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**2010 REPORT ON THE WORK
OF THE PARLIAMENTARY MILITARY COMMISSIONER
OF BOSNIA AND HERZEGOVINA**

1. INTRODUCTION

According to the Recommendation of the Parliamentary Assembly of the Council of Europe, members of the armed forces are citizens in uniform who must enjoy the same fundamental freedoms, including those set out in the European Convention on Human Rights and the European Social Charter. This means that they must have the same protection of their rights and dignity as any other citizen, within the limits imposed by the specifics of military duties.

Evidently, it cannot be expected that members of the armed forces comply with international humanitarian law and human rights during their activities if compliance with human rights is not ensured in the army itself. Therefore, it is necessary to raise awareness of the human rights protection in all segments of the country's military structures.

The institution of the Parliamentary Military Commissioner of BiH is set out by the Law on the Parliamentary Military Commissioner of Bosnia and Herzegovina (*Official Gazette of BiH*, No. 51/09) which was adopted on 7 July 2009.

This established a new institution in the field of the protection of human rights and freedoms, specialised exclusively for the protection of human rights and freedoms of military personnel and cadets in the BiH Armed Forces and BiH Ministry of Defence.

In accordance with the provisions of the Law on the Parliamentary Military Commissioner of Bosnia and Herzegovina (hereinafter: the Law), the BiH Joint Committee for Defence and Security implemented the selection procedure for the first Parliamentary Military Commissioner of BiH (hereinafter: Military Commissioner) and appointed Mr. Boško Šiljegović.

The mandate of the first Military Commissioner started on 16 September 2009 by taking the oath at the 60th session of the House of Representatives of the BiH Parliamentary Assembly.

This Report will provide a review of the situation regarding the human rights of members of the BiH Armed Forces and the Military Commissioner's major activities during 2010.

1.1. Military Commissioner - Definition

The Parliamentary Military Commissioner is an independent commissioner of the BiH Parliamentary Assembly with competencies to strengthen the rule of law, protect human rights and freedoms of military personnel and cadets in the Armed Forces of Bosnia and Herzegovina and the BiH Ministry of Defence, as stipulated in the BiH Constitution and attached international agreements. The Military Commissioner shall work on professional basis only and shall not advocate, protect or undermine interests of any political party, registered organisation or association, or any people in BiH.

1.2. Purpose of Establishment of the Institution of the Military Commissioner

The position of Military Commissioner is established in order to build stronger trust in the military sector by introducing transparency in the entire administrative process implemented by the BiH Ministry of Defence and the BiH Armed Forces, without questioning the military hierarchy, authority of the military chain of command or reducing military readiness.

The institution of the Military Commissioner has been established with the aim of eliminating the risk of unpunished abuse and mistreatment of members of the armed forces due to the lack of trust in internal disciplinary procedures and fear of revenge taken by military commanders, thus threatening the protection of human rights of members of the armed forces.

The structure of the BiH Ministry of Defence includes the Inspectorate General which usually addresses internal military operational issues, while the person assuming that position is also an active member of the Armed Forces of BiH. The main weakness of this approach is that the military performs the oversight function on itself, which may result in a conflict of interest. Nevertheless, the Inspector General reports to the BiH Minister of Defence. On the other hand, the Military Commissioner acts independently and reports on his work to the Parliamentary Assembly of BiH.

1.3. Legal Framework for the Work of the Parliamentary Military Commissioner of BiH

1. The European Convention for the Protection of Human Rights and Fundamental Freedoms, taking precedence over all laws of Bosnia and Herzegovina,
2. The Law on the Parliamentary Military Commissioner of BiH,
3. Rules of Procedure for the Parliamentary Military Commissioner of BiH,
4. Book of Rules on Cooperation of the BiH Parliamentary Military Commissioner and the BiH Ministry of Defence, General Inspectorate of the Ministry of Defence of BiH and the Armed Forces of BiH,
5. The Guidelines on the basis of co-operation of the BiH Parliamentary Military Commissioner with the institution of the BiH Human Rights Ombudsman,
6. Instruction of the BiH Ministry of Defence for the application of the Law on the BiH Parliamentary Military Commissioner and cooperation with the BiH Parliamentary Military Commissioner,
7. OSCE Code of Conduct on Politico-Military Aspects of Security.

2. COMPETENCIES AND AUTHORITIES

Competencies of the Military Commissioner

- Investigation of specific issues under the directions of the BiH Parliamentary Assembly and BiH Joint Committee on Defence and Security,
- investigation of circumstances indicating a violation of human rights and freedoms of military personnel and cadets, based on the complaints or on his/her personal assessment.

Authorities of the Military Commissioner

In performing duties under his/her competencies, the Military Commissioner shall have the following authorities:

- To request information and access to the records from the BiH Minister of Defence and personnel subordinated to the Minister,
- to conduct a hearing of the complainant, as well as witnesses and experts,
- to give an opportunity to the relevant institution to resolve the issue – cooperation with the General Inspectorate,
- to issue an appropriate recommendation to the competent institution,
- to submit annual and separate reports to the Parliamentary Assembly of BiH,
- to forward the issue to the bodies responsible for criminal or disciplinary proceedings,
- to request reports from the BiH Minister of Defence,
- to visit units and commands of the Armed Forces of BiH at any time.

3. HUMAN RIGHTS AND FREEDOMS OF MILITARY PERSONS AND CADETS IN THE ARMED FORCES OF BiH AND THE BiH MINISTRY OF DEFENCE

3.1. Complaints – General Information

Any military person or cadet in the Armed Forces of BiH shall have the right to directly contact the Military Commissioner, without the mediation of official bodies, and to file a complaint.

If the complaint has been filed with a competent unit in which the complainant serves, the responsible person shall be obliged to forward the complaint to the Military Commissioner as soon as possible, bypassing the chain of command and control.

Some possible reasons for a complaint:

- Rights and duties of members of the armed forces (does discrimination occur in executing the rights and duties, have the regulations been applied properly and the administrative procedures undertaken according to law),
- the manner in which superiors conduct and command (is there belittling, violation of human dignity and evident harassment and abuse of command authorities),
- military training modalities (are they consistent with the established military standards, was there improper behaviour towards cadets during the training),

- application of disciplinary regulations (was the disciplinary action taken in accordance with clearly defined procedures, were the allegations due to which the disciplinary action was instigated proved, is the disciplinary penalty proportionate to the breach of duty established during the disciplinary action),
- regulations on working hours, wages and allowances (have the regulations been applied to all members of the armed forces without discrimination, and have the regulations been erroneously applied to the detriment of military persons),
- location and type of the assignment (did the order take into account the physical fitness and training received by soldiers, has the principle of equal treatment been applied to all, have there been more transfers than stipulated in the service standards, and has there direct pressure been put on soldiers during the transfers in terms of possible punishments),
- complaints concerning the living conditions (for instance accommodation, clothing),
- access to medical services and treatment (for instance, if a soldier standing guard gets ill and the commander does not allow him to see a doctor),
- issues concerning promotion, performance appraisal (it is particularly important to establish if the set criteria have been applied equally to all soldiers, does discrimination occur in the promotion process).

3.2. Acting Upon Complaints

During the reporting period, 132 complaints were received. The issues covered in these complaints could be divided into three groups as follows:

1. Status issues related to the termination of the professional engagement with the Armed Forces of BiH – 48 complaints,
2. the process of promotion of members of the Armed Forces of BiH through rank conferring – 31 complaints,
3. the application of the Law on Salaries and Allowances in the BiH Institutions, especially in the segments referring to the compensation of accommodation and transport costs – 23 complaints,
4. other matters – 2 complaints,
5. complaints by civilian personnel engaged with the Armed Forces of BiH – 23 complaints,
6. anonymous complaints – 5 complaints.

The Office of the Parliamentary Commissioner of BiH processed and resolved 75 complaints, wherein the Military Commissioner was directly engaged and mediated in resolving 36 complaints, while the investigation procedure was conducted with regard to 39 cases.

Acting upon the individual complaints, the Military Commissioner of BiH issued four recommendations for the cases in relation to which the investigation established that violations of human rights and fundamental freedoms of members of the Armed Forces of BiH occurred, the content of which will be presented in the text below.

3.2.1. Termination of Professional Engagement in the Armed Forces of BiH

During 2010, pursuant to Article 101 of the Law on the Service in the BiH Armed Forces (*Official Gazette of BiH*, No. 88/05, 53/07, 59/09 and 74/10), the Ministry of Defence of BiH initiated a process for the termination of the professional engagement of individuals who

passed the age limit for service and whose contracts on professional engagement in the BiH Armed Forces were about to expire as a consequence. In regard to that, the Parliamentary Military Commissioner held a series of meetings with members of the Armed Forces of BiH who have received an order for the honourable discharge, and at their request got involved in the process of monitoring the activities of the Ministry of Defence of BiH in the process of implementing the dismissal of professional military personnel. Therefore, numerous meetings were held, highlighting those held on 8, 11, and 17 January 2010 with representatives of the Ministry of Defence of BiH, the Joint Staff of the Armed Forces of BiH and the Team for the transition of personnel.

Here the fact has to be emphasized, that the work of the Military Commissioner in this process was intended only to follow the procedures of discharging professional military personnel from the Armed Forces of BiH, in order to prevent possible violations of fundamental human rights, and to ensure the transparency of the entire process.

The Ministry of Defence of BiH and the BiH Armed Forces implemented the discharge process in cycles so as to maintain the stability and combat readiness of the BiH Armed Forces, which made it possible for members of the BiH Armed Forces whose contracts had expired to have them extended until the end of 2010, that is, until February 2011. In this regard, by virtue of orders, the following basic criteria were laid down for proposing the individuals to be discharged, that is, their military service to be extended temporarily: operational capabilities of units, performance of tasks in the BiH Armed Forces hitherto, needs of the service, qualification, personal engagement, official appraisal, disciplinary or criminal responsibility, opinion of their immediate superior, course of service, service interruptions, physical fitness, health condition, degree of disability and regional representation. Also, the social status of members of the BiH Armed Forces whose contracts are about to expire has also been set as special criteria.

Acting upon the complaints, the Military Commissioner found that, in certain cases, the established criteria had not been complied with, the procedures had not been transparent, nor had the principle of equal possibilities been applied to those with identical or similar capabilities, that the principle of substantive truth had not been observed which resulted in the incompletely and erroneously established state of facts.

In order for the established irregularities to be eliminated, the Military Commissioner issued the following recommendations:

- I It is needed that the BiH Ministry of Defence and BiH AF Joint Staff ensure that the criteria for discharge of members of the BiH AF, in accordance with Article 101 of the Law on Service in the BiH AF are equally applied by all commands and units of the BiH AF.
- II It is needed to undertake all possible measures for the principles of transparency, substantive truth, fair and equal opportunities to be fully complied with, particularly through the following:
 - the criteria based on which the list of the BiH AF members to be discharged from the professional service is determined, have to be made visible in the barracks and units,
 - the determined lists for discharge to be announced at least 30 days before the planned discharge, so that possible errors in completing the lists could be corrected timely,

- equal opportunities to be given to all members of the BiH AF who are on the lists for discharge to point at possible failures in the application and evaluation of the criteria in their specific case.

The BiH Ministry of Defence and the BiH Armed Forces applied the recommendation whereupon the number of the complaints to the process of discharge from the professional military service considerably decreased.

The Military Commissioner made efforts to resolve through mediation as many cases as possible so that the observed irregularities be eliminated, and to draw the attention of superiors to individuals whose rights were threatened.

Example: Two sisters, members of the BiH Armed Forces, addressed the Military Commissioner stating that they were discharged from the professional military service on the same date. They particularly pointed at the difficult social situation of their family in which they were the only bread winners who lived with their severely disabled father and ill mother, while one of the sisters lost one of her lungs due to an injury sustained during the war. Upon intervention of the Military Commissioner and being mindful of the difficult social status of these members of the BiH Armed Forces, the BiH Minister of Defence cancelled the order on “honourable discharge” for one of the sister whose contract was then extended to the end of 2010.

3.2.2. Promotion Process of Members of the BiH Armed Forces

The promotion process and the career advancement in the BiH Armed Forces was the major issue which the Military Commissioner investigated through the cases. In that regard, it was noticed that the procedures were not transparent in certain cases, nor were the ranking-lists available to all members of the BiH Armed Forces. A special segment pertaining to the promotion process refers to the by-laws based on which the promotions took place and which in some of their sections were not harmonised either with laws or mutually, which resulted in collision and different interpretation of one and the same issue in certain cases.

In order to improve the promotion process of members of the BiH Armed Forces, the Military Commissioner issued a recommendation as a result of the complaints filed by members of the BiH Armed Forces who participated in the promotion process under the new Book of Rules on Promotions, number: 13-02-3-1614/10 of 1 April 2010 (hereinafter: the Rulebook) and the Instruction for the application of the Rulebook issued by the BiH Ministry of Defence. Considering that certain illogicalities were noticed in this and other Rulebooks, one of them being the fact that the Instruction, not the Rulebook, laid down the additional promotion requirements through the levels of military-technical improvement, which actually changed the promotion criteria, while the terms of the career, functional and specialist levels and the definitions thereof have not been entered into the Rulebook

Also, the mandatory annual appraisal of members of the BiH Armed Forces, being one of the promotion requirements, may be an example for the non-harmonisation of by-laws and the Law on Service in the BiH Armed Forces.

Specifically, Article 5(3), (4) and (5) of the Instruction is contrary to Article 116(d), Article 122(4) of the Law on Service in the BiH Armed Forces, Book of Rules on Performance Appraisal of Professional Military Persons, number: 04-02-4057/06 of 28 July 2006, and Article 3(b) of the Instruction. For easier reference, the respective provisions of the Law and the Instruction will be quoted as follows:

“Article 116

d) the promotion proposal in the last two appraisals”

“Article 122

(4) Appraisal of professional military persons shall be conducted every calendar year or depending on the needs of the service.”

“Article 3 of the Instruction (Special promotion criteria)

b) official assessment in the last two appraisals.”

The Book of Rules on Performance Appraisal of Professional Military Persons specified the annual appraisal procedure and a special obligation of the Personnel Management Command, being the body responsible to implement the Rulebook and the appraisal procedure. In this regard, an exception from the foreseen requirement pertaining to two consecutive appraisals is redundant and arbitrarily defined in the Instruction, contrary to the quoted provision. The provision of Article 5(4) of the Instruction is also inexplicable on one hand, because Article 52 of the Book of Rules on Performance Appraisal of Professional Military Persons invalidated the respective Books of Rules on Appraisal of the former Ministry of Defence of Republika Srpska and the former Ministry of Defence of the Federation of BiH and, on the other hand, since this Rulebook has become effective hitherto, members of the BiH Armed Forces must have been appraised under its provisions. The provision on the assessments from the peace-keeping operations and the military-technical improvement is also disputable.

The Military Commissioner found it particularly unacceptable that the Instruction excluded the obligation of the Promotion Committee to respond in writing to individual objections, which is contrary to the right of the parties to the procedure to an efficient legal remedy. Therefore, the Instruction must be harmonised with the provisions of the Law on Administrative Procedure.

The Ministry of Defence of BiH implemented the recommendation in part and, by its document number: 13-02-3-4484-4/09 of 2 November 2011, it forwarded the following 12 Rulebooks for publication:

1. Rulebook on the Procedure for Compensation of Material Damages in the BiH AF, number 13-02-3-1616/10 of 1 April 2010,
2. Rulebook on Admission into Military Service, number: 13-02-3-1621/10, of 1 April 2010,
3. Rulebook on Food of the Armed Forces of Bosnia and Herzegovina in peace, number: 13-02-3-1622/10 of 1 April 2010,
4. Rulebook on Criteria for Food at the Armed Forces of Bosnia and Herzegovina in Peace, number: 13-02-3-1623/10 of 1 April 2010,
5. Rulebook on the Use of Flags and Insignia in the Armed Forces of Bosnia and Herzegovina, number: 13-02-3-1625/10 of 1 April 2010,
6. Rulebook on Military Pilots and Pilot Service of the Ministry of Defence and the Armed Forces of Bosnia and Herzegovina, number:13-02-3-1626/10 of 1 April 2010,
7. Rulebook on Military Discipline and Disciplinary Action, number: 13-02-3-1627/10 of 1 April 2010,
8. Rulebook on Establishment of the Methods and Criteria for Taking Annual Leave and Other Leaves by PMP in the Armed Forces of Bosnia and Herzegovina, number: 13-02-3-1628/10 of 1 April 2010,

9. Rulebook on Competence of Commanding Officers for the Issuance of Administrative and Other Acts, number: 13-02-3-1629/10 of 1 April 2010,
10. Rulebook on Regiments of the Armed Forces of Bosnia and Herzegovina, number: 06-02-3-1746-1/10 of 4 August 2010,
11. Rulebook on Ceremonies and Honours in the Armed Forces of Bosnia and Herzegovina, number: 06-02-3-3578/10 of 4 August 2010,
12. Rulebook on Participation of Members of the Ministry of Defence of BiH and the Armed Forces of BiH in Peace Support Missions and Other Activities Abroad, number 07-02-3-4076/10 of 9 September 2010.

Also, the Ministry of Defence updated 11 additional Rulebooks, the titles of which are herein presented as follows:

1. Rulebook on the Promotion of Military Persons in the Armed Forces of BiH, number: 13-02-3-1614/10, of 1 April 2010,
2. Rulebook on the Work of MP of the BiH AF, number: 13-02-3-1617/10 of 1 April 2010,
3. Rulebook on Performance Appraisal of professional military personal, number: 13-02-3-1618/10 of 1 April 2010,
4. Rulebook on the Military Persons Classification System in the BiH AF, number: 13-02-3-1619/10 of 1 April 2010,
5. Rulebook on Military Identification Card, number: 13-02-3-1620/10 of 1 April 2010,
6. Rulebook on Protocol Activities in the Ministry of Defence and the Armed Forces of BiH, number: 13-02-3-1624/10 of 1 April 2010,
7. Rulebook on the House Rules in the Ministry of Defence of BiH, number: 13-02-3-1630/10 of 1 April 2010,
8. Rulebook on Awards and Commendations in the Ministry of Defence and the Armed Forces of BiH, number:13-02-3-1631/10 of 1 April 2010,
9. Rulebook on Education and Advanced Training in the Ministry of Defence and the Armed Forces of BiH, number:13-02-3-1632/10 of 1 April 2010,
10. Rulebook on Personnel Files Management, number: 13-02-3-1633/10 of 1 April 2010,
11. Rulebook on Remuneration to Employees of the Ministry of Defence and the Armed Forces of BiH, number:10-02-3-4270/10 of 29 September 2010.

The implementation of this recommendation shall be monitored in the forthcoming period as well with the aim of ever transparent implementation of the procedures and of giving equal opportunities for promotion of members of the Armed Forces of BiH depending on their personal and professional attributes.

3.2.3. The Right to National Orientation

In the course of his investigation, the Military Commissioner established that the senior commanding officers denied certain members of the BiH Armed Forces their right to national orientation. Specifically, the soldiers' national orientation is being defined based on whether they were transferred to the BiH Armed Forces from the former army of the Federation of BiH or the former Army of the Republika Srpska, which is a matter of concern from the aspect of establishing stable BiH Armed Forces. This represents an issue that will have to be given more importance in the future, because the current modus operandi is contrary to the Constitution of BiH and the European Convention for the Protection of Human Rights.

In regard to this issue, the Military Commissioner issued the following recommendation:

- I BiH Ministry of Defence and the BiH AF Joint Staff are obliged to comply with the right of XY to express his/her national orientation.
- II During the discharge process of XY, he/she must not be “treated as a Bosniak” but his/her personal integrity and his right to his national orientation – Croat, Catholic confession must be respected.
- III The position assigned to a certain ethnic group, cannot and must not be the basis for the national definition of a person assigned to that position, but, despite to the formation, the inalienable right of the constituent people, national minorities and others to declare themselves as they want, must be respected.

The Ministry of Defence of BiH has implemented this recommendation in its entirety, however, this problem has also been recorded in some other cases in which the individuals were denied their right to national orientation and their national identity was therefore directly threatened.

3.2.4. Living Conditions in the Barracks of the BiH Armed Forces

During 2010, the Military Commissioner visited 27 barracks and, apart from making a presentation on the role and importance of the establishment of the Military Commissioner institution, he also had insight into the living and working conditions of members of the BiH Armed Forces.

Based on the analysis of the situation in all of the barracks, a conclusion may be drawn that members of the BiH Armed Forces have been facing the problem of inadequate premises which particularly refers to the substandard sanitary-hygienic areas in some of them.

Proceeding from the need that members of the BiH Armed Forces must be provided with minimum requirements for normal work, the Military Commissioner issued the following recommendation to that effect:

- I The Ministry of Defence of BiH and the Joint Staff of the Armed Forces of BiH are obliged to secure such standards for the life and work of members of the 2nd Infantry Company of the 1st Infantry Battalion of the 6th Infantry Brigade (hereinafter: 2nd IC/1st IB/6th IB) in the barracks “*Žarko Zgonjanin*” in Prijedor, as well as for most members of the BiH Armed Forces deployed to other locations.
- II As soon as possible, to initiate a procedure for the allocation of funds for the reconstruction of the kitchen-dining room area and the sanitary-hygienic facilities, including other premises in which members of the 2nd IC/1st IB/6th IB live and work, if the financial assumptions allow for that.
- III To undertake all possible measures to secure the minimum hygienic- health conditions in the barracks “*Žarko Zgonjanin*”.

Specifically, having reviewed the premises in which members of the referenced company live and work, the Military Commissioner found that the conditions existing in the barracks are impermissible for a normal work, particularly from the hygienic-health aspects. It was established during the visit that the barracks building was in a very bad condition and that the hygienic-health situation was such that it did not satisfy even the minimum acceptable standards. Considering the condition within the barracks and the number of members of the

BiH Armed Forces deployed to that location, there was a justifiable suspicion that the existing hygienic conditions could seriously threaten their health.

3.2.5. General Assessment of Human Rights and Freedoms of Military Persons and Cadets in the BiH Armed Forces and the BiH Ministry of Defence

The situation regarding human rights and freedoms of members of the BiH Armed Forces may be assessed as being good. Violations were reported in individual cases, however, the willingness of the management of the BiH Ministry of Defence and the BiH Armed Forces to eliminate all procedural failures and observed irregularities in favour of members of the BiH Armed Forces was encouraging and confirmed that there was no systematic violation of human rights.

Acting upon the complaints, the Military Commissioner made maximum efforts to resolve the problems through mediation to the satisfaction of a complainant, in which process the Minister of Defence of BiH and the top-ranking military leadership took measures to eliminate all of the observed irregularities.

It is particularly noteworthy that, during the reporting period, there were absolutely no complaints about religious freedoms, to which a very well established religious service in the BiH Armed Forces certainly contributed. The Military Commissioner believes that the religious military services play a key role in building the stable armed forces through raising awareness that each human being and his/her human rights and freedoms should be respected.

However, the observed problems have remained unresolved and they may cause the violation of human rights in certain fields, wherein the Military Commissioner believes that it is necessary for all of the authorities dealing with the defence and security sectors to give their contribution towards the elimination of irregularities and to raise the level of rights and fairness in protecting all members of the Armed Forces of BiH.

The text below will provide an overview of the observed problems and the Military Commissioner's recommendations for their elimination:

- I. **Medical care and treatment of members of the BiH Armed Forces deployed to serve outside their place of residence.** These persons are not entitled to free medical treatment in the places in which they perform their duties, despite the fact that they perform extremely specific and life-and-health threatening duties. The Ministry of Defence of BiH should find the way in the future to resolve this issue in favour of members of the BiH Armed Forces;
- II. **The Law on Service in the BiH Armed Forces** (*Official Gazette of BiH*, No. 88/05, 53/07, 59/09 and 74/10), in its part regarding the retirement of senior officers and non-commissioned officers, **has not been applied in the whole territory of Bosnia and Herzegovina.** The Joint Defence and Security Committee should make an extra effort to secure the Law to be fully implemented in the whole territory of Bosnia and Herzegovina;
- III. **Military persons engaged in humanitarian demining operations – anti-mining actions (AMA)** has been facing many problems and difficulties in performing their duties and tasks, with particular regard to the following:

- Public procurement procedures are too slow, which causes delays in the procurement and delivery of worn-out demining equipment (spare parts, tools, helmets and protective vests whose shelf life is about to expire) and the marking materials,
- There are evident problems in maintaining the systems for the mechanical ground preparation,
- Insufficient food for mine detection dogs,
- Scaling down of personnel due to expired contracts on Professional Military Service, in which process 164 military persons have been discharged, while 203 military persons are currently engaged in AMA. The situation concerning the shortage of the required personnel is made even more difficult by the unplanned recruitment of new personnel, therefore, out of 34 manual teams existing before the discharge, 18 teams have been currently established.

The Ministry of Defence of BiH and the Joint Staff must promptly take the necessary measures to eliminate as many observed problems as possible, because a slow manning of the demining teams with new personnel, lengthy training and very slow procurement of new and maintenance of the existing demining equipment for humanitarian demining activities may have long-lasting damaging and enormous consequences for the security of areas subjected to the demining procedures.

- IV. During the performance **appraisal of members of the BiH Armed Forces**, certain irregularities were observed, and so was subjectivity in the assessment process. Significant measures have been taken thereof, however, the BiH Ministry of Defence must still work on the establishment of objectively measurable appraisal criteria;
- V. **To define the right to remunerations other than salary**, such as the right to accommodation rent, the right to separation allowance, special military bonuses; it is worth noting here that the right to separation allowance is conditioned by the right to rent, and those who perform specific field works, such as those working in the radio nodal communications centres or in the terrains to be demined, objectively cannot enter into lease contracts with their landlords because such areas are not populated, therefore, they cannot exercise their right to separation allowance either.

Furthermore, the BiH Ministry of Defence sluggish administration has been noted, and so was extremely complex and slow written communication between members of the BiH Armed Forces and the BiH Ministry of Defence and vice versa, which situation negatively affects the soldiers in the field. Namely, upon a transfer order, the procedures for termination of the contracts with the current landlords and for entering into the contracts with the new ones are too lengthy. Consequently, soldiers wait too long for the payments of these allowances. In this segment, the Ministry of Defence of BiH must advance its reporting system and adjust the administration work to the units in the field.

Also, criteria for exercising the right to separation allowance for specific categories of members of the BiH Armed Forces should be additionally established and it should not be conditioned by the right to rent.

In addition, special military bonuses have not been graded per weight carried by certain tasks, or conditions under which the assignments and duties are performed or hazards involved in them, which frustrates certain categories of members of the BiH Armed Forces. For example, the respective working conditions of members of the BiH Armed Forces in Bistrik and Rajlovac are not identical, nor are they in the radio nodal communication centres. At this point, the Military Commissioner particularly refers to the members of the BiH Armed Forces engaged in the technical repair workshops and ammunition maintenance in Doboje, who have been working on the delaboration of ammunition. Therefore, their work cannot be qualified as the one with the health-hazardous substances, as this is rather life-threatening work. The BiH Ministry of Defence must address this problem thoroughly and establish if these issues may be regulated differently.

VI Names of some barracks are not in the spirit of all constituent peoples and ethnic minorities in Bosnia and Herzegovina. The Military Commissioner therefore submits that the BiH Joint Defence and Security Committee should initiate their change in the forthcoming period.

4. WORKING VISITS TO UNITS AND COMMANDS OF THE BiH ARMED FORCES

During 2010, the Military Commissioner began to pay visits to the units of the BiH Armed Forces in order to present the role and importance of the Parliamentary Military Commissioner of BiH and the Law on the Parliamentary Military Commissioner of BiH. The visits established the following:

- I. Except for the newly built facilities in Orašje and Livno, all locations have been inherited from the previous military systems, and from IFOR, SFOR and EUFOR;
- II. Large barracks are situated in towns, while the ammunition and fuel warehouses are dislocated from the urban areas. The stationary communications centres are on the mountains;
- III. The locations are basically lacking the quality documentation on the condition of the buildings and infrastructure. The infrastructure and buildings at the locations are in a rather bad condition, while the quarters capacities for the work of units are limited and partially inadequate due to being old;
- IV. Access roads to the military locations and the communications within the locations do not satisfy the required standards;
- V. Electricity, water and heat energy supply, as well as the garbage disposal, are subject to Access Contracts with the relevant civilian businesses, while the premises heating at the locations is combined and depends on the existing infrastructure;
- VI. Fences around the locations are worn out and in most cases require to be repaired;
- VII. Canteens or restaurants at the locations are in bad conditions and, for technical reasons, they cannot prepare food on two lines in most cases;

- VIII. A large number of individuals (about 900 professional military persons standing guard or securing them monthly) have been engaged in securing the existing locations, while huge tangible assets and funds are being spent for their logistical support, maintenance and utilities.

Considering the foregoing, the BiH Ministry of Defence and the Joint Staff of the Armed Forces of BiH must make further efforts to improve the living and working conditions of members of the BiH Armed Forces in all of the barracks and at all locations to which they are deployed. Specifically, the quality imbalance between the barracks in terms of the living and working conditions is evident, which particularly refers to the hygienic-sanitary facilities. Also, during the visits, the Military Commissioner received many objections about monotonous diet of members of the BiH Armed Forces standing guard and personnel at the forward posts, such as radio-relay nodal communications centres. Problems professional military persons face while in the field include the low quality of equipment, slow process of the equipment procurement wherein the time from the moment of expressing the need for equipment to the moment of the delivery is too lengthy, which is particularly worrying in case of the demining units in the field.

Finally, it is worth noting that all units visited by the Military Commissioner raised the issue of standing guard as a problem, because the number of days off granted upon standing guard is disproportional to the number of days they actually spent standing guard. In this regard, the number of working hours spent standing guard is not entirely entered into the payrolls. The Ministry of Defence of BiH will have to analyse thoroughly this problem in the future and find the best possible solution in favour of the professional military persons.

What follows is an overview of the visited barracks and locations:

1. **11 February 2010 – visit to the Army Hall of the Armed Forces of BiH**, during which a presentation has been made to members of the Ministry of Defence of BiH, the Joint Staff of the Armed Forces of BiH, General Inspectorate, and the Operational Command of the Armed Forces of BiH;
2. **18 February 2010 – visit to the "Rajlovac" Barracks, Sarajevo**, to the Command and the *TP* Unit, 2nd Helicopter Squadron, Air Defence Battalion, and the part of the Aviation Maintenance Battalion of the Air Force and Air Defence Brigade;
3. **25 February 2010 – visit to the "Mato Lučić Maturica" Barracks, Kiseljak**, and visit to the Second Infantry Battalion, Fifth Infantry Brigade. In addition to the Military Commissioner of BiH, on behalf of the BiH Parliamentary Assembly, this visit was attended by the members of the Joint Committee for Defence and Security of BiH: Ivo Miro Jović, member of the Committee, Dragica Hinić, Secretary and Jovica Katić, Committee Expert Associate.
4. **4 March 2010 – visit to "Zaim Imamović" Barracks, Pazarić**, where the Basic Training Centre – Command for the Training and Doctrine, is located;
5. **18 March 2010 – visit to "Miloš Obilić" Barracks, Pale**, that is to the Communication Battalion – Tactical Support Brigade;
6. **25 March 2010 – visit to "Kosova" Barracks, Goražde**, that is to the Third Infantry Battalion, Fourth Infantry Brigade. This Military Commissioner's visit was also attended by Brigadier Matija Aračić, military attaché of the Embassy of the Republic of Croatia in BiH. On this occasion, meeting with the Prime Minister of Bosansko-Podrinjski Canton, Nazif Uruči, and Minister of Veterans' Affairs, Dževad Adžem was arranged as well.

7. **1 April 2010 – Barracks “Josip Karimovic-Grabo”, Žepče**, visit to the Artillery Battalion of the 5th Infantry Brigade;
8. **8 April 2010 – Barracks of the “7th muslimanske brigade”, Zenica**, visit to the 1st Infantry Battalion of the 5th Infantry Brigade;
9. **14 April 2010 - Barracks "Travnik", Travnik**, visit to the Training and Doctrine Command HQ and Centre for Professional Development,
10. **22 April 2010 –“Butile” barracks , Sarajevo**, visit to the Main Logistics Base and the 8th Battalion of the Logistics Support of the Logistics Command.
11. **6 May 2010 – “Miralem Jugo” barracks, Mostar**, visit to Artillery battalion, 4th infantry brigade;
12. **8 May 2010 – “Dubrave Airfield” barracks, Tuzla**, where AF BiH members were interviewed as part of the investigation, under which complaints an investigation is being conducted by the Office;
13. **12 May 2010 – “Kozara” barracks, Banja Luka**, attending the 5th Anniversary of the 3rd infantry (Republika Srpska) regiment of the AF BiH;
14. **13 May 2010 – “Božan Šimović” barracks, Čapljina**, visit to Command and unit of the 4th infantry brigade and 4th battalion logistics support;
15. **20 May 2010 – “Bilečki borci” barracks, Bileća**, visit to 2nd infantry battalion, 4th infantry brigade.
16. **7 June 2010 – “Kozara” barracks, Banja Luka**, visit to AF Support Command, Command for Personnel Management, Command and Unit of the 6th infantry brigade, and Command and unit of air forces and air defence;
17. **7 June 2010 – “Mahovljani” barracks, Banja Luka**, visit to 1st Helicopter Squadron, Aviation Maintenance Battalion of the Air Force and Air Defence Brigade and 7th Logistic Support Battalion, Logistics Command;
18. **8 June 2010 – “Mika Bosnić” barracks, Banja Luka**, visit to the Battle Simulations Centre, Battle Training Centre and Mechanized Battalion, Training and Doctrine Command;
19. **21 and 22 June 2010 – “Adil Bešić” barracks, Bihać**, visit to 2nd infantry battalion, 6th infantry brigade, also meeting the local authorities – Chairman of Bihać Municipal Council, Ivan Pršo and associates;
20. **22 June 2010 – visit to 2nd company, 1st infantry battalion, 6th infantry brigade based in Prijedor, “Žarko Zgonjanin” barracks**. During the visit it was concluded the living and working conditions in the army barracks are very poor, and can even be qualified as unacceptable. It is necessary to seek options to renovate this location in order for AF BiH members to have equal working conditions as in other bases. To that regard, a special report and recommendation shall be developed.
21. **8 July 2010 – “Aerodrom Dubrave” barracks, Tuzla**, visit to 5th infantry brigade command and unit, 5th brigade of the Logistics support and the Armoured battalion and the Company of ABH Defence brigade of the Tactical support;
22. **21 July 2010 - "Vojvoda Stepa Stepanović" barracks, Bijeljina**, visit to 3rd infantry battalion of the 5th infantry brigade;
23. **22 July 2010 - "Sinovi Posavine" barracks, Orašje**, visit to 3rd infantry battalion of the 6th infantry brigade,
24. **15 September 2010 – a visit to technical workshop for repair and maintenance of weapons - TRROM** that is within the Head Logistics Base in Doboj;
25. **15 September 2010 - "Vojvoda Ratomir Putnik" barracks, Doboj**, visit to the Command of the Logistics part of the Main Logistic Base and to the Artillery battalion of 6th infantry brigade;

26. **16 September 2010** - "Zdravko Čelar" barracks, Derventa, visit to Engineers battalion of Tactical support brigade;
27. **20 September 2010** – attending the tactical live-fire exercises performed at the "Manjača" training ground in Banja Luka.

5. CO-OPERATION WITH OTHER BIH INSTITUTIONS

In performing the duties from within his competence, the Military Commissioner established successful co-operation with the following:

1. BiH Ministry of Defence
2. Joint Staff of BiH Armed Forces
3. Inspector General of the Ministry of Defence of BiH
4. Institution of BiH Human Rights Ombudsman
5. Associations and nongovernmental organisations dealing with the protection of human rights in Bosnia and Herzegovina.

It is especially important to underline good co-operation with the Joint Collegiums of both Houses of the BiH Parliamentary Assembly, BiH Joint Committee for Defence and Security, and the Secretariat of the BiH Parliamentary Assembly. All of the aforementioned bodies provided significant support and assistance to the Military Commissioner in exercising his legal jurisdictions.

The Military Commissioner also established a successful cooperation with the following international organisations in Bosnia and Herzegovina:

1. OSCE Mission to BiH
2. USAID Parliamentary Strengthening Project in BiH
3. UNDP
4. DCAF – Parliamentary Oversight Centre
5. Association of Military Attachés accredited in BiH

The text below will provide an overview of the most significant activities carried out or planned with the foregoing organisations.

5.1. Cooperation with the OSCE Mission to Bosnia and Herzegovina

In 2010, the OSCE Mission to Bosnia and Herzegovina supported the Military Commissioner in the activities of paying visits to the barracks and units of the Armed Forces of BiH. Apart from the staff of the Mission headquarters in Sarajevo, the Military Commissioner was also accompanied by the representatives of the Mission field offices throughout Bosnia and Herzegovina, which added on the significance of the protection of human rights within the Armed Forces of BiH. This was also an opportunity for highlighting the need and significance of strengthening of the local community cooperation, in the territory of which the units of the Armed Forces of BiH have been deployed, towards building trust in the BiH Armed Forces system.

With the support and assistance provided by the Mission, the Military Commissioner organised a conference on *The Significance and the Role of the Parliamentary Military Commissioner of Bosnia and Herzegovina in Protection of Human Rights and Freedoms of Military Personnel and Cadets*, that was held in Sarajevo on 19 October 2010. The

participation of Hellmut Königshaus, a German Military Commissioner, was of great importance for the conference. Some of the conference messages were conveyed through the need to:

- I. recognise the gaps in legal provisions and regulations and the need to ensure harmonisation between the legal provisions and internal military regulations and the rules of the European Convention on Human Rights;
- II. raise awareness of members of the Armed Forces of their rights, in which process they should have access to all necessary information about their rights, through trainings, internal documents of the Ministry of Defence of BiH and the Joint Staff of the Armed Forces of BiH, or in some other way;
- III. commanding officers to develop sensitivity regarding their subordinates' rights.

5.2. Cooperation with the USAID Parliamentary Strengthening Project in Bosnia and Herzegovina

The staff of this organisation and its Director Christian Haupt provided extremely significant technical assistance in the establishment of the Office of the Parliamentary Military Commissioner of BiH, and in the development of the by-laws being a prerequisite for the beginning of the execution of competences and authorities of the Parliamentary Military Commissioner of BiH. At the same time, the USAID Parliamentary Strengthening Project in Bosnia and Herzegovina funded a reception organised for promotion of the first Parliamentary Military Commissioner on 28 January 2010, and his visit to the Military Commissioner of the Bundestag, which was an opportunity to have insight into the work and functioning of this highly regarded organisation and for implementing the acquired experiences in Bosnia and Herzegovina. Furthermore, it is worth noting that this organisation assumed the role of a mediator in the implementation of a project of the Ministry of Defence, Civil Protection and Sports of the Switzerland Confederation in providing funds for equipping the Office of the Parliamentary Military Commissioner of BiH.

It should be noted that the USAID Parliamentary Strengthening Project in Bosnia and Herzegovina had the most significant role in the establishment of the institution of the Military Commissioner, and this successful cooperation continued during the year 2010.

5.3. Cooperation with the UNDP in Bosnia and Herzegovina

The UNDP in Bosnia and Herzegovina also contributed to the development of the Office of the Military Commissioner of BiH and the work of the Military Commissioner. With the assistance of this organisation, the Military Commissioner organised on May 10, 2010 a reception for all military attachés accredited in Bosnia and Herzegovina. This was an opportunity to promote successful cooperation with the military-diplomatic corps of Bosnia and Herzegovina, present the work of the Military Commissioner and exchange opinions on upgrading the system for protection of the rights of members of the Armed Forces of BiH.

UNDP expressed its readiness to develop an assistance project for the Military Commissioner, which would, among other things, include financing of two experts to work in the Office of the Military Commissioner of BiH, the importance of which will be immeasurable for further development of the Office. This project will be implemented during 2011.

5.4. Cooperation with the Parliamentary Oversight Centre (DCAF)

DCAF also expressed its support and willingness to help the Military Commissioner. In the forthcoming period, it will fund the work of a lawyer in the Office of the Parliamentary Military Commissioner and, along with the UNDP efforts, this will considerably strengthen the capacity of the Office, thus strengthening the activities of the Military Commissioner as well.

Finally, readiness of the **Ministry of Defence, Civil Protection and Sports of the Switzerland Confederation** to provide funds for equipping the Office of the Parliamentary Military Commissioner of BiH should be particularly emphasised. This project was implemented in February 2011, and the Office was therefore provided with the most valuable equipment which was necessary for the regular work of the Military Commissioner and the Office staff.

6. MEETINGS AND OTHER ACTIVITIES OF THE MILITARY COMMISSIONER

With the aim at promoting the role and importance of the institution of the Parliamentary Military Commissioner of Bosnia and Herzegovina, especially due to the fact that this is the first institution of this kind in the region, the Military Commissioner attended the following meetings:

1. 10 February 2010 meeting with the EUFOR Commander to Bosnia and Herzegovina, Major General Bernhard Bair,;
2. 16 February 2010 meeting with the religious prelates in the Armed Forces of BiH including: Slađan Vlajić, Priest, Father Tomo Knežević and the Military Mufti Ismail Smajilović. The meeting discussed “The organisation of religious activities in the Ministry of Defence of BiH and the Armed Forces of BiH, religious freedoms and care of the religious practice of members of the Armed Forces of BiH”;
3. 18 February 2010 meeting with the BiH NATO Staff Commander, Brigade General John W. Bullard,
4. 5 March 2010 meeting with the Lieutenant Vladimir Kabaivanov, military attaché of the Republic of Bulgaria in Bosnia and Herzegovina, ,
5. 5 March 2010 meeting with Amna Berbić, Head of the Department of Human Rights and Justice of the United Nations Development Programme to BiH (UNDP). Readiness of UNDP to strengthen the role of the Office within the years-long projects was emphasised,
6. From 9 to 13 March 2010, upon an invitation of Bundestag and the Military Commissioner of Bundestag Reinhold Robbe, the Military Commissioner, his associate Alma Tajić, and Christian Haupt, Director of USAID PSP in BiH, paid an official visit to the German Bundestag. The presentation of the ways of and conditions for the work of the Military Commissioner of Bundestag was in the focus of the visit, and the visit programme was developed accordingly;
7. 17 March 2010 visit of Rolf Lenz, the Ambassador of Switzerland in BiH, and Martin Trachsler, Colonel and the military attaché of the Embassy of Switzerland in BiH. During this visit, the activities on the implementation of the project for equipping the Office of the Parliamentary Military Commissioner, led by Christian Catrina, a representative of the Ministry of Defence of Switzerland, were defined;

8. On 19 March 2010, the Military Commissioner was visited by a Brigadier Antun Tunj, the defence attaché of the Embassy of Slovenia in BiH, and a Brigadier Matija Aračić, the military attaché of the Embassy of Croatia in BiH. During the meeting with the Brigadier Tunj, who is a Secretary of the Association of Military Attachés in Bosnia and Herzegovina, and Brigadier Aračić, Deputy Secretary of the Association, the Military Commissioner discussed the possibility of cooperation with the Association of Military Attachés in BiH.
9. 1 April 2010 meeting with Rohan Mawell, Chief of the NATO Staff Political-Military Advisory Section in Sarajevo;
10. 8 April 2010 - the Military Commissioner was present at the ceremony of signing the Agreement between the Ministry of Defence of BiH and the Holy Chair on spiritual guidance of the Catholics in the Armed Forces of BiH;
11. 9 April 2010 - the representative of the Office was present at the counselling on “The transfer of knowledge on introduction of the system of sustainable environmental management into the defence systems of democratic countries” held in Prijedor;
12. 9 April 2010 - participation in the celebration of the 5th Anniversary of the First Infantry (Guard) Regiment of the Armed Forces of BiH held in Kiseljak,
13. 15 April 2010 - participation in the celebration of the 5th Anniversary of the Infantry (Ranger) Regiment of the Armed Forces of BiH, held in Bihac;
14. 21 April 2010 - participation in the seminar organised by the OSCE and held in Sarajevo, on “The Code of Military and Political Aspects of Security”. On that occasion, the Military Commissioner held a presentation on the significance and the role of the Military Commissioner in protecting the human rights and fundamental freedoms of members of the Armed Forces of BiH;
15. 22 April 2010 - the Military Commissioner was present at the formal signing of Contracts on professional military service in the Armed Forces of BiH for 296 new soldiers in Pazarić,;
16. 29 April 2010 - participation in the workshop on the destruction of surplus weapons in Bosnia and Herzegovina, organised by the UNDP and the Joint Commission for the Defence and Safety of BiH and held in Mostar,
17. 23 June 2010 meeting with representatives of the Parliamentary Assembly of NATO, during their visit to the Joint Commission for the Defence and Safety of BiH;
18. 15 June 2010 meeting with the Chairman of Austrian Parliamentary Committee for Armed Forces, Anton Gaál, and the Head of Office of the Parliamentary Commission for the Armed Forces of Austria, Karl Schneemann. On this occasion, the Military Commissioner was awarded with a plaquette to remember the Second International Conference of Ombudsman Institutions for the Armed Forces held in Vienna in April. During the meeting, the guests from Austria noted their support to the work of the Military Commissioner and invited him to visit the Austrian Parliament and the Parliamentary Commission for the Armed Forces in order to learn about protection of human rights of soldiers and the principles and procedures implemented in Austria;
19. On 2 and 8 September 2010, meetings were held with the representatives of the OSCE Mission to Bosnia and Herzegovina –Security and Cooperation Section, at which preparatory consultations and preparations for the Conference on the following subject were held: *“The Significance and the Role of the Parliamentary Military Commissioner of Bosnia and Herzegovina in Protection of Human Rights and Freedoms of Military Personnel and Cadets”*. It was agreed upon the Conference to be held on 19 October 2010.
20. 10 September 2010 - working meeting was held with the Chief of the Joint Staff of the Armed Forces of BiH, Colonel General Miladin Miložić.

21. 13 September 2010 meeting with the representatives of the International League of Humanists.
22. 21 September 2010 meeting with Yuri Afanasiev, the resident representative of the United Nations Development Programme in Bosnia and Herzegovina (UNDP). Afanasiev was informed on the activities implemented towards promotion of the work of the Office, and the implementation of the Law on the Parliamentary Military Commissioner of BiH and strengthening of the rule of law, protection of human rights and freedoms of military personnel and cadets. The Military Commissioner informed the UNDP representative that BiH is the only country in the region with the institution of a Parliamentary Military Commissioner, and that it thus lawfully regulates the issue of the human rights and freedoms of military personnel in BiH. Yuri Afanasiev expressed his content with BiH having the Office of the Parliamentary Military Commissioner and offered the UNDP's wholehearted support thereof.
23. 22 September 2010 - the Military Commissioner visited the Ministry of Defence of BiH and held a meeting with the following representatives of the religious service in the Armed Forces of BiH: the Military Mufti Ismajil Smajilović, the Priest Slađan Vlajić and Father Tomo Knežević.
24. 29 September 2010 - the Military Commissioner visited the Institution of Human Rights Ombudsman/Ombudsmen of BiH and held a meeting with the ombudspersons Jasminka Džumhur and Nives Jukić, at which meeting their cooperation by that time was analysed and the activities in the forthcoming period defined.
25. From 31 September to 1 October 2010, the NATO Defence College attendants paid a study visit to the Ministry of Defence of BiH and the Parliamentary Assembly of BiH, on which occasion the Military Commissioner had an opportunity to present the institution of the Parliamentary Military Commissioner of BiH as a new form of the Parliamentary oversight of the Armed Forces of BiH, from the aspect of the protection of individual rights and freedoms of members of the Armed Forces of BiH.

7. SEMINARS, WORKSHOPS, VISITS

7.1.Seminars and workshops

During the reporting period, the Military Commissioner took part in the following seminars and workshops:

1. The Third Strategic Military-Political seminar organised by the OSCE Mission to BiH, the Ministry of Defence of BiH and German Army General Staff College, held from 16 to 18 June 2010 in Sarajevo.
2. At a conference on "The Parliamentary Oversight of Security Sector of the Southeast European countries", organised by RACVIAC, the Joint Commission for Defence and Security of BiH and the OSCE Mission to BiH, held from 27 to 29 June 2010 in Sarajevo,
3. At a regional Conference on export and import of weapons and military equipment, and destruction of surplus weapons, held in Sarajevo.

7.2. Visits of the Military Commissioner

Upon the initiation of Bundestag and the Military Commissioner of Bundestag, Reinhold Robbe, the Military Commissioner paid an official visit to the German Bundestag, from 9 to 12 March 2010.

Considering the 50-year tradition of the institution of the Military Commissioner of the Bundestag and that, in the segment of the protection of human rights and freedoms of military personnel, the German role model is one of the best in the world, this visit was of multiple significance regarding the work of the Office of the Parliamentary Military Commissioner of BiH, especially in terms of the following:

- Through the working activities of the Military Commissioner of the Bundestag, forming an integral part of the visit programme, it was possible to summarize the entire scope of work of the Military Commissioner, starting from his visits to the barracks and a unit, to the method of work of the Military Commissioner and the staff of that institution of the Bundestag;
- Since the building of capacities of the Office of the Military Commissioner in BiH is at its starting point, consequently, and the establishment of working procedures is in its earliest phase as well, the visit provided an opportunity for the Office to adopt a part of the best practice, through direct participation in the work of the Military Commissioner of Bundestag;
- The position of the Office of the Military Commissioner in Bundestag, the procedure of proposing and adopting the budget for the needs of the Office, the manner of managing the assets and divided competence of the administration of the Office and the administration of Bundestag, with the general aim to secure legally guaranteed independence of the Military Commissioner, has been presented;
- A specific segment which is beneficial for the Office's future work is the issue of protection of human rights and freedoms of the participants in the military missions outside Bosnia and Herzegovina, to which the Military Commissioner of Bundestag pays special attention and he therefore has already developed practice to that end.

The participation of the Military Commissioner in the Second International Conference of Ombudsman Institutions for the Armed Forces – ICOAF, that was held in Vienna, the Republic of Austria, from 25 – 28 April 2010, is also particularly important. The conference discussed “The role of the institutions of ombudsmen in promoting and protecting human rights of personnel of armed forces and veterans”, at which the declaration titled “The Vienna Memorandum” was adopted.

Together with members of the Joint Defence-Security Committee, the Military Commissioner participated in the official visit to the Croatian Assembly, Ministry of Defence and General Staff of the Republic of Croatia, which was organised by the OSCE Mission to BiH, from 9 to 11 June 2010.

Also, upon the invitation of Mr Anton Gaal, the Chairman of the Austrian Parliamentary Committee for Armed Forces, the Military Commissioner paid an official visit to the Committee on 25 and 26 November 2010.

Finally, it is noteworthy that, regardless of the problems he has been facing in his work (insufficient number of employees, premises, a special work regime in the Office which is diametrically opposed to the work of the Parliamentary Assembly of BiH, the requirement for

the Office systematisation of posts, considering the sensitive issues and financial independence) the Military Commissioner, within his regular activities, held daily meetings with members of the BiH Armed Forces who showed interest and needed to talk to him.

At the same time, the Military Commissioner attended all sessions of the Joint Defence and Security Committee of BiH, the House of Representatives and the House of Peoples of the Parliamentary Assembly of BiH.

PARLIAMENTARY
MILITARY COMMISSIONER
Boško Šiljegović

/Signed and Sealed/