



*Permanent Mission of the Republic of Serbia  
to the OSCE and other International Organizations, Vienna  
Rennweg 3, Vienna, tel. 714 13 45, fax. 714 13 41  
e-mail: mission@mission.srbije.net*

No. 1051/2008

The Permanent Mission of the Republic of Serbia to the OSCE and other International Organizations in Vienna presents its compliments to the Missions/Delegations of participating States to the Organization for Security Co-operation in Europe and to the Conflict Prevention Centre and, in accordance with the Decision 4/03 of the Forum for Security Co-operation, has the honour to transmit herewith the reply of the Republic of Serbia to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security.

The Permanent Mission of the Republic of Serbia to the OSCE and other International Organizations in Vienna avails itself of this opportunity to renew to the Missions/Delegations of the participating States to the OSCE and to the Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 23 June 2008



To The Missions/Delegations of the participating States to the OSCE  
To 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 23 June 2008

This information may be published with reference to this document

## THE REPUBLIC OF SERBIA

### INFORMATION PROVIDED IN ACCORDANCE WITH THE OSCE CODE OF CONDUCT ON THE POLITICO-MILITARY ASPECTS OF SECURITY 2008

As a participating state of the OSCE, the Republic of Serbia fulfils its obligations within the politico – military dimension of the OSCE, stemming from the 1999 Vienna Document on measures for reinforcing trust and security and from decisions of OSCE Forum for Security Cooperation (FSC).

In this context, the OSCE Questionnaire is annually being updated with regard to implementation of certain Articles of the Code on Politico – Military Aspects of Security, as a method of informing on the role and use of armed forces and its control by the Parliament within the OSCE participating states.

In the course of 2007, the Republic of Serbia continued on its path of democratic development based first of all on strengthening regional cooperation as well as on intense involvement in all significant international political and economic organizations.

Serbian defence policy is based on an integral and multilateral approach to security and defence issues, which implies strengthening our own defence capacities, foreign policy oriented towards European path and determination for active involvement in the process of joint action in fighting modern challenges, risks and threats, such as terrorism, proliferation of weapons of mass destruction, organized crime, illegal trafficking of drugs, human beings, and commodities.

Reform of the defence system, initiated as part of the overall reform process of all segments of the society in the Republic of Serbia, being one of the key reforms, is one of the priorities in the general process of democratic transition of the Republic of Serbia and its full integration into political, economic, and security processes on global and regional level.

Major organizational changes of the defence system are being conducted in two stages:

- **2006 – 2007** (the reform was carried out under very complex political, security, and financial conditions) At this stage the structure of the defence system adapted to current challenges, risks and threats to security, as well as to defined missions and tasks of Armed Forces was set up. Civilian control over the defence system was established as was the modern organization of MOD and General Staff of Serbian Armed Forces; Intelligence Department and Security Department were transformed into Military Intelligence Agency and Military Security Agency respectively, and are both subordinated to MOD; number of units on the tactical level was significantly decreased; securing the state border was completely handed over to the Ministry of Interior of the Republic of Serbia; Group for Cooperation of MOD with the Parliament was established, etc.
- **2008 – 2010** (in this stage of defence system reform new capabilities of the defence system will be created)

As part of creating a suitable doctrine framework for successful carrying out of the defence system reform, Laws on Defence, Armed Forces, and Security services were passed in the Parliament on December 10<sup>th</sup> 2007. **Laws on Defence and Armed Forces enable the development** of defence system institutions capable of coping with all challenges; set the civilian control over Armed Forces (through Parliament), forbidding the use of Armed Forces for political or ideological purposes, and also forbidding any paramilitary association in defending the country.

Draft documents of **National Security Strategy, Defence Strategy, Strategic Defence Review, and Military Doctrine of Serbian Armed Forces** are being drawn up. Upon adoption of the aforementioned documents, expected in 2008, we can count on a far more stable approach to reorganization and a possibility for further, more accurate normative and organizational constituting of the entire defence system of Serbian Armed Forces.

**Cooperation with the OSCE** is being implemented through activities in the field of arms control, which implies the implementation of the Vienna Document, as well as annual information exchange, and is monitored by the military representative in Permanent Mission of the Republic of Serbia to the OSCE in Vienna. Actual implementation of these activities was taken over by the Verification Centre of the International Military Cooperation Department of the Defence Policy Sector of MOD.

Cooperation on several regional programs was established through **OSCE Mission in Belgrade**, especially concerning development of projects for destruction of SALW surplus, and concerning assistance in phrasing new draft laws in the process of defence system reform and qualifying structures of society for civilian monitoring of defence sector.

***1. Appropriate measures to prevent and combat terrorism, in particular participation in international agreements to that end (Paragraph 6).***

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 GA 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.

In Serbia the Directorate for OSCE and CoE in the Ministry of Foreign Affairs was designated by the Foreign Minister (on 2 September 2005) as the focal point of the Republic of Serbia in the Counter-terrorist Network established by the Action Against Terrorism Unit (ATU) of the OSCE Secretariat. The Directorate for OSCE and CoE is, among other things, concerned with monitoring the military

political aspect and the related problems of terrorism, organized crime and security by regularly coordinated activities between OSCE and the competent Ministries.

***(a) List of international agreements, including 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)
- 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).

---

\*) 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

- 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) Council of Europe convention on the prevention of terrorism (signed on 16 May 2005, not yet ratified)
- 18) Council of Europe convention of laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism (signed 16 May 2005, not yet ratified).

***(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 shelf 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 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 co-operation 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.
- 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 permanent legislation, taken to implement the international agreements, conventions and protocols:***

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).

***(d) Information on national efforts to prevent and combat terrorism, including appropriate information on legislation beyond United Nations conventions 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 order to improve international cooperation and implementation of relevant international conventions related to combating terrorism, the Ministry of Foreign Affairs of Serbia established in February 2005, within its organization structure, the Service for bilateral and multilateral cooperation in combating international terrorism and all forms of organized crime. Now, the Service deals with the political aspects of cooperation of Serbia with the relevant bilateral partners, as well as international and regional organizations in the field of combating terrorism and organized crime. In this connection, basic role of the new Service is to realize close cooperation with the security and military structures of Serbia and coordinate their international activities in combating terrorism and organized crime.

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:***

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 undertaken 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);

- 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 neighbouring countries, intending to use the territory of the our country to illegally infiltrate 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 neighbouring, 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 republican Ministries of the Interior.

Full attention has been paid to preventive measures from a possible bio-terrorist attacks. 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.-6. Concerning questions 2-6 of the Questionnaire, short information is provided and relevant parts of Information submitted in 2002 could be considered as valid.***

**Constitution of the Republic of Serbia and Law on Defence** define responsibilities, rights and obligations of state authorities regarding defence, and accordingly:

- **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 26<sup>th</sup> 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.

In the past period **military-diplomatic and international military cooperation** were intensified; **budget funds allocated to the defence of the Republic of Serbia** and planned incomes in the defence system are being expressed transparently; **The Ministerial Guidance** that constitutes a basis for implementation of tasks and goals in 2008 was adopted.

*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 Law on basis of organization of security services of the Republic of Serbia*, defining jurisdiction, composition and manner of practice of *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.

*Laws on Defence and Serbian Armed Forces* define the rights and obligations of civil protection and Serbian Armed Forces which constitute the system of protecting and rescuing people, material and culture assets from natural disasters, technical-technological accidents and catastrophes, consequences of terrorism, war and other accidents, and in accordance with current national and international regulations, principles and rules of international humanitarian law.

Therefore, in emergency situations the civil protection functions as part of the defence system, that is to say the President of the Republic of Serbia or the Minister of Defence when authorization by the President, can decide on providing assistance by Serbian Armed Forces to the competent state bodies, organizations, bodies of autonomous provinces, or units of local governments, upon their request, in order to protect lives and security of people and property, protect the environment or for other reasons set forth by law.

In reality it means that, depending on the type and the intensity of military challenges, risks and threats to security, in accordance with strategic concept of defence the response shall be: in an armed conflict – by resolute defence of the Republic of Serbia; in peacetime – by engaging parts of Forces according to decisions of the Parliament.

The need for better monitoring and application of the most recent researches, achievements and connections with relevant specialized units of international organizations in the field of fight against terrorism became a necessity. For that very reason, the information exchange between countries through the Questionnaire on implementation of Code of Conduct on Politico-Military Aspects of Security is an important method of gaining experience in the fight against terrorism.

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; Laws on Conscript Military Service and Alternative Service are being drafted.

Conscripts requiring altering their military service for religious, moral, or any other justifiable conscientious 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.

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, both in the country and abroad.

## **7. Any other information**

Profound reforms are taking place in this field, including in the national legislation. In line with the new constitutional system of the country further changes are expected. The subsequent information shall provide additional and more accurate details.

The most important step in the first phase of the reform was the redefinition of the relationship between the Ministry of Defense and the General Staff. In the past General Staff was largely autonomous structure, separated from the Ministry of Defense and without proper civil control. 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. Expert teams are working, at the same time, on formulating the proposals for new structure of both Ministry of Defense and the General Staff.

The process of subordinating General Staff to the Ministry of Defense was further enhanced by the decision to place both Intelligence and Security military agencies under the direct command of the Minister of Defense.

As a part of our efforts to implement European standards in our defense sector, Minister of Defense has issued special decree recognizing the right of “consciousness objection”, i.e. the right of conscript to opt for civil service in humanitarian institutions rather than in army units.

In the process of development of appropriate doctrinal framework for the implementation of the defense system reform, draft documents have been made, which are to be discussed by the Government of the Republic of Serbia, following its constitution, and adopted afterwards by the Parliament of the Republic of Serbia:

- **National Security Strategy of the Republic of Serbia**, which represents a comprehensive program view, and the implementation of which ensures the protection of Serbian national interest in various areas of social life.

- **Defense Strategy of the Republic of Serbia**, which represents a modern strategic defense policy framework and reaffirms the principle of cooperation and joint action aimed at strengthening and preserving the international peace and stability.
- **Military Doctrine**, containing basic views on organization, preparation, employment and securing of Serbian Armed Forces.
- **Strategic Defense Review** – a document dealing with the process of reform for a ten-year period.
- We are working on the new **Law on participation of professional Serbian Armed Forces personnel in peace operations and other activities abroad**.

Appropriate amendments have been made to the **Law on Military** and **Law on Defense** (duration of compulsory military service was reduced to six months, and the duration of alternative service was reduced to nine months),

Primary goals of defence policy in the upcoming period are achieving an efficient defence system and securing peace and a more favorable security environment. Defence policy priorities for 2008 are: further improvement of partner relations with NATO, PfP, and EU member states, permanent members of UN Security Council, OSCE and neighboring countries; active participation in activities of the PfP program; coordination, planning, and implementation of organizational changes within the defence system; upgrading the organizational structure of Serbian Armed Forces set in 2007 and creating conditions for full professionalization of Armed Forces.

At the beginning of 2006, Serbia-NATO Defense Reform Group was set up. The Group asserted over time not only as an advisory body, but also as an extremely efficient instrument in support of creation of a modern defense system, fully under civil control.

The Republic of Serbia is strongly committed to promoting regional cooperation and is aware of contributions of regional initiatives to the overall stabilization and economic development of the region. Accordingly, MOD actively participates in all regional initiatives on cooperation in the field of defence (South-East Europe Cooperation Process – SEECP, Regional Cooperation Council – RSS, Center for Security Cooperation – RACVIAC, American – Adriatic Charter, Cooperation of Defence Ministers of South-East Europe Countries – SEDM, Forum for assistance to South-East Europe Countries – SEEC etc.)

### **5.1. Aims and Tasks of the Defense System**

According to the Constitution of the Republic of Serbia, Serbian Armed Forces defend the country against external armed threats and conducts other missions and tasks, stipulated by the Constitution, legislation and the principles of the international law regulating the use of force.

The Doctrine of Serbian Armed Forces stimulates that the Republic of Serbia, if faced with imposed armed conflicts, will be determined to defend itself by its own forces, with support of partners, allies and friendly countries, obeying the provisions of the international war and humanitarian law. Considering the goal - engagement of the forces would have a defensive, and depending upon the method and use of weapons - conventional, contemporary and offensive character.

That actually means that, depending on the type and intensity of military challenges, risks and threats to security, and in line with the strategic concept of

defence, the answer will be: in the armed conflict – decisive defence of the Republic of Serbia; in the peacetime – engaging a part of the forces according to the decisions of the National Parliament of the Republic of Serbia.

Management and command of the Armed Forces are based on the principles of unity, continuity, responsiveness, efficiency, operability and security.

The main task of the Armed Forces in the peacetime, according to the Doctrine of the Armed Forces, is to build and strengthen operational readiness in terms of deterring from aggressions and armed conflict provocations. The main aim of deterring aggression is to persuade the enemy in the necessity of giving up the planned intentions, otherwise he will suffer unacceptable losses and will not be able to accomplish his goal.

The use of Armed Forces in the armed conflicts is immediate contribution to security of the Republic of Serbia in the process of dealing with military risks and threats. The aim of the use of Armed Forces is to force the enemy to give up his intentions by means of exposing their capability, and if he refuses it, to force him in conflict to accept the offered conditions.

The use of Armed Forces in armed conflicts includes: preparation, organization and execution of the combat operations. Combat operations are the method of preparation, organization and engagement of forces in combat, according to a single plan, in a specific area and in a specific time, in cooperation with other elements of the defense system, partners and forces of other friendly states, to accomplish the set goal.

**The aims of the defence system are the following:**

- defence and protection of vital security and defence interests of the Serbia;
- active contribution to peace keeping and developing of a favourable security environment, and
- developing and improving partnership relations with appropriate institutions of the collective security system of neighbouring countries and other states.

**The tasks of the defence system are the following:**

- creation of a defence system capable of responding to the current and future challenges, risks and threats to security in peace and war;
- efficient defence management;
- creation of a stable defence system in accordance with the available resources and capabilities for logistic support;
- achieving interoperability with the defence systems of other states already integrated into European and Euro-Atlantic security structures;
- co-operation with member states of the NATO Partnership for Peace Programme, the NATO Alliance and other states and alliances, and
- reform of the defence system.

## **5.2. Principles of the Defense System**

The principles of the defence system shall determine the operational activities of its components. The basic principles are the following: comprehensiveness, unity, operational awareness, co-operation, interoperability, efficiency, flexibility, modernity, professionalism, transparency and sufficiency.

## **5.3. Elements of the Defence System**

In the process of implementation of the aims and tasks of defence, the elements of the defence system comply with the provisions of the Universal Declaration on Human Rights, the Geneva Conventions, the International Humanitarian Law Code and the internal legislation.

### **5.3.1. Institutions of the Republic of Serbia the Defence System**

It is envisaged that the management of the system of national security, in the Republic of Serbia, is the responsibility of the National Parliament of the Republic of Serbia, President of the Republic of Serbia and Government of the Republic of Serbia. Also, in the Draft National Security Strategy it is set out that the executive part of the security system includes: Ministry of Foreign Affairs, Ministry of Finance, Ministry of Defence, Ministry of Interior, Ministry of Justice and Security-Information Agency.

**National Parliament**, according to the Constitution, decides on war and peace, declares the state of war or the state of emergency, supervises the work of security services and enacts strategic documents related to defence, passes laws and other acts falling on the Government of the Republic of Serbia.

**Government of the Republic of Serbia** runs the ministries and institutions in the domain of national security, in accordance with the Constitution and the law. The ministers are accountable to the President of the Government, to the Government and the National Parliament for their work and the situation in the area of responsibility of their ministries.

**National Security Council** was established by the Government of the Republic of Serbia and it represents a body that considers the state of national security, functioning of the elements of the security system, their mutual cooperation and cooperation with other state bodies and bodies and security services of other states and international organizations and includes: 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.

**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.



#### **5.4. Other Institutions Significant for Defence**

Of importance for defence, there are also institutions dealing with the issues of diplomacy and security, and in accordance with the Republic of Serbia, other institutions and services required for functioning of the defence system. They conduct their activities in co-ordination with the defence system elements, in compliance with the law.

#### **5.5. Defence System Management**

Defence system management shall provide efficient functioning and responses by all defence system elements to military and non-military challenges, risks and threats to the security of the Republic of Serbia.

The management function of *the Parliament of Serbia* is performed by passing laws, decisions and other legal documents, as well as by having oversight over the defence system elements, through parliamentary boards and commissions.