



***Permanent Mission of the Republic of Serbia
to the OSCE and other International Organizations in Vienna***
Rennweg 3, Vienna, tel. 714 13 45, fax. 714 13 4
e-mail: mission.vienna@mfa.rs

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Note Verbale

The Permanent Mission of the Republic of Serbia to the OSCE presents its compliments to the Permanent Missions/Delegations to the OSCE and to the Conflict Prevention Centre and has the honor to provide in accordance with the Decision 4/03 of 9 April 2003 of the Forum for Security Cooperation, reply to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security, valid as of 15 July 2009.

The Permanent Mission of the Republic of Serbia to the OSCE avails itself of this opportunity to renew to the Permanent Missions/Delegations to the OSCE and to the Conflict Prevention Centre the assurances of its highest consideration.



Vienna, 27 July 2009

All Missions/Delegations to the OSCE
The Conflict Prevention Centre
Vienna

OSCE Code of Conduct on Politico-Military Aspects on Security

Participating state:

The Republic of Serbia

Annual Information Exchange on the Implementation of the
Code of Conduct

Valid as of July 2009

This information may be published with reference to this document

1. Appropriate measures to prevent and combat terrorism, in particular participation in international agreements:

The Republic of Serbia condemns all acts of terrorism whatever their motives are and is not willing to make any kind of concession to terrorist and is committed to ensuring that terrorists do not have benefit from their acts.

Republic of Serbia supports all international efforts and activities in the fight against terrorism, fulfills all its international obligations and keeps interdepartmental communication with relevant international organizations and supported the positions advanced in UN SC resolutions 1368 and 1373, as well as in UN resolution 56/1 to the effect that terrorism poses a threat to international peace and security and that all States should undertake measures to bring to justice those perpetrating, organizing and assisting terrorist acts.

The Republic of Serbia is actively participating in multilateral organizations, bilateral cooperation to promote international coordination in combating terrorism.

It goes without saying that in the present system of global and collective security, it is in the mutual interest to ensure inter-departmental and inter-disciplinary links and cooperation among the participating states within the framework of the relevant international organizations such as the United Nations, OSCE, NATO, Council of Europe and Interpol with a view to a timely and proper response to threats to peace and security.

a) List of international agreements, including all UN conventions and protocols related to terrorism, to which the Republic of Serbia is a party:

- 1) The 1963 Convention on criminal acts or other acts committed on board aircraft (The Socialist Federal Republic of Yugoslavia signed the Convention on 14 September 1963, ratified it on 23 October 1970; the successor statement of the Federal Republic of Yugoslavia made on 7 July 2001);
- 2) The 1970 Convention on the suppression of unlawful seizure of aircraft (The Socialist Federal Republic of Yugoslavia signed it on 16 December 1970 and ratified it on 29 June 1972; the successor statement of the Federal Republic of Yugoslavia made on 7 July 2001);
- 3) The 1971 Convention for the suppression of unlawful acts against the safety of civil aviation (The Socialist Federal Republic of Yugoslavia signed the Convention on 23 September 1971 and ratified it on 29 June 1972; the successor statement of the Federal Republic of Yugoslavia made on 7 July 2001);
- 4) Protocol for the suppression of unlawful acts of violence at airports serving international civil aviation, supplementary to the 1971 Convention (The SFRY signed it on 24 February 1988 and ratified it on 19 October 1989; the successor statement of the Federal Republic of Yugoslavia made on 7 July 2001);
- 5) The 1973 Convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents (The SFRY signed it on 17 December 1974 and ratified it on 25 November 1976; the FRY accepted it by a successor's declaration made on 12 March 2001);
- 6) The 1977 European Convention on the suppression of terrorism (ratified on 5 November 2001);

*) The Republic of Serbia is successor state of the FRY (later State Union of Serbia and Montenegro) with regard to international agreements, including UN conventions and protocols related to terrorism, to which the Republic of Serbia is a party

- 7) The 1979 International Convention against the taking of hostages (The SFRY signed it on 29 December 1980 and ratified it on 31 October 1984; the FRY accepted it by a successor's declaration made on 12 March 2001);
- 8) The Convention on the Physical Protection of Nuclear Material, Vienna, 1980. (FRY successor statement made on 7 December 2001, confirmed by IAEA on 5 February 2002);
- 9) The Convention against transnational organized crime, Protocol for the prevention, suppression and punishment of trafficking in human beings, particularly women and children and the Protocol against smuggling of migrants by land, sea and air, as amending the Convention of 2000 (The FRY ratified it on 22 June 2001);
- 10) The 1999 International Convention against financing of terrorism (FRY signed on 12 November 2001, ratified on 01 July 2002);
- 11) The 1997 International Convention for the suppression of terrorist bombings (ratified on 16 December 2002);
- 12) The 1988 Convention for the suppression of unlawful acts against the safety of maritime navigation (ratified on 05 March 2004);
- 13) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Official Gazette of the SCG – International Treaties, no. 6/2004);
- 14) Convention on the Marking of Plastic Explosives for the Purpose of Detection (Official Gazette of the SCG – International Treaties, no. 11/2005);
- 15) International Convention for the Suppression of Acts of Nuclear Terrorism (Official Gazette of the SCG – International Treaties, no.2/2006);
- 16) Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (Official Gazette of the SCG – International Treaties, no. 11/2005);
- 17) Republic of Serbia ratified, on 14 April 2009, the Council of Europe Convention on the Prevention of Terrorism ("Official Gazette of the Republic of Serbia-International Agreements" No. 19/2009). This Convention will enter into force on 1 August 2009;
- 18) Republic of Serbia ratified, on 14 April 2009, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism ("Official Gazette of the Republic of Serbia-International Agreements" No. 19/2009). This Convention will enter into force on 1 August 2009 and
- 19) Republic of Serbia also ratified, on 14 April 2009, the Protocol Amending the European Convention on the Prevention of Terrorism ("Official Gazette of the Republic of Serbia International Agreements" No. 19/2009).

b) Accession to and participation in other multilateral and bilateral agreements or measures undertaken to prevent and combat terrorist activities:

- 1) Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of the Republic of Slovenia on cooperation in combating organized crime, illicit trafficking in narcotic drugs and psychotropic substances, terrorism and other more serious crimes of 2001 (The FRY signed it on 6 April 2001 and ratified it on 22 June 2001);

2) The 2001 Memorandum of Understanding reached between the Ministries of the Interior of The Federal Republic of Yugoslavia, Republika Srpska, the Federation of Bosnia and Herzegovina and the Republic of Croatia to fight illegal immigration and organized crime (The FRY signed it on 14 May 2001);

3) Agreement signed with the Ministry of the Interior of the Republic of Croatia on cooperation in the field of fight against terrorism, organized crime, smuggling and other illegal activities (2002);

The process of ratifying the Convention on marking plastic explosives for the purpose of their detection of 1991 and Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelves of 1988 is currently under way. The above-mentioned international treaties accepted by the former Yugoslavia, despite the process of succession, remain in force for the Republic of Serbia, since they have already been incorporated in the applicable national laws.

Bilateral agreements signed by the Ministry of Justice of Serbia with other state ministries of justice in the field of cooperation in combating criminal offences:

- Memorandum of Understanding between the Ministry of Justice of the Republic of Serbia and the OSCE Mission to Serbia and Montenegro (now OSCE Mission to Serbia), in Belgrade, 21 May 2004;

- Protocol of Cooperation between Ministry of Justice of the Republic of Serbia and Ministry of Justice of the Republic of Slovenia, in Ljubljana, 28 September 2004;

- Protocol of Cooperation between Ministry of Justice of the Republic of Serbia and Ministry of Justice of the Republic of Macedonia, in Skopje, 29 September 2004;

- Bilateral Agreement between the Ministry of Justice of the Republic of Serbia and the Ministry of Justice of the Republic of Bulgaria signed in Belgrade on 18 November 2005;

- Bilateral Agreement between the Ministry of Justice of the Republic of Serbia and the Ministry of Justice of the Republic of Croatia signed in Vienna on 5 December 2005;

- Bilateral Agreement between the Ministry of Justice of the Republic of Serbia and the Ministry of Justice of the Republic of Albania entered into in Loutraki on 8 February 2006;

- Bilateral Agreement between the Ministry of Justice of the Republic of Serbia and the Ministry of Justice of the Republic of Austria concluded in Belgrade on 27 March 2006;

- Bilateral Agreement between the Ministry of Justice of the Republic of Serbia and the Ministry of Justice of Bosnia and Herzegovina signed in Belgrade on 28 April 2006;

- Bilateral Agreement between the Ministry of Justice of the Republic of Serbia and the Ministry of Justice of Romania concluded in Bucharest on 30 January 2007 and

- The Ministry of Justice signed a Protocol of Cooperation with the Ministry of Justice of Montenegro in June 2004. It deals, inter alia, with cooperation between the two Ministries in fighting terrorism.

c) National measures, to include pertinent legislation, taken to implement the international agreements, conventions and protocols cited above:

If terrorism is understood as indirectly defined in the Council of Europe Convention on the suppression of terrorism, acts of terrorism are incriminated in several provisions of the Criminal Code. These provisions are incorporated in several chapters of the Code depending on the group object protected.

Criminal Offences against public safety and safety of property include:

- illegal acquisition of nuclear material and impairment of safety by it (article 287);

Offences against safety of public transport include:

- impairment of air transport safety through violence (article 292);
- hijacking of aircraft, boats and other means of transport (article 293);

Criminal offences against the constitutional system and security of the Republic of Serbia include:

- terrorism (article 312);

Offences against public law and order include:

- illegal possession of firearms and explosives (article 348);

Crimes against humanity and other heritage enjoying the protection of international law include:

- illicit manufacturing of weapons the use of which has been prohibited (article 377);
- international terrorism (article 391);
- taking of hostages (article 392); and
- financing of terrorism (article 393).

The Law on International Legal Assistance in Criminal Matters was adopted ("Official Gazette of the Republic of Serbia" No. 20/2009) regulating the provision of international legal assistance in criminal matters in cases where there is no ratified international agreement or when certain issues have not been regulated by it.

d) Information on national efforts to prevent and combat terrorism, including appropriate information on legislation beyond UN convention and protocols (e.g. pertaining to financing of terrorist groups):

The Republic of Serbia supports all measures under resolution UN SC 1373 (2001), the Conclusions of the European Union of 21 September 2001 as well as the positions of other international and regional organizations on the fight against international terrorism. Serbia fully supports the OSCE Bucharest Plan of Action for the fight against terrorism.

All activities related to military production are carried out strictly in line with laws regulating production and trade in means, arms and military equipment and are subject to control by the competent institutions. Licenses for arms and military equipment export are granted upon careful examination of requests from the point of view of terrorism. Measures are taken to prevent, direct or indirect, supply, sale or transfer of arms and military equipment to individuals, organizations or institutions for which there are information or indications that may be involved in terrorism or support it in any form.

In view of the measures undertaken by the competent authorities in combating terrorism, there is no possibility that any person is being trained for terrorist activities in the territory of Serbia.

As for the prevention of financing terrorism, the Law on Money Laundering has been enacted.

This law provides for the measures and acts that should be undertaken by all relevant subjects - banks and other financial organizations, post office savings, National Bank - Department for accounting and payments, insurance companies, stock exchanges, stock brokers and others involved in money transactions. Substantial fines have been provided for those violating this law, as well as prison terms (from one to eight years in prison).

The Governor of the National Bank sent in October 2001, instructions to the Association of Banks and other financial organizations, requesting tightened controls in line with the demands from UN SC resolutions 1267, 1333 and 1373, and especially that documents be examined related to accounts held by foreign persons in national banks. So far, the relevant banks found no trace of accounts or institutions that may fall under the scope of the above resolutions.

As the Republic of Serbia is a State party to the International Convention on the Suppression of Terrorism, once the Convention has been ratified in the Parliament, all its national legislation will have to be brought into conformity with the Convention. A Working Group has already elaborated a draft Law for the Suppression of the Financing of Terrorism.

Accordingly with OSCE Permanent Council Decision 487/2002, Financial Action Task Force (FATF) self-assessment questionnaire on terrorist financing was completed and sent to FATF on September 10 2002.

In the course of 2007, the Ministry of Internal Affairs of the Republic of Serbia established a Section in charge of investigation and monitoring of terrorism within the Criminal Police Department. Apart from constantly following all events of interest from the security point view or those related to terrorism, the said Section dealt with specific activities in elucidating terrorist offences.

e) Roles and missions of armed and security forces in preventing and combating terrorism:

Terrorism is one of the greatest risks and threats to the global, regional and national security. In such circumstances, the Republic of Serbia can be a target of terrorist activity, both directly and using its territory for the preparation and execution of terrorist activities in other countries. From the standpoint of the security risks and threats the Republic of Serbia is facing, the most important issue is the link between terrorism and all forms of organized, transnational and cross-border crime. The Ministry of Defence of the Republic of Serbia and the Serbian Armed Forces as possible targets of terrorist activities respond to terrorism on three levels.

The first, the **political level**, is expressed through participation in development and implementation of strategic documents, especially the National Security Strategy, Defence Strategy, the Strategic Defence Review, the White Book on Defence and the National Strategy for the fight against money laundering and financing terrorism. The Republic of Serbia undertakes numerous activities to establish and expand the scope of international cooperation in the fight against terrorism. The system of national security of the Republic of Serbia in general consists of the highest authorities of the legislative, executive and judicial power: the National Assembly of the Republic of Serbia, President of the Republic of Serbia, the National Security Council, the Government, courts and prosecution offices. In particular, the system of national security comprises: the defence system, the Ministry of Interior forces, the security-intelligence system and temporarily established authorities and coordination bodies for particular crises.

National security jobs are also carried out by the public administration bodies, institutions responsible for justice, education and scientific activities and environmental protection, the protector of citizens, bodies of the units of local authorities, entities in the field of private security, civil society organizations, media, legal entities and citizens that contribute to accomplishing the goals of national security. The Serbian Armed Forces is the main actor of the defence system representing an organized armed force, which defends the country from armed threats from outside and performs other missions and tasks in accordance with the Constitution, laws and principles of international law governing the use of force. The principle of *posse comitatus*, as a reflection of the democratic tradition, which prevents the employment of military forces for anti-terrorist operations in the country has been modified today in many countries so that military forces have been to a lesser or greater extent involved in the fight against terrorism. Nowadays, the Serbian Armed Forces actively participates in the fight against terrorism through its third mission - support to civil authorities in countering security threats. Security-intelligence system has been functionally integrated within the national security system of the Republic of Serbia which consists of the Security-Information Agency, as a separate organization of the Government of the Republic of Serbia, Military Security Agency (VBA), and Military Intelligence Agency (VOA), as well as the management authorities from the Ministry of Defence with the status of legal persons. The Coordination Office coordinates the work of the security services.

The second, **the legislative level**, is expressed through the adoption of appropriate laws. Ministry of Defence to actively participates in the development of national normative-legal framework for the fight against terrorism, which is based on the Constitution of the Republic of Serbia, ratified international conventions, bilateral agreements and legal regulations (criminal, security-intelligence and other regulations of the indirect importance for the fight against terrorism). On the normative-legal level, significant progress has been achieved, because the domestic legislation has implemented majority of the regulations from the UN Security Council Resolution No. 1373, which refers to the fight against terrorism and a number of laws have been adopted concerning the fight against terrorism. Development of the draft law to regulate the classified information protection area is at its final stage which will create a legal basis for exchange and protection of classified information of the Republic of Serbia with other countries and international organizations.

The third, **the security-intelligence level**, is expressed through gathering and facilitating the exchange of security-intelligence information on terrorists and terrorist activities. Representatives of the VBA and the VOA are members of the Standing Coordination Group of the Government of the Republic of Serbia for the oversight of the implementation of the National Strategy for the fight against money laundering and financing terrorism. The VBA representative is a member of the Serbian Government Commission for coordinating the action and further improvement of cooperation in the field of justice and internal affairs regarding the matters of common concern, especially the fight against terrorism.

Ministry of Defence of the Republic of Serbia and the Serbian Armed Forces apply the concept of defence against terrorism defined by the four basic ways of engaging the capacities in the fight against terrorism:

- **Anti-terrorist measures**, especially defensive and protective measures that are used to reduce the sensitivity and vulnerability of the members of the Serbian Ministry of Defence and the Serbian Armed Forces, infrastructure, territory and communication and information systems to terrorist attacks.

The main prerequisite for the implementation of the said measures are timely security-intelligence information, improvement of security, counter-intelligence and intelligence procedures, early warning system, etc.

- **Counter-terrorist measures**, or offensive measures taken to prevent, deter and prohibit the terrorist activity. These are the measures that would prevent attacks by revealing and countering terrorists. The abovementioned measures are applied by specially trained units and teams for counter-terrorism.
- **Crisis management**, after possible terrorist attack, means participation in solving and stabilizing the resulting situation after the terrorist attack. The aim is to organize and implement the measures in terms of limiting the consequences of terrorist attack, stabilizing the situation and rendering support to civil authorities.
- **Military cooperation**, which coordinate military activities with the measures of diplomacy, economy, justice, in order to harmonize the procedures and activities of military forces with the civil forces within the state and with the international community and to ensure the efficiency in fight against terrorism.

In the territory of the Republic of Serbia the Ministry of the Interior of Republic of Serbia shares the responsibility for taking measures against terrorism and terrorists. The Ministry of the Interior is in charge for the respect of the legislation and international cooperation, implementation of international agreements, protection of foreign diplomatic-consular missions and other cooperation issues. The Ministry of Interior is in charge of performing operative tasks, of preventing and detecting criminal acts and their perpetrators, their arrest and bringing criminal charges against them.

Based on the assessment by the Minister of Interior, in case of escalation of terrorist actions, President of the Republic of Serbia brings the decision on the engagement of Armed Forces in order to provide support in counter-terrorist fight. During the operations, military force is applied only in emergency situations, but its stronger projection is not excluded in case of escalation of armed violence towards the units of the Armed Forces, depending upon the concrete situation.

In the Ministry of the Interior and in the Army there are special anti-terrorist units.

The competent authorities are undertaking appropriate measures to prevent the entry of terrorists as well as their transit through its territory. It should be recalled that the competent authorities in charge of ensuring border control are not in a position to control, under UN SC resolution 1244 (1999), a portion of the State border (295 km) in the territory of Kosovo and Metohija towards the Republic of Macedonia and the Republic of Albania which is under KFOR control.

The competent security authorities are on the highest state of alert and have undertook series of concrete measures that are still in effect, with a view to detecting terrorist groups and organizations and preventing the commission of terrorist acts, including:

- full security arrangements for diplomatic-consular missions, business and cultural facilities;
- heightened protection of all vital economic, communal and other important facilities has been organized and implemented, as well as more stringent control of important facilities (airports, ports, railway and bus stations, public transport, transport of goods, control of passengers and luggage, etc) and
- heightened control of the movement and stay of foreigners at border crossings and in the country including internally displaced persons with refugee status;

- measures are taken on a regular basis to control all public roads and all major public facilities as well as persons that are considered as potential perpetrators of terrorist attacks.

In order to carry out more stringent control of border crossings, the organization of work at border control crossings has been improved to enable efficient passport controls as well as passenger and luggage checks with special emphasis on tightening control of persons originating from the countries that have been known to provide safe haven to members of terrorist organizations.

In the past few years there were several thousand attempts by foreign nationals to illegally cross the State border. Tighter measures have been undertaken to prevent and detect persons currently put up in refugee camps in neighboring countries, intending to use the territory of the our country to illegally infiltrate in Western European countries.

The exchange of information in this area is conducted on a regular basis at bilateral level among the countries in the region, as well as with the relevant international bodies and organizations. At meetings of police authorities of the neighboring, European and other countries, an issue of mutual cooperation in the fight against international terrorism is regularly raised and the need to exchange information and discuss joint activities in this field is emphasized.

The exchange of information with INTERPOL has been intensified on the registered perpetrators of terrorist acts and members of terrorist organizations. The lists of persons internationally wanted for terrorism have been updated. The lists of wanted persons have been transmitted to the Ministry of the Interior.

Full attention has been paid to preventive measures from a possible bio-terrorist attack. Controls are carried out for food manufacturers as well as medical checks of workers involved in the production process, including sanitary measures and technical control of production facilities, store-houses and food preparation units.

2. Description of the national planning- and decision-making process – including the role of Parliament and Ministries – for the determination and approval of:

a) the military posture:

Planning and decision making process is defined by Constitution of the Republic of Serbia, The Defence Act and The Armed Forces Act in the Republic of Serbia.

- **Parliament**, among other things, decides on war and peace, declares the state of war or the state of emergency, supervises the work of security services, passes defence strategy, adopts other documents and monitors the work of the Government of the Republic of Serbia and other bodies responsible to the Parliament, in accordance with the Constitution. Parliament also decides on engagement of Serbian Armed Forces beyond the borders of the Republic of Serbia, as well as on the participation of civil protection personnel and employees of state administration bodies in humanitarian and other activities abroad. On December 26th 2007, the Parliament of the Republic of Serbia adopted **The Resolution on protection of sovereignty, territorial integrity and constitutional order of the Republic of Serbia**, reaching a decision on proclamation of **military neutrality of the Republic of Serbia in regard to existing military alliances until a final decision is made in the event a referendum is called for.**

- **President of the Republic of Serbia** commands the Serbian Armed Forces, in war and peacetime, in accordance with the Constitution and law.
- **Government of the Republic of Serbia** determines and manages defence policy, suggests and executes laws and general documents of the Parliament pertaining to defence. Among other things, in accordance with law, Government decides on sending civil protection personnel and employees of state administration bodies to humanitarian and other activities abroad, based on the decision by the Parliament.
- **Ministry of Defence** suggests and executes defence policy, executes laws and international agreements, general documents of the Parliament, the Government, and the President of the Republic regarding defence.
- **Minister of Defence** manages the Armed Forces in accordance with law and authorizations of the President of the Republic of Serbia.
- **Serbian Armed Forces General Staff** is part of the Ministry of Defence and performs actions within its jurisdiction in accordance with law and authorizations of the President of the Republic of Serbia and the Minister of Defence.
- **Chief of General Staff** exercises the executive power of commanding the Armed Forces in accordance with law, decisions of the President of the Republic of Serbia and the Minister of Defence.

According to the Constitution, **primary task of Serbian Armed Forces** is defending the country from armed threats from the outside and executing other missions and tasks, in accordance with the Constitution, law and principles of international law regulating the usage of force.

b) defence expenditures:

The Defence budget is an integral part of State budget. On December each year the National Parliament adopts the law on the State budget for the next fiscal year. The defence expenditures are being expressed transparently and controlled by the Parliament and other bodies vested with power by law.

For the fiscal 2009 the defence expenditures are 72.763.589.100 RSD.

3. Description of:

a/b constitutionally established procedures and authorities/institutions to ensure effective democratic political control of the:

• armed forces:

Serbian Armed Forces are under democratic and civilian control of the Parliament, Ombudsman and other state bodies in accordance with their jurisdictions, and of citizens and the public.

Democratic and civilian control over Serbian Armed Forces especially refers to control over the engagement and development of Serbian Armed Forces, internal and external control of military expenditures, monitoring the status and informing the public on the course of preparations of the Armed Forces, securing free access to information of public importance and determining responsibility for conducting military duties according to law. Furthermore, the initiated cooperation with OSCE on the subject of drafting the **Law on Democratic and Civilian Control over Serbian Armed Forces** will be continued in the forthcoming period.

The decision adopted in May 2003 to put the General Staff under the direct command of the Ministry of Defense has strengthened the civil control over the Armed Forces.

• **paramilitary forces:**

The Republic of Serbia has no paramilitary forces.

• **internal security forces:**

The Republic of Serbia has no internal security forces.

• **intelligence services:**

The Republic of Serbia has three national security services. The statutory basis for all services is The Law on basis of security services of the Republic of Serbia. The Law defining jurisdiction, composition and manner of practice of services and *National Security Council* was adopted during 2007. According to the Law, this body carries out certain activities and tasks in the field of national security; it deals with: issues of defence, internal affairs, and operation of security services; ways of mutual cooperation of bodies responsible for defence, bodies responsible for internal affairs and security services and their cooperation with other authorized state bodies. The Council suggests measures for improving the status in the field of protecting national security. Members of the Council are: the President of the Republic, the Prime Minister, the Minister of Defence, the Minister of Internal Affairs, the Minister of Justice, Chief of General Staff of Serbian Armed Forces, and chiefs of security services.

All the national security services are organizations operating with independent budget and nationwide jurisdiction under the direction of the Government. As budget planning authorities, all of them are authorized to make own decisions on the application of the material and financial resources allocated.

The Government directs all security services, and both military national security services through the Minister of Defence.

The Parliament exercises oversight over the national security services through its Defence and Security Committee. The chairman of the Defence and Security Committee has to be an MP of an opposition party.

There are additional methods of the parliamentary controls that are exercised by Ombudsmen.

c) roles and missions of the following types of forces as well as controls to ensure that they act solely within the constitutional framework:

• **military**

The mission of the Armed Forces is to defend the territory, independence, citizens and material wealth of the country against external attack and conduct other missions and tasks to fulfill international obligation and to assist to civilian authorities in the Republic of Serbia. The Government and the Ministry of Defence are subject to the authorization, control and reporting provisions defined by the above mentioned laws and these regulations ensure that the military acts solely within the constitutional framework.

President of the Republic of Serbia commands the Serbian Armed Forces, in accordance with the Constitution and the law. President of the Republic of Serbia commands the Armed Forces and appoints, promotes and dismisses SAF officers. **Minister of Defence** manages the Ministry of Defence and the Armed Forces and coordinates the activities of the competent authorities and institutions of the Republic of Serbia in the field of defence.

Chief of General Staff exercises the executive power of commanding the Armed Forces in compliance with the law, decisions of the President of the Republic of Serbia and Defence Minister.

• **paramilitary forces:**

The Republic of Serbia has no paramilitary forces.

• **security forces:**

The Republic of Serbia has no internal security forces.

d) public access to information related to the armed forces:

The Government of the Republic of Serbia in accordance with Law on Free Access to Information of Public Importance is committed to ensuring broad public access to military information as well as others, with the exception of a limited number of issues, defined by law as classified information. The budget of the Serbian Ministry of Defence and Serbian Armed Forces are approved by the Parliament and is available to the public. The Serbian MoD issues different publications and newspapers, (see www.mod.gov.rs). The Minister of Defence, his assistants, and Chief of General Staff hold press conferences on regular basis. The Public Relations Department in Ministry of Defence is in charge for preparing and distributing information to the mass media and the general public.

4. Stationing of armed forces on the territory of another participating State in accordance with their freely negotiated agreements as well as in accordance with international law

In accordance with internal and international law the Republic of Serbia takes part in UN mission abroad in:

- Ivory Coast,
- Congo,
- Chad and
- Liberia.

5. Description of:

a) procedures for the recruitment or call-up of personnel for service in the:

• **military:**

Law on Defence regulates the rights of citizens to participate in defence by performing military, working and material service, and to take part in civil defence. In previous period **Decree on Conscript Military Service, regulating issues of alternative service** was adopted. The laws on Conscript Military Service and Alternative Service are currently in the process of adoption in the National Assembly of the Republic of Serbia. According to Law on Armed Forces there is the general compulsory conscript system and active military service include conscript soldiers. In accordance with law duration of conscription is 6 month. Liability to military service starts with reaching the age of 18 and terminates on the 27.

The aim of the Armed Forces' reform is building a professional military force trained to accomplish the assigned missions and tasks. There is a commitment that the Armed Forces will be fully professionalized.

• **paramilitary forces:**

The Republic of Serbia has no paramilitary forces.

• **security forces:**

The Republic of Serbia has no internal security forces.

b) exemptions or alternatives to compulsory military service:

The right to freely refuse to do military service, envisaged in Resolution of the UN General Assembly, the Parliamentary Assembly of the Council of Europe and the UN Commission on Human Rights is reflected in the various law in the Republic of Serbia, which envisages substitution of the compulsory military service with alternative service because of religious, philosophic, moral, ethnic and humane reasons. Conscripts requiring altering their military service for above mentioned reasons will be allowed to serve **alternative service**, under conditions and in the manner set forth by a special law. Constitution of the Republic of Serbia defines the right to **conscientious objection**. A person invoking conscientious objection can be called to carry out his military service without the obligation to be armed.

c) legal and administrative procedures protecting the rights of all forces' personnel:

Members of the Armed Forces have the same legal and administrative procedures and opportunities to protect their rights that are at the disposal of civilians. Additional regulations mentioned before contain measures of guarantees and remedial procedures to enforce their rights in special situations related to actions in service. These regulations about status of members of AF are incorporated in Law on Defence and Law on Armed Forces on the status of members of the Defence Forces.

6. Instruction on international humanitarian law and other international rules, conventions and commitments governing armed conflict included in military training programmes and regulations:

Pursuant to the Geneva Conventions of 1949 the Armed Forces of the Republic of Serbia implement the dissemination of the Geneva Conventions as well as other applicable rules of international of humanitarian law.

The obligation of abiding by *Provisions of international war and humanitarian rights* is defined in the *Law on Defence* and in drafts of basic strategic and doctrine documents in the field of defence. The Republic of Serbia exercises the provisions of the 1907 and 1954 Hague Conventions, 1949 Geneva Convention and their 1977 Amended Protocols, as well as the Convention on Usage of Certain Conventional Weapons. Moreover, studying rights and obligations of international war and humanitarian rights is an integral part of the educational system of professional military personnel, and a part of training of senior officers (throughout their professional careers) and conscripts. Members of Serbian Armed Forces and the Ministry of Defence expand their knowledge in this field by participating seminars, courses and expert lectures and taking part in competition in this field of expertise, both in the country and abroad.

7. Any other information:

Despite the difficulties which the Republic of Serbia has been facing in the 2008, progress is evident and significant results have been achieved in reaching of the strategic goals of the defence and security reform. These results have been positively evaluated by EU, NATO and OSCE.