



SOME CHARACTERISTICS OF THE SECURITY SYSTEM OF BOSNIA AND HERZEGOVINA (BIH): THE CREATORS OF CRITICAL INFRASTRUCTURE PROTECTION POLICY

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Introduction

National security system is subsystem of wider social systems, especially of political system and legal order on which is based. The Western Balkan state BIH is composed of two entities and one district, with an extremely complex security system in which the overlapping of competencies between state and entity bodies causes major problems. Achieving the common standards from critical infrastructure protection (CIP) policy is one of the goals and open question for the security frameworks in countries which are candidates for membership in EU, such as BIH.

There is no definition of CI on the state level in BIH, but function of security is responsibility of the entities also. Situation in one of the entities Federation of Bosnia and Herzegovina (FBiH), as well as in Brčko District of BIH is shaped by absence of unique determination and specific law for CIP. Entity Republika Srpska has made the step forward and established own law for CIP.

Observation

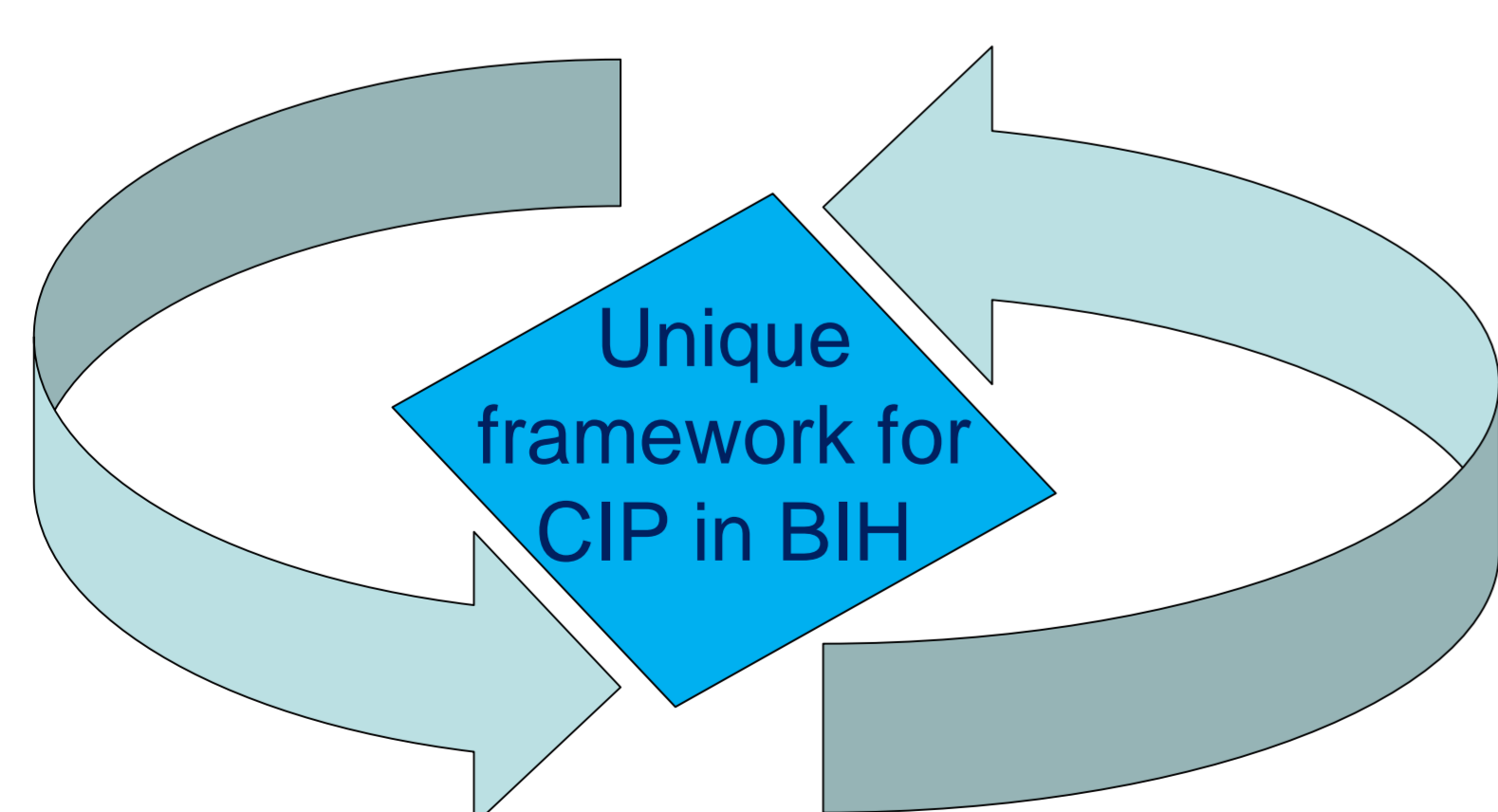
CIP in BIH is probably going to be regulated through 4 laws, two at the entity level, 1 at the level of the Brčko District and 1 more at the level of the state. Institutions of mentioned government levels have to develop Methodologies for CIP, and it is essential to establish unique CI sectors, protection measures and to harmonize standards across the state. The proposer of the adopted law in the Republika Srpska is the Government of entity, i.e. the Ministry of the Interior, which is also in charge of supervising the implementation of the "Law on Security of Critical Infrastructures of the Republika Srpska." Such an initiative has been expecting from the Government of FBiH, i.e. the Federal Ministry of the Interior, and the Government of Brčko District. At the state level, the BIH Council of Ministers proposes laws to the BIH Parliamentary Assembly, and supervision over the future law would be probably assigned to the Ministry of Security of BIH. Executive authority belongs to the presidents also and in the governing CIP they can use own authority to encourage or to demand governments and parliaments to start with particular actions. However, regarding the implementation of the European CIP program there are no initiatives in BIH, except of the mentioned actions in the Republika Srpska.

Table 1. CIP policy in the Security System of BIH

Level of government / elements of Security System	Institutions / policy makers	Actions	Legal Provisions
BIH, state level	- Parliamentary assembly of BIH; - Council of Ministers of BIH includes 9 ministries; - Presidency of BIH.	-	No specific law governing CIP
Entity FBiH	- Parliament of FBiH; - Government of FBiH includes 16 ministries; - President of FBiH.	-	No specific law governing CIP
Entity Republika Srpska	- National Assembly of Republika Srpska; - Government of Republika Srpska includes 16 ministries; - President of Republika Srpska.	Development of the Methodology for CIP has been ongoing since 2019	Law on Security of Critical Infrastructures of Republika Srpska, 2019
Brčko Distrikt	- Assembly of Brčko District; - Government of Brčko District.	-	No specific law governing CIP

Conclusion

In terms of the Council Directive 2008/114/EC, there is no identified CI or legal act that treats this field in the entire territory of BIH. The only regulation for the CIP was adopted in the Republika Srpska in 2019 and is valid for the region of that entity, i.e. about 49% of the territory of BIH. However, the Methodology for the implementation of this law has not developed. The most invited to initiate actions for implementation of CIP in BIH are Ministries of Security of BIH, Ministry of Foreign Affairs of BIH, Ministry for European Integration and International Cooperation of Republika Srpska, ministries of interior in each entity and Government of Brčko District. Along with transferring competencies to the state level and the establishment of a unique / harmonized protection system, expected challenge in the area of CIP is cooperation with private sector.



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