegrin Ministry of Internal Affairs said that Adzic showed openness to continue expanding cooperation, emphasizing that in addition to excellent bilateral cooperation, Montenegro is achieving good cooperation with BiH within regional initiatives. It is especially important for the European perspective of these countries, considering that the region of the Western Balkans and the cooperation between the countries are in the focus of both the European Commission and the member states. Good cooperation in the area of migration management

was emphasized, especially in light of the increased influx of migrants transiting through the territories of the two countries. The will was expressed to find a solution when it comes to the increased number of passengers at joint crossings during the tourist season. The successful results of the two countries in the fight against common security challenges, especially in the fight against organized crime, were emphasized. The interlocutors underlined that it is in the interest of both countries for the police services to cooperate intensively in order to preserve security and stability in the region (mina.news/crnagora/drustvo/saradnja-policije-crne-gore-i-bih-u-obostranom-interesu/ access on 24.05.2022.).

Pursuant to Articles 29 and 34, paragraph (1) of the Convention on Police Cooperation in Southeast Europe, 20.12.2013. in Budva, a Protocol on the Establishment and Functioning of the Joint Centre for Police Cooperation between BiH, Montenegro and the Republic of Serbia was signed in March, 2014., in order to improve police cooperation between the signatory parties. The area of cooperation refers to the exchange, analysis and transmission of information and providing support in the coordination of cross-border cooperation between the signatory parties in order to: prevention and fight against all forms of cross-border crime prevention of illegal migration more rational use of human and technical resources of the signatory parties and strengthening international trust and intensifying cross-border cooperation. Joint Centre for Police Cooperation in Trebinje is open for further improvement of cooperation with all police and other competent agencies in Bosnia and Herzegovina, as well as with other centres for police cooperation in the countries of the region and the European Union in accordance with the Protocol on Establishment and Functioning and Rules of Procedure of this centre. The tasks of this centre are: cross-border crime, joint risk analysis coordination of activities along the state border professional advice and assistance in the implementation of agreements / protocols signed between border police or services keeping records and statistics within the competence of the Centre assistance in the activities of state institutions in preventing illegal migration and cross-border crime and cooperation with other centres for police cooperation and the competent bodies of the European Union and the bodies of the Member States of the European Union (www.granpol.gov.ba/Content/Read/73 access on 12.05.2022).

In the field of protection and rescue, cooperation is regulated by the Agreement between the Council of Ministers of Bosnia and Herzegovina and the Government of the Republic of Montenegro on cooperation in protection against natural and civil disasters (14.02.2012). With this Agreement, Bosnia and Herzegovina and Montenegro regulate the framework conditions for cooperation in disaster protection, and in particular in:

- “planning and implementation of preventive measures for protection against floods, earthquakes, fires, navigation accidents, radiological hazards and industrial and other civil catastrophes;
- informing each other about the dangers, occurrence and consequences of disasters;
- mutual assistance in disaster protection, rescue and elimination;
- education and training of members of protection and rescue services, civil protection, firefighters and other members of rescue teams for protection and rescue through information meetings, courses, trainings, seminars, etc., and organizing and conducting joint exercises for protection and rescue;

- exchange of scientific and technical data and other documents relevant to disaster protection;
- cooperation in the development and production of protection and rescue equipment" (msb.gov.ba/dokumenti/medjunarodni/default.aspx?id=4180&langTag=bs-BA access on 12.05.2022.).

In the field of defence, cooperation is regulated through Agreement on Cooperation in the Field of Defence between the Council of Ministers of BiH and the Government of Montenegro (14.10.2010.). The agreement envisions, among other things, military cooperation in the areas of support in NATO institutions, weapons and military equipment, training, activities within PfP and regional organizations, exchange of experiences on surplus weapons destruction, logistical support, peace support operations and crisis management.

Conclusion

Given that Bosnia and Herzegovina and Montenegro were part of a larger, common state, it is clear that they share a part of the heritage in historical and security terms. Today, as two independent, modern and democratic states in Southeast Europe, they have a border, security threats and challenges. Cross-border cooperation in the field of security is imposed not only as a need but also as a condition for good relations between these countries. The modern understanding of security threats and challenges that threaten both countries perceive cooperation as a path to success in regional and international security.

Considering that the war in Bosnia and Herzegovina ended in 1995 and Montenegro became independent in 2006, it is clear that we are talking about 16 years of cooperation in the field of security. During this period, the need for cooperation in key areas in the field of security was recognized: justice, police, protection and rescue and defence. It is possible that there is cooperation in the field of intelligence services, but due to the nature of their work and the way they operate, it is not possible to be presented. Judicial co-operation completely prevents dual citizenship and third-country nationals from avoiding accountability in court. Police co-operation in addressing common challenges with the migrant crisis has set new standards through the organization of a regional centre in Trebinje, Bosnia and Herzegovina. The common border on the Tara River linked co-operation in the field of protection and rescue. The co-operation linked civil protection, mountain rescue services and other emergency response services. Preservation of the environment and biodiversity of the Tara River is also part of the joint cooperation. Defence co-operation has intensified even more since Montenegro became a NATO member. As a candidate for NATO membership, Bosnia and Herzegovina can certainly use the experience and support of Montenegro on the path to full membership.

Security cooperation between Bosnia and Herzegovina and Montenegro is a positive example of cooperation in the region of Southeast Europe. Sensitivity to security challenges and threats in both countries has linked the work of security

sector agencies and services. Through the cooperation of the security sector, mutual trust has increased, and with-it economic ties and tourism. In addition to the existing ones, it is possible to expand security cooperation. Security issues are always closely linked to political decision-making. The expansion of security cooperation is deeply linked to policy makers. Security cooperation expands when political ties are strong and long-lasting. The common goals of the foreign policy of Bosnia and Herzegovina and Montenegro aimed at NATO and EU membership indicate the need for security cooperation today in order for it to be fully realized tomorrow. Without security cooperation between states, there is no security in the state either.

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