

Democratic Control and Parliamentary Oversight over Defense and Security



In line with its mandate and OSCE commitments, the OSCE Mission to Bosnia and Herzegovina supports Bosnia and Herzegovina (BiH) in improving governance of its defence and security sectors. It works with authorities to strengthen democratic control and parliamentary oversight of the BiH Armed Forces (AF BiH) as well as of BiH's security and intelligence agencies. The Mission assists authorities at all levels of government, civil society and other stakeholders in sustainably increasing their capacities for overseeing the overall performance of the sectors' actors. This includes tailored support to State-level parliamentary oversight bodies in discharging their roles, assistance in setting the legal parameters and earmarking appropriate financing, enhancing transparency, accountability and integrity, as well as protecting the human rights of AF BiH service members.

Key challenges

Although the *Law on Parliamentary Oversight of the Parliamentary Assembly of BiH (2018)*, the *Law on the Parliamentary Military Commissioner (2009)* and the *Law on Independent and Regulatory Bodies for the Police Force of BiH (2008)* provide a strong legislative basis for the oversight authority exercised by the BiH Parliamentary Assembly's (BiH PA) Joint Committee on Defence and Security (JCDS), the Office of the Parliamentary Military Commissioner (PMC) and the Citizens' Complaint Board on Work of the Police Officers in Police Bodies in BiH (CCB), BiH needs to strengthen their role and capacities.

A lack of financial and material resources, high turnover of expert staff in the JCDS Secretariat and a lack of PMC and CCB support staff limits their ability to contribute to parliamentary scrutiny of the security and defence sector. For example, the Office of the PMC still lacks a functional database that would allow it to capture and monitor developments and progress on issues related to career management and individual service members' human rights protection. This is compounded by an overall deficit in co-operation and trust between the parliamentary oversight bodies and the security and defence institutions, civil society, academia and the media.

These shortfalls, most of which have been identified in the findings of an independent assessment conducted under Mission auspices in 2021, are (1) slowing down the pace of adoption of key pieces of legislation for the defence and security sectors, and (2) resulting in an insufficient degree of implementation of JCDS and PMC conclusions and recommendations - especially of those highly dependent on political will. For example, during the period between January 2015 and December 2019 covered by the assessment, less than 30 per cent of such conclusions and recommendations issued by the JCDS and PMC have been realized in full by the executive defense and security actors.

The role of the Mission

As part of the defence reform process in BiH, the Mission was instrumental in helping establish the *BiH PA Joint Committee on Defense and Security* and the *BiH PA Joint Committee on Supervision of the Work of the Intelligence-Security Agency of BiH*, as well as the *Office of the Parliamentary Military Commissioner*. The Mission also assisted the BiH PA to introduce a post of an expert advisor within the JCDS Secretariat, which now provides counsel to members of the Committee and to the PMC.

The Mission provides support to strengthening parliamentary oversight in BiH based on the core principles and commitments of the OSCE Code of Conduct on

[Politico-Military Aspects of Security](#). This key normative document is the basis not only for ensuring the effective democratic control of military, paramilitary and internal security forces, intelligence services, and the police, but also for guaranteeing legislative approval of defence and security spending.

The Mission is a key international partner to the JCDS, the PMC and the CCB, working to advance their oversight roles. For example, by facilitating regular periodic visits by these bodies to AF BiH commands and units, as well as to State-level police agencies, the Mission is helping them collect up-to-date information and assess the rate of implementation of their conclusions and recommendations.

As part of its assistance, the Mission also facilitates JCDS staff visits to parliamentary oversight bodies in other OSCE participating States and their participation in regional events. These exchanges include discussions on regional developments, trends, and initiatives in parliamentary oversight of defence and security sectors and enable planning of future activities. Engagement through visits and regional participation empower the JCDS and its Secretariat to contribute to parliamentary dialogue and co-operation in the region through reinforced inter-parliamentary co-operation and exchange of best practice.

In 2024, the Mission, together with RACVIAC – Centre for Security Co-operation in SEE and DCAF – Geneva Centre for Security Sector Governance, co-organized the Annual Meeting of Representatives of Defence and Security Committees from South-East Europe's Parliaments in Sarajevo. The event gathers MPs and their secretariat staff to discuss good practices in parliamentary oversight and the potential role of parliamentary diplomacy in strengthening security and peace in the region. One of the key themes is the OSCE Code of Conduct on Politico-Military Aspects of Security. Established in 2006, this trust-building forum reflects the Mission's ongoing engagement with defence and security oversight bodies.

Further Strengthening of Parliamentary Oversight of Security and Defence

Recognizing that a well-functioning and democratically accountable defence and security sector is indispensable for stability and peace, the Mission supports the further strengthening of parliamentary oversight of security and defence capacities in BiH.

Mission support to the JCDS, the PMC, and the CCB includes facilitating assessment visits to military, law enforcement, and other security agencies and sites in BiH; familiarizing JCDS members with relevant legal and strategic policy frameworks; and enhancing co-operation between legislative and executive branches. This support contributes to improving

the implementation of recommendations issued by parliamentary oversight bodies to executive institutions and reinforces their role in ensuring that defence and security funds are accountable and benefit citizens.

Together with other OSCE executive structures and the OSCE Parliamentary Assembly, the Mission promotes regional co-operation and dialogue among parliamentary oversight bodies for defence and security. It supports a standing platform (Annual Meetings) for structured exchanges among security and defence committees, facilitating the sharing of best practices and discussion of contemporary and emerging trans-boundary security threats and challenges, including organized crime and corruption, terrorism, proliferation of weapons, irregular migration, trafficking in human beings, and natural and other disasters.

For more information, scan the QR code.



OSCE Mission to Bosnia and Herzegovina

Fra Andela Zvizdovića 1, UNITIC Tower A
71000 Sarajevo
Bosnia and Herzegovina

Tel: +387 33 952 100
Fax: +387 33 442 479
press.ba@osce.org
www.bih.osce.org

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