



**BOSNIA AND HERZEGOVINA  
COUNCIL OF MINISTERS**

*The Working Group on the Strategy for Combating Organized Crime in Bosnia and Herzegovina for the period 2017-2020*

**STRATEGY FOR FIGHT AGAINST ORGANIZED CRIME IN  
BOSNIA AND HERZEGOVINA  
(2017 - 2020)**

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*Sarajevo, September 2017*

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## ***1. INTRODUCTION***

Nowadays, organized crime seriously imperils the legal order and undermines the democratic institutions of almost every country. The danger that this complex and specific socially negative phenomenon poses to the country and society, partly or in whole, is not exclusively contained in concrete criminal acts, but in most cases, it can also affect state decisions in the sphere of its economy or politics. However, due to the specific characteristics it carries with it, there are numerous difficulties and doubts about the prevention and suppression of this criminal phenomenon.

Through the four criminal laws in force in Bosnia and Herzegovina, a large number of crimes are criminalized, which provide us with a legal framework in the fight against organized crime. The threat of Bosnia and Herzegovina from organized crime is realistic and expected, and the current forms of organized crime are manifested in several ways, while the negative impact of this form of crime reflects on all life spheres. An active approach to this issue is the development of the Organized Crime Threat Assessment, Strategy and Action Plans for against organized crime in Bosnia and Herzegovina.

In the context of the aforementioned, all in order to give a multidisciplinary and comprehensive institutional response to this negative phenomenon, the Council of Ministers of Bosnia and Herzegovina, at its 64<sup>th</sup> session held on 14 July 2016, adopted the Decision<sup>1</sup> on the Establishment of the Working Group for preparing the Strategy for fight against organized crime in Bosnia and Herzegovina for the period 2017-2020. (Hereinafter: Working Group).<sup>2</sup>

The adoption and implementation of the Strategy for fight against organized crime (hereinafter: Strategy) is of the utmost importance for all citizens of Bosnia and Herzegovina and is an important step in the process of joining the European Union, but also a reflection of the clear commitment of Bosnia and Herzegovina to contribute as much as possible in the fight against this global problem.

Its elaboration was preceded by the development of the Organized Crime Threat Assessment in BiH (OCTA), a document that deals with the dangers threatening by organized crime and gives priority to those for which it is foreseen to cause the greatest damage in the future (negative impact on budgets). This leads to a direct causal link between the assessment of threats and activities that are being undertaken in the fight against crime, because the assessment of threats is the basis for drafting strategic documents in this area and gives guidelines to all relevant authorities in the fight against this form of crime.

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<sup>1</sup> („Official Gazette of BiH“ no. 56/16, 92/16, 14/17, 44/17 and 53/17)

<sup>2</sup> *The Working group is composed of representatives of the following institutions: Ministry of Security of BiH, Ministry of Justice of BiH, Prosecutor's Office of Bosnia and Herzegovina, State Investigation and Protection Agency (SIPA), Border Police of BiH (GP BiH), Service for Foreigners Affairs, Directorate for Coordination of Police Bodies of BiH, Intelligence-security agency of BiH (OSA), Indirect taxation authority of BiH, Republic Prosecutor's Office of Republika Srpska, Ministry of Internal Affairs of Republika Srpska (MUP RS), Federal Prosecutor's Office of Federation of BiH, Federal Ministry of Internal Affairs of Federation of BiH (FMUP) and Police of Brčko District of BiH.*

Organized crime threat assessment in Bosnia and Herzegovina was prepared by the Working Group using a harmonized work methodology, based on statistical data of law enforcement agencies and institutions, intelligence and other data, available reports and assessments of the state and trends of organized crime on international and regional plan, research and other reports produced by relevant international and regional organizations.

All activities were done in line with EUROPOL standards, and the questionnaires used were structured in a way to enable a comprehensive analysis and evaluation of the submitted data, and identification of potential threats.

The BiH Council of Ministers adopted the Organized Crime Threat Assessment in Bosnia and Herzegovina at its 93<sup>rd</sup> session held on March 8, 2017.

It is evident from the Serious and Organized Crime Threat Assessment in the European Union (EU SOCTA) prepared by EUROPOL, that organized crime groups, spatially linked to certain geographical areas, pose a serious security threat of the European Union and Member States and the entire region, and resulted in the need to prepare a document of this kind in our country.

We recall the fact that in the previous period an Organized Crime Threat Assessment in Bosnia and Herzegovina was made, which was the basis for developing the Strategy for the fight against organized crime in Bosnia and Herzegovina for the period 2014-2016.

With the Strategy, the Council of Ministers of BiH defines a policy for establishing an effective system for combating organized crime defining the strategic goals, roles and responsibilities of all entities and determines the frameworks for the development of implementation plans. Also, the Strategy creates additional conditions for more efficient inclusion of Bosnia and Herzegovina in the regional, European and world concept of combating organized crime.

The strategy is in line with the obligations specified through the stabilization and accession process to the European Union, as well as the ongoing reform processes in the country, primarily those listed in the „European Partnership “document. It is in a sound conceptual and functional relation with the Security Policy document, as well as certain strategies in Bosnia and Herzegovina, related to different areas: integrated border management, anti-corruption, anti-money laundering, human trafficking prevention, preventing illegal trafficking of weapons and military equipment, tackling illegal drug trafficking, migration and asylum.

## ***2. MISSION AND VISION***

Being aware of the fact that besides the safety of the citizens in Bosnia and Herzegovina, the crucial importance for our country is regional and global security. The authorities in Bosnia and Herzegovina are determined to develop internal capacities and potentials, through a strategic approach and with the assistance from the international community, concerted and coordinated actions of legislative, judicial and executive authorities, for an effective fight against all forms of organized crime and in particular against various forms of corruptive activities and the negative impact of its bearers in the structures of all levels of government.

Bosnia and Herzegovina strive to establish a proactive and multi-institutional approach in fighting organized crime, which implies coordination and better use of intelligence, as well as information derived from strategic analysis and threat assessments, enhanced mutual cooperation between competent institutions and agencies, effective implementation of current laws, appliance of best practices and experiences as well as developing regional and international cooperation

In the upcoming period, Bosnia and Herzegovina will strengthen its capacities at all levels of government and continue activities in fighting all types of organized crime, which is a priority objective in maintaining safety and stability of BiH citizens. Bosnia and Herzegovina will undertake activities in order to increase the efficiency of the fight against organized crime with all available capacities and in cooperation with the countries of the region and international organizations, as well as through the development of modern legal framework, institutions and capacities.

The Council of Ministers of Bosnia and Herzegovina, the Governments of the Entities and Brcko District of BiH will within their competencies set the necessary political and legal prerequisites for the successful implementation of the Strategy striving to three basic principles: a) proactive approach to development and implementation of preventive action, b) appliance of repressive action, and c) the seizure of property gained or resulting from the perpetration of a criminal offense.

Also, the Council of Ministers of Bosnia and Herzegovina, the Entities' Governments and the Government of Brcko District of BiH will through its respective institutions actively develop trust and cooperation with the citizens, as well as the public, social and private sector, in order to bring together all powers and potentials of the community in fighting organized crime.

### **3. PRINCIPLES FOR DRAFTING THE STRATEGY**

The principles for drafting and implementing BiH Strategy for fight against organized crime are the following:

- ✚ Principle of political will – active fight against organized crime represents the priority for institutions in Bosnia and Herzegovina;
- ✚ Principle of non-discrimination and respect of citizens' freedoms and rights – activities from the Strategy guarantee implementation of all human rights and freedoms in line with the Constitutions of BiH and the Entities, laws and international legal standards;
- ✚ Principle of legality – compliance with the Constitution and national laws, as well as provisions of international agreements (international legal instruments) Bosnia and Herzegovina had signed;
- ✚ Principle of unique and global vision – fight against organized crime is based on unique and global problem approach;
- ✚ Principle of coordination and cooperation – practices and procedures in fighting organized crime will be grounded on unique concept of cooperation of public and private sectors, international organizations in Bosnia and Herzegovina, civil society and citizens;
- ✚ Principle of professionalism and harmonization – fighting organized crime implies continuous professional trainings, education and specialization of experts, as well as exchange of experiences, best practices and contemporary achievements and their harmonization with the preventive and repressive measures;
- ✚ Principle of proactive international cooperation – proactive cooperation in the EU accession preparations and ensuring active role of Bosnia and Herzegovina at the international level;
- ✚ Principle of complying with the obligations in the Strategy implementation – implies monitoring the Strategy implementation and determining respective institutions responsible for implementation of the Strategy with clearly defined obligations and set deadlines for monitoring of the implementation. In line with the above, the assessment of corrective actions will be made;
- ✚ Principle of continuity and progressivity – represents the continuation of systemic activities undertaken in the fight against organized crime, which are of a permanent nature and will affirm all positive results;
- ✚ Principle of confidentiality – personal data from specific activities will not be revealed unless in cases and conditions prescribed by law;
- ✚ Principle of analysis – periodical analysis and assessment of implemented goals and undertaken measures;
- ✚ Participation of the public and private sector and civil society - which implies active cooperation between the public and private sector, civil society, international institutions and citizens;
- ✚ Principle of transparency and openness.

#### **4. ORGANIZED CRIME IN BOSNIA AND HERZEGOVINA**

Organized crime is undoubtedly one of the most dangerous forms of crime that directly affects the stability and security of each country, violates the basic social values of a democratic and civil society, jeopardizes the rule of law, trust in public institutions and the rule of law, and hinders the economic development and progress.

It is common knowledge that the financial benefit is one of the basic motives for organized crime. Organized criminal groups seek to legalize unlawfully acquired financial gain through "money laundering" and put it in legal economic flows, all in order to strengthen its economic and political influence in society. Therefore, in the fight against organized crime, the seizure of financial gain/income derived from a criminal offense is increasingly recognized as an effective tool in combating organized crime.

The development and strengthening of organized crime at international level, requires the development of effective modalities of international cooperation in the course of criminal and financial investigations and the process of confiscation of property acquired through crime. In that sense, it is necessary that the countries adopt measures to allow their competent institutions to confiscate property/proceeds derived from criminal offences. In this way, they will be able to adequately respond to this challenge, participate adequately in international cooperation, participate in joint investigations, provide assistance in freezing or temporary seizure of proceeds from crime and help in the permanent seizure, return or exchange of illegally acquired property located in another country.

A comprehensive fight against organized crime, which directly affects the stability and security of each country, is one of the main priorities, but also a challenge for the overall security system in Bosnia and Herzegovina. Effective and successful fight against crime is one of the basic prerequisites and criteria for EU accession.

According to the findings of OCTA BiH, there are various kinds of organized crime in Bosnia and Herzegovina, which manifest, to a greater or lesser extent, in various aspects such as: illicit production and trafficking of narcotics, human trafficking, smuggling of people and illegal migration, illegal trafficking of weapons and military equipment and dual-use products, economy crime and tax evasion, forgery and illegal obtaining of personal documents, forgery of money, misuse of credit cards and other securities, abuse of office, high-tech (computer or cyber) crime, theft and sale of motor vehicles, blackmail, extortion, kidnapping and robbery, etc.

The prevalence of organized crime in BiH is not a sufficiently explored area in the security sense; therefore, a precise assessment of the current situation is not possible and is based exclusively on the basis of an assessment made on the basis of intelligence gathered and conclusions derived from the data collected by police officers through their operational work and during the criminal investigation, as well as statistical data on persons reported to the prosecutor's offices

The presence of corruption in all structures of government has significant influence on organized crime, which has been confirmed by the conducted investigations of organized criminal groups and the research of the non-governmental sector. It is impossible to accurately calculate the material and financial damage that Bosnia and Herzegovina suffer from organized crime, but it is quite certain that it is at a large scale.

The Organized Crime Threat Assessment in BiH (OCTA), as a document that deals with the threat from organized crime and gives priority to those that are most likely to cause the greatest damage in the future, indicated the most widespread forms of organized crime in Bosnia and Herzegovina at the moment. In accordance with the findings of the aforementioned threat assessment, measures have been identified to take into account for certain forms of organized crime, with the aim of suppressing and preventing criminal activities, in accordance with the available internal capacities and real possibilities

The territory of BiH is an area in which the widespread networks of organized crime groups originating in the region of the Balkans, as well as in the European area, have their own branches through which they carry out numerous criminal activities. BiH citizens are the most common perpetrators, but, in sporadic cases, they are organizers of specific phases of activities of a larger criminal chain that begins and ends outside BiH. Yet, a number of criminal groups carry out their activities only within the borders of Bosnia and Herzegovina. These are criminal groups whose level of organization is extremely high and which have clearly defined organizational structure: from organizers, executors, to helpers.

Assessment of police agencies, on the basis of their analyses carried out in the course of regular duties and tasks, suggests that organized criminal groups are very flexible and adaptable in their criminal activities. Moreover, it has been recognized that organized criminal groups easily adapt to changes in the political, economic and social environment.

According to the Organized Crime Threat Assessment drawn up for the period 2013-2015, it is evident that at the territory of Bosnia and Herzegovina all thus far distinguished forms of organized crime are still present, which were also covered by the previous threat assessment.

According to available data, the largest number of organized criminal groups in Bosnia and Herzegovina is engaged in illicit trafficking in narcotics and human trafficking, as these are the most lucrative criminal activities. Additionally, there are cases of smuggling of firearms and ammunition and their sale on the black market. A number of members of these groups engage in violent crimes (contract killing), blackmailing, kidnapping and extortion, and it is evident that the number of organized criminal groups is changing since the degree of recovery of prosecuted groups and chains is rather high due to increasing percentage of habitual offenders. These are criminal groups that are part of international chains whose level of organization is extremely high and which have clearly defined organizational structure: organizers, executors, helpers, etc. In comparison to the period up to 2013, when an evident problem has been a criminal offence of theft and resale of stolen vehicles across BiH, during the period 2013-2015 there has been a tendency of decrease in the commission of these types of crimes.



Almost all types of narcotic drugs can be found on the black market in Bosnia and Herzegovina, while it is dominated by products of cannabis, heroin and synthetic drugs. Based on the analysis of the organized criminal groups' MO that have been discovered, investigated and processed by the police and partially by the court before the judicial authorities of Bosnia and Herzegovina, as well as gathered intelligence, international trends, and pathways of movement of drugs, it is safe to say that Bosnia and Herzegovina is a country of transit and final destination of narcotics. However, apparent productions of smaller quantities of marijuana have also been observed. In the period 2013-2015 in the investigations conducted by judicial and police agencies, marijuana plantations and artificial laboratories for the production of marijuana have been found in different parts of BiH.

The illegal purchase and trafficking in arms has been intensified in Bosnia and Herzegovina as a result of the increase of demand on the black market in the EU countries. We have registered the occurrence of illicit trafficking in arms and explosive devices, mostly military weapons retained from the previous war, and various military and commercial explosives. The subjects of trafficking in most cases are automatic rifles, pistols and explosives, which are illegally sold in the EU at significantly higher prices making their earnings very high. It has been a trend that this criminal act is committed alongside with illegal trafficking in narcotics in such a way that the weapons are compensated for narcotics and are often smuggled together in organized illegal transports.

Bosnia and Herzegovina is a country in the transition process and we have a bold economic and social factor, especially poverty and unemployment, hence the presence of human trafficking is characteristic in particular. Comparing to the previous period when BiH was also a transition country and the final destination for human trafficking victims, current trends show that Bosnia and Herzegovina is becoming more and more the starting point of human trafficking, since now the victims of human trafficking are mostly citizens of Bosnia and Herzegovina who are exploited in different ways for the purposes of begging, labour and sexual needs. At the same time, the trend of exploiting minors is noticeable, mostly children for the purposes of begging and thefts in EU countries, whereas the victims are mostly Roma nationalities.

Although, given its geographical position, Bosnia and Herzegovina is still not on the main route of movement of illegal migrants, yet in 2017 there has been an increasing number of smuggling of persons from neighbouring countries holding Turkish identity documents from euro-asian persons using BiH as a transit country towards the countries of western Europe, have been registered. On the other hand, BiH was the destination for persons from neighbouring countries who mostly violated the immigration regulations. Available information shows an increase of rejected requests for endorsement of invitation letters, increase of visa-free residence cancellations, cancellations of temporary and permanent residences, i.e. rejection of requests for approval/extension of temporary residence.

Although due to its geographic position, Bosnia and Herzegovina is still not on the main routines of illegal migrants, yet in 2017, there has been an increasing number of illegal transfers from the neighbouring countries of person in possession of Turkish documents, across the territory of BiH and their illegal transportation into the Republic of Croatia for further smuggling to the countries of Western Europe. On the other hand, BiH was the

destination of citizens of countries from the region who mostly violated immigration regulations. With regard to persons coming from third countries, the most recorded are the citizens of Turkey, Albania, bearers of travel documents bearing the mark of Kosovo, Afghanistan, Sri Lanka and India.

Economic crime is, in most cases, closely linked to corruption cases, since the mutual interaction of these two phenomena is necessary in cases when it comes to obtaining illegal material gain of high monetary value. The modus operandi is as before – transfer of capital carried out in multinational companies which transfer their final profit to the so-called tax oasis, i.e. offshore companies, presenting the profit gained in Bosnia and Herzegovina in tax free countries, causing direct budget losses. One of the most noticeable models is tax evasion which arises from illegal statutory changes of the company preceding pre-bankruptcy and bankruptcy proceedings of the legal entities that are multimillion tax obligor. The cash flows of certain criminal group, whose activities were disrupted by police actions, indicate that the funds and assets illegally acquired by committing criminal acts in this field are mainly legalized by purchasing real estate, construction and other business facilities, privatization of enterprises, and in some cases transferring funds abroad.

Using new information and technology achievements enables criminal groups to have high level of anonymity and harder detection of their illegal activities. Level of sophistication of this crime represents a great challenge to developed countries, let alone countries with limited material capacity such as Bosnia and Herzegovina. The emerging threat from the use of the latest achievements in the field of information technology and the impact that it has on the economy of Bosnia and Herzegovina, its infrastructure and business communities requires greater understanding. According to collected intelligence, criminals from BiH use all sources of modern technologies to set strategies for illegal trade of narcotics, illegal migrations and human trafficking, and to identify the quickest and most effective smuggling routes and methods, ways for money transactions in the process of so-called “money laundering”, disruption and following police patrol, tracking bank transactions of rivalry groups, determining security system characteristics (e.g. banks), even creating virtual criminal groups, the members of which are physically located in different territories, as well as planning other illegal activities. *Identity thefts of citizens of Bosnia and Herzegovina* have also become more popular lately. Namely, the intelligence data indicate that original identification documents of Bosnia and Herzegovina containing names of legal bearers of particulars supplied with photographs of criminals have been procured by a number of criminals from the region.

It is evident that organized criminal groups and their activities have a very bad impact on the economic development of Bosnia and Herzegovina. Final goal of being involved in all types of organised crimes is to acquire money which is placed in legal money flows, the last phase of which is co called “money laundering”. Tracked money transactions linked with organised criminal groups’ activities uncover the financial earnings being acquired illegally, most often by legalising it through real estate purchase and participation in construction of buildings and other objects. In some cases, through financial transactions abroad as well. There are also a number of criminals originally from BiH, permanently residing abroad, who are involved in illegal activities enabling them to gain huge amount of money, a part of which is then invested in purchasing of real estate in our country. The most common misuse of

business activities is founding fictive firms participating in fictive legal businesses through misuse of banking sector. Money is mainly invested into purchase of real estate, through banking system, and for opening firms and buying equipment (rent-a-car companies), paying goods and services, and certain amount is withdrawn in cash for purchasing real estate, for spending money on expensive clothing, trips etc. Most often the cases of suspicious money being subject to money laundering in BiH come from the *off-shore zones*, and it often happens that money acquired from different crime types in BiH is transferred onto accounts *in off shore zones*. Apart from the said, money transfers being under certain origin suspicion regarding their legitimate origin. Organized criminal groups and their activities have a very bad impact on the economic development of Bosnia and Herzegovina. It is impossible to accurately calculate the material and financial damage that illegal activities of organized crime inflict on Bosnia and Herzegovina, but it is certain that is significant.

Illegal lending of money with enormous interest rates (usury or so called „loan sharking“) remains one of the means that criminal groups are using for additional acquisition of illegal profits. The money borrowed is mainly acquired through some form of illegal activities or it is the money whose origin is not precisely determined.

Mutual interaction between corruption and organized crime represents one of the most dominant factors that imperils the development and economic stability of Bosnia and Herzegovina. Data related to violation of law and corruptive activities in all segments of social businesses are continuously collected in line with the strategic documents for combating corruption in BiH. Even though the perpetrators are being sanctioned, there is still corruption among employees of different institutions who should, in accordance with their respective position, enable effective law enforcement. Previously identified connections between organized crime and various structures and levels of government are still functioning, and new connections are being established.

The most influential factors contributing to the expansion of organized crime are:

- ✓ unbalanced social-economic system and corruption,
- ✓ unstable political situation,
- ✓ specific geostrategic position of BiH,
- ✓ social inequality of the population and poverty,
- ✓ high unemployment rate,
- ✓ inadequate, inapplicable or selective application of regulations,
- ✓ lack of professionalism and misuse of modern technologies.

It is anticipated that the further development and expansion of organized crime in BiH, with varying intensity, will be impacted by the consequences of the global economic crisis. Previous experiences suggest that in the circumstances of the economic crisis, the forms of organized crime get new intensity and substance. Namely, the increase of unemployment rate and poverty could increase the number of potentially new organized crime bearers in all its

forms, primarily in illicit narcotics trafficking, illegal migration, and all segments of illegal trafficking in high taxed goods, weapons, stolen vehicles, etc. All this could also influence the establishment of a "new" criminal relationship among the "influential" organized crime bearers, which would result in mutual confrontations with the use of violence (murders, ransoms, abductions, etc.).

The activities of organised criminal groups cause negative impact on the fiscal system, social and legal security and overall security situation in Bosnia and Herzegovina, and profit is the main motivation and driving force of organised crime and each of its activities is aimed at increasing profit and placing it into legal flows.

In the case of ensuring stagnation and elimination of the effects of economic and social problems, with an adequate political decision, all forms of organized crime could be reduced with the tendency of their weakening and elimination of the overall negative effect in society.

For these reasons, it is necessary for the Strategy to anticipate a continuous and integrated process of measures and activities of government institutions at all levels and other relevant entities in Bosnia and Herzegovina in the fight against organized crime.

The prevention, detection and sanctioning of organized crime is of great importance for increasing the credibility of Bosnia and Herzegovina, as an equal partner in international relations, which is able to give its full contribution to the fight against organized crime. The development and efficient implementation of strategic documents in this area is a proactive approach in the fight against organized crime, which carries the perspective of changes in our overall capabilities, and it implies coordination and better use of intelligence and operational data, as well as information derived from the analysis of law enforcement agencies, knowledge improvement, enhanced mutual cooperation between institutions and agencies in Bosnia and Herzegovina, and more efficient law enforcement, as well as strengthening international cooperation.

## **5. FRAMEWORK FOR FIGHT AGAINST ORGANIZED CRIME**

### ***5.1. Legislative framework***

Bosnia and Herzegovina has ratified the most important conventions related to fight against organized crime. The Strategy is based on currently valid laws, conventions, bilateral and multilateral treaties, as well as other legal acts passed and adopted by the date the Strategy will be entered into force.

Establishing a modern and comprehensive legal framework in line with relevant international standards is one of the crucial systematic conditions for efficient fight against organized crime in Bosnia and Herzegovina. All bodies responsible for the fight against organized crime are assessing the effectiveness of the legal framework to assure its improvement in line with the needs.

The competencies, powers and actions of all bodies, institutions and agencies of Bosnia and Herzegovina participating in the fight against organized crime are regulated by several laws, and these are the most important: Criminal Procedure Code of Bosnia and Herzegovina ("Official Gazette of BiH" no. 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09, 72/13); Criminal Code of Bosnia and Herzegovina („Official Gazette of BiH“ no. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15, 40/15); Law on Prosecutor's Office of Bosnia and Herzegovina ("Official Gazette of BiH" no. 24/02, 3/03, 37/03, 42/03, 9/04, 35/04, 61/04 and 49/09); Law on Court of Bosnia and Herzegovina („Official Gazette of BiH“ no. 49/09 – revised version, amendment no. 74/09 and 97/09); Law on Police Officials of Bosnia and Herzegovina (“Official Gazette of BiH“ no. 27/04, 63/04, 5/06, 33/06, 58/06, 15/8, 63/08, 35/09 and 7/12); Law on State Investigation and Protection Agency („Official Gazette of BiH“ no. 27/04, 35/05, 49/09, 40/12); Law on Border Police of Bosnia and Herzegovina (“Official Gazette of BiH“ no. 50/04, 27/07 and 59/09); Law on Service for Foreigners' Affairs (“Official Gazette of BiH“ no. 54/05, 36/08); Law on Directorate for Coordination of Police Bodies and Agencies for Police Support of Bosnia and Herzegovina (“Official Gazette of BiH“ no. 36/08); Law on Agency for Prevention of Corruption and the Coordination of the Fight against Corruption („Official Gazette of BiH“ no. 103/09 and 58/13); Law on Protection of Persons Reporting Corruption in the Institutions of Bosnia and Herzegovina („Official Gazette of BiH“ no. 100/13); Law on Prevention of Money Laundering and Financing of Terrorist Activities („Official Gazette of BiH“ no. 47/14 and 46/16); Law on Protection of Witnesses under Threat and Vulnerable Witnesses („Official Gazette of BiH“ no. 3/03, 21/03, 61/04, 55/05); Law on Witness Protection Program in Bosnia and Herzegovina („Official Gazette of BiH“ no. 36/14); Law on Freedom of Access to Information in Bosnia and Herzegovina („Official Gazette of BiH“ no. 28/00, 45/06, 102/09, 62/11 and 100/13); Law on Personal Data Protection (“Official Gazette of BiH“ no. 49/06, 76/11 and 89/11); Law on Secret Data Protection (“Official Gazette of BiH“ no. 54/05 and 12/09); Law on Execution of Criminal Sanctions, Detention and Other Measures of Bosnia and Herzegovina („Official

Gazette of BiH“ no. 22/16, revised text); Law on Establishment of Institute for Execution of Criminal Sanctions, Detention and Other Measures of Bosnia and Herzegovina („Official Gazette of BiH“ no. 24/08); Law on International Legal Assistance in Criminal Matters („Official Gazette of BiH“ no. 53/09 and 58/13); Law on Intelligence and Security Agency of Bosnia and Herzegovina („Official gazette of BiH“ no. 12/04, 20/04, 56/06, 50/08 and 12/2009); Law on Foreigners („Official Gazette of BiH“ no. 88/15) and Law on Movement and Stay of Aliens and Asylum („Official Gazette of BiH“ no. 11/16).

The competencies, powers and actions of all institutions of the Entities and institutions of Brcko District of BiH participating in the fight against organized crime are regulated by several laws, and these are the most important:

- ✓ Criminal Procedure Code of Brcko District of BiH („Official Gazette of Brcko District of BiH“ no. 33/13 and 27/14); Criminal Code of Brcko District of BiH („Official Gazette of Brcko District of BiH“ no. 33/13 and 26/16); Law on Police of Brcko District of BiH („Official Gazette of Brcko District of BiH“ no. 2/00 and 33/05); Law on Police Officials of Brcko District of BiH („Official Gazette of Brcko District of BiH“ no. 41/07 and 4/08); Law on Execution of Criminal and Minor Offence Sanctions („Official Gazette of Brcko District of BiH“ no. 8/00, 1/01, 19/07 and 36/07); Law on Execution of Criminal Sanctions, Detention and Other Measures in Brcko District of BiH („Official Gazette of Brcko District of BiH“ no. 31/11); Law on Confiscation of Unlawfully Acquired Property by Criminal Offence („Official Gazette of Brcko District of BiH“ no. 29/16);
- ✓ Criminal Procedure Code of the Federation of BiH („Official Gazette of FBiH“ no. 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53/07, 9/09, 12/10 and 8/13); Criminal Code of the Federation of BiH („Official Gazette of FBiH“ no. 36/03, 37/03, 21/04, 69/04, 18/05, 42/10, 42/11, 59/14, 76/14 and 46/16); Law on Internal Affairs of the Federation of BiH („Official Gazette of FBiH“ no. 81/14); Law on Police Officials of the Federation of BiH („Official Gazette of FBiH“ no. 27/05 and 70/08); Law on Execution of Criminal Sanctions of the Federation of BiH („Official Gazette of FBiH“ no. 44/98, 42/99, 12/09 and 42/11); Law on Confiscation of Unlawfully Acquired Property by Criminal Offence of FBiH („Official Gazette of FBiH“ no. 71/14);
- ✓ Criminal Procedure Code of Republika Srpska („Official Gazette of RS“ no. 53/12); Criminal Code of Republika Srpska („Official Gazette of RS“ no. 64/17); Law on Police and Internal Affairs of Republika Srpska („Official Gazette of RS“ no. 57/16 and 110/16); Law on Execution of Criminal Sanctions of Republika Srpska („Official Gazette of RS“ no. 12/10, 117/11 and 98/13 and 44/16); Law on Enforcement Procedure of Republika Srpska („Official Gazette of RS“ no. 59/03); Law on Suppression of Corruption, Organized and Most Serious Forms of Economic Crime („Official Gazette of RS“ no. 39/16); Law on Witness Protection during Criminal Procedure of Republika Srpska („Official Gazette of RS“ no. 48/03); Law on Public Prosecutor's Office of Republika Srpska („Official Gazette of RS“ no. 69/16); Law on Courts of Republika Srpska („Official Gazette of RS“ no. 37/12 and 44/15); Law on Execution of Criminal Sanctions of Republika Srpska („Official Gazette of RS“ no. 12/10, 117/11, 98/13 and

44/16); Law on Confiscation of Unlawfully Acquired Property by Criminal Offence („Official Gazette of RS“ no. 12/10).

The necessary conditions were set for a more efficient fight against all forms of organized crime with the changes and amendments of positive legislation in Bosnia and Herzegovina, primarily substantive and procedural criminal legislation over the past years, and the provisions of international legal standards in this field have also been implemented.

The aim of these changes can be briefly described as: more effective fight against growing organized crime and corruption, incorporating new methods in combating complex forms of contemporary crime, accelerating criminal proceedings, simplifying criminal proceedings for minor criminal offenses, protecting human rights and freedoms and harmonization of criminal and legal regulations in Bosnia and Herzegovina.

## ***5.2. Institutional framework in the fight against organized crime***

The Council of Ministers of BiH as the holder of the executive power at the level of Bosnia and Herzegovina, as well as the executive authorities at the Entity levels and the Brcko District of BiH, direct and coordinate the work of the administrative bodies and monitor their performance. Political will of the organs of executive power and other subjects of the political system plays a very important role in the fight against organized crime. The existence and stability of the political will, the adoption and implementation of appropriate regulations, as well as the strengthening of the bodies, i.e. the institutional framework and policies, represent the conditions necessary for the successful implementation of the Strategy.

At the level of Bosnia and Herzegovina, among others within the Ministry of Security of Bosnia and Herzegovina, the State Investigation and Protection Agency (SIPA) and the Border Police of BiH (GP BiH) are involved in operational activities in the fight against organized crime.

The competences of the State Investigation and Protection Agency (SIPA) are regulated by the Law on State Investigation and Protection Agency and mainly refer to organized crime, terrorism, war crimes, human trafficking and other criminal offenses against humanity and values protected by international law, and severe financial crimes. SIPA processes data and keeps records in accordance with the Law on Police Officials of BiH, the Law on Personal Data Protection of BiH and other regulations of Bosnia and Herzegovina. The Financial Intelligence Department (FID) of SIPA is responsible for preventing money laundering and financing of terrorist activities. With the existing financial and human resources, SIPA is capable of conducting the most complex organized crime investigations.

The competences of the Border Police of BiH are regulated by the Law on Border Police of BiH and include: implementation of the Law on Border Control, the Law on Movement and Stay of Aliens and Asylum, prevention, detection and investigation of criminal offenses regulated by criminal codes of Bosnia and Herzegovina when these crimes are directed against state border security or against the execution of tasks and duties under the jurisdiction of the Border Police of BiH. This includes criminal offenses in accordance with the provisions on misuse of public documents for identity check and obligation of having a

visa, as well as provisions on movement and residence of aliens and asylum if criminal offences have been committed while crossing border or when directly related to border crossings; criminal offenses related to prohibited transportation of goods over a state border, goods without official approval or in cases of breaching the valid ban.

Within the Border Police of BiH there is a Central Investigation Office responsible for prevention and detection of criminal offenses in the area of organized cross-border crime, particularly in the human smuggling, illegal migration and smuggling of goods.

Within the Directorate for Coordination of Police Bodies of BiH, there is a Sector for International Operational Police Cooperation, which within its jurisdiction daily exchange operational and strategic information in international police cooperation through cooperation with INTERPOL, EUROPOL and SELEC, as well as through accredited foreign police liaison officers in BiH.

The Court of Bosnia and Herzegovina and the Prosecutor's Office of Bosnia and Herzegovina operate at the level of Bosnia and Herzegovina and their jurisdictions are prescribed by the Law on the Court of BiH and the Law on the Prosecutor's Office of BiH.

The Prosecutor's Office of Bosnia and Herzegovina is an institution whose jurisdiction is determined by the Law on the Prosecutor's Office of BiH. Among other things, it is responsible for the criminal offenses of organized crime at the level of Bosnia and Herzegovina, and in particular for the criminal offenses of international trafficking in narcotic drugs, human trafficking, criminal offenses of corruption where perpetrators are representatives of the institutions of Bosnia and Herzegovina, as well as for criminal offenses of economic crime endangering the economic integrity and unity of the market in Bosnia and Herzegovina. For the purpose of investigating and prosecuting criminal offenses more efficiently, the Special Department for Organized Crime, Economic Crime and Corruption was established within the Prosecutor's Office of Bosnia and Herzegovina.

There are both district/basic and cantonal/municipal prosecutor offices operating at the entities' levels whereas there is the Prosecutor Office of Brčko District of Bosnia and Herzegovina operating within Brčko District. Following the law on stamping out of corruption, organised crime and the most aggravated economy crimes, there is a special department for stamping out corruption, organised crimes and the most aggravated economy crimes formed up within the Republic-level public prosecutor's office. For prosecuting and identifying perpetrators of the other criminal acts prescribed by Article 13, the crimes such as "Criminal association" and "Organised crime" are within competence of a special Prosecutor's department.

Intelligence-security agency (OSA) acts upon the Law on intelligence-security agency of Bosnia and Herzegovina. It is directly accountable to the Parliamentary assembly of Bosnia and Herzegovina for its work, which is being realised through the Commission for supervision of work performed by OSA. Apart from the rest, the OSA works encompass gathering, analysis and dissemination of data on organised crime, which as per its character, poses a threat to security at global level and to security of Bosnia and Herzegovina, especially when it comes to drug trafficking, firearm trafficking and human trafficking, illegal production of weapon for massive destruction at international or components, materials and



devices which are need for their production, illegal trade of goods and technologies being under international control.

Indirect taxation authority of Bosnia and Herzegovina, as an independent administrative organisation at Bosnia and Herzegovina level, enacts legal and other regulations on indirect taxation and policy which is stipulated by the Council of Ministers of Bosnia and Herzegovina following the proposal by the Steering board of Indirect taxation authority. It is established by the Law on indirect taxation system and it is directly accountable to the Council of Ministers of Bosnia and Herzegovina through its steering board. The competence of the Indirect taxation authority of Bosna and Herzegovina is regulated by the Law on Indirect taxation authority, which apart from the rest, is dealing with suppression, detection and investigation of the customs, tax and other offences, and therefore, in compliance with respective prosecutor's instructions and management of activities referring to investigation of crimes related to indirect taxation through its organisational section of the Sector for implementation of procedures.

At the Bosnia and Herzegovina level, the Service for Foreigners Affairs, as an administrative organization within the Ministry of Security of Bosnia and Herzegovina, with operational autonomy, is established by the Law on Service for Foreigners Affairs. The competencies of the Service are prescribed by the aforementioned Law, but the most important competence in the context of this Strategy is to prevent and counter illegal migration as a potential risk, which Service conducts through operational activities in verification procedures of letters of invitation and residence permit, by collecting information and knowledge about the organisers of illegal transfer and smuggling of persons, the identification of the routes and routes for the movement of illegal migrants, exchange of collected knowledge and information with law enforcement agencies in Bosnia and Herzegovina, inspection controls on the movement and stay of foreign citizens, and taking repressive activities towards them.

In addition to the institutions of Bosnia and Herzegovina participating in the suppression and prevention of organised crime, institutions at the entity and district level participate as well: The Federation Ministry of Internal Affairs (FMUP) and the Ministry of Internal Affairs of the Republika Srpska (MUP RS) and the Police of the Brčko District of Bosnia and Herzegovina.

Within the Federation of Bosnia and Herzegovina there are ten cantons. In each of the cantons there is a cantonal ministry of the interior, which consists of several police administrations formed on a territorial and functional principle. Police administrations consist of two or more police stations (municipal level). The competencies of the Federal Ministry of Internal Affairs (Federal Police Directorate of the Ministry of Internal Affairs) are prescribed by the Law on Internal Affairs of the Federation of Bosnia and Herzegovina and relate, inter alia, to the suppression of the criminal offenses of terrorism, inter-cantonal crime, marketing of narcotic drugs, organised crime, and discovering and arresting perpetrators of these crimes. The cantonal ministries of the interior have competencies prescribed by the cantonal laws on internal affairs.

In accordance with the Law on Police and Internal Affairs, the Ministry of Internal Affairs of Republika Srpska (MUP RS), among other things, is in charge of suppressing all forms and types of crime. A new reform of the organisational structure was carried out within the Ministry. The Ministry is organised through the work of ten police administrations in the territory of the Republic of Srpska, which are outside the Ministry's headquarters but are directly subordinated to the Ministry's headquarters. Functionally, the Ministry has at its headquarters twelve basic organisational units, one of which is the Directorate for Organised and Serious Crime, consisting of three units: The Organised Crime and Drugs Unit, the Special Operations Unit and the Unit for Operational Analytics. Also, the main organisational unit at the headquarters of the Ministry is the Criminal Police Directorate, which has within its two units the Department for Economic Crime and Corruption, the Department for Financial Investigations and Money Laundering and the Department of High-Technology Crime.

The Republic of Srpska has established a legal and institutional framework for combating high-tech crime. Through intensive inter-party co-operation, the level of integration in the global context is raising daily and it promotes the fight against this type of threat. All previous investigations of the Department of High-Technology Crime of the Ministry of Interior of Republic Srpska were of international character and were organised with international partners because high-technology crime does not recognise the physical boundaries of states but is constantly on the international level. As for this area, it is planned to tackle it as soon as possible and as well as to build up skilfulness with the aim of establishing harmonisation of the best international practices in the fight against high-technology crime.

Police of the Brčko District of Bosnia and Herzegovina have full, real and local competence in the area of the Brčko District of Bosnia and Herzegovina prescribed by the Law on Police of the Brčko District of Bosnia and Herzegovina. Within the Criminal Police Unit, the Department for Organised Crime, Drugs and the Department of Economic Crime and Corruption, was formed.

There are real difficulties in coordinating the work of a large number of agencies in our security system, among other things because of the diversity of the legal framework that defines their competencies. Co-operation amongst entities in counter organised crime must be established in an effective manner, with the possibility of enhancing the work in joint investigations, better data exchange and information system efficiency in accordance with its competencies.

The need for a flexible response to all modern forms of organised crime, characterised by complexity, dynamism and their manifestation, requires establishing of new organisational units in accordance with the legal framework and budgetary possibilities.

### ***5.3. Analysis of capacity for counter organised crime***

All institutions and bodies that are responsible for counter organised crime are characterised by lack of personnel, both in numbers and in quality. On one hand, there is a tendency for the outflow of quality and experienced personnel into other institutions or bodies

or private sector, which attracts them with incomparably better material work conditions, and on the other hand, inflow of young and inexperienced employees who largely lack the knowledge and skills needed for successful fight against organised crime. In order to have highly skilful personnel for counter organised crime, a process of long-term direct engagement on these tasks and continuous training, as well as training for different types of specialisation, is required.

The specialisation of personnel for counter organised crime, as a process, does not have a lasting character at this time, nor there is a developed training system that would enable continuous acquisition of necessary competences. It is now being realised occasionally, through seminars, round tables, practical trainings, study visits, etc. It is especially necessary, in order to examine the specificity of organised crime, to improve methods of fighting, tactics of research and documentation of modern forms of crime, the application of special investigative techniques, conducting financial investigations and efficient seizure of property resulting from the commission of criminal offenses, implementation of international standards and the development of legal regulation in other areas.

Investing into modernization of infrastructure and equipment is an ongoing need, especially with regard to standardisation and contemporary tendencies of the modern age, bearing in mind the systems and equipment used by organised criminal groups today. This enables the integration and rapid response of all relevant institutions and bodies, and ensures a continuous and effective fight against organised crime.

The necessary funds for the implementation of activities are provided from the budget in Bosnia and Herzegovina. The basic objectives of the Strategy will be realised through various activities of institutions and bodies in Bosnia and Herzegovina and international institutions. The specific activities to be undertaken are the establishment of mechanisms and instruments for budget planning from the budget in Bosnia and Herzegovina, as well as from international funds and other sources of financing. There was also a need for increased co-ordination of the use of international funds and funding instruments.

A proactive approach to counter organised crime involves, among other things, the co-ordination and better use of intelligence, as well as information derived from strategic analysis (for example, risk and threat assessments), knowledge improvement, and enhanced interaction between institutions and bodies.

Preventive form of fighting organised crime includes various activities that reduce the possibility of committing criminal offenses and improve social factors that prevent emerging and spreading of organised crime. In addition, it contributes to informing and protecting victims of organised crime, which conditions co-operation and the connection of all actors of prevention at all levels. Also, an importance should be given to assessment of the possible impact of certain legal solutions on the prevention of organised crime.

Between EUROPOL and Bosnia and Herzegovina, in 2007, a Strategic Agreement on Co-operation between the Council of Ministers of Bosnia and Herzegovina and the European Police Office (EUROPOL), was signed and ratified, which prescribes exchange of exclusively non-operational information. The Agreement on Operational and Strategic Co-operation

between Bosnia and Herzegovina and EUROPOL (Operational Agreement), was signed on 31 August 2016 and entered into force in March 2017. However, in spite of that, the Operational Agreement is still not fully implemented since the Joint Contact Point for Bosnia and Herzegovina (ZKT) being prescribed, has not been established.













## ***6. BASIC OBJECTIVES IN COUNTER ORGANISED CRIME***

The Strategy for Counter Organised Crime defines the basic goals in the fight against organised crime, which are based on the assessment of threats from organised crime, the analysis of the realisation of the goals from the previous Strategy for the fight against organised crime, as well as other relevant analysis, information and reports about the state of organised crime.

- I. Continuous harmonisation of legal norms of Bosnia and Herzegovina with international standards referring counter organised crime and harmonisation of legal norms within Bosnia and Herzegovina;
- II. Improving the legal and institutional framework for counter organised crime;
- III. Strengthening capacities (human and material-technical) of all entities in Bosnia and Herzegovina participating in counter organised crime;
- IV. Develop a proactive approach in counter organised crime with the strengthening of inter-institutional and interagency co-operation in Bosnia and Herzegovina, the appropriate application of preventive and repressive action;
- V. Confiscation of property and assets obtained through committed organised criminal acts;
- VI. VI. Developing co-operation at the regional and international level, through intensified participation in international organisations, initiatives, working groups and bodies;
- VII. Strengthening co-operation of public institutions with the private sector and civil society;

## 7. MEASURES FOR FIGHTING ORGANIZED CRIME

On the basis of the Organized Crime Threat Assessment in Bosnia and Herzegovina, which identifies the basic challenges in the field of organized crime and envisages the further movement and development of organized crime in Bosnia and Herzegovina, as well as assessments of available capacities and possibilities for combating this phenomenon, measures have been established which should be undertaken, for each organized crime form, in the following period:










<b><i>Strategic goal I: Continuous harmonization of legal regulations in Bosnia and Herzegovina with international standards for combating organized crime and harmonization of legal regulations in Bosnia and Herzegovina</i></b>	
<b><i>Measure</i></b>	<ul style="list-style-type: none"> <li> <i>Analysis of statistical data against imposed penalties by final court's rulings in Bosnia and Herzegovina, against persons within an organized criminal group and the analysis of penalties against forms of organized crime defined in the criminal codes of BiH, and proposing measures in accordance with the analysis results</i></li> <li> <i>Implementation of GRECO recommendations</i></li> <li> <i>Implementation of international standards and best practices in order to prevent the use of new technologies for committing organized crime.</i></li> <li> <i>Implementation of MONEYVAL and FATF recommendations</i></li> <li> <i>Harmonization of the law on foreign exchange operations in terms of more efficient control over the movement of cash across the border</i></li> </ul>
<b><i>Strategic goal II: Improving the legislative and institutional framework for the fight against organised crime</i></b>	
<b><i>Measure</i></b>	<ul style="list-style-type: none"> <li> <i>Analysing legal frameworks for applying special investigative measures in order to make them more effective in practise</i></li> <li> <i>Identifying issues in the practical use of special investigative measures in order to make them more efficient</i></li> <li> <i>Improving the legislative and institutional framework in order to suppress the use of new technologies for committing organized crime</i></li> <li> <i>Intensifying activities to establish a joint contact point for cooperation with EUROPOL in order to fully implement the Agreement on operational and strategic cooperation between BiH and EUROPOL</i></li> <li> <i>Strengthening and amending the legislative framework relating to the identification of pre-paid SIM card users (telephone and internet) and adequate sanctioning of operators for failure to comply with positive regulations in this field</i></li> <li> <i>Strengthening of the institutional capacities necessary for more efficient control of container/risky shipment</i></li> <li> <i>Enhancing supervision over the work of NGOs and the non-financial sector in accordance with the law</i></li> </ul>

	<ul style="list-style-type: none"> <li>✦ <i>Strengthening the control over the operation of smaller internet service providers in terms of obligations and deadlines for storing data, and other issues that are essential for preventing the misuse of new technologies.</i></li> </ul>
<b>Strategic goal III: Capacity building (human and material-technical) of all entities in Bosnia and Herzegovina taking part in the fight against organized crime</b>	
<b>Measure</b>	<ul style="list-style-type: none"> <li>✦ <i>Adequate staffing of relevant institutions</i></li> <li>✦ <i>Completion of the fiscalization process in Bosnia and Herzegovina</i></li> <li>✦ <i>Education/professional training of personnel who control the container and risky shipment</i></li> <li>✦ <i>Education/professional training of the holders of judicial functions in line with new trends and challenges in the fight against organized crime, in cooperation with the centres for education of judges and prosecutors in Bosnia and Herzegovina</i></li> <li>✦ <i>Education/professional training of law enforcement and prosecutorial officials on financial investigations</i></li> <li>✦ <i>Education/professional training of police officials and prosecutors on the use of new technologies for committing organized crime</i></li> <li>✦ <i>Education/professional training of police officials in the segment of drug abuse (e.g. „designer drugs“)</i></li> <li>✦ <i>Education/professional training of officials on fraud methods in economy crime</i></li> <li>✦ <i>Education/professional training of prosecutors and police officials on modern trends, M.O.s and technologies in money laundry</i></li> <li>✦ <i>Education/professional training of officials on new types of illegal migrations and smuggling of people.</i></li> <li>✦ <i>Development and implementation of integrity plans of the law enforcement agencies focusing on the fight against corruption</i></li> <li>✦ <i>Enhanced internal controls in law enforcement institutions and judicial institutions, with the aim of suppressing possible abuse and improvement of internal discipline and compliance with prescribed procedures with a special focus on combating corruption and abuse of office</i></li> <li>✦ <i>Continuous improvement of modern technologies used by law enforcement agencies in Bosnia and Herzegovina</i></li> <li>✦ <i>Equipping and developing the security of computer systems in the institutions of Bosnia and Herzegovina</i></li> <li>✦ <i>Enhanced controls while registering legal entities and determining real ownership</i></li> <li>✦ <i>Improving the technical equipment of the agencies in charge of import-export control</i></li> <li>✦ <i>Plan higher budget funds in law enforcement agencies necessary to finance organized crime</i></li> </ul>

***Strategic goal IV: Develop a proactive approach in the fight against organized crime and strengthening inter-institutional and interagency cooperation in Bosnia and Herzegovina; appropriate application of preventive and repressive action***

***Measure***

- + Crime intelligence systems and ILP (Intelligence Led Policing) capacity building in state and entity law enforcement agencies in the fight against organized crime*
- + Intensifying and improving the use of special investigative measures - especially controlled delivery, interception and undercover investigators, in line with international standards and best practices*
- + Developing new standardized IT systems and maintaining, updating and developing existing IT systems and databases*
- + Drafting a risk assessment on money laundry and terrorist financing in Bosnia and Herzegovina and implementation of action plans*
- + Strengthening institutional capacities to conduct financial investigations as part of criminal investigations*
- + Improving the financial-intelligence exchange*
- + Improving cooperation between law enforcement agencies in Bosnia and Herzegovina, all tax agencies and inspectorates*
- + Improving the collection of statistical data on organized crime in Bosnia and Herzegovina*
- + Enhance the risk analysis activities in the law enforcement agencies*
- + Timely exchange of information between agencies and institutions in Bosnia and Herzegovina*
- + Enhancing the fight against illegal migration in Bosnia and Herzegovina*
- + Improving the implementation of witness protection measures in Bosnia and Herzegovina*
- + Intensify coordination meetings of directors of police bodies in Bosnia and Herzegovina and the Chief Prosecutor of the Prosecutors Office of Bosnia and Herzegovina*
- + Intensify the work of operational, focus and other working groups formed to combat more effectively all forms of organized crime*
- + Intensify the cooperation in the implementation of joint operational actions, aimed at combating organized crime in Bosnia and Herzegovina*
- + Preparation, candidacy and realization of projects in the field of fight against organized crime financed from IPA funds, TAIEX and other international funds*
- + Implementation of the Agreement on mutual assistance and operational co-operation of law enforcement agencies and the improvement of cooperation*
- + Monitoring the work, coordinating activities for improving the electronic data exchange system between police bodies and prosecutors' office*
- + Systematic, planned and continuous education of personnel directly working on the collection, processing and use of information, and the investigation of organized crime*

<b><i>Strategic goal V: Seizure of property and proceeds acquired from a criminal offence of organized crime</i></b>	
<b><i>Measure</i></b>	<ul style="list-style-type: none"> <li> <i>Strengthening, improving and applying the legal framework for the temporary and permanent seizure of assets acquired through criminal offenses</i></li> <li> <i>Improving institutional capacities/structures for managing temporarily and permanently confiscated property</i></li> <li> <i>Education/professional training of prosecutors and judges in the use of mechanisms prescribed by law regarding the temporary and permanent seizure of illegally acquired property and property benefits</i></li> </ul>
<b><i>Strategic goal VI: Developing cooperation at the regional and international level, by intensifying the participation in international organizations, initiatives, working groups and bodies</i></b>	
<b><i>Measure</i></b>	<ul style="list-style-type: none"> <li> <i>Operationalization of the Agreement with EUROPOL</i></li> <li> <i>Improve the international operational police cooperation through cooperation with INTERPOL and SELEC, and other international bodies in which Bosnia and Herzegovina participates</i></li> <li> <i>Actively participate in the work of MONEYVAL</i></li> <li> <i>Timely exchange of information at the regional and international level, and taking part in international operations for combating organized crime</i></li> <li> <i>Improve the implementation of agreements signed with SE European countries in the area of implementation of specific joint activities</i></li> <li> <i>Improving cooperation with police attaches in diplomatic and consular offices of other countries in Bosnia and Herzegovina</i></li> <li> <i>Continue with the activities regarding the conclusion of the agreement between Bosnia and Herzegovina and EUROJUST</i></li> </ul>
<b><i>Strategic goal VII: Improving the cooperation between public institutions and the private sector and civil society</i></b>	
<b><i>Measure</i></b>	<ul style="list-style-type: none"> <li> <i>Strengthening cooperation with scientific and academic organizations and institutions dealing with multidisciplinary research into organized crime</i></li> <li> <i>Strengthening cooperation with electronic and written media for objective and timely informing the public and actively informing the public about the results achieved in the fight against organized crime</i></li> <li> <i>Strengthening cooperation with civil society organizations, raising awareness of citizens and educating on the risks and harmful consequences that organized crime has on the society as a whole</i></li> <li> <i>Improving cooperation with the private sector in combating all forms of organized crime</i></li> <li> <i>Raising awareness of citizens through education on safe use of IT.</i></li> </ul>



## **8. IMPLEMENTATION AND ACTION PLAN**

The task force group is responsible for overseeing and monitoring the implementation of the Strategy, with basic tasks:

- ✚ co-ordinating the implementation of the activities foreseen in the Strategy and Action Plans, monitoring and monitoring the implementation of the Strategy and its objectives;
- ✚ submitting a report to the Council of Ministers of Bosnia and Herzegovina on the implementation of the Strategy;
- ✚ proposing a revision of the Strategy in line with needs.

All institutions whose representatives participated in the work of the Working Group<sup>3</sup> will adopt their own action plans, in a common form agreed by the Working Group with minimum areas for implementation, and all in accordance with the goals and measures set forth in the Strategy, within two months from date of the Strategy adoption.

The members of the Working Group are obliged to submit the Action Plans to the Chairperson of the Working Group in order to efficiently monitor the implementation of the activities from all compiled plans.

Action plans will detail the measures and anticipate concrete activities in the prevention and repression of organised crime, as well as confiscation of property resulting from criminal offenses. It is necessary to determine the action plan, deadlines, performance indicators and resources by the action plan.

The Working Group shall submit a report to the Council of Ministers of Bosnia and Herzegovina on the implementation of the Strategy, at least once a year and repeatedly if necessary.

To have strategic goals in place, institutions will use the funds planned within their regular annual budgets and will not need to allocate additional funds from the budget of the institutions of Bosnia and Herzegovina.

Co-ordinate the implementation of the Strategy in order to improve its interaction with other relevant strategies in areas such as integrated border management, fight against corruption, fight against money laundering, combating human trafficking, combating illicit arms trade and military equipment, combating unauthorised drug trafficking; migration and asylum.

Significant support in development and implementation of the strategy in question, is provided within the project '*Strengthening Criminal Intelligence Systems and Intelligence Led Policing Capacities in State and Entity Law Enforcement Agencies in the Fight Against Organised Crime and Terrorism*', which is being implemented under the auspices of the Embassy Great Britain in Sarajevo.

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<sup>3</sup> *The Council of Ministers of Bosnia and Herzegovina, at its 64<sup>th</sup> session held on 14 July 2016, adopted the Decision on the Establishment of the Working Group for preparing the Strategy for fight against organized crime in Bosnia and Herzegovina for the period 2017-2020.*