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MINISTRY OF SECURITY



Strategy in the Area of Migrations and Asylum

and Action Plan for the Period 2016-2020

STRATEGY IN THE AREA OF MIGRATIONS AND ASYLUM AND ACTION PLAN FOR THE PERIOD 2016-2020

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Bosnia and Herzegovina
Ministry of Security

**STRATEGY IN THE AREA OF MIGRATIONS AND ASYLUM
AND ACTION PLAN FOR THE PERIOD
2016-2020**

Sarajevo, March 2016

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Summary

With the objective of defining comprehensive, sustainable and European standards-based policies in the area of migrations and asylum, the state of Bosnia and Herzegovina is continually developing, implementing and monitoring the implementation of strategic documents in this area. The primary goal of such efforts is to use obvious successes and results in work of the competent institutions in the area of migrations and asylum as the real potential in future planning of their activities in this area, so that the positive trends in management of migrations and asylum could be put into function of the Euro-Atlantic integrations of our state. That task is particularly evident in the context of the Stabilization and Accession Agreement's entry into force, which obligates Bosnia and Herzegovina in the area of migrations and asylum to cooperate intensively with the member states and institutions of the European Union in the areas of visas, border management, migrations and asylum. In that sense, the Strategy in the Area of Migrations and Asylum and the Action Plan for the Period 2016-2020 contain a significant number of measures and activities aimed at meeting these obligations as fast as possible, in the area of harmonization of national legislation on migrations and asylum with the EU Acquis communautaire, strengthening capacities of the competent institutions, educations and trainings of officials of these institutions, management of security risks at the state border of Bosnia and Herzegovina etc.

Taking into account the fact that the Council of Ministers of Bosnia and Herzegovina enacted its first strategic document in this area back in 2001, it is reasonable to expect that, after nearly twenty years of implementation of this type of strategic documents, our state will be in a position to significantly meet the standards in the areas of migration and asylum, which are very important for accession to the European Union.

This strategic document is a result of a joint, coordinated work of the representatives of competent institutions in Bosnia and Herzegovina dealing with issues of migration and asylum, specifically: Ministry of Security - Sector of Immigration, Sector of Asylum, Service for Foreigners' Affairs, Border Police of BiH and State Investigations and Protection Agency of BiH; Ministry of Foreign Affairs – Sector of International-Legal and Consular Affairs; Ministry for Human Rights and Refugees – Sector for Diaspora and Sector for Refugees, Readmission, Displaced Persons and Housing Policy. The development of the Strategy and the Action Plan were supported by the governments of Switzerland and Lichtenstein through the Project “Support to the Immigration and Asylum Management System in Bosnia and Herzegovina – Phase II”.

While developing the Strategy in the Area of Migrations and Asylum, as well as the Action Plan (2016-2020), basic principles of development were defined, all relevant indicators were taken into consideration, along with factors influencing the planning of concrete measures and activities of the competent institutions for a certain timeframe, analysis was conducted and presentation of the most significant achievements in the area of migrations and asylum management in Bosnia and Herzegovina was made, and key segments of the Strategy pertains to the projection of strategic goals that were developed per measures and activities through the Action Plan.

Basic principles this strategic document is based on are:

- A. **Principle of legality** – presumes that the state is obliged to establish a number of interconnected measures and activities for efficient migrations management in such a manner that the benefits shall be increased for both migrants and the state, with simultaneous reduction of illegal migrations and human trafficking;
- B. **Principle of security of the State and its Citizens** – provides for ensuring protection and a possibility of rapid action of the services competent for security in cases of illegal migrations and large migration movements;
- C. **Principle of integration** – according to this principle, through sensibilization of the public and a more active role of the governmental and non-governmental sectors, the aim is to ensure an environment that shall contribute to integration of aliens into the society;
- D. **Principle of international cooperation** – in accordance with which dialogue and cooperation are to be ensured with the countries of origin, as well as with third countries, so that the foreign policy of Bosnia and Herzegovina be harmonized and connected, in segment pertaining to migrations, to the goals of migration policy.

The Strategy in the Area of Migrations and Asylum and the Action Plan (2016-2020) is a comprehensive document based on all relevant indicators and factors in the area of migrations, and on real, reliable and objective assessments of migration flows and interests of Bosnia and Herzegovina in this area. Amongst those factors, particular importance is rests on those that pertain to: geo-strategic position of Bosnia and Herzegovina, observed migration trends, constitutional legal framework, obligations arising from international treaties, movement towards joint migration policy of the EU and adopted policies of authorized bodies of Bosnia and Herzegovina.

While developing this strategic document, an analysis was conducted and an overview of the most significant achievements in the area of migrations and asylum management in Bosnia and Herzegovina was presented. Analysis of legislation in the area of migrations and asylum clearly shows that Bosnia and Herzegovina endeavours to follow the dynamics of development of *acquis communautaire* of the European Union in this area and incorporates it to a sufficient extent into the local legislation. Furthermore, Bosnia and Herzegovina has all the basic institutional structures for migrations management enabled to deal with control of movement and stay of aliens and to fight illegal migrations, in accordance with current challenges in this area.

The key segment of the Strategy in the Area of Migrations and Asylum 2016–2020 pertains to a projection of strategic goals that are set so that they are specific, measurable, achievable, realistic and time limited. They are different in their content, they can conditionally be divided into those by which legal migrations are attempted to be supported and facilitated while simultaneously limiting illegal migrations and reducing security threats that may occur in relation to such occurrences, and particularly human trafficking and smuggling of persons.

In the long run, in the area of immigration and asylum, Bosnia and Herzegovina aims to develop good quality migration and asylum system on national level, harmonized with the European Union standards and incorporating international refugee law, as well as active participation in defining policy and development of immigration and asylum systems at regional level.

Medium term strategic goals, as defined for the period 2016 – 2020, are the following:

- 1) Improving **the system of control of entry and stay** of aliens in Bosnia and Herzegovina;
- 2) Strengthening capacities in the area of **asylum** in Bosnia and Herzegovina;
- 3) Increasing efficiency of **control of the state border** of Bosnia and Herzegovina;
- 4) Improvement of the **fight against illegal migrations** in Bosnia and Herzegovina;
- 5) Contribution to the reduction of human trafficking in Bosnia and Herzegovina;
- 6) **Strengthening institutional capacities** in Bosnia and Herzegovina with objective of linking migration and development;
- 7) Establishing of a system for monitoring of **integration of aliens** who reside legally in the territory of Bosnia and Herzegovina; and
- 8) **Establishing of a Permanent Coordination System** in the implementation of migration policy of Bosnia and Herzegovina.

The implementation of the eight goals presented in this strategic document has been developed in the Action Plan 2016–2020 and defined through the implementation of 37 measures and 173 activities with defined carriers of activities and implementation deadlines.

Glossary of Acronyms

BiH	Bosnia and Herzegovina
CIO BP BiH	Central Investigations Office of the Border Police of BiH
DCAF	Centre for the Democratic Control of Armed Forces
SBS BiH	State Border Service of Bosnia and Herzegovina
DCO	Diplomatic and Consular Office
EC	European Commission
EMN	European Migration Network
EU	European Union
EU Acquis (communautaire)	European Union Acquis Communautaire
EUD BiH	European Union Delegation to Bosnia and Herzegovina
EUROPOL	European Police Office
EC	European Community
FMoI	Federation Ministry of Interior
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member states of the European Union
GDISC	General Directors of the European Immigration Services Conference
BiH Border Police	Border Police of Bosnia and Herzegovina
ICITAP	International Criminal Investigative Training Assistance Program of the US Department of Justice
ICMPD	International Centre for Migration Policy Development
IDDEEA	Agency for Identification Documents, Registers and Data Exchange
ILECU	International Law Enforcement Coordination Units
INTERPOL	International Criminal Police Organization
IOM	International Organization for Migrations
ISM	Information System on Migrations
IBM	Integrated Border Management
C MoI	Cantonal Ministry of Interior
MARRI	Migration, Asylum, Refugees Regional Initiative
MS	Ministry of Security
MoI RS	Ministry of the Interior of Republika Srpska
OHR	Office of the High Representative in Bosnia and Herzegovina

ISA BiH	Intelligence and Security Agency of Bosnia and Herzegovina
BD BiH POLICE	Police of the Brčko District of Bosnia and Herzegovina
RPA	Register of Particular Aliens
SELEC	Southeast European Law Enforcement Centre
SAA	Stabilization and Accession Agreement
ITA	Indirect Taxation Authority of Bosnia and Herzegovina
UN	United Nations
UNHCR	Office of the United Nations High Commissioner for Refugees
VO	Veterinary Office
APHP BiH	Administration for Plant Health Protection of BiH
SIPA	State Investigations and Protection Agency
SERVICE	Service for Foreigners Affairs
SECTOR OF IMMIGRATION	Ministry of Security – Sector of Immigration
SECTOR OF ASYLUM	Ministry of Security – Sector of Asylum

1.

INTRODUCTION

The area of migrations and asylum in Bosnia and Herzegovina has been permanently regulated at the level of laws and bylaws enacted with the objective of harmonizing the action of competent institutions with relevant standards of the European Union and other international sources, whereas the key framework for planning of the work and coordination of these institutions' activities is comprised of strategic documents enacted in this area. Each of these strategic documents that, as a rule, includes a medium period of three to five years, takes into account the actualities in the area of migrations and asylum in Bosnia and Herzegovina, and they endeavour to provide an adequate answer to all the challenges and expectations domestic institutions are encountering.

Currently, the entry into force of the Stabilization and Accession Agreement between the European communities and their member states on one, and Bosnia and Herzegovina on the other side seems to be as one of the most relevant elements that must be taken into account in strategic planning in the area of migrations and asylum. Further, the development of a legal framework, and permanent harmonization of domestic regulations in this area with corresponding sources enacted under the auspices of the European Union also have significant repercussions for the development of this strategic plan. Experiences gained in migrations and asylum management in Bosnia and Herzegovina so far surely represent an indispensable source and a determinant for activity planning in the strategic period 2016 – 2020.

In order to see all the afore-listed factors in a systematic, organized and clear way, the Strategy in the Area of Migrations and Asylum 2016–2020 is structured in such a manner that the following could be presented in the contents of this document: (a) overall endeavours for efficient and balanced migrations and asylum management in Bosnia and Herzegovina, (b) key principles of development of this strategic document, (c) identification of basic pillars of migrations policy in Bosnia and Herzegovina, (d) an overview of the results achieved in the past period of some fifteen years of successful migrations and asylum management, (e) a systematized set of strategic objectives, i.e., measures and activities in their achievement and (f) an established mechanism of coordination and monitoring over the implementation of the objectives.

In order to ensure that the set strategic objectives and programmed measures could be achieved effectively, the Action Plan for its implementation has been added to the Strategy in the Area of Migrations and Asylum 2016-2020, which develops in further detail particular measures of the competent institutions, with set intervals of implementation and sources of funding. In order to apply the principles of development of official policies by way of active participation of all the competent institutions in the area of migrations and asylum, the representatives of the institutions responsible for laws and bylaws in this area, from the sector of security,

migrations, asylum, border control, entry and stay of aliens, foreign affairs, refugees, diaspora, law enforcement, etc. were involved in development of the Strategy in the Area of Migrations and Asylum 2016-2020.

The process of development of this strategic document was based on the identification of issues or problems that at the level of strategic planning should have been adequately addressed by way of formulating concrete measures and activities, where the representatives of involved institutions, working jointly, have agreed upon the structure and formulation of strategic goals, measures and activities. Thus the previously established practices of ensuring the high level of cooperation and harmonization of priorities between these institutions have been continued, which is certainly valuable result that deserves to be mentioned.

In terms of methodology, the Strategy in the Area of Migrations and Asylum 2016-2020 contains strategic goals designed as specific, measurable, achievable, realistic and time limited. They are different in their content, they can conditionally be divided into the goals by which the legal migrations are attempted to be supported and facilitated while simultaneously limiting illegal migrations and reducing security threats that may occur in relation to such occurrences, and particularly human trafficking and smuggling of persons. The goals set in such a manner intend to point to basic instruments of migration policy applied in Bosnia and Herzegovina to a higher or lower extent. This pertains to typical mechanisms of migration management which are marked as (1) control of entry and stay of aliens, (2) borders control, (3) naturalization, (4) integration, (5) fight against human trafficking, and (6) fight against illegal migrations. In relation to the location of implementation of the set strategic goals, it is possible to conclude that the majority of planned measures and activities in their implementation pertain to migrations control at state border and within Bosnia and Herzegovina's territory, while certain part of those activities is planned to be implemented outside territory of the state of Bosnia and Herzegovina by implementing the measures of prevention of illegal migrations at their source. On the other hand, should the nature and purpose of implementation of certain goals in this document be taken into account, it can be noted that the palette of measures envisioned and activities is rather broad and it ranges from: (a) improved visa policies, (b) development of specific infrastructure for collection and distribution of information, (c) inter-institutional and international cooperation and coordination, (d) efficient management of state border of Bosnia and Herzegovina, (e) ensuring international legal protection to international protection (asylum) seekers in Bosnia and Herzegovina and access to the rights for persons with recognized international legal protection in BiH, (f) creation of reliable mechanisms of readmission of foreigners to the countries of origin, down to (g) specific measures pertaining to linking migration to Bosnia and Herzegovina's development. Since this pertains to a relatively high-volume of interconnected sets of measures and activities in the implementation of the set strategic goals, it is important to mention that the capacities of involved institutions, possible consequences of such decisions, international obligations of Bosnia and Herzegovina and influence of those measures for the citizens of our country were used as key parameters in their projection.

Particularly important is a fact concerning the activities on improvement of the legal framework for regulation of the issues of entry and stay of aliens in Bosnia and Herzegovina on one side, and asylum, on the other, which are for the first time attempted within separate legal regulations, in order to raise the quality of legal treatment of these interconnected issues to a higher level. Full and consistent implementation of planned activities and realization of the set goals from the Strategy in the Area of Migrations and Asylum, as well as the Action Plan 2016-2020, should contribute to development of as good as possible a system for migrations and asylum management in Bosnia and Herzegovina, which is surely a very important precondition for integration of our state into the European Union as soon as possible and for its international reputation. Terms that are, for the sake of clarity, presented in one gender case, include male and female, without discrimination.

2.

BASIC PRINCIPLES OF DEVELOPMENT OF THE STRATEGY IN THE AREA OF MIGRATIONS AND ASYLUM (2016-2020)

Over the past decade, the policy in the area of migration and asylum of Bosnia and Herzegovina, in a strategic sense, was defined by the following documents:

- Action Plan in the Area of Migrations and Asylum adopted by the Council of Ministers of Bosnia and Herzegovina on 06.04.2004;
- Strategy in the Area of Migrations and Asylum and Action Plan for 2008-2011, adopted by the Council of Ministers of Bosnia and Herzegovina on 13.11.2008;
- Strategy in the Area of Migrations and Asylum and Action Plan for the Period 2012 -2015, adopted by the Council of Ministers of Bosnia and Herzegovina on 12.6.2012.

Specifically, it can be noted unequivocally that Bosnia and Herzegovina has built the institutional, legislative and administrative structures of migration and asylum management. Achievements in the domain of legal framework development, increase of institutional capacities, improvement of inter-institutional coordination and international cooperation, and analysis of trends to-date and future trends in migration flows in Bosnia and Herzegovina's territory and regionally, show that Bosnia and Herzegovina essentially leads a migration policy that is determined by the geo-strategic position of our state on previously identified migration paths in this part of the European continent. The primary goal of this form of migration movements management in Bosnia and Herzegovina is to establish efficient controls over the entry, stay and movement of aliens within the state territory, while ensuring all the guaranteed human rights and freedoms to persons who are under the jurisdiction of Bosnia and Herzegovina, and ensuring adequate mechanisms of integration of aliens into social, economic and every other environment of Bosnia and Herzegovina. This political and strategic determination is necessary from the vantage point of the European Integration processes that Bosnia and Herzegovina is an active participant of, and respect for the relevant international standards in the domain of refugee law and asylum. Since the basic factors that affected the projection of measures and activities in domain of control of migration in Bosnia and Herzegovina will be discussed in separate section of this strategic document, it is important to emphasize here that the same elements that are applied when developing official migration policy in some

country can be taken as key principles and foundations of development of the Strategy in the Area of Migrations and Asylum 2016-2020. This pertains to four key principles of migration policies:

- A. Principle of legality – presumes that the state is obliged to establish a number of interconnected measures and activities for efficient migrations management in such manner that the benefits shall be increased for both migrants and the state, with simultaneous reduction of illegal migrations and human trafficking;
- B. Principle of security of the State and its Citizens – provides for ensuring protection and a possibility of rapid action of the services competent for security in cases of illegal migrations and large migration movements;
- C. Principle of integration – according to this principle, the sensibilization of the public and more active role of the governmental and non-governmental sectors, the aim is to ensure the environment that shall contribute to integration of aliens into the society;
- D. The principle of international cooperation in accordance with which the dialogue and cooperation is to be ensured with the countries of origin, as well as with third countries, so that the foreign policy of Bosnia and Herzegovina be harmonized with and connected, in segment pertaining to migrations, to the goals of migration policy.

3.

MAIN CONSIDERATIONS THAT DETERMINED THE DRAFTING OF THE STRATEGY IN THE AREA OF MIGRATIONS AND ASYLUM (2016-2020)

Drafting of the individual legal and policy documents in the domain of migration and asylum control in Bosnia and Herzegovina requires from the author of such documents to take into account all relevant indicators and factors that affect the planning of concrete measures and activities of the relevant institutions for the selected period of time. These concerns are important in order to create a comprehensive document that will be based on realistic, reliable and objective estimates of the migration flows and the interests of Bosnia and Herzegovina in this area. Among these factors particularly important are those relating to: (a) the geo-strategic position of Bosnia and Herzegovina, (b) the observed migration trends, (c) the constitutional and legal framework, (d) the obligations arising from international agreements, (e) the movement towards a common EU migration policy, and (f) the adopted policy of the responsible authorities of Bosnia and Herzegovina.

3.1. Geo-strategic Position of Bosnia and Herzegovina

An analysis of the geo-strategic position of Bosnia and Herzegovina is of primary significance for the risk assessment concerning the risk of illegal migrations that take place either in or across its territory. On the other hand, a number of objective indicators about the size of the territory of Bosnia and Herzegovina, the population figures, the length and physical characteristics of the state border, the number and structure of border crossing points, can be useful in the assessment of the volume of migration movements control, particularly in terms of planning of the resources required for those purposes and determining the competencies of individual institutions.

To that effect, it is worth saying that the size of Bosnia and Herzegovina's territory is 51,209 square kilometres and it is geographically located in the western part of Southeast Europe, at a crossroads between the East and the West. Bosnia and Herzegovina borders with three states: Montenegro, the Republic of Croatia (hereinafter referred to as: Croatia), and the Republic of Serbia (hereinafter referred to as: Serbia). It is well known that on 1 July 2012 Croatia joined the EU, which represents a highly important moment for Bosnia and Herzegovina. With this event, Bosnia and Herzegovina acquired a border with the European Union, as a result of which it also assumed greater responsibility with regard to the control of legal and illegal

migrations. Although Bosnia and Herzegovina is currently combating illegal migrations with success, it is still important to mention that the situation with regard to migrants/refugees in the region entails a considerable level of risk, since there is a daily flow of tens of thousands of migrants/refugees along the West Balkans route who wish to pass and actually do pass across the country in order to reach the EU countries as their final destination. With the intent of filing their asylum applications, the migrants/refugees move lawfully towards the desired destination passing through the Western Balkan countries along the well-known route, which contributes to reducing humanitarian and safety risks. However, the humanitarian and safety situation can get worse and escalate in the event that the borders at the final destination become closed, which is one of the realistic options. In the event that the borders at the final destination do become closed, the change of route is not of such a primary importance, but the main question would then be what “the Balkan Route” countries, including Bosnia and Herzegovina itself, can do in the case of a continuing mass inflow of migrants/refugees and in the case that their further movement along a well-established and controlled route can no longer be possible. To that end, it could be realistically expected that due to such situation developments in the region, Bosnia and Herzegovina may be exposed to an additional degree of pressure coming from the migrants/refugees, but also the pressure of illegal immigrations particularly considering the geographic position of Bosnia and Herzegovina and length of its border with Croatia.

To that end, over the forthcoming period, all the necessary measures must be taken towards the more efficient prevention of illegal migrations at their source, the more efficient control of the State border with Serbia and Montenegro, with the purpose of preventing the entry of illegal migrants, i.e. with Croatia during their exit from Bosnia and Herzegovina. Under the new circumstances, the institutions of Bosnia and Herzegovina will play a much more important, demanding and responsible role, particularly from the point of view of establishing even more efficient controls of movement and stay of foreigners and particularly the operational work on the prevention of illegal migrations towards the EU. This will require an additional reinforcement of institutional, human resource and technical capacities of the Service for Foreigners Affairs, the BiH Border Police and other institutions dealing with such phenomena, but it will also require the more efficient cooperation and information-sharing with a number of related agencies in the region in order to respond efficiently to the challenge of new regional flows. On the other hand, the authorities in Bosnia and Herzegovina must establish mechanisms for preventive action in terms of timely preparations in the event of massive influx of migrants/refugees or illegal immigrants into the territory of Bosnia and Herzegovina, in terms of humanitarian and security aspects of such actions.

As far as the demographic data about the population figures in Bosnia and Herzegovina is concerned, there are still no accurate and reliable sources that could be used as a basis for discussion about the actual number of population residing in Bosnia and Herzegovina’s territory. The only thing that can be used as a starting point for discussion about this matter is a series of assessments made with regard to the population figures. Most often, the population figures of 4,377,033 residents of Bosnia and Herzegovina can be taken as the last verified data calculated on the basis of the 1991 Population Census. According to the most recent assessments, the population of Bosnia and Herzegovina amounts to 3,839,737, but such data has to be taken with reserve since the 2013 Population Census results are yet to be published.

The total length of the State border of Bosnia and Herzegovina is 1,604 kilometres. The longest borderline of Bosnia and Herzegovina is the one with Croatia in the north, south and northwest and it amounts to 1,001 kilometres, while in the east and northeast it has a 335

kilometre-long border with Serbia, and in the east and southeast it has 268 kilometre-long border with Montenegro. The State border is still not fully defined by way of international legal instruments and demarcated on a bilateral basis with the neighbouring countries. Back in August 2015, an Agreement on the Border between Bosnia and Herzegovina and Montenegro was signed, which is now in the process of ratification, whereas the State borders with Croatia and Serbia are still not defined and demarcated by way of any international legal instruments.

The border checking and control operations are performed by the Border Police at the total of 83 border crossing points: at 55 international border crossing points (40 road, 8 railway, river ports 3 and 4 airports) at 28 border crossing points designated for local cross-border traffic, as well as 50 crossing points between BiH and Croatia (defined by the Agreement concluded between BiH and Croatia regarding border traffic). Out of that number of border crossings, seven are international border crossings situated in the mainland of Bosnia and Herzegovina, in particular 4 at BiH international airports (Sarajevo, Banja Luka, Mostar and Tuzla), and three are river ports (Brod, Šamac and Brčko). The inadequate condition of the infrastructure (equipment and facilities), particularly in terms of meeting the minimum standard requirements with regard to the levels of construction and equipment present at the border crossing points, affects adversely the performance of the difficult tasks of border checks (e.g. the lack of adequate roads and traffic signals, control booths, detention spaces, premises for detailed border checks, video surveillance, etc.). Only 14 border crossings in BiH meet the standards and requirements with regard to the level of construction and equipment present at the border crossing points in accordance with the Rules on Standards and Requirements with Regard to the Level of Equipment Present at the Border Crossings (Official Gazette of BiH, No. 06/10), and these are mainly the newly constructed border crossings and international airports (accounting for about 21% of the total number of the border crossings), which are the following border crossings: Bijača; Gradina; Izačić; Kamensko; Karakaj; Klobuk; Kostajnica; Neum I; Neum II; Orašje; Rača; Šamac; Velika Kladaša; and Zupci. Under the Law on Amendments to the Law on the Border Control (Official Gazette of BiH, No. 47/14) the works of building, upgrading, reconstruction, management and maintenance of the facilities and infrastructure at the border crossing points have been entrusted to the competence of the Indirect Taxation Authority of Bosnia and Herzegovina.

An Agreement between BiH and Croatia on the Border Crossings identified the categories of the border crossings through which it is possible to carry out exports of products of plant and animal origin to Croatia or to the EU. With the entry into force of a new Agreement between BiH and Croatia on Local Border Traffic¹, the local border traffic regime has sustained certain changes regarding the responsibilities and the method of issuing the border passes, the method of crossing the border with the border pass, including stay in the local border area. Wishing to improve the circulation of goods and the movement of citizens between the two countries and in order to facilitate international traffic across the common state border, Bosnia and Herzegovina and Serbia and Montenegro signed an Agreement on the Determination of the Border Crossings between Bosnia and Herzegovina and Serbia and Montenegro.² The Agreement between Bosnia and Herzegovina and Serbia and Montenegro on the Local Border Traffic was signed in order to enable the residents of the local border areas to move much easier between the local border areas and cross their common border, and in order to enable the further development of economic, educational, healthcare, social, cultural and other forms of cooperation.³

1 Agreement between BiH and Croatia on Local Border Traffic (Official Gazette of BiH - Treaties No. 2/14).

2 Agreement on the Determination of the Border Crossings between Bosnia and Herzegovina and Serbia and Montenegro (Official Gazette of BiH, No. 06/07).

3 Agreement between Bosnia and Herzegovina and Serbia and Montenegro on the Local Border Traffic (Official Gazette of BiH No. 10/07).

In order to improve the transportation of goods and the movement of persons between the two countries and facilitate international traffic across the common state border, the Council of Ministers of Bosnia and Herzegovina and the Government of Montenegro signed an Agreement on the Border Crossings Designated for International Traffic.⁴

The Council of Ministers of Bosnia and Herzegovina and the Government of Montenegro signed the Agreement on the Border Crossings Designated for Local Border Traffic in order to enable the residents of the local border areas to move much easier and cross their common border, and in order to enable the further development of economic, educational, health, social, cultural, sports and other forms of cooperation.⁵

The State border surveillance operations are performed by the Border Police in the border zone, which covers an area of 10 kilometres from the borderline towards the deeper inland parts of the territory of Bosnia and Herzegovina. The surveillance of the “green border” is extremely difficult because there are a number of natural barriers in some parts of Bosnia and Herzegovina’s territory such as, for example, mountain ranges, great rivers, canyons, etc. Also, the State border surveillance operations are further complicated by the existence of a large number of roads, which intersect the State border (main, regional, local roads and railways), constructed in the period when the State border did not exist in this area, which makes it a transit country for migrants on their way towards Western European countries and an interesting country for organized crime groups involved in cross-border crime.

3.2. Migration Trends in Bosnia and Herzegovina

In addition to a number of general trends, the migration trends are one of the issues that have long been the matter of concern for all relevant stakeholders involved in the area of migration flow control. The practice has shown that the institutions dealing with the migration matters in Bosnia and Herzegovina have collected and processed only the data relating directly to their own work. In order to get a much more realistic picture of the migration trends in Bosnia and Herzegovina, after reviewing the needs for a more comprehensive collection of data on migration flows in Bosnia and Herzegovina, it has been concluded that all these variable sources of data have to be aggregated and stored at a single spot, properly analysed, assessed and compared with the data collected in the previous period. The first Migration Profile of Bosnia and Herzegovina was made in 2008 and was created as a result of the need to establish a mechanism for collecting statistics on migration and international protection, a system for processing of migration statistics, as well as a system for comprehensive, regular and accurate reporting on migration flows in Bosnia and Herzegovina. The purpose of this document is to provide an insight into the key trends in the field of migration, enable the production of high quality policies and the adoption of adequate legislation in the areas of migration and asylum. The mechanism for regular updating of the Migration Profile of Bosnia and Herzegovina was established by a decision of the Council of Ministers of Bosnia and Herzegovina.⁶ The Migration Profile of Bosnia and Herzegovina is updated annually and is available on the official website of the Ministry of Security of Bosnia and Herzegovina. In the domain of **immigration**, one should emphasize that the geographic position of Bosnia and Herzegovina is at the crossroads between the East and the West, which makes it highly convenient for migrant transit towards the Western European countries.

4 Agreement between the Council of Ministers of BiH and the Government of Montenegro on Border Crossings Designated for International Traffic (Official Gazette of BiH, No. 9/11).

5 Agreement between the Council of Ministers of Bosnia and Herzegovina and the Government of Montenegro on Border Crossings Designated for Local Border Traffic (Official Gazette of BiH, No. 1/12).

6 Decision Ordering the Obligation to Deliver Migration Statistics and International Protection by the Ministry of Security (Official Gazette of BiH, No. 83/09).

In order to identify, at least approximately, some of the migration trends that Bosnia and Herzegovina is facing at this moment, it is important to look into the data concerning the movement of foreigners across the state border of Bosnia and Herzegovina, legal and illegal migrations and asylum seekers. Comprehensive data concerning the cross-border traffic across the state border of Bosnia and Herzegovina suggests that there had been continuous growth over the past period until 2009, since when a gradual trend of decrease in the cross-border traffic of persons across the State border of Bosnia and Herzegovina has been observed. Out of the total number of persons recorded at the border crossings from 2001, 50% on average were foreigners. A lion share of such cross-border traffic accounts for the traffic across the border with Croatia.

Most foreign nationals coming to Bosnia and Herzegovina from a number of high migration risk countries arrive at Bosnia and Herzegovina legally, but some of them attempt to leave Bosnia and Herzegovina illegally and head towards the West. The data shows that the routes of illegal migrations across Bosnia and Herzegovina stretch from the eastern border of Bosnia and Herzegovina towards the western and northwestern border with Croatia. The data from 2000 on illegal migrations of foreign nationals across Bosnia and Herzegovina's territory towards Western European countries suggest that Bosnia and Herzegovina has become a transit centre of well-organized international crime engaged in human trafficking. After recognizing the issue of illegal migrations in Bosnia and Herzegovina's territory, the first reports were made indicating some of the main characteristics of such phenomena.

Through constant enhancements of quality of the border control operations and their adjustment with the standards and the best practices of Schengen, the BiH Border Police has managed to make a continuous contribution to reducing illegal migrations across BiH territory. This fact is supported by the data on the number of persons, third country nationals, which is accepted under the Agreement on Readmission with Croatia. The number of 2,317 persons, who were admitted under the Agreement during 2001, was reduced in 2010 to 119 persons, while 55 persons were recorded during 2014.

During the first years of its operation, the BiH Border Police registered the highest numbers of cases of illegal migration across Bosnia and Herzegovina's territory among the citizens of Iran, Turkey and China, and later Moldova, Ukraine, Romania and Bulgaria. However, the EU enlargement and the changes in the visa regime with certain countries, the development of the BiH Border Police and consistent application of legislation and best practices of western countries in this domain, in addition to a dramatic reduction in illegal migrations across Bosnia and Herzegovina, have all led to a change in the structure of citizenship of illegal migrants. Over the period 2005-2010, Bosnia and Herzegovina encountered most frequently the issue of illegal migrations among the citizens of Albania, Serbia (from the Kosovo region), Macedonia (mainly the persons of Albanian ethnicity) and Turkey. Over that period, the nationals of Albania, Serbia (from Kosovo region), Macedonia and Turkey accounted for over 90% of the total number of citizens of third countries admitted under the Agreement on Readmission with Croatia. The nationals of these countries have accounted for more than 80% of individuals whose crossing of the state border was registered as illegal, excluding the citizens of Bosnia and Herzegovina and the neighbouring countries.

Since 2011, according to the data received from the State Border Police, the records about the structure of citizenship of illegal immigrants have also included the citizens of Afghanistan, Pakistan, Syria, Palestine, Somalia and other countries in North Africa and the Middle East region affected by the war. In the period between 2011 and 2014, individuals of Afro-Asian

origin made a higher percentage of immigration share compared with the nationals of Serbia (from Kosovo region), Turkey, Albania and Macedonia, and they account for almost 60% of the total number of third country nationals detected as persons crossing the state border of Bosnia and Herzegovina illegally. In terms of admission, the largest number of foreign nationals has been admitted from Croatia, which is over 90%, and there is continuity in the number of citizens of Turkey, Albania and persons with a travel document marked “the Republic of Kosovo”. The analyses made thus far by **the Service for Foreigners Affairs** indicate that Croatia’s EU accession did not contribute to any increase in the illegal movement of migrants across the territory of Bosnia and Herzegovina to Croatia, which is due to the greatest extent to the fact that Croatia did not join the Schengen zone. There is still a phenomenon typical for the countries in the region, including Bosnia and Herzegovina, that they encounter the issue of illegal migration from the EU zone, specifically migration from Greece, along the Western Balkan route. During 2014, there was an enormous increase in the illegal movement of migrants towards EU countries, and in that sense the recorded increase amounted to 162% of the detected illegal border crossings to the EU compared with 2013 ⁷, which is highly suggestive of how much of a challenge the illegal movement of migrants represents for the competent authorities of the transit and final destination countries.

The Western Balkan route is used by those illegal migrants who are, after crossing mainly the Turkish-Greek border, en route through Greece, Macedonia and Serbia, moving towards Hungary, Croatia or Romania, and to that effect it is very important to note that this migration route does not run across the territory of our country. The illegal migrants who move along this route move illegally across the territory of our country too, but they do so in a limited number of rare cases, trying to get to Slovenia through Croatian territory, and moving ahead to reach their final destinations.

Most of these illegal migrants come from the countries with a high migration risk and although their earlier presence in the territory of Bosnia and Herzegovina was not so high, they are characterized by a “modus operandi” according to which they do not hold any identification documents on the basis of which they are identifiable, which complicates their identification and hinders the efficient removal of such persons from the territory of Bosnia and Herzegovina. For the past 5 years, the Service has processed from this category of illegal migrants mainly the citizens of Afghanistan, Somalia, Pakistan, Syria, Algeria and Bangladesh.

Since the Croatian EU accession, the Service for Foreigners Affairs has undertaken a number of increased planning activities in order to control the movement and stay of foreigners and the collection of operational data, which have been intensified due to the mass influx of illegal migrants in Serbia and with the start of the construction of the protective fence at the Hungarian-Serbian border. The Service has continuously collected the operational data about illegal migration, about the ways of leaving the country of origin and the transit to Bosnia and Herzegovina, the ways of illegal migrants’ entry into Bosnia and Herzegovina, their transit through the country and the ways of their illegal departure to Western countries, about the persons who are involved in human trafficking, and it has carried out a timely exchange of collected data with the police and other authorities, as well as it has undertaken a number of increased activities in order to supervise the places and persons that are interesting from the point of view of these activities.

7 Frontex, Annual Risk Analysis 2015 - http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2015.pdf.

However, Croatia's accession to the Schengen area will certainly be one of the main migration challenges for BiH, knowing that the earlier Schengen accession of Hungary has acted as a "pull factor" for illegal crossings from Serbia to Hungary and influenced the route of movement of illegal immigrants to Hungary, and in this sense we can expect the further use of BiH territory for illegal migration towards Croatia.

As for the measures undertaken against foreign nationals in the period 2011-2015, there is a recorded increase in the measures undertaken by the Service in 2012, as a result of an increased presence of illegal migrants of African and Asian origin in BiH, which stagnated in 2013, but there was a slight increase recorded in 2014. These measures were for the most part undertaken against the citizens of Serbia, Turkey, citizens of Kosovo*⁸, Croatia, China and other countries. As for the trends in the domain of legal immigration, there is an evident continuing growth of temporary residence permits issued on account of marriage with the citizens of Bosnia and Herzegovina, work on account of the issued work permits, family reunifications, possession of immovable properties and medical treatments. Most of the temporary residence permits were issued to the citizens of Serbia, Turkey, People's Republic of China, Croatia, Montenegro and Macedonia. As far as the permanent residence permits are concerned, in the most recent period there is an evident trend of an ever increasing number of permanent residence permits issued to foreigners in Bosnia and Herzegovina and most of the permanent residence permits are those issued to the citizens of Croatia, Montenegro, People's Republic of China, Macedonia and Turkey. Accordingly, recently Bosnia and Herzegovina seems to have become an increasingly attractive destination for foreign nationals as their country of destination.

An analysis of migration trends made in 2013 and 2014 shows that there were no major cases of abuse of visa-free travel regime by nationals of the countries with which BiH has a visa-free regime.⁹ To that effect, the Ministry of Foreign Affairs has issued a new visa decision in order to extend the list of countries whose nationals are exempted from the requirement to obtain visa in order to enter and stay in BiH, because it involves the countries with low migration risk, where liberalization of the visa regime will not lead to an increase in the number of illegal migrations in BiH. Likewise, an increase in the number of countries with a free visa regime is also a result of the need to comply with the so-called "Schengen White List".

Visas are issued in 48 diplomatic and consular BiH missions across the world. By equipping the diplomatic and consular missions of BiH with biometric stations, we have increased the total number of DCMs with installed biometric stations from 24 (which was the number in 2011) to 27 BiH DCMs, 8 of which have mobile biometric stations. This has created the conditions to start using biometric technologies in the process of issuing visas and travel documents.

When it comes to **asylum** in Bosnia and Herzegovina, parallel data analysis from the previous two years, 2013 and 2014, clearly shows the changes in trends of movement of asylum seekers in Bosnia and Herzegovina. According to the official data for 2014, the key trends in the field of asylum can be summarized in the following statements:

- the total number of asylum seekers has been reduced by 37%, and the number of requests by 24%,
- the number of persons arriving from Syria has been reduced by 87%, and the number of requests by 80%,

⁸ This title does not prejudice with regard to their status and is in line with the Resolution No. 1244/1999 and the Opinion of the International Court of Justice about the Kosovo Declaration of Independence.

⁹ Decision on Visas (Official Gazette of BiH No. 3/15).

- the number of asylum seekers arriving from Algeria has increased by 45%, from Afghanistan by 25%, and Iraq by 60%,
- in addition to the listed countries of origin, asylum in BiH was requested in the said period by foreign nationals from Serbia, Pakistan, Nigeria, Bangladesh, Armenia, Somalia, Sudan, Central African Republic, United States of America, Hungary and other countries,
- the number of asylum seekers – unaccompanied minors has been reduced by 71%,
- the number of asylum seekers from Serbia, which has so far been the country of origin of the greatest number of asylum seekers in BiH, has been reduced,
- a certain number of asylum seekers is entering the country legally, having previously obtained a visa in one of the BiH DCMs,
- it is becoming more common for the requests to concern only the holder of the request for asylum without persons accompanying him or her,
- the trend of repeated requests has been reduced,
- male persons make up the largest percentage of asylum seekers, which was not the case previously,
- the largest number of asylum requests is based on economic reasons,
- the largest number of asylum requests has been rejected on the grounds of insubstantiality.

A significant growth in the number of awarded statuses of subsidiary protection has been noted in this period, compared to earlier periods. In 2013 and 2014, the Ministry of Security, Asylum Sector, has awarded 30 statuses of subsidiary protection, mostly to asylum seekers arriving to Bosnia and Herzegovina from Syria. In addition to persons from Syria, subsidiary protection has also been awarded to citizens of Iraq and Somalia.

The Ministry of Human Rights and Refugees of BiH, Sector for refugees, displaced persons, readmission and housing policy, performs within their competence the tasks of ensuring the rights and access to those rights guaranteed by law to **refugees and persons with recognized status of subsidiary protection** in BiH. Refugee and detention centre in Salakovac-Mostar is under the authority of this Ministry, and, when needed, the said categories of foreigners are placed there. One constant in Bosnia and Herzegovina is the fact that persons with recognized refugee status or status of subsidiary protection mainly stay in private accommodation. Persons with recognized refugee status or status of subsidiary protection have access to rights regulated by law. Among others, refugees and persons with recognized status of subsidiary protection in BiH enjoy the right to health and social protection, education and work. They also have access to integration assistance that the Ministry of Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy ensures in cooperation with other ministries, institutions and services.

Bosnia and Herzegovina is a country characterized by a high rate of **emigration**. In addition to the two great waves of emigration, the labour migration of the sixties and seventies and the forced migration caused by the war in the nineties of the last century, Bosnia and Herzegovina is still facing continued emigration of population, caused by the poor economic situation in the country. Although there are no exact statistical data on the number of persons who have left Bosnia and Herzegovina, partial data that BiH institutions have at their disposal confirm a large number and continuity of population emigration. The negative birth rate in BiH since 2010 and vast emigration of population have negative demographic consequences, i.e. they lead to a constant drop in the number of population in the country. BiH diaspora is the country's vast developmental resource in terms of human (education, expertise and qualifi-

cations), economic (remittances, savings, direct investments and trade) and social potential (new social, cultural and political values that can assist the country's development and serve as a bridge of cooperation on the international level), but also in terms of great willingness to help the development of their country of origin.

According to the available data, we can state the following:

- Bosnia and Herzegovina, with around 2,000,000-strong diaspora is among the leading countries in Europe and the world in terms of the size of the diaspora relative to the overall number of population in the country,
- The largest number of BiH emigrants live in: Croatia, Serbia, Germany, Austria, Slovenia, Sweden, Switzerland, and USA, Canada and Australia,¹⁰
- Status of emigrants from BiH is regulated by way of acquiring citizenship, permanent or temporary residence permit, working and student visa, and around 500,000 have acquired citizenship of their country of admission (not counting Serbia and Croatia),
- Emigration of population from BiH continues and, in addition to poor economic situation, it is spurred by the EU migration policy, which, by extending the more favourable conditions of entry, facilitates immigration of certain profiles of highly qualified workers, students and researchers to their countries,
- Bosnia and Herzegovina is facing a constantly growing problem of "brain drain". Likewise, emigration, alongside the negative birth rate, is one of the main causes of constant population decrease in BiH,
- BiH diaspora is a huge human resource, because it consists of a great number of highly educated, professional and successful persons in different industries. The largest number of highly educated persons is in Australia, USA and Scandinavian countries,¹¹
- BiH diaspora likewise represents a great economic potential, confirmed by the stable influx of remittances from emigrants over the years, which in the recent years amount to two to three billion KM and make up around 10-15% of Bosnia and Herzegovina's gross domestic product,¹²
- Savings of BiH diaspora, although mainly kept in the countries of admission, represents an enormous financial resource, several times the amount of remittances. It is estimated to an amount of several billion euro annually,¹³
- Despite the difficulties, there is quite a number of successful examples of investments from diaspora,¹⁴
- BiH diaspora is oriented towards the homeland, which is confirmed by: frequent visits to relatives and friends, remittances and investments into the local community,
- There is a growing interest in BiH on the side of BiH institutions, non-governmental organizations, international organizations and donors for the issue of diaspora, in particular its relation to the country's development,
- The field of diaspora in general, and in particular the field of diaspora and development is a multi-sector issue and requires establishing a coordinated approach in this field,

10 Ministry of Human Rights and Refugees of BiH, "Overview of the state of BiH diaspora 2014".

11 Ministry of Human Rights and Refugees of BiH, "Overview of the state of BiH Diaspora 2014".

12 Migration profile of BiH for 2014, Ministry of Security of BiH.

13 IASCI-IOM (2010), Maximising the Development Impact of Migration-related Financial Flows and Investment to Bosnia and Herzegovina.

14 Diaspora and development of BiH: Successful examples, Ministry of Human Rights and Refugees, 2015.

- There is no established system in BiH of monitoring contemporary emigration trends, emigration of youth, brain drain, emigration's impact on development and similar,
- On the other hand, statistical institutions dispose with quality data on BiH diaspora for most countries with significant number of BiH emigrants,
- BiH has made significant steps in the field of migration and development.

Overview of the basic migration trends for the period of 2005-2014

INDICATORS / YEARS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Number of issued visas in DCMs	14,801	11,960	12,071	10,139	9,284	9,623	11,126	11,482	12,107	16,351
Number of issued visas at the border	2,049	927	735	684	345	327	248	150	93	58
Number of denied entries to BiH	7,758	7,829	6,618	3,102	5,103	3,514	3,830	2,998	2,079	1,987
Number of temporary stays	5,143	5,274	5,513	5,971	7,512	8,131	7,661	8,838	9,953	11,022
Number of permanent stays	196	153	136	215	359	315	308	401	713	763
Number of voluntary returns of migrants (with IOM's assistance)	345	112	261	44	226	341	244	88	209	104
- <i>BiH nationals</i>	101	54	28	16	73	87	71	88	209	104
- <i>Foreign nationals</i>	244	58	233	28	153	254	173	0	0	0
Number of voluntary returns from BiH with Service's assistance ¹⁵	0	0	0	0	0	0	0	160	159	169
Admission of foreigners further to Agreement on Readmission with Croatia	170	174	240	248	122	119	88	75	75	55
Number of persons requesting international protection (asylum) in BiH	146	69	581	95	71	64	46	53	100	45

3.3. Legal and Constitutional framework

The basis for creating the Strategy in the field of migrations and asylum (2016-2020) is the provision of Bosnia and Herzegovina's Constitution, Article III paragraph 1. item f), stating that state-level institutions hold exclusive competence to create policies concerning immigration, refugees and asylum. The said provision is one of the legal bases for the adoption of legal and political documents regulating, in a planned, organized and harmonised manner, the activities of competent institutions in this domain, with view to creating the most efficient control mechanism for the said phenomena in Bosnia and Herzegovina. This constitutional provision simultaneously serves as basis for the adoption of legal regulations further elaborating and regulating individual matters in the fields of migrations, asylum and refugee status.

The Law on Ministries and Other Administration Bodies of BiH establishes the competence of Ministry of Human Rights and Refugees of Bosnia and Herzegovina in creating policies in the field of emigration.

¹⁵ As part of the project "Prevention of illegal migration in BiH and the region and voluntary return" financed by the governments of the Swiss Confederation and the Principality of Lichtenstein.

Therefore, in the process of drafting the Strategy in the field of migrations and asylum (2016-2020), all the laws and bylaws regulating the following must be taken into consideration and analysed in detail:

- (1) competencies of individual institutions of Bosnia and Herzegovina in the field of migrations, asylum and international refugee law (Law on Council of Ministers of Bosnia and Herzegovina, Law on Ministries of Bosnia and Herzegovina and Other Administration Bodies of Bosnia and Herzegovina),
- (2) matters of protection of borders, entry and stay of aliens on the territory of Bosnia and Herzegovina (Law on Border Control, Law on Aliens, and bylaws),
- (3) matters of asylum in the territory of Bosnia and Herzegovina (Law on Asylum, with bylaws),
- (4) competencies and organization of institutions directly involved in law enforcement in practice (Law on Administration, Law on Service for Foreigner's Affairs, Law on Border Police of BiH, Law on State Investigation and Protection Agency, Law on Police Officials, Law on Civil Service),
- (5) other matters of significance for the overall regulation of migrations and asylum (Law on Administrative Proceedings, Law on Administrative Disputes, Law on Personal Identification Number, Law on Citizenship, Law on Protection of personal Data, Law on Protection of Confidential Data, Law on Travel Documents of Bosnia and Herzegovina, Framework Law on Primary and Secondary Education, Criminal Code of Bosnia and Herzegovina).

The bylaws in the field of migrations and asylum adopted in the previous period and presented in the attachment to the Strategy are also considered to be a very important source. Likewise, we cannot forget other bylaws that had a certain impact on the drafting of this strategy, in particular Decision by the Council of Ministers of Bosnia and Herzegovina on instruments for harmonisation of legislation of Bosnia and Herzegovina with *acquis communautaire*.¹⁶ This document instructs the ministries and other administration bodies in Bosnia and Herzegovina to ensure harmonisation of all domestic legislation with *acquis communautaire*.

Identification of relevant legal sources in domestic legislation is very important in the drafting of such a strategic document as this one, for the purpose of legitimacy of the set strategic goals, as well as harmonisation of their content with the provisions of specific laws and bylaws.

3.4. International Legal Framework

At the moment there is a series of international treaties that Bosnia and Herzegovina is a party to, which directly or indirectly impact the content and composition of the Strategy in the field of migrations and asylum (2016-2020). Provisions of these treaties are important in terms of implementation of previously assumed obligations of Bosnia and Herzegovina, as well as in terms of continuation of integration processes towards EU membership. Thus we could say that in the context of the afore-said, regulation of the fields of migrations and asylum is the exclusive matter of the state sovereignty of Bosnia and Herzegovina, particularly from the point of view of stipulating the conditions of entry and stay of aliens on the state territory and awarding one of the forms of international protection. However, the current developments in the field of globalization, pronounced migration trends, integration and universalization of human relations has significantly reduced the sovereign right of the state to regulate these

¹⁶ Decision on instruments for harmonisation of Bosnia and Herzegovina's legislation with *acquis communautaire* (Official Gazette of BiH No: 23/11).

matters independently. One must take into consideration the fact that Bosnia and Herzegovina has a clearly defined foreign policy that has identified priorities including particularly accession to Euro-Atlantic integration processes. Among other things, this is important for the purpose of determining international obligations of Bosnia and Herzegovina as a factor that impacts the projection of measures and activities in the field of control of migrations and asylum in Bosnia and Herzegovina. In this sense, it is important to identify the most important international sources whose content must be taken into consideration in the process of drafting the said Strategy.

They are certainly many such sources and it is difficult to categorize them precisely. If we take into consideration the time of accession to these treaties we can say that some of them had been concluded previously, before Bosnia and Herzegovina was recognized internationally as a sovereign state, and as such are the foundation of the Treaty on matters of succession among member states of the former SFRY and have been assumed into the legal order of Bosnia and Herzegovina. A typical example of such a treaty is the 1951 Convention on the Status of Refugees and its 1967 Protocol.¹⁷ Likewise, Annex I of the Constitution of Bosnia and Herzegovina contains international documents that form an integral part of the Constitution of Bosnia and Herzegovina. On the other hand, Bosnia and Herzegovina concluded most of international treaties significant for the creation of the Strategy in the field of migrations and asylum (2016-2020) in the past several years. Taking their character into consideration we could say that these are multilateral and bilateral contracts regulating larger or smaller number of matters concerning cooperation in the field of migrations and other related phenomena.

Considering their area of implementation, they are of universal, regional or local character. When it comes to regional sources, those that concern the accession of our country to the EU hold a special places and significance for Bosnia and Herzegovina. A typical example of such a treaty is the Stabilisation and Association Agreement (SAA).¹⁸ Concerning the background of this treaty, it is worth mentioning that negotiations were opened in November 2005, while the technical negotiations were finalised a year later, in December 2006. This Agreement entered into force on 01 June 2015. Full implementation of the provisions from the Stabilisation and Association Agreement for Bosnia and Herzegovina is a crucial step toward further integration and full membership in the European Union. Migrations and asylum have been regulated by Chapter VII of the Stabilisation and Association Agreement (Justice, Freedom and Security). Specifically, matters pertaining to visas, border management, asylum and migrations are covered by the provisions of Article 80 of this Agreement, while Article 81 regulates the matter of prevention and control of illegal migrations and readmission. According to the provisions of Stabilisation and Association Agreement, Bosnia and Herzegovina is obligated to cooperate in the matters of visas, border control, asylum and migrations with member states of the European Union as well as countries in the region. Second source in terms of importance is the Readmission Agreement between the European Union and Bosnia and Herzegovina, which has priority in implementation over provisions of any other bilateral agreement or arrangement on readmission of persons without stay permit concluded between individual member states of the EU and Bosnia and Herzegovina.

The other category of sources relevant for EU integrations comprises unilateral legal documents adopted by the EU. These particularly include Decisions of the Council of the EU, Regulations of the European Parliament and EU Council, and EU Directives regulating individual matters significant for the drafting of this Strategy.

17 Convention on the Status of Refugees from 1951 and its Protocol from 1967, from Article 3 through to Article 34 stipulate a line of rights that refugees need to enjoy on the territories of the State Parties to the Convention and the Protocol and they form an integral part of the Constitution of Bosnia and Herzegovina.

18 Stabilisation and Association Agreement between European Communities and their member states, on one side, and Bosnia and Herzegovina, on the other (Official Gazette of BiH - Treaties No. 10/08).

In that sense, some of the said regional sources adopted under the auspices of the EU are: (1) Decision of the EU Council on the principles, priorities and conditions contained in the European partnership with Bosnia and Herzegovina and recall of the Decision 2006/55/EC-(2008/21/EC), (2) Regulation of the European Parliament and EU Council number 1091/2010 dated 24 November 2010 amending the Council's Regulation (EC) number 539/01 on the list of third countries whose citizens are obligated to have a visa when crossing the outer borders and those countries whose citizens are exempt from this rule, (3) Directives regulating a line of matters concerning the entry, stay and movement of aliens on the EU territory, and (4) EU documents on migration and development. Considering that Bosnia and Herzegovina currently has the status of a prospective EU membership candidate, anticipated acceptance of the content of these EU legal sources into the legal order of Bosnia and Herzegovina certainly contributes to accelerated EU integrations. On the other hand, some of the said sources, such as the Regulation of the European Parliament and EU Council on the so-called 'visa liberalisation' for citizens of Bosnia and Herzegovina represent an important source from the position of results achieved in the domain of regulating migration and asylum in Bosnia and Herzegovina, but at the same time represent a reminder of the need of comprehensive and quality development of instruments of migration policy of Bosnia and Herzegovina, in order to maintain this status.

Likewise, in the drafting of the Strategy in the field of migrations and asylum (2016-2020) it is important to mention the significance of international contracts already incorporated by Bosnia and Herzegovina in its own legislation, which pertain to harmonised regulation of the field of human trafficking. A special place among those is given to the Protocol on Prevention, Elimination and Sanctioning of Human Trafficking, Particularly of Women and Children – amending the UN Convention against Transnational Organized Crime, Council of Europe Convention on Action against Human Trafficking, Directive (2004/81/EU) on the residence permit issued to third-country nationals who are victims of human trafficking or who have been the subject of action to facilitate illegal immigration, who cooperate with the competent authorities, Directive (2011-36/EU) on prevention and combating human trafficking and on protection of victims. These could be said to be the most important sources of universal, regional and supra-national character establishing standards of action in this domain. However, other relevant sources of international law in the field of combating human trafficking have been taken into consideration in the drafting of this strategic document.

Finally, a special category of international sources that must be taken into consideration in the process of drafting the Strategy in the field of migrations and asylum (2016-2020) are the bilateral agreements that Bosnia and Herzegovina has concluded with individual regional countries, and whose content dominantly pertains to the field of readmission of persons into their countries of origin or transit, which do not meet or have ceased to meet the requirements for entry, presence, or stay in the host country. For the purpose of efficiency and better overview, a detailed list of all relevant sources of international law has been attached as a separate document to the Strategy in the field of migrations and asylum (2016-2020).

Linking the diaspora with the development of their country of origin is part of a larger concept of migrations and development recently used in international documents as one of the key pillars of the migration policy. Important documents of the United Nations and European Union, which recommend the linking of migration and development of the countries of origin, include: First and Second High-level Dialogue of the UN General Assembly on international migration and development (2006, 2013), EU's Global Approach to Migrations (2005), European Pact on Immigration and Asylum (2008), the Prague Process (2009), EU Global Approach to Migration and Mobility (2011) etc.

3.5. Moving towards a Joint EU Migration Policy

Considering that Bosnia and Herzegovina has the prospective EU membership candidate status, it was especially important in the process of creating a strategic document in the field of migrations and asylum to take into consideration certain guidelines that the EU member states generally adhere to when creating and implementing their own policies of migration management. The impact of those guidelines is important also because Bosnia and Herzegovina has on several occasions so far anticipated some of the activities foreseen in those documents adopted under the auspices of the EU, thereby demonstrating its firm commitment to continue with positive trends towards the established EU standards in this area. A typical example of these accomplishments of Bosnia and Herzegovina are harmonisation of regulations on migration and asylum with *acquis communautaire*, establishment of a system of integrated border management, regular publications of the Migration Profile of Bosnia and Herzegovina and similar. Likewise, taking these guidelines into consideration is also important from the point of view of the EU, which is trying to establish a coherent coordination system with non-EU member states in order to achieve the most efficient migration management. In that sense, one of the key documents that determines to a certain extent the drafting of this Strategy is certainly the Joint Immigration Policy for Europe: principles, activities and instruments, which contains ten joint principles of articulating immigration policy in the EU. This is an extremely important document indicating the basic routes toward concrete solutions for certain legal and political goals and methodologies of individual countries in the field of comprehensive immigrations management. According to this document, ten joint principles have been systematically divided into three pillars of migration policies: (1) prosperity, (2) security and (3) solidarity. It is likewise important to emphasize that the listed principles are based on universal values of human dignity, freedom, equality and solidarity, respect of the internationally protected human rights and freedoms, and solidarity with refugees and persons in need of protection. In order to have the most precise overview possible it is necessary to list these principles and provide their meaning in brief:

1. *Prosperity and immigration: Precise regulation of admission and stay of foreigners*

Each state should promote legal migrations, which need to be managed using clear, transparent and fair rules. This, *inter alia*, includes informing the foreigners on the necessary requirements for entry and stay in a particular country, and fair treatment of foreigners having approved legal stay.

2. *Prosperity and immigration: Meeting of supply and demand on the labour market*

One of the requirements for development of competitiveness and economic prosperity is a comprehensive analysis of the labour market, in particular the need for specific, highly qualified labour force in certain sectors of the economy. In this regard, countries may set quotas for entry of foreigners on their territory for employment. The basis for determining the specific needs of the labour market for hiring foreign citizens are Migration profiles in particular countries, which need to insure reliable indicators for migration management.

3. *Prosperity and immigration: Integration as the key to successful immigrations*

Integration of immigrants should be a two-way process in which both the host-countries and the immigrants would have an active role. One of the most important components of integration of foreigners is the opportunity for their active participation and development of full potentials. States should insist on management of diversity stemming from different origins of migrants and increase social cohesion.

4. *Solidarity and immigration: Transparency, confidence and coordination*

Creating a joint immigration policy should be based on a high level of political and operational solidarity, mutual trust, transparency, division of responsibility and joint efforts of the members-states and the EU itself.

5. *Solidarity and immigration: Efficient and coherent use of available resources*

Achieving strategic goals of migration policy requires significant funds that must be proportional to specific needs of a particular country, more precisely, to migration trends and specific challenges that that particular country is facing in terms of influx of immigrants to their territory.

6. *Solidarity and immigration: Partnership with third countries*

Partnership and cooperation among countries are part of the necessary requirements for efficient migrations management. Cooperation between the EU and third countries is possible in the field of developing possibilities for legal migrations, capacities of migrations management, identification of risk factors for illegal migrations, protection of basic human rights and liberties, curtailing illegal migration flows and increasing possibilities for hiring migrants. With regard to candidate countries and potential candidate countries that have developed migration management policies (which includes Bosnia and Herzegovina), this principle envisages the use of new instruments of migration policy in order to improve mechanisms of cooperation with the EU.

7. *Security and immigration: Visa policy serving the interests of Europe and its partners*

The ability of countries to reduce and prevent illegal migrations is one of the conditions for public acceptance and support of the migration policies. For that purpose, countries should use measures of visa policies to ensure undisturbed movement of bona fide passengers while simultaneously increasing security. Realization of these goals requires the use of modern technologies in order to carry out differentiated, risk-based checks of visa-applicants with intense exchange of information among countries and full protection of the right to privacy, i.e., adherence to the regulation of protection of data.

8. *Security and immigration: Integrated border management*

Integrated management of the EU's external borders should, according to this principle, be reinforced, and border control policies should be developed coherently, together with policies of customs controls and prevention of other security threats. Within this principle the EU is trying to develop a line of strategic measures of cooperation with third countries of origin or transit, in order for them to develop their own integrated border management capacities.

9. *Security and immigration: Intensifying the fight against illegal migrations and zero tolerance for human trafficking*

In line with this principle, the EU endeavours to develop a comprehensive policy in order to fight illegal migrations and human trafficking. The aim of this policy is to combat the phenomena of undocumented labour and illegal employment in their different manifestations. The efforts towards achieving this goal are made through a series of prevention measures, law enforcement and sanctioning. Likewise, it requires improving protection of victims of human trafficking and their support.

10. Security and immigration: Efficient and sustainable readmission policies

Readmission policies are an inseparable part of EU policies in combating illegal migrations. Readmission policies concerning persons that do not meet the requirements for legal stay or that have ceased to meet these requirements, need to favour the possibility of making individual decision on readmission to the countries of origin based on fair and transparent criteria. The list of the principles laid out in this document serves as guidance in the process of creating public policies in the area of efficient migrations management. Owing to its significance, it has certainly had its place in the creation of the content of the Strategy in the field of migrations and asylum (2016-2020). Other legal and political documents adopted under the auspices of the EU are similarly significant for the drafting of this Strategy. Among them are the Global Approach to Migrations (external dimension of the EU migration policy, dialogue and cooperation with third countries, increased coordination, coherence and synergy), the Hague Program and the Stockholm Program, which, inter alia, foresee certain measures that the EU intends to undertake in the domain of comprehensive migrations management.

3.6. Policies Adopted by the Competent Authorities of Bosnia and Herzegovina

Considering that the specific measures and activities directed at efficient management of migrations and asylum in Bosnia and Herzegovina cannot be implemented unilaterally, without the necessary harmonisation of these activities with other, officially adopted, policies, it is necessary to indicate some of the most significant legal and political documents in Bosnia and Herzegovina that have a certain impact on the drafting of the Strategy in the field of migrations and asylum (2016-2020). These policies are contained in different forms including strategies, action plans, general courses of action, conclusions of the highest bodies of the executive authority and other. The said public policy documents thematically pertain to areas of general and special social development, foreign policy, while some of these sources in particular pertain to improvement of relations between the state of Bosnia and Herzegovina and its diaspora. In order to understand the significance of these sources for the drafting of this Strategy, a list and brief description of their content shall be presented.

General directions and priorities for the implementation of foreign policy of Bosnia and Herzegovina from 2003 is a key document of the BiH Presidency in the area of foreign policy making of Bosnia and Herzegovina. One of the more important multilateral directions and activities of Bosnia and Herzegovina's foreign policy concerns further rapprochement and institutionalisation of relations with the European Union in line with the Stabilisation and Association Process, which is significant for Bosnia and Herzegovina. The signing of the Stabilisation and Association Agreement, and then its full implementation should significantly contribute to inclusion of Bosnia and Herzegovina in European integration processes. Having in mind the obligations that Bosnia and Herzegovina assumed in the domain of migrations by signing the Stabilisation and Association Agreement, we can say that this is a very important political document that needs to be taken into consideration in the process of creating measures of migrations and asylum management. Likewise, the care for citizens of Bosnia and Herzegovina abroad is in the spirit of this document as well and makes the integral part BiH Presidency's foreign policy.

Strategy in the area of migrations and asylum and Action plan 2012-2015, adopted by the Council of Ministers of Bosnia and Herzegovina on 12 June 2012 is a very important source especially because the results of implementation of this strategic document form the basis of

projection of strategic goals of Bosnia and Herzegovina in this area for the period 2016-2020. The said document presents the development of immigration and asylum system, assesses the situation in this domain, defines the goals, activities, deadlines and bodies responsible for implementation in the said period, for the area of visas, borders, immigrations, asylum and protection of foreigners, victims of human trafficking. In 2013 the Council of Ministers of Bosnia and Herzegovina adopted a Decision appointing the Coordination Body for migration matters in Bosnia and Herzegovina, and the Report of this body provides very reliable information on achievements in the implementation of the strategic goals set at that time.

Strategy of integrated border management of Bosnia and Herzegovina In line with EU Guidelines for Integrated Border Management for the Western Balkans from January 2007, a revised Strategy of integrated border management in BiH was made for the period 2011 – 2014, as well as its Action plan. Special emphasis was placed on cooperation and coordination of services included in the concept of integrated border management in BiH. Due to the need to define activities in the further process of EU accession, the Council of Ministers of BiH adopted the **Strategy of integrated border management in BiH and Framework action plan for the period 2015-2018**, which have, to the largest extent possible, been harmonised with the new EU concept of integrated border management from 2006.¹⁹ The key elements of the IBM concept (border control, crime prevention and four-tier approach model, as well as training of the Border police of BiH) have been included in the Strategy and are in line with the EU requirements. Priority will be given to harmonisation of legislation in the area of border security with the *acquis communautaire*, in order to prepare for the responsibility of securing the external borders of EU and harmonisation with Schengen requirements.

Strategy of combating human trafficking in Bosnia and Herzegovina and Action plan 2013-2015, contain goals and relevant measures set in the so-called „5P“ system: 1) support, 2) prevention, 3) prosecution, 4) proactive protection and 5) partnership. State coordinator for combating human trafficking and illegal migrations in Bosnia and Herzegovina is in charge of monitoring the implementation of the Strategy and the Action Plan. Action Plan for Combating Human Trafficking in Bosnia and Herzegovina 2016-2019 is currently being drafted.

Strategy for admission and integration of BiH citizens returning further to the Agreement on readmission and Action plan for the period 2015-2018. The Strategy was adopted by both houses of the BiH Parliamentary Assembly at the end of 2015.

Strategy of Bosnia and Herzegovina for prevention and combating terrorism 2015-2020, adopted at the 14th session of the Council of Ministers of BiH on 8 July 2015 foresees, inter alia, measures of early preventive detection of foreigners linked to terrorism and extremism, which could possibly appear in the immigrations system.

¹⁹ Conclusions of the EU Council from 4-5 December 2006 from the 2768th meeting of the Council for Justice and Home Affairs 15801/06.

4.

OVERVIEW OF THE MOST IMPORTANT ACHIEVEMENTS IN THE AREA OF MIGRATIONS AND ASYLUM MANAGEMENT IN BOSNIA AND HERZEGOVINA

In the period of the late 1990s, Bosnia and Herzegovina was exposed to a heavy burden of intense migrations across its territory, starting mainly from the east and heading towards Western European countries. At a time when there were no comprehensive, efficient and coordinated measures and activities by the competent bodies in the control of new migration trends, a certain security deficit emerged that resulted in a string of phenomena that bore the characteristics of illegal migrations, precisely smuggling of persons and human trafficking. With the intention of becoming actively engaged in the control of these and other related phenomena, Bosnia and Herzegovina started to undertake initial steps toward controlling migrations, both those that involved the stay of aliens on the territory of Bosnia and Herzegovina and those that included foreign nationals crossing the territory of Bosnia and Herzegovina and moving toward third countries.

Official measures aimed at control of migrations were taken with different intensity but from today's point of view this could be called a *decade of successful migrations management* in Bosnia and Herzegovina as an important indicator of the readiness of our country to be actively involved in controlling all migrations on its territory, regardless of the form and aims of those migrations. In order to present an overview of these successes in a uniform, comprehensive and clear manner, it is important to describe the dynamics of development of the legal framework for regulating the migrations in Bosnia and Herzegovina, establishment and institutional building of the competent institutions that carried the heaviest burden in the construction of a comprehensive system of migrations and asylum management in Bosnia and Herzegovina, and give a basic outline of the prior international cooperation of Bosnia and Herzegovina, which was most frequently undertaken with a view to joint and harmonised actions in the area of migrations management on regional and universal basis.

4.1. Development of a Legal Framework

4.1.1. Immigrations and Asylum

The first document regulating the matters of immigrations and asylum on the level of Bosnia and Herzegovina was the Law on Immigrations and Asylum from 1999.²⁰ Despite a certain lack of clarity and vagueness this Law fulfilled its task in harmonising the area of immigrations and asylum with constitutional tenets and created conditions for further legal and institutional development in this area.

Significant progress, in terms of improvement of the legal framework regulating the matters of movement and stay of aliens in Bosnia and Herzegovina was achieved with the adoption of the Law on Movement and Stay of Aliens and Asylum from 2003.²¹ This Law, for the first time, defined the Ministry of Security's competence in ensuring special protection and assistance to the victims of human trafficking, established specialized institutions for admission of foreigners, and created a legal basis for the establishment of an adequate service for implementation of immigration and asylum policies, and policies of movement and stay of aliens in Bosnia and Herzegovina. With the development of the *acquis communautaire* came the need for harmonisation of BiH legislation in the field of migrations and asylum, and a new Law on movement and stay of aliens and asylum was adopted in 2008, and amended in 2012.²²

Proceeding from the fact that the *acquis communautaire* is continuously changing, and from the obligation for the domestic legislation in this area to be continuously harmonised with the European regulations, the Ministry of Security has, through the Strategy in the field of migrations and asylum and Action plan for the period 2012-2015, envisaged the adoption of two laws: Law on Aliens and Law on Asylum.

In relation to the Law on Movement and Stay of Aliens and Asylum, which regulates immigration and asylum, the Law on Aliens²³ encompasses only immigration. The Law on Aliens regulates the conditions and procedures for entry of foreign nationals into Bosnia and Herzegovina, visa and visa-free regime, travel documents for foreign nationals, stay of foreign nationals in BiH, expulsion from BiH, admission and placement under surveillance and competencies of government authorities in the enforcement of this Law, violations and penalties for offences committed by breaching the provisions of this Law and other issues related to stay of foreign nationals in BiH. The Law on Aliens has been harmonized with 10 directives and 11 regulations of the Council of the EU.

What is new in relation to the Law on Movement and Stay of Aliens and Asylum is that the Law on Aliens specifies that a temporary residence permit may only be issued to foreign nationals on the basis of employment based on high qualifications, i.e. on the basis of issuance of the "Blue Card", then approval of temporary residence to foreign nationals – seasonal workers and approval of temporary residence to persons in cases of secondments within a legal entity for managers, experts or trainees who were seconded to BiH, while a different definition is applied for temporary residence for the purpose of scientific research, and the provision regulating maximum duration of limitation of movement (surveillance) in an Immigration Centre is harmonized with the relevant EU *acquis* in this area.

²⁰ Law on Immigrations and Asylum (Official Gazette of BiH number 23/99).

²¹ Law on Movement and Stay of Aliens and Asylum (Official Gazette of BiH number 29/03, 4/04, and 53/07).

²² Law on Movement and Stay of Aliens and Asylum (Official Gazette of BiH number 36/08, 87/12).

²³ Law on Aliens (Official Gazette of BiH No 88/15).

The proposal of the Law on Asylum specifies the bodies responsible for its implementation, principles, conditions and procedures for approval of a refugee status, subsidiary protection status, cessation and termination of a refugee status and subsidiary protection status, temporary protection, identification documents, rights and obligations of asylum seekers, refugees and foreign nationals under subsidiary protection and other issues in the area of asylum in Bosnia and Herzegovina.

What is new in relation to the Law on Movement and Stay of Aliens and Asylum is that the Law on Asylum introduces new modalities and standards of acceptance of asylum seekers in terms of the rights of foreign nationals requesting asylum, such as: right to employment for asylum seekers, right to secondary education. The proposal of the Law changed the form of the right to information, legal aid, psychosocial help, the area of maintenance of family unity for refugees and foreign nationals under subsidiary protection, etc. Further on, the proposal of the Law on Asylum defines the acts which, from the aspect of international protection, are considered acts of persecution or acts of serious offences, perpetrators of persecution or serious offences and, therefore, the subjects of protection and protection within the state, as well as the principle “sur place” are only some of the areas encompassed by this law for the purposes of harmonization with EU standards.

4.1.2. Fight against Human Trafficking

This Strategy, in accordance with the Law on Movement and Stay of Aliens and Asylum, addresses foreign nationals as victims of human trafficking, in the area of protection of foreign nationals as victims of human trafficking and cooperation of the Service for Foreigners Affairs and Border Police of BiH with other bodies responsible for fighting human trafficking, and supplements the Strategy for Fighting Human Trafficking prepared and realized by the National Coordinator for Fighting Human Trafficking and Illegal Migrations in Bosnia and Herzegovina.

State authorities began addressing human trafficking issues in 2001. The Council of Ministers of Bosnia and Herzegovina adopted an Action Plan for Prevention of Human Trafficking in BiH on 6 December 2001. A State Commission for implementation of the Action Plan for Prevention of Human Trafficking in BiH was also formed. Considering that the legislation at that time did not treat the issue of protection of victims of human trafficking, the Ministry of Human Rights and Refugees issued a Temporary Instruction for Treating Human Trafficking Victims on 6 September 2002. This Instruction specifies the rules and means of action of all state and entity authorities who have competencies in undertaking activities to prevent and suppress human trafficking as well as associations of citizens signatories to the Memorandum of Understanding on Providing Protection for Human Trafficking Victims in order to ensure efficient protection of human trafficking victims in accordance with international standards for the protection of human rights. This Instruction was in force until the adoption of an appropriate by-law in accordance with the provisions of the Law on Movement and Stay of Aliens and Asylum, which was adopted in 2003 and in which provisions on protection of foreign nationals victims of human trafficking are mentioned for the first time in legislation.

The 2003 Law on Movement and Stay of Aliens and Asylum defined temporary stay for humanitarian reasons, which is granted to a foreign national if he/she is a victim of organized crime, or human trafficking, with a view to providing protection and assistance in his/her recovery and return to the country of his/her habitual domicile. This Law defines the responsibility of the Ministry of Security in ensuring special protection and assistance to human trafficking victims for the purpose of their recovery and return to the country of habitual domicile. The provisions of this Law also define a possibility of establishing specialized

institutions for admission of foreign nationals, such as centres for accommodation of human trafficking victims and, and the Law also specifies that supervision over the work of the specialized institutions for admission of foreign nationals is carried out by the Ministry of Security. These provisions were also built into the 2008 Law on Movement and Stay of Aliens and Asylum, and a by-law specifies detailed procedures for protection of foreign human trafficking victims.

The procedure of exchange of information between the actors providing assistance to human trafficking victims is regulated by the Rules for Protecting Victims and Witnesses to Human Trafficking Victims who are Citizens of BiH and Rulebook on Protection of Foreign Human Trafficking Victims. All cases of foreign victims are reported to the responsible field centre of the Service for Foreigners Affairs with a view to ensuring reception and accommodation and regulate a foreign national status in Bosnia and Herzegovina. The Ministry of Security carries out its competencies in the area of ensuring special protection and assistance to foreign human trafficking victims for the purpose of their recovery and return to the country of habitual domicile in cooperation with the NGO sector. In order to provide adequate conditions for accommodation and provide protection to foreign human trafficking victims, the Ministry of Security has signed protocols for cooperation and provision of adequate and safe accommodation and protection for foreign human trafficking victims in Bosnia and Herzegovina with two NGOs and a Protocol on Providing Free Legal Aid to Foreign Human Trafficking Victims in Bosnia and Herzegovina with one NGO. These Protocols define precisely the rights and obligations of the Ministry of Security and NGOs in the activities of rendering services to foreign human trafficking victims.

In the local legislation, the criminal offence of international human trafficking is incriminated in Article 186 of the Criminal Code of Bosnia and Herzegovina and is classified into the group of criminal offences against humanity and values protected by international law. Organized international human trafficking is incriminated in Article 186 (a) of the Criminal Code of Bosnia and Herzegovina. In the Criminal Code of Republika Srpska, the criminal offence of human trafficking is incriminated in Articles 198 (a) and 198 (b) and organized human trafficking in Article 198 (v). In the Criminal Code of the Brčko District, the criminal offence of human trafficking is incriminated in Article 207 and organized human trafficking in Article 207 (b).

Finally, it needs to be said that the adoption of these regulations does not exhaust the activities of the State of Bosnia and Herzegovina on the harmonization of its migration law with recent amendments to the relevant regulations in this area adopted in the EU. This is one of the imperatives to be taken into consideration when planning strategic activities in the forthcoming period.

4.2. Institution Building

Development of the legal framework in the field of migrations and asylum was accompanied with the establishment and institutional strengthening of certain administration bodies and independent administrative organizations at the level of Bosnia and Herzegovina, which have a law-specified competence in this area. This means that Bosnia and Herzegovina has institutions established at the political-strategic and operative-practical levels, which, by means of established inter-institutional cooperation, act together and in harmony with a view to managing migrations comprehensively and effectively. In order to present the achievements in this area clearly and in detail, development of the institutional framework will be presented in accordance with the previous job classifications within the domain of the development of the legal sector.

4.2.1. Immigration and Asylum

The Immigration and Asylum Sector, which operated in very restricted conditions and with restricted staff capacities, was established on 1 August 2000 within the Ministry of Human Rights and Refugees.

The Ministry of Security was established in 2003 and, inter alia, it was responsible for creation and implementation of immigration policies and asylum in BiH. It further regulates the procedures and the structure of the service with regard to the movement and stay of foreign nationals in BiH and takes appropriate action with regard to protection of international borders. Since 1 January 2004, the Immigration and Asylum Sector has been a constituent part of the Ministry of Security and since 1 August 2004, in accordance with the changes of the internal organization of the Ministry, the Immigration and Asylum Sector has continued to operate within the Ministry of Security in the form of two independent and separate organizational units, as Immigration Sector and Asylum Sector.

4.2.2. Ministry of Security – Immigration Sector

The Ministry of Security Immigration Sector has two sections: Section for Administrative Affairs, Regulations and Readmission and Section for Analyses, Strategic Planning, Supervision and Training. The Ministry of Security is responsible through its Immigration Sector for second-instance decisions on the complaints of foreign nationals with regard to entering, movement and stay of foreign nationals in BiH, i.e. it makes decisions on the complaints of parties against first-instance decisions issued by the Service for Foreigners Affairs and Border Police of BiH in accordance with the Law on Movement and Stay of Aliens and Asylum. The Immigration Sector is also responsible for monitoring of implementation of legislation of BiH in the field of immigration, monitoring and analysing conventions which BiH ratified, EU *acquis communautaire* and secondary legislation in the field of immigration and proposing harmonization of legislation of BiH with the EU legislation and international law in the field of immigration. The Sector is also responsible for implementation of readmission agreements in the part of receiving nationals of Bosnia and Herzegovina by means of determining the citizenship of BiH and identity of the person being returned on the basis of specified agreements, which is realized through the Protocol on Cooperation for More Effective Implementation of Agreements on Readmission of Persons who Reside in Other Countries without Permits, signed between the Ministry of Security, Ministry of the Interior of Republika Srpska, Federation Police Administration, Cantonal Ministries of the Interior, Brčko District Police, Service for Foreigners Affairs and Border Police of BiH. In the admission of foreign nationals – human trafficking victims, the Sector is responsible for admission, protection and the rights of foreign human trafficking victims, which is carried out through cooperation on the basis of signed protocols on cooperation with NGOs taking care of accommodation of foreign human trafficking victims and NGOs for free legal aid to human trafficking victims. The Sector creates the Migration Profile of BiH and is responsible for collecting and processing statistics data for the purpose of narrow specialist analyses in the field of immigration and asylum, prepares, proposes and realizes projects within the responsibility of the Sector, keeps databases within the responsibility of the Sector and monitors implementation of policies in the field of immigration and coordinates drafting of proposals for migration policies.

4.2.3. Ministry of Security – Asylum Sector

An asylum system has been established in Bosnia and Herzegovina. The valid legislation, which incorporates international refugee law and EU standards, specifies how and in what way the asylum policy in BiH is regulated in BiH, what institutional forms are responsible for implementation of specified policies and implementation of legislation and way of their enforcement. The Ministry of Security, which encompasses the Asylum Sector, is, among other things, the responsible ministry in the field of asylum.

The Asylum Sector carries out administrative and other expert duties related to implementation of policies and asylum procedures in BiH, carries out duties with regard to preliminary drafts and drafts of legislation in this area, ensures admission, accommodation, food, health care, psycho-social support, access to primary and secondary education, training, first level of integration, support to asylum seekers, carries out duties related to the solutions with regard to the EU *acquis communautaire* and European standards in the field of international protection, carries out duties related to preparation of proposals of bilateral agreements in the field of asylum. Further on, the Asylum Sector conducts administrative proceedings, including special interrogation procedures in the field of asylum, drafts decisions in administrative proceedings, cooperates with the Court of BiH, replies to complaints lodged with this court, carries out supervision and reporting on the standards of work of Asylum Centres to the Council of Europe, cooperates with police and other agencies of BiH concerning foreign nationals who express an intention to seek asylum, exchanges information with the Service for Foreigners Affairs and Border Police of BiH on the current status of asylum seekers, keeps a database and collects data on the countries of origin for asylum seekers, receives requests and carries out registration of asylum seekers, issues identification documents to persons under international protection, carries out duties related to the specification of the unique personal identification number for persons whose refugee status has been approved, cooperates with international organizations working in the area of protection of human rights and freedoms, asylum, migrations, NGOs rendering free legal aid and psycho-social support, carries out trainings and education of staff who work directly with foreign nationals in the areas of asylum, carries out supervision, management and protection duties for asylum centre buildings and other tasks which naturally fall within the scope of this sector.

All these activities are carried out through the Sector's organizational structure, namely:

- Asylum procedures section,
- Support section, and
- Admission and program section.

In the previous five-year period, considerable results have been achieved in the field of asylum, of which the most important were two large and demanding projects that referred to the following:

- Permanently resolved question of accommodation capacities – Centre for Admission and Accommodation of International Protection Seekers (Asylum Seekers) in BiH – Asylum Centre, which became operational on 8 September 2014, at the locality of Delijaš, Municipality of Trnovo. The Centre was built using the funds of the European Union and the Ministry of Security of BiH, and has an accommodation capacity of 150 places with high standards of accommodation;

- Established system of issuance of travel documents for recognized refugees who do not possess a travel document of the country of origin or country of habitual residence, established on 10 March 2014.

4.2.4. Service for Foreigners Affairs

The Service for Foreigners Affairs was established by the Law on the Service for Foreigners Affairs from 2005, as an administrative organization within the Ministry of Security of BiH with operational independence in conducting affairs and resolving issues within its competency, administrative and inspection duties specified by the Law on Movement and Stay of Aliens and Asylum, and it became operational on 1 October 2006. There are three sectors in the Service: Sector for Operational Support, Sector for Readmission, Admission and Accommodation and Sector for Administration. Except these sectors, the Service also has 16 field offices: Sarajevo, Banja Luka, Mostar, Istočno Sarajevo, Livno, Doboј, Tuzla, Bihać, Goražde, Bijeljina, Trebinje, Zenica, Travnik, Brčko, Orašje and Ljubuški and the Immigration Centre.

The Service is primarily concerned with control of movement and stay of foreign nationals in Bosnia and Herzegovina, through administrative and inspection activities. Carrying out administrative work, the Service decides on the status of foreign nationals in BiH, by means of approving or refusing requests for status of foreign nationals in BiH, termination of stay, expulsion, placement under surveillance and ordering a foreign national to leave the country. The Service also carries out certain security checks when it decides on certification of invitation letters, issuance of visas and approval/extension of them and in the procedure of issuing long-term visas it issues its consent for their issuance.

Within its inspection competencies, the Service uses operative work to collect information and monitors and controls the legality of foreign nationals' stay in BiH. The Service collects data on illegal migrations, and illegal migrants in BiH, supervises and controls foreign nationals' stay in terms of the legality of the stay. On the basis of the above, the Service takes measures and applies other legally specified authorities, and carries out timely exchange of information with police and other law enforcement bodies.

The Service maintains continuous cooperation with police and other law enforcement agencies, institutions and bodies of BiH. The Service also maintains international cooperation for the purpose of carrying out its responsibilities that primarily refer to cooperation with related services of other countries in the procedures of establishing identities of foreign nationals and readmission and removal of foreign nationals to their countries of domicile. The Service has a very good cooperation with international institutions and organizations in BiH, which, by virtue of their responsibilities, also deal with these issues. Cooperation is primarily maintained for the sake of institutional and operational strengthening of the Service. This cooperation refers to a considerable extent, education-wise, to professional development of the Service staff.

From the aspect of fighting illegal migration and creating preconditions for effective removal of a foreign national from the territory of BiH, it is very important to stress the importance of the work of the Service's Immigration Centre, with 120 capacity, in which 1,872 persons were accommodated under supervision between the date of the opening on 3 July 2008 and 1 November 2015. The Service also participated in the launching of the ISM - Information System on Migrations, as a key database for foreign nationals in BiH. Considering that this kind of a system represents a constituent part of the state's security and its capacity to manage migrations in a coordinated manner, the Service made all the necessary staffing and technical capacities available for the functioning of this system.

Following European standards in the area of migrations, and considering the importance of issuing biometric visas and residence permits which will improve security of BiH and its citizens, the Service made available all the necessary resources for supporting the project of issuance of biometric visas, which also stipulates issuance of biometric residence permits in accordance with EU standards. With support of the United States Embassy – ICITAP Program of the US Department of Justice, the Service implements the first stage of the biometric system, which has been worked on intensively for quite some time. This biometric system aims to provide for the responsible bodies collection, analysis and processing of biometric data, primarily finger prints and photographs of foreign nationals, who apply for visas and who reside in Bosnia and Herzegovina.

The implementation of this program will strengthen the institutions of BiH responsible for prevention of illegal migrations, smuggling of persons, human trafficking and also enable an effective fight against terrorism and organized crime, and contribute thus to the security system of Bosnia and Herzegovina and its citizens.

4.2.5. Border Police of Bosnia and Herzegovina

The Border Police of Bosnia and Herzegovina (previously State Border Service) was established pursuant to the Law on State Border Service issued by the High Representative's Decision in 2000. The Law enacted in 2001 established the State Border Service of BiH to protect the border and ensure safety at the airports in BiH. By establishing its organizational units on the ground, in May 2003, the SBS took the full control of the BiH international border from the Entity and Cantonal Ministries of Interior. A new law was enacted in 2004, regulating the SBS responsibilities, its organization and management. The Service was defined as an administrative organization within the BiH Ministry of Security with an operational independence and tasked with performing policing activities related to the State border control, organized at three levels (central, regional and local). The 2005 Rulebook on Internal Organization established organizational units of the BiH Border Police.

In 2007, the State Border Service changed its name to the Border Police of BiH. At the end of 2008, the MSB, Border Police of BiH, UINO, UZV, UZZB and the Service signed an Agreement on the establishment of a Joint Risk Analysis Centre. In line with the changes and needs, amendments to the Rulebook on Internal Organization of the Border Police of BiH were enacted on December 18, 2013. The Joint Risk Analysis Centre was established as an organizational unit of the Border Police of BiH and it is located within the Border Police HQ. The Office for Training and Improvement and the Office for Internal Review were established as organizational units at the central level. Amendments to the job systematization resulted in redistribution of tasks, so the issues of internal coordination of European processes that fall within the responsibilities of the BiH Border Police were assigned to the Office for Strategic Planning and European Integration and issues of risk analysis were assigned to the BiH Border Police – Department for Crime Intelligence, Analytical and Risk Analysis within the Central Investigative Office of the Border Police of BiH. Amendments to the Rulebook on Internal Organization increased the number of police officials for 87 persons, due to changes in the border control regime at the border with Croatia and planned enlargement of some border crossings.

The BiH Border Police has an established organizational structure responsible for identifying and combating illegal migrations at the central, regional and local level. The Border Police investigative capacities have been developed in line with the EU standards. The BiH Border Police is authorized to conduct investigative activities throughout BiH under orders of the

BiH Court and Prosecutor's Office. This also pertains to all criminal activities related to the border, i.e. crimes that the responsible prosecutor assigned to the BiH Border Police, for its investigation and processing.

In its operations, the BiH Border Police has successful cooperation with all law enforcement agencies and institutions in Bosnia and Herzegovina. Inter-institutional cooperation is especially close with institutions involved in the process of integrated management of the BiH State border (MSB, Service, UINO, UZV, UZZB, Federation Administration for Inspection, RS Administration for Inspection, Brčko District Government). The BiH Border Police has successful cooperation with other law enforcement agencies (FMUP BiH, RS MUP RS, BD Police, SIPA, OSA BiH, Cantonal MUPs, as well as competent prosecutor's offices and courts). The BiH Border Police is a signatory to the Agreement on the Establishment of Police and Prosecutor's Offices Records Electronic Data Exchange System in BiH.

The Ministry of the Interior of the Republic of Croatia and the Ministry of Security of Bosnia and Herzegovina signed the Protocol on the Establishment of a Joint Contact Centre at the Bijača (BiH) – Nova Sela (Croatia) border crossing. A Joint Centre for Police Cooperation among BiH, Montenegro and Serbia was established in Trebinje on 24 March 2014, that will contribute to a more efficient fight against illegal migrations and human trafficking, as well as other similar activities related to cross-border crime.

The BiH Border Police has direct cooperation, as well as through the Directorate for Coordination of Police Bodies of BiH, with INTERPOL, EUROPOL, EUROJUST, SELEC, as well as other international organization.

4.2.6. Ministry of Foreign Affairs

The BiH Ministry of Foreign Affairs as an administrative body responsible for the implementation of the established policy in line with guidelines defined by the BiH Presidency that has, in such capacity, some responsibilities regarding the migration management system in BiH, and regularly inspects the operations of diplomatic and consular missions of BiH in the area of visa and passport issuance. On the basis of migration trends in Bosnia and Herzegovina, the Ministry, together with other responsible State bodies and institutions, takes activities aimed at preventing illegal migrations and managing migration processes. These issues are becoming particularly topic in the context of the Croatian EU membership and assessments related to an increased migration pressures to Bosnia and Herzegovina.

In its operations, the Ministry of Foreign Affairs of BiH deals with visa issuance through its diplomatic and consular missions. The Ministry of Foreign Affairs of BiH has within its organizational structure a Sector for International-legal and Consular Affairs that, by means of Department for Visas and Passports, conducts administrative procedures on the basis of requests of foreign missions, international organizations and foreign nationals, in relation to issuance of entry visas for BiH.

One of the priorities of the Ministry are the obligations arising from the Decision on Visa Liberalization Regime and its effects, preventing visa free regime abuses and raising awareness among BiH citizens in relation to their obligation to respect the regulations governing the visa-free regime, reducing number of fake asylum seekers and obligations deriving from the Migration and Asylum Strategy. Respecting the previously established practice of approximation with the EU standards and Schengen standards for visa issuance, and on the basis of the experiences of the countries in the region, under appropriate conditions,

the Decision on Visa introduces a possibility of an entry and stay in BiH for a period up to 15 days without the need to obtain visa beforehand for foreign nationals who have a visa or residence permit in the EU or Schengen countries. In order to regulate BiH visa regime with some countries and enable easier travel to BiH for some categories of those foreign citizens as well as our citizens traveling to those countries, the Ministry of Foreign Affairs of BiH is responsible for concluding bilateral international agreements related to visa-free regime with other countries, including concluding agreements on visa abolishment for diplomatic and official passport holders.

4.2.7. Ministry for Human Rights and Refugees of BiH – Refugees, Displaced Persons, Readmission and Residential Policy Sector

In order to ensure rights for persons under international-legal protection, Bosnia and Herzegovina established institutions to deal with this matter and determined their concrete responsibilities in this area. To this end, The Ministry for Human Rights and Refugees -Refugees, Displaced Persons, Readmission and Residential Policy Sector is responsible for enabling access to the right to work, right to health and social care and education, accommodation as well as other rights defined by the law. The Ministry is also responsible for receiving and providing care, up to a 30 days period, to citizens of BiH who are being returned to BiH on the basis of readmission agreements. The Ministry for Human Rights and Refugees has the Refugees, Displaced Persons, Readmission and Residential Policy Sector organized in four departments, as follows: Department for the Rights of Refugees, Displaced Persons and Returnees; Department for Return, Reception, Coordination of Centres for Taking Care of Refugees and Returnees on the Basis of Readmission, as well as the Department for Residential Policy and Projects and the Department for Supporting the Operations of the Refugees and Displaced Persons Commission of BiH.

4.2.8. Ministry for Human Rights and Refugees – Diaspora Sector

The Law on Ministries and Other Administrative Bodies of Bosnia and Herzegovina defines that the Ministry for Human Rights and Refugees has the responsibility to create a policy of BiH towards Diaspora and to collect, systematize, publish and distribute all information within its responsibility. The Ministry has its Diaspora Sector composed of two Departments: Status Issues and Information Department and Department for Economic, Educational, Scientific and Cultural Cooperation.

Within the scope of these responsibilities, the Diaspora Sector monitors the situation in the area of emigration/diaspora in terms of numbers, statuses, potential emigrants, their readiness to get involved into development processes within the country, exercise of their rights in BiH and countries of reception, and encourage cooperation between BiH and its diaspora in the area of economy, science, education, culture and sports.

4.2.9. State Investigation and Protection Agency

The State Investigation and Protection Agency (SIPA) plays a key role in the fight against human trafficking in BiH, as an administrative organization within the Ministry of Security of BiH established to perform police tasks with responsibilities that include, inter alia, preventing, identifying and proving crimes in human trafficking. SIPA was established in 2002 by enactment of the Law on the Agency for Information and Protection, which defined the Agency as an autonomous administrative organization. By the enactment of the Law on SIPA in July 2004, the Agency for Information and Protection was transformed into the State

Investigation and Protection Agency (SIPA) that has the powers and is the first police agency entitled to exercise its responsibilities throughout BiH. SIPA responsibilities are defined by the Law on State Investigation and Protection Agency and are related to preventing, identifying and investigating crimes that fall within the responsibilities of the BiH Court, specifically organized crime, terrorism, war crimes, human trafficking and other crimes against humanity and values guarded by the international law as well as serious financial crime. The role of all law enforcement agencies is related to identifying human trafficking crimes, identification of crime perpetrators, collection of evidence, reporting about the committed crimes and perpetrators, and forwarding cases to the responsible prosecutor's offices for further decision and action. SIPA processes information and keeps records in line with the Law on Police Officials of Bosnia and Herzegovina, Law on the Protection of Personal Data of Bosnia and Herzegovina and other regulations of Bosnia and Herzegovina. SIPA with its seat in Istočno Sarajevo has four regional offices in Banja Luka, Tuzla, Mostar and Sarajevo. In the seat of the Agency, in its Crime Investigating Unit, there is a department for preventing and identifying organized crime, human trafficking crimes, drugs trafficking and other crimes, which is responsible for prevention, identification and investigation of crimes related to human trafficking; it also coordinates activities of regional offices related to these matters. SIPA cooperates, in activities that fall within its responsibilities, with other law enforcement agencies and institutions in BiH and police agencies in the neighbouring countries and the EU countries, which is reflected in an exchange of crime-related intelligence and joint operations conducted by joint investigative teams and parallel investigations.

4.2.10. Migration Coordination Body of BiH

In 2013, the Council of Ministers of BiH appointed by its decision a Migration Coordination Body in BiH (hereinafter: the Coordination Body). The Coordination Body was established at the level of high-ranking officials of the State Border Police of BiH, Service, Immigration Sector, Asylum Sector and SIPA that are all within the Ministry of Security, International-legal Affairs and Consular Missions Sector within the Ministry of Foreign Affairs, Refugees, Displaced Persons, Readmission and Residential Policy Sector and the Immigration Sector of the Ministry for Human Rights and refugees and the technical assistance to the operation of the Coordination Body is provided by the Immigration Sector.

The Coordination body is responsible for continuous monitoring of the overall situation in the area of migration and asylum; for encouraging and ensuring inter-ministerial cooperation between relevant institutions dealing with the migration and asylum issues; for assessing future migration trends and suggesting, to the responsible institutions, measures to improve the migration policy as well as for following the implementation of the strategic documents. In addition, the Coordination Body creates and proposes to the Minister of Security policies in the area of migration and asylum.

The Coordination Body submits its activity report to the Council of Ministers of BiH within 60 days of the end of the calendar year, and more often, if required, on the basis of a request from the Council of Ministers of BiH. The Council of Ministers of BiH adopted at its 25th session, held on 29 September 2015, the Decision on Amendments to the Decision on the Establishment of the Coordination Body. Those Amendments to the Decision define that this body is going to act as an operational headquarters in case of a crises development or any expected crises in the area of migrations. In cases when the Coordination Body is in session in its capacity of the operational headquarters for migration it will also include delegated representatives from the Entities and Brčko District of BiH. The Operational HQ shall coordinate all activities with responsible institutions and agencies as well as with established HQs and other bodies at the

Entity and Brčko District levels, including international organizations and NGOs, to overcome a specific migration crisis. This HQ will propose measures, decisions and operational procedures to the Council of Ministers of BiH and other responsible institutions and agencies through the Ministry of Security.

4.3. Regional and International Cooperation

There has been very intensive cooperation between responsible governmental bodies and various levels of institutions of their countries and international, inter-governmental bodies and other international institutions and organizations during the previous migration management period. This cooperation included various forms of joint and harmonized activities in order to ensure the most efficient migration management. The BiH institutions cooperated both in political and strategic and operational and practical terms, using the valid local legislation and international treaties governing migration and asylum as the basis for cooperation. BiH implemented a number of bilateral projects with institutions responsible for migration and asylum of other states as well as with international organization with a mandate in the migration and asylum sector. Projects were funded by governments of other States and the European Commission, from its funds, and focused on the development of an immigration and asylum system in Bosnia and Herzegovina, and development of a regional or international cooperation in the migration and asylum sector as well as establishing relations between the Diaspora and the development of BiH. As far as the regional and international cooperation in the area of migration and asylum, the institutions responsible for this area organized a number of conferences that established some mechanisms for regional and international cooperation. In order to define a scope of regional and international cooperation in the area of migration and asylum, some agreements and significant projects that are being implemented by the BiH institutions responsible for migration and asylum shall be presented here, as follows:

- Agreement on Readmission between Bosnia and Herzegovina and the European Community on Readmission of Persons who Stay without Residence Permit in Other Countries and other bilateral agreements on readmission of persons without residence permits. This Agreement is being implemented by the Ministry of Security – Immigration Sector for readmission of BiH citizens; Foreigners Service for readmission of citizens of the third countries and persons without citizenship and return of citizens of the country-party to the Agreement, as well as citizens of the third countries and persons without citizenship. The Border Police of BiH intervenes in entry and departure of foreign nationals to and from Bosnia and Herzegovina. The Ministry for Human Rights and Refugees of BiH – Refugees, Displaced Persons, Readmission and Residential Policy Sector for taking in and taking care of citizens of BiH (up to a 30 days period) under the readmission Agreement, while the local integration of BiH citizens returned under the Readmission Agreement falls within the responsibility of Entity Ministries in cooperation with local communities.
- The Joint Declaration on Migration Partnership was adopted in Prague on 27 and 28 April 2009 and the 2012-2016 Action Plan was adopted in Poznan on 4 November 2011 among the EU countries, Eastern European countries, Southeast European countries and Turkey. It is being implemented by all institutions and bodies responsible for migration and asylum, in line with their respective competences.
- The Istanbul Declaration on Silk Road Partnership was adopted in Istanbul on 19 April 2013 at the 5th Ministerial Conference of the Budapest Process to promote dialogue and joint cooperation in managing migration trends along the Silk Road and confirmed the changes in the geographical scope and focus of the Budapest process.

- Luxemburg Declaration – High-level conference on East Mediterranean and West Balkans of 8 October 2015.
- Bosnia and Herzegovina holds a membership in the International Migration Organization (IOM) since 2005 and in the International Centre Migration Policy Development (ICMPD) since 2011.
- Cooperation with the General Secretariat of EU Migration Services Centre is being implemented through the Ministry of Security – Migration Centre in participation at the GDISC Sessions that are attended by representatives of the Foreigners Service, Migration Sector and Asylum Sector of the Ministry of Security.
- Main cooperation in the migration area is taking place through the MARRI Centre (Regional Centre for Migration, Asylum and Refugees) with its seat in Skopje. This Centre is run by six members: Albania, Bosnia and Herzegovina, Croatia, Serbia, Montenegro and Macedonia and the MARRI Regional Centre meetings take place biannually. The main idea of this Centre is to ensure the ownership of the countries of the West Balkans and their initiative in the regional cooperation, thereby demonstrating their ability to establish independent cooperation and contribute to the stabilization and development of the region. In addition, all countries within the MARRI Initiative also have Stabilization and Association Agreements that define improved regional cooperation, in the migration issues among others, as one of their main objectives. The cooperation with the MARRI Centre is being implemented, in line with responsibilities, by the Ministry of Security – Migration Sector and Asylum Sector, BiH Border Police, Foreigners Service, Ministry of Foreign Affairs and Ministry for Human Rights and Refugees – Diaspora Sector and Refugees, Displaced Persons, Readmission and Residential Policy Sector and the cooperation is being coordinated by a National Coordinator of Bosnia and Herzegovina for cooperation and coordination with the MARRI Centre and a permanent representative of Bosnia and Herzegovina in the MARRI Centre in Skopje.
- Agreements on terms of conditions of travel of citizens of Bosnia and Herzegovina and the neighbouring countries that enable border crossing with personal IDs. These Agreements are being implemented by the BiH Border Police in terms of border crossing; the Service in terms of control of legality of stay at the BiH territory.
- Regarding the border security area that fall within the responsibility of the BiH Border Police, BiH has an Agreement on Cooperation in the State Border Monitoring with the Republic of Croatia as well as a number of protocols originating from the Agreement. BiH has a Protocol on Holding Meetings with Serbia and a Protocol on Joint Patrols along the State Border. BiH has a Protocol on Joint Patrols with Montenegro as well as an Agreement on Border Checks at Joint Border Crossings.
- Significant progress in cross-border cooperation at the European level was ensured by the establishment of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX). There is an agreement that covers gathering, analysis and exchange of information; cooperation in the area of training, technical cooperation, joint operations at the borders of Bosnia and Herzegovina and EU members as well as participation in joint actions and pilot projects organized by FRONTEX.
- The Ministry of Security of BiH, Ministry of the Interior of Montenegro and Ministry of the Interior of the Republic of Serbia signed the Protocol on Establishment of Operations of a Joint Centre for Police Cooperation in Trebinje.

- In March 2013, the Ministry of the Interior, Police Management of the Republic of Croatia and the Ministry of Security of BiH, Border Police signed a Protocol on the establishment of a Joint Contact Centre at Nova Sela – Bijača border crossing.
- The Memorandum of Understanding among responsible police bodies of BiH, the Republic of Albania, Republic of Croatia, Republic of Macedonia, Montenegro and the Republic of Serbia on the establishment of a statistical data exchange system on illegal migration and participation in a regional early warning system. The BiH Border Police was designated as a national point of contact for BiH, and the Ministry of Security – Asylum Sector and the Service cooperate in the activities.
- With regard to international cooperation related to migration and development, in 2009 the **Memorandum of Understanding on Establishment of Migration Partnership between BiH and Switzerland** was signed, implemented by the Ministry of Security – Sector for Migrations, Sector for Asylum and Service for Foreigners Affairs, as well as the Ministry of Human Rights and Refugees of BiH – Sector for Emigration and Sector for Refugees, Displaced Persons, Readmission and Housing Policy, and the **Memorandum of Understanding on Establishment of Migration Partnership between BiH and Lichtenstein** was signed in 2011.
- BiH is a state signatory of the **Convention on Police Cooperation in Southeast Europe in 2006**. This Convention represents the basic agreement on police cooperation in the region. Its main goals are cooperation aimed at achieving common security interests and efficient fight against cross-border threats to public order and security and against international crime. The signatories to the Convention have undertaken to regularly exchange information on criminal activities, produce joint threat assessments and develop cooperation between relevant law implementation agencies. The Convention is implemented by the BiH Border Police, SIPA and other police agencies in BiH.
- BiH is a state signatory of the **Strategic Agreement on Cooperation with EUROPOL**. This Agreement regulates information exchange, requests for assistance, acting upon such requests, exchange of expertise, confidentiality and verification procedures, liaison officers, costs, responsibility and dispute resolution. What is important for the implementation of the Agreement is the implementation of **ILECU** (International Law Enforcement Coordination Unit) **project in BiH**, whose goal it is to promote international police cooperation in fight against organised crime, and the following bodies take part in it: Directorate for Police Bodies Coordination, SIPA, BiH Border Police, Indirect Taxation Authority, entity ministries of interior and Police of Brčko District of BiH.
- Based on the Agreement on Cooperation in Combating Cross-Border Crime, signed in Bucharest in 1999, the South-East Europe Centre for Combating Cross-Border Crime (**SECI**) was established, which was later transformed into the South-East Europe Law Enforcement Centre (**SELEC**).
- **Agreements on police cooperation between BiH and other countries** on a bilateral level are also implemented through the participation of the BiH Border Police, SIPA, Service and other law enforcement agencies.
- BiH successfully cooperates and participates in the implementation of programs and projects of many international organisations like DCAF, SELEC centre, ICITAP and INTERPOL, and it has established a good-quality border-police cooperation with police agencies and institutions of the EU and wider, which, in the past period, was reflected in the technical assistance in equipment and training.

- The Ministry of Human Rights and Refugees of BiH successfully cooperates with a number of international organisations that deal with the issues of migration and development, like the International Organisation for Migrations (IOM), International Centre for Migration Policy Development (ICMPD), German Government's Development Agency (GIZ), UN agencies etc.

4.4. Conclusions

Harmonising the area of immigrations and asylum with the EU standards over the past 10 years, BiH has achieved significant progress in the establishment of capacities for migration and asylum management. At the moment of their establishment, majority of the institutions and agencies working on issues of migrations and asylum had minimum experience in this area. In that period three laws were enacted that regulate the area of immigration and asylum, which clearly shows that BiH is trying to follow the dynamics of the development of EU acquis in this area, to a sufficient degree that it is incorporated in the domestic legislation. Currently BiH possesses all main institutional structures for migration management, which have been enabled to carry out tasks of control of movement and stay of foreigners and to fight illegal migrations, in accordance with the current challenges in this area. The system of international protection has been established in BiH and it is being successfully implemented by the competent authorities in accordance with the national legislation in this area.

In the area of human trafficking, BiH is successful in combating this issue; it possesses an established system of protection of foreign victims of human trafficking, which is implemented in cooperation with the non-governmental sector. BiH has an established system for the implementation of readmission agreements. The area of immigration and asylum was one of the important segments for meeting the requirements from the Roadmap required for visa regime liberalisation. On **15 December 2010**, the comprehensive fulfilment of requirements from the Roadmap finally resulted in **granting visa-free regime to the citizens of BiH**.

On its way to establishing a legal framework for the building and strengthening of institutional capacities in the area of immigration and asylum, BiH has enjoyed full legal, operative and financial help and support of international organisations which have a permanent seat in BiH, like the EU Delegation to BiH, OHR, UNHCR, IOM and International Criminal Investigation Training Assistance Program of the US State Department (ICITAP), as well as other governmental, non-governmental and international organisations.

The area of immigration and asylum in BiH is developed with two long-term goals in mind:

GOAL I

Further develop a good- quality system of immigrations and asylum at the national level, harmonised with EU standards and incorporating international refugee law, which will enable the integration of BiH into the EU.

GOAL II

Stimulate active participation of BiH in defining the policies and development of immigration and asylum system at the regional level, in accordance with EU standards.

5.

ELABORATION ON THE STRATEGIC GOALS AND MEASURES TOWARDS THEIR ACHIEVEMENT FOR THE PERIOD 2016-2020

Strategic goal 1: IMPROVE THE SYSTEMS OF CONTROL OF ENTRY AND STAY OF FOREIGNERS IN BiH

Description of the strategic goal: *The achievement of this strategic goal will verify the successes that have been achieved so far in the establishment of the comprehensive systems of entry of foreigners into BiH and their stay, and eliminate the observed shortcomings in its functioning. Complete achievement of this strategic goal depends on how successful the implementation of the planned measures of different character is. They are primarily related to keeping up to date with international standards in the area of migration and asylum, in particular the so-called “Acquis standards” of the EU, and harmonisation of the national legislation of BiH with it. The second measure is related to the establishment of a comprehensive system of collection and processing of available data that should serve for the defining of policies from the domain of migrations and asylum management in BiH. In this manner, among others, effort is made to follow the EU standards in the area of common policy of migrations and asylum (like EMN) with the aim of developing capacities for providing data to EUROSTAT as well as the capacities for the development of an analysis in the area of migrations with the aim of defining the immigration policy of BiH. Furthermore, planned measures include enhancing the legal framework and strengthening the institutional capacities of the Ministry of Foreign Affairs of BiH, with the aim of achieving the most effective implementation of the visa regime.*

Since individual institutions that take part in the system of implementation of regulations on movement and stay of foreigners in BiH have still not been sufficiently built, it was necessary to plan specific measures to enhance conditions for their work. With that regard, one of the planned measures is directed towards increasing the operational capacities of the Service for Foreigners Affairs. As for the material and technical capacities required to reach this strategic goal, the planned measures are aimed at continuous upgrading of the existing Information System on Migrations (ISM), and at developing the infrastructure required for efficient functioning of the IT technologies that the relevant institutions use in their work, particularly regarding the implementation of biometrics in compliance with European standards in the field of migrations and asylum. Since the field of migrations and asylum is dynamic by nature, a strategic measure should be planned in relation to focused, well-designed and continuous training in this field. Since the achievement of this strategic goal does not depend solely on the efforts invested by national institutions, i.e. their success is dependant considerably on the scope of cooperation with international partners, this catalogue of measures should also include those that would allow the relevant BiH institutions to improve their cooperation with partner organisations and institutions abroad.

Planned measures (programs):

- 1.1 Harmonisation of regulations of immigration and asylum legislation of BiH with the relevant international standards and EU acquis;**
- 1.2 Establishment of a system of timely, objective, reliable and simultaneous collection and processing of data on immigrations aimed at efficient management of immigrations in BiH;**
- 1.3 Elaboration of the established legal and institutional framework in the Ministry of Foreign Affairs of BiH in the implementation of the visa regime;**
- 1.4 Enhancing the operative capacities of the Service for Foreigners Affairs for creating the necessary requirements for a more efficient control of the movement and stay of foreigners;**
- 1.5 Advancement of the existing Information System on Migrations – ISM;**
- 1.6 Carrying out continued education in the area of immigration and asylum;**
- 1.7 Continuing and strengthening regional and international cooperation.**

Strategic goal 2: STRENGTHENING CAPACITIES IN THE AREA OF ASYLUM IN BIH

Description of the strategic goal: *Providing international and temporary protection (asylum) is greatly determined by the harmonisation of the national legislation and practice in BiH with adopted international standards. The achievement of this strategic goal is directly related to taking very specific measures that additionally develop law and practice of awarding asylum in BiH. In that sense it is necessary to take measures to develop and strengthen the capacities in the area of asylum at all levels. For the implementation of this aim within BiH, the following represents a priority:*

- *strengthen the staffing of the Sector for Asylum in the sense of keeping up to date with and implementing the standards of the EU in the area of asylum and harmonisation of the national legislation with it;*
- *strengthen the staffing in all other institutional forms that are directly or indirectly linked to the issues of asylum (Sector for Immigration, BiH Border Police, Service, Social Welfare Centres, educational and health care institutions, employment bureaus, non-governmental organisations which provide legal assistance and psychological and social support) and*
- *institutional strengthening at the level of BiH in the sense of creating and ensuring the preconditions for a more efficient, functional and purposeful system of asylum in all segments (e.g. providing legal assistance through enactment of the Law on Free Legal Aid – Ministry of Justice, and establishment of the institutional body for providing it).*

In order for the institutions of BiH to take best actions in this area, it is necessary to take steps to harmonise the procedures of providing international protection at the regional level. Besides, the goal of inter-connections at the regional level in this area is to prevent the abuse of international refugee legislation, and ensure better treatment of persons who stay in several countries in the region and seek protection. The mentioned steps include exchange of data on persons seeking protection, establishment of databases on countries of origin of asylum seekers, and exchange of information, experiences, best practices, analyses of movement in the area of asylum, as well as the creation of common policies at the regional level. The listed steps may produce results if good-quality, trained staff is ensured, capable of responding to all needs and set tasks from the area of asylum.

Finally, BiH intends to continue to harmonise its system of asylum with the EU asylum system, which should facilitate integration of BiH in this area in the coming period.

Planned measures (programs):

- 2.1 Harmonising national asylum system with the international refugee legislation and EU standards;**
- 2.2 Strengthening staffing, technical and accommodation capacities of the Sector for Asylum, required for safe and humane reception and accommodation of asylum seekers;**
- 2.3 Participation in developing an asylum system at the regional level;**
- 2.4 Continued education of employees in the area of asylum;**
- 2.5 Connecting the BiH asylum system with the EU asylum system.**

Strategic goal 3: INCREASE EFFICIENCY OF CONTROL OF BIH'S STATE BORDER

Description of the strategic goal: *One of the main elements of the migration management system is efficient border management, for which it is necessary to achieve preconditions for the best possible control of the state border.*

Procedures and practices of the Border Police of BiH must be continuously harmonised with the acquis in the area of border management, including the recommendations and best practices for the supervision of outer borders, return and readmission from the EU Schengen catalogue. Also, it is exceptionally important to continuously keep up to date with the amendments to the acquis and practices of the EU in the part relevant for the work of the BiH Border Police, and their timely implementation in the legislation of BiH.

The Border Police of BiH has established a centralised information system at the level of the Main Office and there are continued telecommunication links between all lower units. The information system of border controls has been established on 56 border crossings and all organisational units of the Border Police of BiH. The system of border controls contains the "border controls" application, which enables the control of biometric documents, has access to databases of INTERPOL, IDDEEA, ROS, ISM, search warrant records of the Ministries of Interior of the RS, FBiH, Police of Brčko District of BiH, databases of the Border Police of BiH, and has a stronger security, better reporting and better monitoring. There are activities underway aimed at enhancing the information system for border control, which implies installing cameras for identifying registration plates at border crossings. In the coming period it is necessary to expand the accessibility of the information system for all border crossings.

With the aim of achieving the most efficient work of the Border Police of BiH it is necessary to enhance mutual cooperation in the field of information exchange, common risk analysis, exchange of experiences, common training, cooperation in the area of intelligence and investigation, common use of databases, common operations and inter-agency contact points at all levels of organisation. International police cooperation which includes the Border Police of BiH is unavoidable for the achievement of this strategic goal. In that sense, the planned steps are intended for using all the capacities for cooperation with police forces of other states through all forms of cooperation in accordance with EU practices.

Planned measures (programs):

- 3.1 Legal framework from the competencies of the Border Police of BiH should be adapted to the standards and good practices of the EU to the greatest extent possible;**
- 3.2 Information and communication system that enables the collection, archiving, processing and distribution of data should be systematically developed, elaborated upon and maintained;**
- 3.3 Mechanisms of cooperation with institutions and partner agencies within BiH and abroad should be enhanced with the aim of efficient control and protection of the border.**

Strategic goal 4: ADVANCING THE FIGHT AGAINST ILLEGAL MIGRATIONS IN BOSNIA AND HERZEGOVINA

Description of the strategic goal: One of the biggest challenges that a country can face in the process of migrations management is related to success of its institutions in fighting illegal migration. Although analyses of migration trends do not indicate that Bosnia and Herzegovina lies on identified routes of illegal immigrants whose destination is the European Union, in accordance with the new trends of illegal movement of migrants, this area requires special treatment within this strategic document. Integration processes, under which BiH aspires to become an EU member, additionally oblige it to take all necessary measures to efficiently fight illegal migration on its own territory. In relation to that, it could be said that this strategic goal contains specific measures which refer to different areas of fighting this phenomenon. The measure that appears as a novelty in the part of the strategy related to migrations and asylum tends to reduce illegal migrations at its root, i.e. in the states with high migration risk. There is a line of activities of authorized institutions that are directed towards this goal.

BiH Border Police will establish a risk analysis system structured on strategic, operative and tactical levels. Strategic analysis of the risks will be the corner stone for management and organization, while the operative and tactical risk analysis will be the basis for direct reaction to concrete cases/situations recovered at the border or presumed cases/situations based on intelligence.

Equipping border crossings with detection equipment for illegal migrants in vehicles and upgrading fixed and mobile technical surveillance systems for land areas between border crossings which are specifically endangered from the aspect of illegal migration and human trafficking will enable the Border Police to successfully detect attempts of illegal border crossing and prevent threats to state borders.

It is necessary to adequately staff the BiH Border Police and consider the possibilities of further upgrade of the organizational structure in order to create favourable conditions for optimization of work processes and optimize use of resources, especially human resources.

Implementation of this strategic goal depends equally on the capacities of the Service for Foreigners' Affairs to act efficiently in the prevention and discovery of illegal migrations in BiH. In accordance with that, a series of different activities were planned to equip and improve operational capacities, which would enhance the capabilities of the Service to work on prevention and suppression of illegal migrations, as well as efficient removal of foreigners from Bosnia and Herzegovina.

In case of a crisis with migrations and asylum, certain activities of authorized bodies were planned to adequately respond to such challenges. In order to improve the existing system of prevention of illegal migrations, a measure has been prepared which will enhance utilization of all advantages of modern information technologies in the area of biometric identification. The activities directed at the realization of these measures are such that by their realization, we tend to create legal, material, technical and other preconditions for successful functioning in the area of visa biometrics, residence permits and asylum. Within this strategic goal, a specific measure was planned, which would enhance the conditions for implementation of the agreements on readmission of persons who are residing without permits in other states.

Also, this measure applies to establishment of institutional capacities required for reintegration of BiH citizens who are returning on the basis of readmission agreements. To fight illegal migrations successfully, additional capacities need to be secured for accommodation of illegal migrants, who could be dislocated if required.

Measures of active participation in regional initiatives and processes in the area of migrations are foreseen within the domain of international cooperation.

To achieve the aim of combating illegal migrations and coordinating activities, it is necessary to establish reference mechanisms to monitor indicators in this area.

Planned measures (programs):

- 4.1 Prevention of illegal migrations at the root;
- 4.2 Strengthening the capacities of the Border Police to react to changes of security status at the state border;
- 4.3 Strengthening the capacities of the Service for Prevention and Discovery of Illegal Migrations and Removal of Foreigners from BiH;
- 4.4 Strengthening the capacities of responsible bodies in BiH to adequately react in cases of crisis situations within the area of migrations;
- 4.5 Strengthening the capacities in the fight against illegal migrations in BiH using modern technologies of biometric identification;
- 4.6 Establishment of new and development of existing institutional capacities for implementation of readmission agreements;
- 4.7 Construction of a temporary Immigration centre;
- 4.8 Further development of regional and international cooperation in the area of fighting illegal migrations;
- 4.9 Establishment of reference mechanisms for collection and monitoring the indicators in the area of illegal migration.

Strategic goal 5: REDUCE HUMAN TRAFFICKING IN BOSNIA AND HERZEGOVINA

Description of the strategic goal: *Human trafficking is separately treated within this strategic plan, due to its importance and consequences. BiH is taking comprehensive measures and activities in the area of fight against human trafficking. This strategic goal will be achieved by certain measures related to national and international cooperation, victim protection and raising awareness among foreign nationals-potential victims about this problem.*

By conducting specific measures within this strategic area, we plan to enhance cooperation and data exchange, which indicates the need for a far more successful fight against all forms of trans-border crime, including human trafficking. In addition, by taking foreseen measures, we intend to secure a timely cooperation and coordination of all bodies included in the fight against human trafficking and illegal migrations.

In order for Bosnia and Herzegovina to continue a successful fight against human trafficking, it is required to ensure a further development of the legal and institutional frames in the area of protection of foreign nationals-victims of human trafficking, in accordance with the international law and the EU acquis.

A very important segment of the planned measures is related to creating necessary preconditions for introduction of databases on foreign nationals - victims of human trafficking in BiH. Finally, the envisaged measures for attaining this strategic goal imply significant participation of foreign nationals, especially risk groups, through their education on risks of human trafficking.

Planned measures (programs):

- 5.1 Improvement of cooperation with law enforcement agencies at the international level, which would encompass international cooperation in the matters treated by criminal law;**
- 5.2 Improvement of the legal and institutional framework in the protection of foreign nationals - victims of human trafficking, in accordance with the international standards and EU acquis;**
- 5.3 Improvement of inter-agency cooperation in Bosnia and Herzegovina, including governmental and non-governmental organizations;**
- 5.4 Establishment of the database on foreign nationals- victims of human trafficking;**
- 5.5 Raising awareness among risk groups of foreign nationals on how not to become victims of human trafficking.**

Strategic goal 6: STRENGTHENING INSTITUTIONAL CAPACITIES IN BOSNIA AND HERZEGOVINA TO CREATE CONNECTIONS BETWEEN MIGRATION AND DEVELOPMENT

Description of the strategic goal: It is very important to emphasize that this strategic document also covers the influence of migrations on the development of Bosnia and Herzegovina. In these terms, the connection between migrations and development entails a potential of the migrants to contribute to the development of a host country and the country of origin. Issues of migration and development are not well researched and presented within the policies and institutions of Bosnia and Herzegovina, but also in the general public and the academic sector.

One of necessary preconditions for realization of this strategic goal pertains to improvements of the legal framework and institutional capacities that will ensure monitoring of the immigration impact on the development of Bosnia and Herzegovina. A continued development of this strategic area relates to the strengthening of the adequate legal framework and institutional capacities to monitor the impact of circular migrations on the development of Bosnia and Herzegovina.

At the same time, existing emigration possesses enormous human and financial resources which can significantly contribute to the development of BiH. A further development of the legal framework and institutional capacities on different levels of authority and within different sectors is required in order to attract the aforesaid resources. An inter-ministerial and inter-institutional cooperation as well as active participation of the civil and private sectors is of crucial importance for the efficient participation of emigrants in the development of BiH.

Planned measures (programs):

- 6.1 Improvement of the legal and institutional framework aimed at creating a development-oriented immigration policy of BiH;**
- 6.2 Improvement of legal and institutional frames which will contribute to following migration flows from BiH and creating links between emigration resources and the development of BiH.**

Strategic goal 7: ESTABLISHMENT OF A SYSTEM WHICH WOULD FOLLOW UP THE INTEGRATION OF LEGAL FOREIGNERS

Description of the strategic goal: *Taking into account that in the last few years the efficient system of control of entry and stay of aliens in BiH has been established in BiH, which enabled insight into real numbers and structure of foreigners in BiH, residing on basis of approved stay and international protection, in this strategic document we need to focus on the issues of integration of the mentioned persons into social and economic picture of Bosnia and Herzegovina. Integration of immigrants is a two-sided process where state and other authorized institutions play a crucial role on one side, while the immigrants play a role on the other side. The Stabilization and Association Agreement obliges BiH to promote the policy of integration aimed so that the rights of citizens and of foreigners can become comparable. In relation to this, it is necessary to follow the indicators of integration of foreigners who reside in BiH legally.*

The measures aimed at the development of capacities and exchange of experiences with other countries is very important. In this way, BiH is attempting to go one step further in the processes of migration management and harmonize its activities with the best practices and recommendations from the EU.

Planned measures (programs):

- 7.1 Enhancing the exercise of rights of foreigners who have international protection status in BiH and creating an environment that enables integration;**
- 7.2 Establishment and enhancement of institutional capacities to improve efficient integration of foreigners residing in BiH legally;**
- 7.3 Develop and follow indicators of integration of foreigners;**
- 7.4 Establish inter-institutional cooperation aimed at analysing the conditions and needs of foreigners who legally reside in BiH;**
- 7.5 Enhance regional and international cooperation aimed at exchange of experiences with other countries.**

Strategic goal 8: ESTABLISHMENT OF PERMANENT COORDINATION SYSTEM IN THE IMPLEMENTATION OF MIGRATION POLICIES OF BOSNIA AND HERZEGOVINA

Description of the strategic goal: *Migrations and asylum are very dynamic areas, and in relation to that, planned measures can only be realized with continued upgrade of cooperation of all relevant institutions which are tackling the mentioned issues. By the Decision of Council of Ministers of BiH in 2013, a coordination body for migration issues was appointed (hereinafter: coordination body). The coordination body was established at the level of high-ranking police officials of the Border Police, Service for Foreigners Affairs, Sector for Immigration, Sector for Asylum and State Investigation and Protection Agency, which are located within the Ministry of Security, Sector for International, Legal and Consular Issues, Sector for Refugees, Displaced Persons, Readmission and Residence Policies and Sector for Emigration of the Ministry of Human Rights and Refugees. Technical assistance to the work of the coordination body is secured by the Sector for Immigration. The Coordination Body is chaired by a representative of the Ministry of Security.*

The Coordination Body is authorized to continuously overview the overall situation in the area of migrations and asylum, secure and initiate cooperation among relevant institutions dealing with the issues of migrations and asylum, follow the implementation of strategic documents, envisage future migrations and suggest measures to enhance migration policies to authorized institutions.

In the case of crisis situations in the area of migrations and asylum, the coordination body can function as operative headquarters for the migration issues in BiH.

Planned measures (programs):

8.1 Continuous action of the coordination body for migrations in BiH.

ACTION PLAN 2016-2020

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding									
				2016	2017	2018	2019	2020										
GOAL 1.	IMPROVE THE SYSTEM OF CONTROL OF ENTRY AND STAY OF ALIENS IN BOSNIA AND HERZEGOVINA																	
1.1.	Harmonising immigration and asylum regulations of Bosnia and Herzegovina with relevant international standards and the EU acquis																	
1.1.1.	Development of the Strategy on Immigration and Asylum and the Action Plan for 2021-2025	Ministry of Security																Budget of the Institutions of Bosnia and Herzegovina
1.1.2.	Adoption of the Strategy on Immigration and Asylum and the Action Plan for 2021-2025	Council of Ministers of BiH																Budget of the Institutions of Bosnia and Herzegovina
1.1.3.	Adoption of bylaws on the entry and stay of aliens in line with the Law on Aliens	Ministry of Security - Immigration Sector	Ministry of Security - Asylum Sector Service BiH Border Police															Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.1.4.	Adoption of bylaws on visas in line with the Law on Aliens	Ministry of Foreign Affairs	Ministry of Security – Immigration Sector, Service BiH Border Police	X X X X					Budget of the Institutions of Bosnia and Herzegovina
1.1.5.	Adoption of bylaws on travel documents in line with the Law on Aliens and the Law on Asylum	Ministry of Civil Affairs	Ministry of Security – Immigration Sector, Asylum Sector Service	X X X X					Budget of the Institutions of Bosnia and Herzegovina
1.1.6.	Drafting of Law on Changes and Amendments to the Law on Aliens	Ministry of Security – Immigration Sector	Service, BiH Border Police, Asylum Sector, Ministry of Foreign Affairs				X X X X		Budget of the Institutions of Bosnia and Herzegovina
1.1.7.	Adoption of Draft Law on Changes and Amendments to the Law on Aliens	Council of Ministers of Bosnia and Herzegovina						X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.1.8.	Adoption of the Law on Changes and Amendments to the Law on Aliens	Parliamentary Assembly of Bosnia and Herzegovina						X X	Budget of the Institutions of Bosnia and Herzegovina
1.1.9.	Adoption of bylaws on immigration in line with the Law on Changes and Amendments to the Law on Aliens	Ministry of Security – Immigration Sector	Service, BiH Border Police, Asylum Sector					X	Budget of the Institutions of Bosnia and Herzegovina
1.1.10.	Adoption of bylaws in line with the Law on Asylum	Ministry of Security – Asylum Sector	Service, BiH Border Police, Immigration Sector Ministry for Human Rights and Refugees	X X X X					Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.1.11.	Adoption of bylaws on access to rights for persons with recognised international protection in line with the Law on Asylum	Ministry for Human Rights and Refugees – Sector for Refugees, Displaced Persons, Readmission and Housing Policy	Ministry of Security – Asylum Sector, Ministry of Civil Affairs, competent entity and Brčko District of BiH ministries	X	X	X			Budget of the Institutions of Bosnia and Herzegovina	
1.1.12.	Drafting of Law on Changes and Amendments to the Law on Asylum	Ministry of Security – Asylum Sector	Immigration Sector, Service, BiH Border Police, Ministry for Human Rights and Refugees					X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.2.	Establishing a system for timely, GOAL, reliable and comparable gathering and processing of data on migrations in the interest of efficient management of migration flows in Bosnia and Herzegovina									
1.2.1.	Initiating changes and amendments to the Rulebook on internal organisation of the Ministry of Security in order to strengthen the capacities of the Immigration Sector and Asylum Sector for developing specialist analyses and reporting on migrations and asylum	Ministry of Security	Council of Ministers of Bosnia and Herzegovina – provides approval	X	X	X	X	X		Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.2.2.	Employing civil servants at the Immigration Sector and Asylum Sector to produce specialist analysis and gather and process data for EUROSTAT	Ministry of Security	Civil Service Agency		X X X X				Budget of the Institutions of Bosnia and Herzegovina
1.2.3.	Organising round tables and other activities to analyse EU regulations on migrant workers	Ministry of Security – Immigration Sector			X X X X				Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.2.4.	Continuous monitoring of changes in EU law on migrations	Ministry of Security – Immigration Sector		X X X X	X X X X	X X X X	X X X X	X X X X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.2.5.	Establishing the legal and institutional framework and technical conditions for reporting data on immigration and asylum to EUROSTAT	Ministry of Security – Immigration Sector	Service, BiH Border Police, Asylum Sector		X X X X X X	X X X X X X			Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.2.6.	Education for elaborating analyses to define the BiH immigration policy	Ministry of Security – Immigration Sector	Service, BiH Border Police, Ministry of Foreign Affairs, Asylum Sector, Ministry for Human Rights and Refugees – Sector for the diaspora and Sector for refugees, displaced persons, readmission and housing policy, international organisations	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.2.7.	Elaborating analyses to define the BiH immigration policy, including data on vulnerable groups	Ministry of Security – Immigration Sector	Service, BiH Border Police, Ministry of Foreign Affairs, Asylum Sector, Ministry for Human Rights and Refugees – Sector for the diaspora and Sector for refugees, displaced persons, readmission and housing policy, international organisations				X X X X		Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.2.8.	Elaboration of transparent information for foreigners to promote legal immigration	Ministry of Security – Immigration Sector	Service, BiH Border Police, Ministry of Foreign Affairs	X X X X	X X X X				Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding
				2016	2017	2018	2019	2020		
1.2.9.	Education on migrations for staff at DCMs of Bosnia and Herzegovina	Ministry of Foreign Affairs	Service	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.2.10.	Education on international legal aid and consular protection for staff posted to DCMs of BiH to work on visas and passports	Ministry of Foreign Affairs of BiH	Service	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.3.	Upgrading of the established legal and institutional framework at the Ministry of Foreign Affairs of Bosnia and Herzegovina in the implementation of the visa regime									
1.3.1.	Improved staffing with qualified professionals to work on consular duties	Ministry of Foreign Affairs	Civil Service Agency of Bosnia and Herzegovina	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
1.3.2.	Regular updating of data on the MFA BiH website regarding information on the visa regime	Ministry of Foreign Affairs		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.4.	Improvement of operability of the Service for Foreigners' Affairs in order to create the necessary preconditions for more efficient control of movement and stay of foreigners								
1.4.1.	Drafting of the Law on the Service for Foreigners' Affairs	Service		X X X X					Budget of the Institutions of Bosnia and Herzegovina
1.4.2.	Adoption of the Draft Law on the Service for Foreigners' Affairs	Council of Ministers of Bosnia and Herzegovina		X X					Budget of the Institutions of Bosnia and Herzegovina
1.4.3.	Adoption of the Law on the Service for Foreigners' Affairs	Parliamentary Assembly of Bosnia and Herzegovina			X X				Budget of the Institutions of Bosnia and Herzegovina
1.4.4.	Adoption of rulebook on internal organisation and systematisation of staff positions	Service	Council of Ministers of Bosnia and Herzegovina, Ministry of Security				X X		Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.4.5.	Capacity building and staffing of the Service	Service	Civil Service Agency of Bosnia and Herzegovina	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
1.4.6.	Education of Service staff through specialist training, workshops and study visits	Service	National and international institutions	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.4.7.	Preparatory activities for the construction of a facility to accommodate vulnerable groups of foreigners	Service		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.4.8.	Construction of a facility to accommodate vulnerable groups of foreigners	Service			X X X X X				Donor funds – projects
1.4.9.	Equipment for the facility to accommodate vulnerable groups of foreigners	Service					X X X X		Donor funds – projects
1.4.10.	Employment and training of staff for the facility to accommodate vulnerable groups of foreigners	Service	Civil Service Agency of Bosnia and Herzegovina					X X X X X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding
				2016	2017	2018	2019	2020		
1.4.11.	Continued activities to secure permanent accommodation for filed centres of the Service	Service		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
1.4.12.	Improvement of analytical capacities of the Local Risk Analysis Centre in order to provide the necessary risk analysis and support the Joint Risk Analysis Centre	Service		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.4.13.	Procurement of IT equipment in line with up-to-date technical specifications, EU standards and set criteria for defining priorities	Service		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.4.14.	Implementation of the Agreement on establishing a system of electronic exchange of data from the records of police bodies and prosecutor's offices	Service	Institutions and agencies of the signatories of the Agreement	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding
				2016	2017	2018	2019	2020		
1.4.15.	Improving cooperation with the public in the interest of GOAL reporting on the work of the Service and implementation of the Law on Freedom of Access to Information	Service	Media	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.5.	Upgrading the existing Information System on Migrations – ISM								
1.5.1.	Creating reports for the elaboration of the Migration Profile of Bosnia and Herzegovina	Ministry of Security – Immigration Sector and Sector for IT and Telecommunication Systems	Asylum Sector, Service, BiH Border Police, Ministry of Foreign Affairs	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
1.5.2.	Upgrading the asylum module	Ministry of Security – Sector for IT and Telecommunication Systems	Asylum Sector	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
1.5.3.	Upgrading the software solutions for the ROS subsystem	Ministry of Security – Immigration Sector and Sector for IT and Telecommunication Systems	Service, BiH Border Police, Asylum Sector, Ministry of Foreign Affairs	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.5.4.	Harmonising the central database on aliens (ISM) with the Law on Aliens, Law on Asylum	Ministry of Security – Sector for IT and Telecommunication Systems	Ministry of Foreign Affairs – IT Department, BiH Border Police, Service, Immigration Sector, Asylum Sector	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.5.5.	Maintenance, support and improving the functionality of ISM in line with the needs related to migrations and asylum	Ministry of Security – Sector for IT and Telecommunication Systems	Ministry of Security – Immigration Sector, Asylum Sector, Service, BiH Border Police, Ministry of Foreign Affairs	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
1.5.6.	Creation, testing and use of reports to submit data to EUROSTAT	Ministry of Security – Sector for IT and Telecommunication Systems	Immigration Sector, Asylum Sector, Service, BiH Border Police, Ministry of Foreign Affairs, Agency for Statistics of Bosnia and Herzegovina	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.5.7.	Creation of software for input of biometric data into the central database on aliens	Ministry of Security – Sector for IT and Telecommunication Systems	Ministry of Foreign Affairs, Service, Immigration Sector, Asylum Sector, BiH Border Police	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding		
				2016	2017	2018	2019	2020			
1.6.	Continuous education on migrations and asylum										
1.6.1.	Implementation of the Training Programme on Migrations and Asylum 2016-2020	Ministry of Security – Immigration Sector, Asylum Sector, BiH Border Police, Service, Ministry of Foreign Affairs	Ministry of Security – Immigration Sector, Asylum Sector, BiH Border Police, Service, Ministry of Foreign Affairs, other institutions and partner NGOs	X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.6.2.	Monitoring of the implementation of the Training Programme on Migrations and Asylum	Ministry of Security – Immigration Sector	BiH Border Police, Service, Asylum Sector, Ministry of Foreign Affairs	X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
1.6.3.	Elaboration and adoption of the Training Programme on Migrations and Asylum 2021-2025	Ministry of Security – Immigration Sector	BiH Border Police, Service, Asylum Sector, Ministry of Foreign Affairs							X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.7.	Continuation and strengthening of regional and international cooperation									
1.7.1.	Strengthening cooperation with the MARRI Centre	Ministry of Security – National Coordinator of Bosnia and Herzegovina for cooperation and coordination with the MARRI Centre	Ministry of Foreign Affairs, Service, BiH Border Police, Immigration Sector, Asylum Sector, Ministry for Human Rights and Refugees – Sector for the diaspora, Sector for refugees, displaced persons, readmission and housing policy	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.7.2.	Strengthening bilateral and multilateral cooperation with authorities of countries in the region responsible for migrations and asylum	Ministry of Foreign Affairs, Ministry of Security - Immigration Sector, Asylum Sector, Service, BiH Border	Ministry of Foreign Affairs, Ministry of Security - Immigration Sector, Asylum Sector, Service, BiH Border	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
1.7.3.	Cooperation with GDISC	Service	Ministry of Security - Immigration Sector, Asylum Sector	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
1.7.4.	Strengthening of cooperation with authorities responsible for migrations in EU and other countries	Ministry of Security – Immigration Sector and Sector for International Cooperation and European Integrations	Ministry of Foreign Affairs, Ministry of Security – Immigration Sector, Asylum Sector, Service, BiH Border Police	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
2.2.	Strengthening of staff, technical and accommodation capacities of the Asylum Sector needed for safe and humane reception and accommodation of asylum seekers									
2.2.1.	Staff and technical capacity building of the Asylum Sector in order to approximate EU acquis on asylum	Ministry of Security – Asylum Sector	Ministry of Security for General, Human Resources, Material and Financial Affairs, Civil Service Agency of Bosnia and Herzegovina	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
2.2.2.	Continuous equipping of facilities at the reception and accommodation centre for asylum seekers – Asylum Centre	Ministry of Security – Asylum Sector	Ministry of Security –Sector for General, Legal and Material and Financial Affairs	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
2.2.3.	Employment of staff for the reception and accommodation centre for asylum seekers – Asylum Centre	Ministry of Security – Asylum Sector	Ministry of Security –Sector for General, Legal and Material and Financial Affairs, Civil Service Agency of Bosnia and Herzegovina	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
2.2.4.	Elaboration of the Emergency Procedure Plan for Asylum Centres	Ministry of Security – Asylum Sector	Institutions dealing with issues of migrations and asylum	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina, donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
2.3.	Participation in the development of the asylum system at the regional level								
2.3.1.	Strengthening cooperation with institutions of countries of the region responsible for asylum issues	Ministry of Security – Asylum Sector	Responsible institutions from the countries of the region	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
2.3.2.	Improvement of regional cooperation on exchange of statistical data, data on countries of origin, translation services and other matters	Ministry of Security – Asylum Sector	Responsible institutions from the countries of the region	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
2.4.	Continuous education of staff working on asylum issues									
2.4.1.	Education of Asylum Sector staff and staff at the Centre for reception and accommodation of asylum seekers – Asylum Centre	Ministry of Security – Asylum Sector	Ministry of Security – Immigration Sector	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
2.4.2.	Education of staff at competent institutions and NGOs working on asylum issues	Ministry of Security – Asylum Sector	Ministry of Security – Immigration Sector Service BiH Border Police, Court of BiH NGOs	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
2.5.	Linking the asylum system of Bosnia and Herzegovina with the EU asylum system								
2.5.1.	Establishing and/or strengthening cooperation with institutions of EU Member States responsible for asylum issues	Ministry of Security – Asylum Sector		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects
2.5.2.	Improving methodologies for gathering, analysing and exchange of data on asylum, including data on vulnerable groups	Ministry of Security – Asylum Sector		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
2.5.3.	Staff reinforcement of the Asylum Sector for gathering data, analyses, database maintenance, reporting on asylum, including data on vulnerable groups	Ministry of Security – Asylum Sector	Ministry of Security for General, Legal and Material and Financial Affairs, Civil Service Agency of Bosnia and Herzegovina	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
2.5.4.	Staff reinforcement of the Asylum Sector, improvement of technical conditions and education of staff to work on applying travel documents for recognised refugees in Bosnia and Herzegovina	Ministry of Security – Asylum Sector	Ministry of Security for General, Legal and Material and Financial Affairs, Civil Service Agency of Bosnia and Herzegovina IDDEEA	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds – projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
2.5.5.	Establishing the legal framework for a joint database on countries of origin	Ministry of Security – Asylum Sector		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
GOAL 3.	INCREASING THE EFFICIENCY OF STATE BORDER CONTROL OF BOSNIA AND HERZEGOVINA									
3.1.	Adapt the legal framework of the BiH Border Police to EU standards and good practices									
3.1.1.	Enact changes and amendments to the Law and the BiH Border Police	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.1.2.	Adopt the Rulebook on internal organisation of BiH BP	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.1.3.	Enact the Instruction on search activities of the BiH BP	BiH Border Police		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
3-1.4.	Prepare a manual to collect and determine all procedures and actions of the BiH BP	BiH Border Police		X X					Budget of the Institutions of Bosnia and Herzegovina
3-1.5.	Implement training and develop guidelines at the BiH BP for monitoring European law and harmonisation with the acquis	BiH Border Police		X X X X X X					Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding		
				2016	2017	2018	2019	2020			
3.2.	Systematically develop, upgrade and maintain the information - communications system enabling data collection, storage, processing and dissemination										
3.2.1.	Maintain and further upgrade the “border checks” application	BiH Border Police	Ministry of Security	X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.2.2.	Further development of the “specimens and forged documents” database and data exchange	BiH Border Police	Ministry of Security, Ministry of Foreign Affairs Service	X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.2.3.	Maintenance and further development of telecommunication channels, telephone and radio systems	BiH Border Police	Ministry of Security	X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
3.2.4.	Procurement and installation of scanners and mobile scanners of biometric travel documents	BiH Border Police		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.2.5.	Implementation of the project establishing the system of control and records of motor vehicles at border crossing points	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
3.2.6.	Ensure adequate staff resources for the development of the information-communications system of the BiH BP	BiH Border Police	Civil Service Agency of BiH	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
3.3.	Improve mechanisms for cooperation with institutions and partner agencies in BiH and abroad for efficient state border control and protection									
3.3.1.	Improve joint risk analysis activities	BiH Border Police	Agencies involved in the work of the Joint Risk Analysis Centre	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.3.2.	Plan and implement operative actions independently and with other services in BiH to combat irregular migrations, human smuggling and trafficking	BiH Border Police	SIPA Service for Foreigners' Affairs FMol RS MoI BD Police	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.3.3.	Implement a direct telephone line between certain neighbouring border crossing points in line with bilateral agreements	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
3.3.4.	Improve the functioning of joint centres on the border with neighbouring countries and continue establishing joint contact points	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.3.5.	Further implementation of signed bilateral agreements on police cooperation with neighbouring countries	BiH Border Police	Ministry of Security Directorate for Coordination of Police Bodies of BiH	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
3.3.6.	Cooperation with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) in all areas of cooperation and implementation of activities	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.3.7.	Participate in the activities of the Geneva Centre for Democratic Control of Armed Forces (DCAF)	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding
				2016	2017	2018	2019	2020		
3.3.8.	Participation in the activities and operations of the SELEC centre	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
3.3.9.	Strengthening cooperation through regional projects and participation in the work of international organisations	BiH Border Police	Ministry of Security	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
GOAL 4. ADVANCING THE FIGHT AGAINST ILLEGAL MIGRATIONS IN BOSNIA AND HERZEGOVINA										
4.1.	Preventing illegal migrations at the source									
4.1.1.	Education of staff at DCMs of Bosnia and Herzegovina on identifying illegal migrations	Ministry of Foreign Affairs	Service, BiH Border Police	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.1.2.	Establishing the legal framework for posting migration officers to DCMs of Bosnia and Herzegovina	Ministry of Security - Sector for International Cooperation and European Integrations, Ministry of Foreign Affairs	Service	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.2.	Strengthening capacities of the BiH Border Police for responding to changes of the security status at the state border								
4.2.1.	Establishing procedures for the development of statistics, reporting and samples for risk analysis at the strategic, operative and tactical level	BiH Border Police		X X X X X X					Budget of the Institutions of Bosnia and Herzegovina
4.2.2.	Conduct a detailed analysis of the current and develop a proposal for a new concept of operation of mobile support and control units	BiH Border Police		X X X X X X					Budget of the Institutions of Bosnia and Herzegovina
4.2.3.	Employ and train mobile support and control unit officers	BiH Border Police			X X X X X X				Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding	
				2016	2017	2018	2019	2020			
4.2.4.	Adequately equip mobile support and control units	BiH Border Police				X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
4.2.5.	Equip border crossing points in line with the plan of capital investment and defined priorities	BiH Border Police									Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.2.6.	Procurement of technical equipment for state border surveillance and specialist equipment in keeping with developments in combating human smuggling across state borders and human trafficking	BiH Border Police		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
4.2.7.	Construction of new and reconstruction and modernisation of existing infrastructure for the work and accommodation of the Border Police	BiH Border Police		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.2.8.	Filling police officer staff positions in line with the current systematisation	BiH Border Police	Agency for Education and Professional Training			X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
4.2.9.	Professional development of police officers working on combating illegal migrations, human smuggling and trafficking and other responsibilities	BiH Border Police	Agency for Education and Professional Training	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding	
				2016	2017	2018	2019	2020			
4.3.	Strengthening the capacities of the Service for preventing and discovering illegal migrations and deportation of aliens from BiH										
4.3.1.	Continuous renewal of specialised vehicles and equipment in line with developments in illegal migrations	Service		X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.3.2.	Improvement of operations in procedures to certify invitation letters, approval of stay and the ROS system in visa issuing procedures in order to discover and prevent illegal migrations	Service		X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.3.3.	Improvement in gathering operative data on illegal migrations, manners of entry into the country and routes of exit for illegal migrants from Bosnia and Herzegovina, and intercepting channels of illegal migration and human smuggling	Service		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.3.4.	Improving the system for planning, organisation and implementation of operative-tactical actions in order to discover and prevent illegal migrations and any other abuse of the movement and stay of aliens in the country	Service		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding
				2016	2017	2018	2019	2020		
4.3.5.	Improvement of procedures for monitoring and deportation of aliens from Bosnia and Herzegovina	Service		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
4.3.6.	Elaboration of Instruction on procedures and actions of organisational units of the Service	Service		X	X	X				Budget of the Institutions of Bosnia and Herzegovina
4.3.7.	Improvement of official cooperation with institutions in Bosnia and Herzegovina, timely exchange of information and intelligence, and implementation of joint operative activities	Service	Institutions of Bosnia and Herzegovina	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline						Source of funding
				2016	2017	2018	2019	2020		
4.3.8.	Improvement of cooperation with counterpart immigration services in the region in order to adopt best practices and experience on more efficient prevention of illegal migrations	Service		X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
4.3.9.	Elaboration of Procedures for the identification, assistance and protection of vulnerable groups of aliens	Service	Responsible institutions	X	X	X				Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.3.10.	Improvement of international cooperation in the interest of implementing readmission agreements	Service	Institutions responsible for implementing readmission agreements	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.4.	Strengthening the capacities of competent authorities in BiH to adequately respond to crisis situations related to migrations	Ministry of Security	Coordination Body for Migration Issues in BiH						Budget of the Institutions of Bosnia and Herzegovina
4.4.1.	Development of methodology to gather data and information on crisis situations related to migrations in order to provide timely information to the Council of Ministers of BiH			X	X	X			
4.4.2. ²⁴	Developing information about an unfolding situation with plan of urgent actions by competent institutions in the event of a migrations-related crisis	Coordination Body for Migration Issues in BiH	Institutions represented in the Coordination Body for Issues of Migration in BiH						Budget of the Institutions of Bosnia and Herzegovina

24 The activity shall be launched in case of crises in the field of migrations.

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.4.3. ²⁴	Adopting information about an unfolding situation with plan of urgent actions by competent institutions in the event of a migrations-related crisis	Council of Ministers of BiH							Budget of the Institutions of Bosnia and Herzegovina
4.4.4. ²⁴	Development of action plan to manage a crisis situation related to migrations	Coordination Body for Migration Issues in BiH							Budget of the Institutions of Bosnia and Herzegovina

²⁴ The activity shall be launched in case of crises in the field of migrations.

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.5.	Strengthening capacities to combat illegal migrations in Bosnia and Herzegovina by using modern technologies of biometric identification								
4.5.1.	Drafting of bylaws to introduce biometrics to visas, residence permits, asylum and illegal residence	Ministry of Security – Immigration Sector	Ministry of Security – Asylum Sector, Sector for IT and Telecommunication Systems, Service, BiH Border Police Ministry of Foreign Affairs,	X	X	X			Budget of the Institutions of Bosnia and Herzegovina
4.5.2.	Upgrading the institutional framework for introducing biometrics to visas	Ministry of Foreign Affairs	Service		X	X	X		Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.5.3.	Procurement of equipment and software to introduce biometrics to visas, residence permits, asylum and illegal residence	Ministry of Security, Service, Ministry of Foreign Affairs	BiH Border Police	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.5.4.	Creating technical and material conditions for DCMs of BiH in terms of procuring equipment to discover forged documents	Ministry of Foreign Affairs		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.5.5.	Training of staff to introduce biometrics to visas, residence permits, asylum and illegal residence	Ministry of Foreign Affairs Ministry of Security – Asylum Sector, Service,	BiH Border Police			X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.5.6.	Elaboration of Proposal of Decision to determine the start of application of biometrics to visas, residence permits, asylum and illegal residence	Ministry of Security	Ministry of Foreign Affairs, Service, BiH Border Police, Asylum Sector				X	X	Budget of the Institutions of Bosnia and Herzegovina	
4.5.7.	Adoption of Decision to determine the start of application of biometrics to visas, residence permits, asylum and illegal residence	Council of Ministers of Bosnia and Herzegovina						X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding		
				2016	2017	2018	2019	2020			
4.6.	Establishing new and further development of existing institutional capacities for the implementation of readmission agreements										
4.6.1.	Renewal of equipment for the implementation of the Protocol on Cooperation for efficient implementation of agreements on readmission of persons residing without authorisation in other countries signatories	Ministry of Security – Immigration Sector and Sector for IT and Telecommunication Systems	Ministry of the Interior of Republika Srpska, Federation Police Administration, cantonal ministries of interior, Police of Brčko District of BiH, Service, BiH Border Police			X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.6.2.	Education of contact points for electronic data exchange for the implementation of the Protocol on Cooperation for efficient implementation of agreements on readmission of persons residing without authorisation in other countries signatories in other countries signatories	Ministry of Security – Immigration Sector and Sector for IT and Telecommunication Systems	Contact points from countries signatories of the Protocol on Cooperation for efficient implementation of agreements on readmission of persons residing without authorisation	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.6.3.	Improvement of electronic data exchange for the implementation of the Protocol on Cooperation for efficient implementation of agreements on readmission of persons residing without authorisation in other countries signatories in other countries signatories	Ministry of Security – Immigration Sector and Sector for IT and Telecommunication Systems	Ministry of the Interior of Republika Srpska, Federalation Police Administration, cantonal ministries of interior, Police of Brčko District of BiH, Service, BiH Border Police,	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.6.4.	Implementation of protocols on cooperation for exchange of information for the reintegration of citizens of Bosnia and Herzegovina and admitted under readmission agreements with Annex 1	Ministry of Security – Immigration Sector	Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy, BiH Border Police, Service	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.6.5.	Continuous work of the commission responsible for efficient resolution of disputed cases of admission of citizens of Bosnia and Herzegovina under readmission agreements	Ministry of Security – Immigration Sector	Ministry of Foreign Affairs, Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy, Ministry of Civil Affairs, BiH Border Police, Service	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
4.6.6.	Adoption of changes and amendments to the Rulebook on internal organisation of the Ministry of Security in order to strengthen the Immigration Sector for working on readmission	Ministry of Security	Council of Ministers of Bosnia and Herzegovina – for approval	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.6.7.	Staff reinforcement of the Immigration Sector for dealing with readmission	Ministry of Security	Civil Service Agency		X X X X				Budget of the Institutions of Bosnia and Herzegovina
4.6.8.	Establishing mechanisms for gathering and processing data on admission of nationals of Bosnia and Herzegovina under readmission agreements in order to define migration flows of nationals of Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy, BiH Border Police		X X X X				Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.6.9.	Development of analyses of migration flows of nationals of Bosnia and Herzegovina returning under readmission agreements for the purpose of preventing abuse of the visa free regime for nationals of Bosnia and Herzegovina	Ministry of Security – Immigration Sector	BiH Border Police, Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy			X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.6.10.	Signing of protocol between the Council of Ministers of Bosnia and Herzegovina and the governments of countries of the European Community on implementing the Agreement between Bosnia and Herzegovina and the European Community on the readmission of persons residing without authorisation	Ministry of Security – Sector for International Cooperation and European Integrations	Ministry of Security – Immigration Sector, Service and BiH Border Police	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.6.11.	Signing of Readmission Agreements with countries of origin and transit of illegal immigrants in Bosnia and Herzegovina	Ministry of Security – Sector for International Cooperation and European Integrations	Ministry of Security – Immigration Sector, Service, BiH Border Police, Ministry of Foreign Affairs	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.7.	Construction of temporary Immigration Centre facilities								
4.7.1.	Preparatory activities for the construction of the temporary Immigration Centre	Service		X X X X X X	X X X X X X				Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.7.2.	Construction of the temporary Immigration Centre	Service			X X X X X X				Donor funds - projects
4.7.3.	Equipment of the temporary Immigration Centre	Service					X X X X		Donor funds - projects
4.7.4.	Employment and training of staff for the temporary Immigration Centre	Service	Civil Service Agency of Bosnia and Herzegovina					X X X X X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.8.	Further development of regional and international cooperation to combat illegal migrations									
	Strengthening of cooperation with the MARRI centre	Ministry of Security -National Coordinator for cooperation with the MARRI Centre	Ministry of Foreign Affairs, Service,							
4.8.1.	for combating illegal immigration at the regional level		BiH Border Police, Immigration Sector, Asylum Sector	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
	Establishing the legal framework for joint flights for deportations of aliens to their countries of habitual residence or other countries of admission	Ministry of Security – Sector for International Cooperation, Immigration Sector, Sector for General and Border Protection	BiH Border Police, Service							Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.8.2.				X	X	X				

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
4.8.3.	Implementing joint flights for deportations of aliens to their countries of habitual residence or other countries of admission	Service	BiH Border Police, Asylum Sector, Ministry of Foreign Affairs		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina, donor funds - projects
4.8.4.	Establishing the legal framework for the use of services of joint interpreters	Ministry of Security - Immigration Sector, Asylum Sector, Service,	Ministry of Security for International Cooperation, BiH Border Police, Ministry of Foreign Affairs	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4-9	Establishing referral mechanisms to gather and monitor indicators for combating illegal migrations								
4-9.1.	Analysis of the legal framework and institutional capacities for combating illegal migrations	Ministry of Security-Immigration Sector		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4-9.2.	Comparative analysis of the functioning of referral mechanisms for combating illegal migrations	Ministry of Security-Immigration Sector		X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.9.3.	Identifying institutions and data necessary to establish a referral mechanism	Ministry of Security-Immigration Sector	Border Police, Service, SIPA, Police Forces in BiH, Court of BiH and courts in BiH			X X X X			Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.9.4.	Establishing a referral mechanism to gather and monitor indicators related to combating illegal migrations	Ministry of Security-Immigration Sector	Border Police, Service, SIPA, Police Forces in BiH, Court of BiH and courts in BiH				X X X X		Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
4.9.5.	Staff education	Ministry of Security-Immigration Sector	Border Police, Service, SIPA, Police Forces in BiH, Court of BiH and courts in BiH				X X X		Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
4.9.6.	Gathering, processing and analysis of data related to combating illegal migrations	Ministry of Security-Immigration Sector	Border Police, Service, SIPA, Police Forces in BiH, Court of BiH and courts in BiH					X X X X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
GOAL 5.	CONTRIBUTE TO REDUCING HUMAN TRAFFICKING IN BOSNIA AND HERZEGOVINA									
5.1.	Improving cooperation with law enforcement agencies on the international level, including international cooperation in criminal matters									
5.1.1.	Improving cooperation between law enforcement agencies related to data exchange to support combating human trafficking	State Investigations and Protection Agency	Law enforcement authorities	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina
5.1.2.	Participation in the work of the Task Force for combating human trafficking and illegal migrations	State Investigations and Protection Agency, BiH Border Police and Service	Law enforcement authorities and institutions	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
5.1.3.	Improving cooperation between law enforcement agencies and competent prosecutors' offices on investigation of organised crime groups involved in human trafficking at the international level, by forming joint investigation teams (JITs), conducting parallel investigations and appointing liaison officers	State Investigations and Protection Agency	Prosecutor's Office of BiH Law enforcement agencies in BiH	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina EUROJUST

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
5.2.	Improving the legal and institutional framework to protect foreign nationals – victims of human trafficking, in line with international standards and the EU acquis									
5.2.1.	Adoption of Rulebook on protection of foreign nationals who are human trafficking victims	Ministry of Security – Immigration Sector	Service, Asylum Sector	X	X	X	X			Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
5.3.	Improving inter-institutional cooperation in Bosnia and Herzegovina, governmental and non-governmental organisations									
5.3.1.	Organising trainings or working meetings of staff from the governmental and non-governmental sector on identification, rights and return of foreign nationals who are human trafficking victims	Ministry of Security – Immigration Sector, NGO sector – partners of the Ministry of Security	Service, BiH Border Police, SIPA Asylum Sector, centres for social work	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
5.4.	Establishing a database on foreign nationals who are human trafficking victims									
5.4.1.	Improving the legal framework for maintaining a database on foreign nationals who are human trafficking victims	Ministry of Security – Immigration Sector	NGO-partners		X					Budget of the Institutions of Bosnia and Herzegovina
5.4.2.	Software development for maintaining a database on foreign nationals who are human trafficking victims	Ministry of Security – Immigration Sector	Ministry of Security – Sector for IT and Telecommunication Systems		X					Budget of the Institutions of Bosnia and Herzegovina
5.4.3.	Maintenance of database on foreign nationals who are human trafficking victims	Ministry of Security - Immigration Sector				X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
5.5.	Raising awareness among the population regarding aliens at risk of becoming human trafficking victims								
5.5.1.	Organising a round table to identify the population of aliens at risk of becoming human trafficking victims	Ministry of Security - Immigration Sector	State Investigations and Protection Agency, Service, BiH Border Police, Asylum Sector and NGO - Sector		X		X		Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
5.5.2.	Education of identified populations of aliens at risk of becoming human trafficking victims about the risks and hazards of human trafficking	Ministry of Security - Immigration Sector	NGO - Sector, Ministry of Security - Asylum Sector		X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
GOAL 6.	STRENGTHEN INSTITUTIONAL CAPACITIES IN BOSNIA AND HERZEGOVINA TO LINK MIGRATIONS WITH DEVELOPMENT									
6.1.	Improving the legal and institutional framework in order to create a development-focused migration policy in Bosnia and Herzegovina									
6.1.1.	Organising round tables, trainings and meetings in order to direct migration policy towards the development of Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Service, BiH Border Police, Asylum Sector, Ministry of Foreign Affairs, Ministry of Civil Affairs, Agency for Labour and Employment of BiH, authorities issuing work permits to foreigners, Foreign Investment Promotion Agency, DEP							Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
				X	X	X	X	X	X	

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
6.1.2.	Analysis and development of recommendations to direct migration policy towards the development of BiH	Ministry of Security – Immigration Sector	Service, BiH Border Police, Asylum Sector, Ministry of Foreign Affairs		X	X	X	X		Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
6.1.3.	Analysis and development of recommendations to link circular migration with the development of BiH	Ministry of Security – Immigration Sector	Service, BiH Border Police, Asylum Sector, Ministry of Foreign Affairs	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
6.1.4.	Review and as needed improve the legal framework to facilitate the procedure for entry and stay of aliens that invest considerable funds and establish companies in Bosnia and Herzegovina for the purpose of transfer of technologies and/or creation of jobs for nationals of Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Service, BiH Border Police, Asylum Sector, Ministry of Foreign Affairs			X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
6.2.	Improve the legal and institutional framework to facilitate monitoring emigration flows from BiH and linking emigration resources with the development of Bosnia and Herzegovina									
6.2.1.	Develop a system for monitoring emigration trends	Ministry for Human Rights and Refugees- Sector for the diaspora	Responsible state, entity, cantonal institutions, municipalities, civil society, private sector, diaspora, etc.	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
6.2.2.	Strengthen the capacities of MHR and support other institutions at various levels of government and in the civil society sector for the purpose of inclusion of the diaspora to contribute to the development of BiH	Ministry for Human Rights and Refugees- Sector for the diaspora	Responsible state, entity, cantonal institutions, municipalities, civil society, private sector, diaspora, etc.	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
GOAL 7.	ESTABLISH A SYSTEM FOR MONITORING THE INTEGRATION OF ALIENS WITH LEGAL RESIDENCE IN THE TERRITORY OF BOSNIA AND HERZEGOVINA									
7.1.	Improve access to rights for aliens with recognised status of international protection in Bosnia and Herzegovina and create an environment conducive to integration benefits									
7.1.1.	Monitor access to rights of aliens with recognised status of international protection in Bosnia and Herzegovina (education, work, social and health protection)	Ministry for Human Rights and Refugees – Sector for refugees, displaced persons, readmission and housing policy	Human rights institutions and NGO sector	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
7.2.	Establish and strengthen institutional capacities for efficient integration of aliens with legal residence in Bosnia and Herzegovina									
	Adopt changes and amendments to the Rulebook on internal organisation of the Ministry of Security in order to strengthen the Immigration Sector for tasks related to the integration of aliens with legal residence in Bosnia and Herzegovina	Ministry of Security	Council of Ministers of Bosnia and Herzegovina – for approval							Budget of the Institutions of Bosnia and Herzegovina
7.2.1.				X	X	X	X	X		
	Strengthen the capacities of the Immigration Sector for tasks related to the integration of aliens with legal residence in Bosnia and Herzegovina	Ministry of Security	Civil Service Agency		X	X	X	X		Budget of the Institutions of Bosnia and Herzegovina
7.2.2.										

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
7.3.	Develop and monitor indicators of integration of aliens with legal residence in Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Service, Asylum Sector, Ministry for Human Rights and Refugees – Sector for refugees, displaced persons, readmission and housing policy, Ministry of Civil Affairs, Agency for Labour and Employment of Bosnia and Herzegovina, ministries of education and other government institutions with data on integration of foreigners and non-governmental organisations working on integration							Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects
7.3.1.	Finalise the Draft List of Indicators of integration of aliens with legal residence in Bosnia and Herzegovina, including data on vulnerable groups			X	X	X	X	X		

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
7.3.2.	Adopt the Draft List of Indicators of integration of aliens with legal residence in Bosnia and Herzegovina	Coordination Body for Migration Issues in BiH		X X					Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
7.3.3.	Develop a data gathering mechanism to process and update indicators of integration of aliens with legal residence in Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Service, Asylum Sector, Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy, Ministry of Civil Affairs, Agency for Labour and Employment of Bosnia and Herzegovina			X X X X			Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
7.3.4.	Develop an analysis of integration of aliens with legal residence in Bosnia and Herzegovina and Herzegovina into the social system of Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Service, Asylum Sector, Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy, Ministry of Civil Affairs, Agency for Labour and Employment of Bosnia and Herzegovina				X X X X		Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
7.4.	Establish inter-institutional cooperation for the purposes of analysing the situation and needs with respect to the integration of aliens with legal residence in Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Service, Asylum Sector, Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy, Ministry of Civil Affairs and other government institutions and non-governmental organisations with information on needs for integration of foreigners with legal residence in Bosnia and Herzegovina							
7.4.1.	Organise round tables and workshops for the purposes of analysing the situation and identifying needs with respect to the integration of aliens with legal residence in Bosnia and Herzegovina and identify mechanisms for inter-institutional cooperation									Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
7.4.2.	Establish a mechanism for inter-institutional cooperation for the purposes of analysing the situation and needs with respect to the integration of aliens with legal residence in Bosnia and Herzegovina	Ministry of Security – Immigration Sector	Service, Asylum Sector, Ministry for Human Rights and Refugees - Sector for refugees, displaced persons, readmission and housing policy, Ministry of Civil Affairs and other government institutions with competences for integration of foreigners				X X X		Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

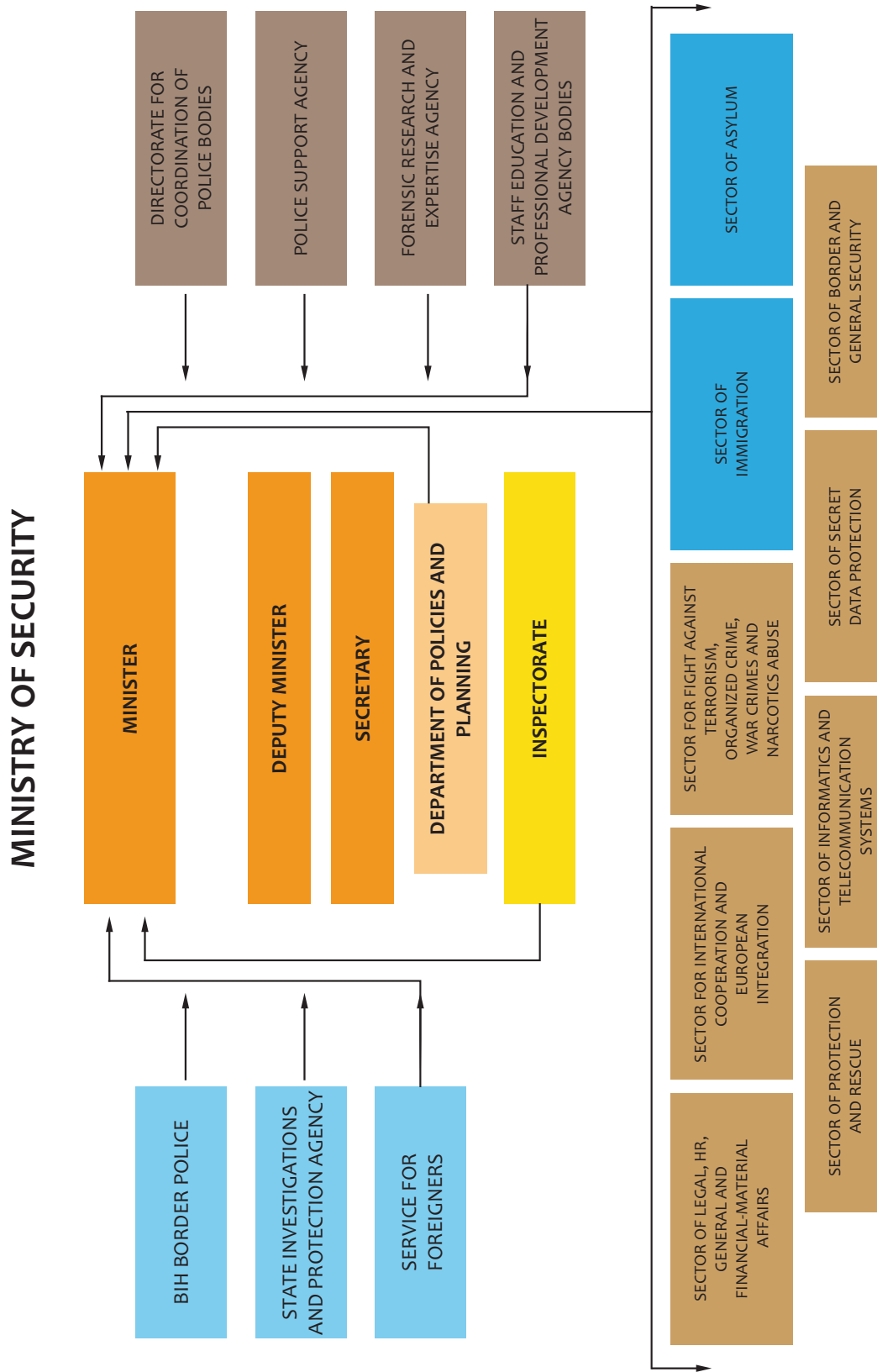
No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding		
				2016	2017	2018	2019	2020			
7.5.	Improve regional and international cooperation to exchange experience with other countries on integration of aliens										
7.5.1.	Participate in seminars, trainings, bilateral regional and international cooperation to exchange experience with other countries on integration of aliens	Ministry of Security – Immigration Sector	Government institutions with information on needs related to integration of foreigners with legal residence in Bosnia and Herzegovina	X	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina and donor funds - projects

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
7.5.2.	Hire experts for training on the integration of aliens with legal residence on the territory of Bosnia and Herzegovina and to provide assistance in the implementation of activities under this strategic goal	Ministry of Security – Immigration Sector			X	X	X	X	Donor funds - projects

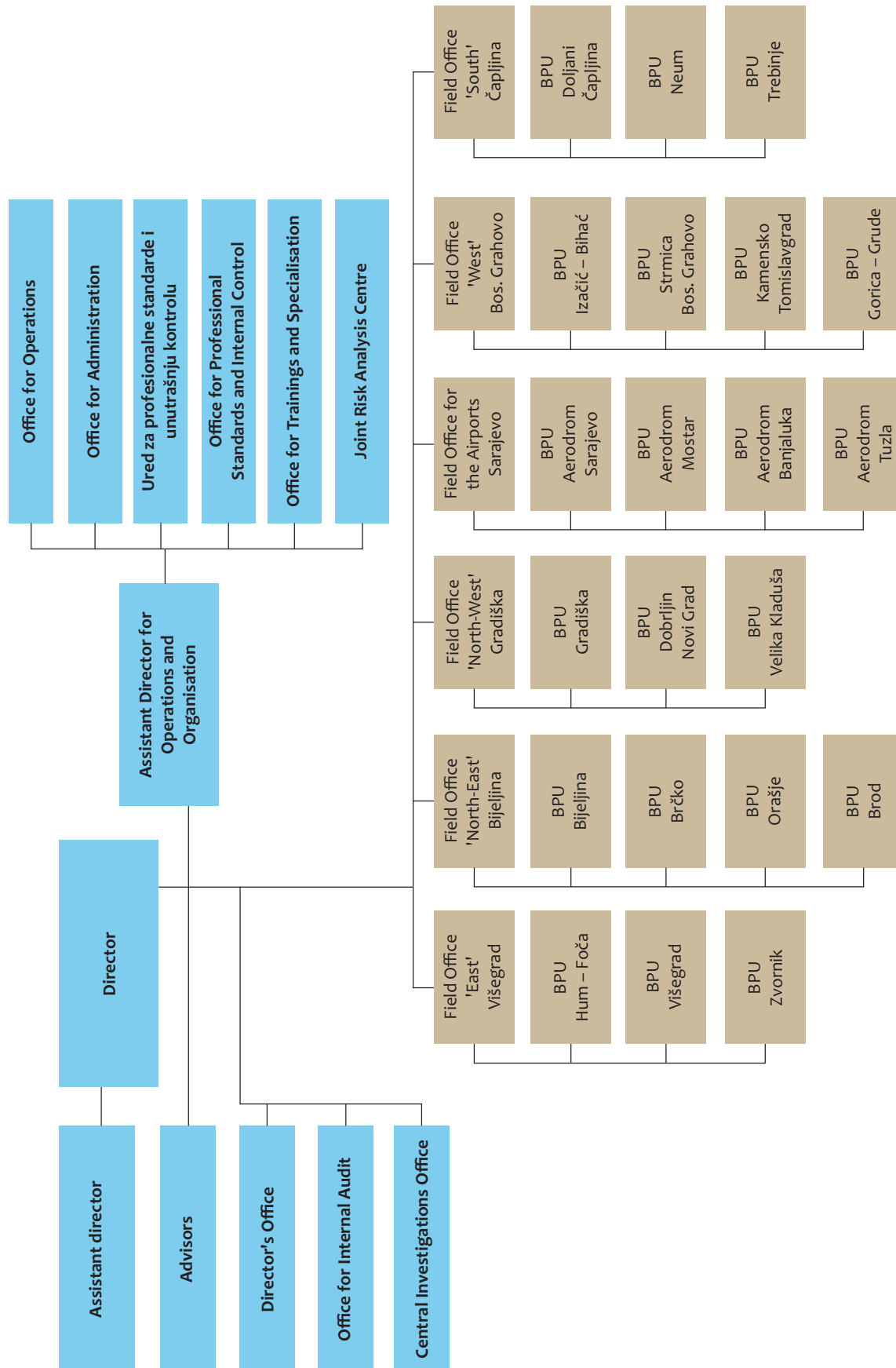
No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding	
				2016	2017	2018	2019	2020		
GOAL 8.	ESTABLISH A PERMANENT SYSTEM OF COORDINATION IN THE IMPLEMENTATION OF THE MIGRATION POLICY OF BOSNIA AND HERZEGOVINA									
8.1.	Continuous activity of the Coordination Body for Migrations in Bosnia and Herzegovina									
8.1.1.	Hold meetings of the Coordination Body	Ministry of Security - Immigration Sector	members of the Coordination Body for Migration Issues in Bosnia and Herzegovina	X	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

No.	Activity	Responsible for the activity	Cooperating	Implementation deadline					Source of funding
				2016	2017	2018	2019	2020	
8.1.2.	Issue reports on the work of the Coordination Body	Ministry of Security - Immigration Sector	members of the Coordination Body for Migration Issues in Bosnia and Herzegovina	X	X	X	X	X	Budget of the Institutions of Bosnia and Herzegovina

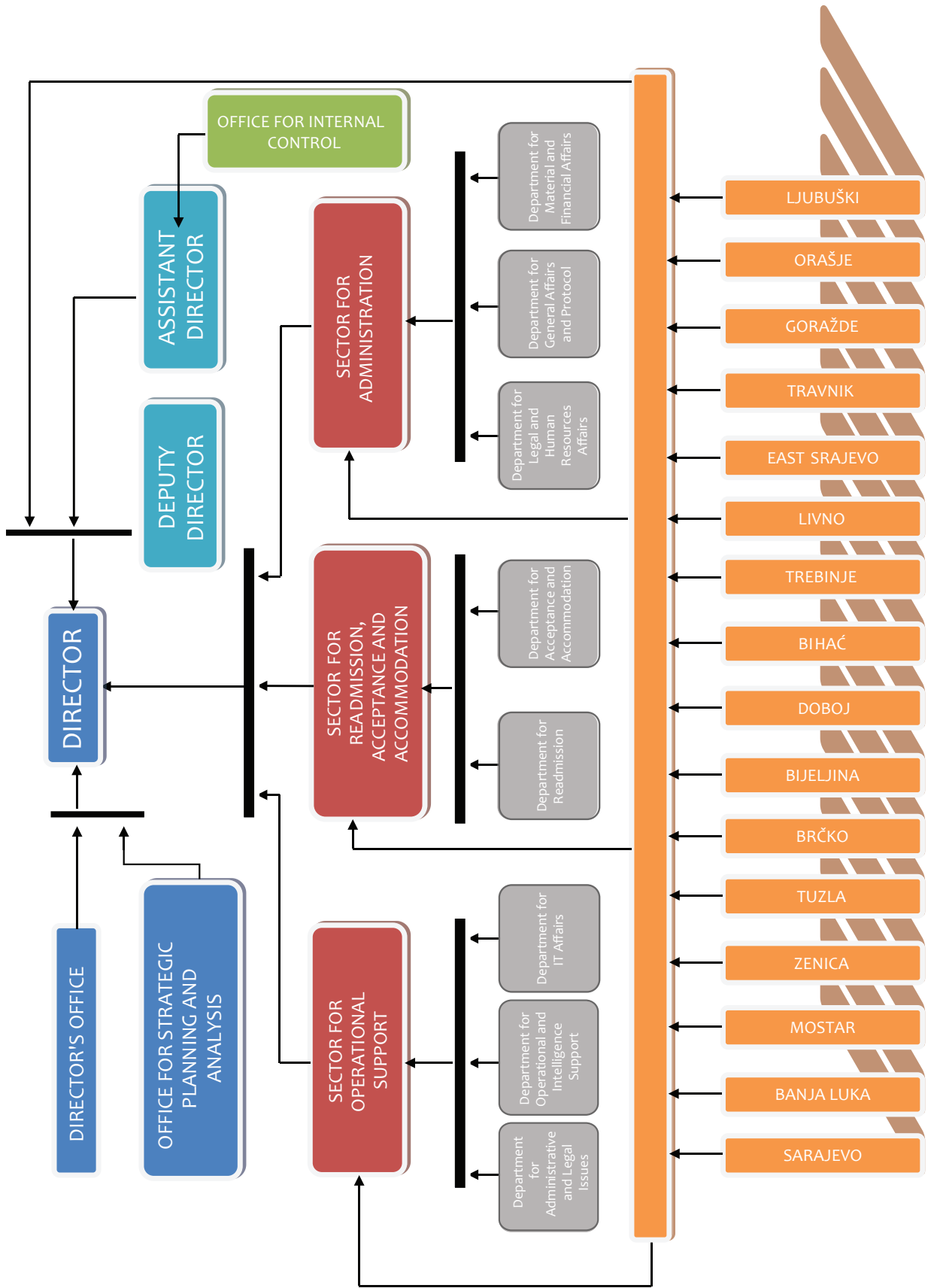
Annex 1: Organisation chart of the Ministry of Security of Bosnia and Herzegovina



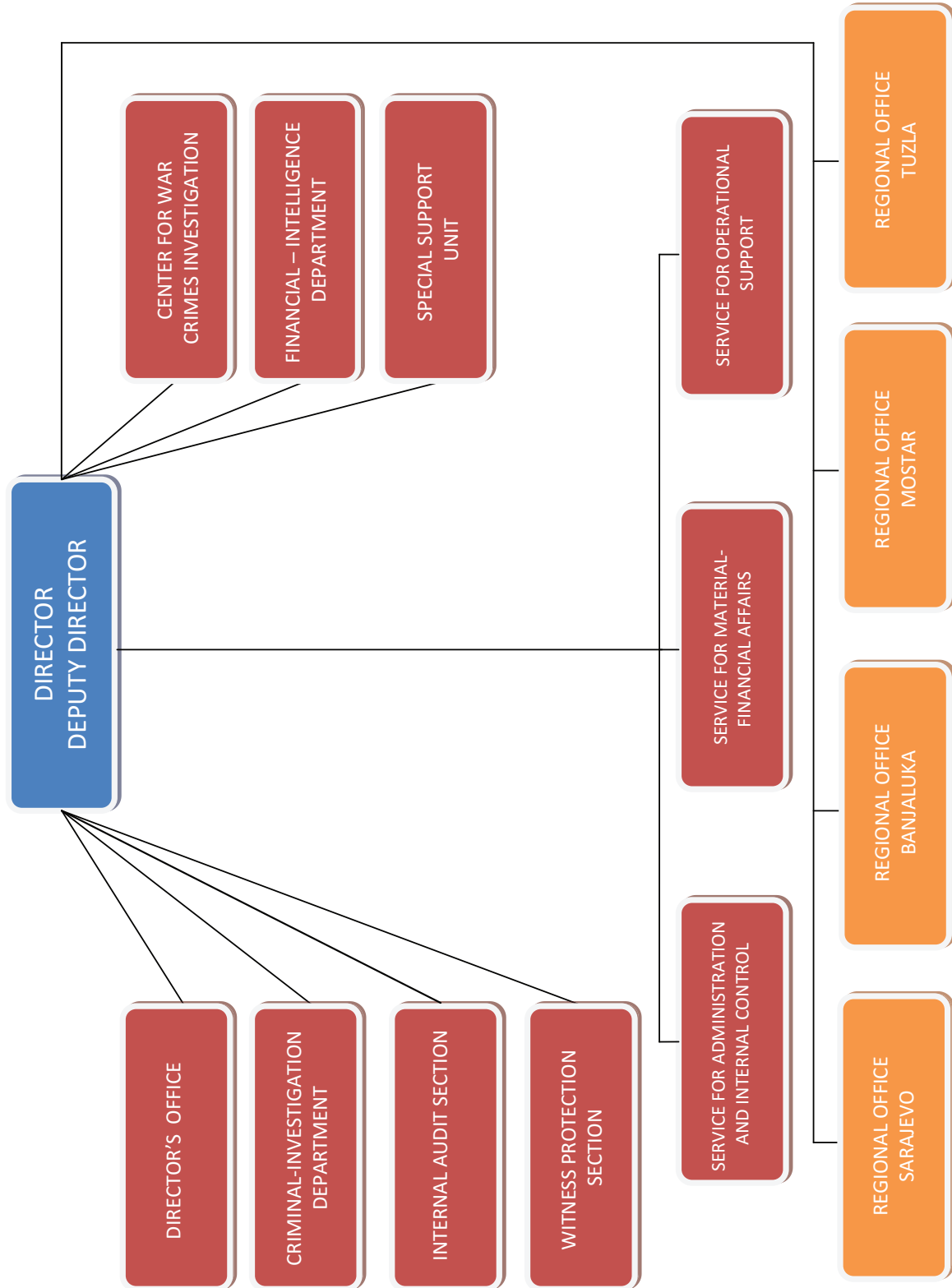
Annex 2. Organisational chart of the Border Police of Bosnia and Herzegovina



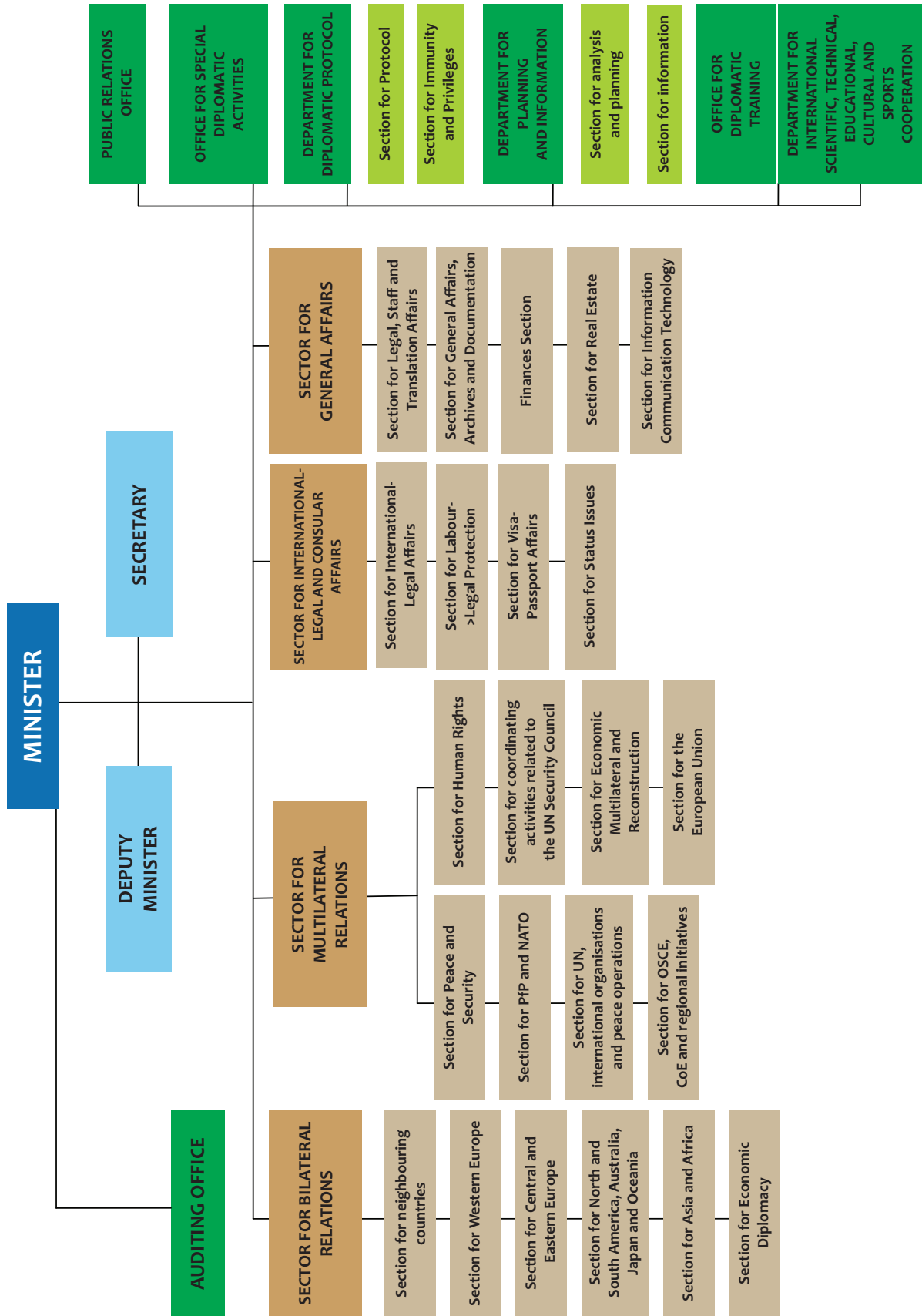
Annex 3. Organisational chart of the Service for Foreigners' Affairs



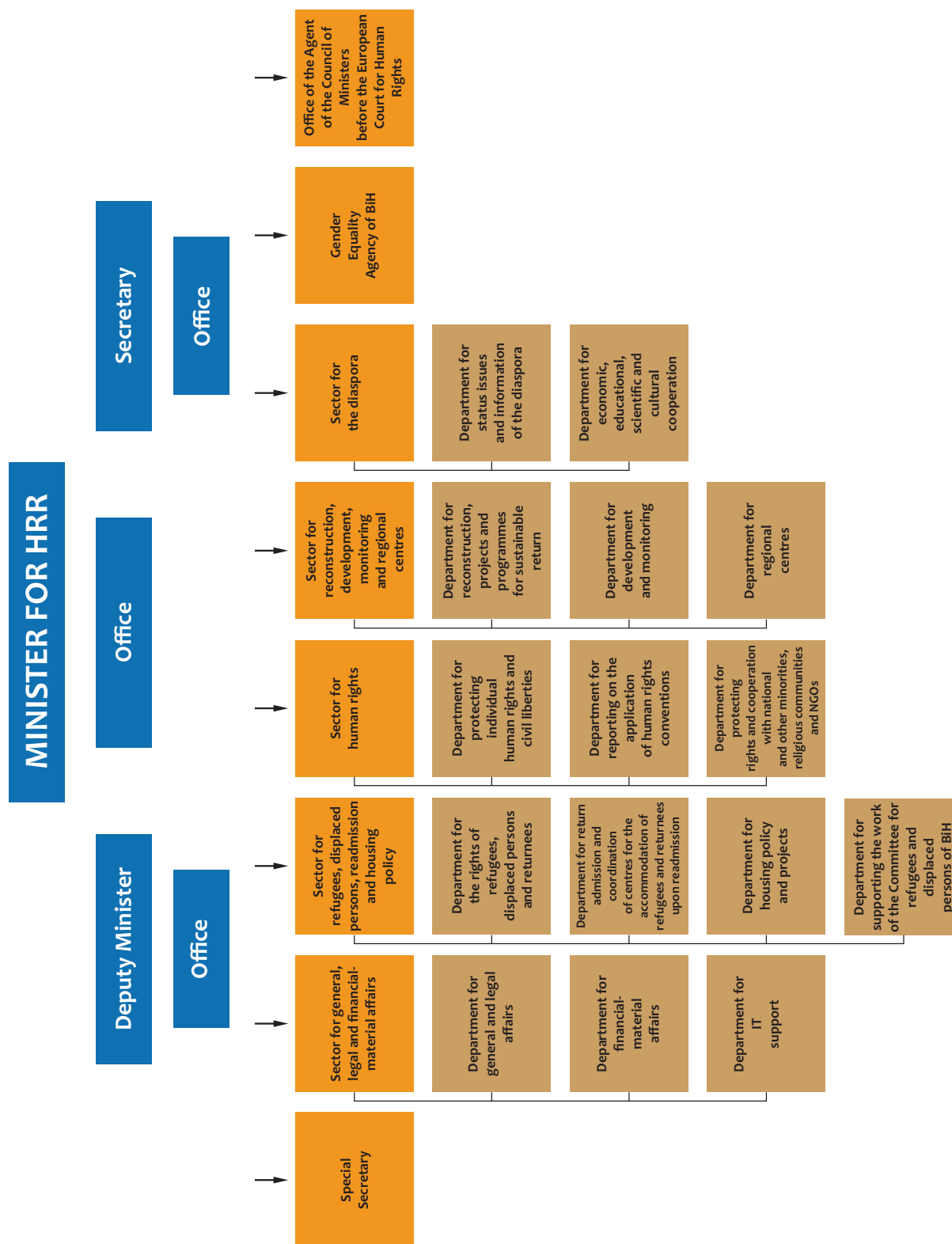
Annex 4. Organisational chart of the State Investigations and Protection Agency



Annex 5. Organisational chart of the Ministry of Foreign Affairs of Bosnia and Herzegovina



Annex 6. Organisational chart of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina



Annex 7.

Overview of current bylaws issued on the basis of the Law on Movement and Stay of Aliens and Asylum (Official Gazette of BiH, 36/08 and 87/12) and the Law on Border Control (Official Gazette of BiH, 53/09, 54/10 and 47/14)

A. Overview of bylaws issued on the basis of the Law on Movement and Stay of Aliens and Asylum, which shall remain in force until bylaws in line with the Law on Aliens (Official Gazette of BiH, 88/15) and Law on Asylum are enacted

MINISTRY OF SECURITY

Immigration and Asylum

1. **Rulebook on entry and stay of aliens (Official Gazette of BiH, 27/13)**
2. **Rulebook on monitoring and removal of aliens from Bosnia and Herzegovina (Official Gazette of BiH, 61/13)**
3. **Rulebook on protection of aliens, victims of human trafficking (Official Gazette of BiH, 49/13)**
4. **Rulebook on standards of functioning and other issues of relevance for the work of the Immigration Centre (Official Gazette of BiH, 105/08)**
5. **Rulebook on coverage of costs of return and placement of aliens under surveillance (Official Gazette of BiH, 2/09)**
6. **Rulebook on obligations of transporters and organisers of tourist and similar travel (Official Gazette of BiH, 17/09 and 69/13)**
7. **Rulebook on the central database on aliens (Official Gazette of BiH, 25/09 and 78/13)**
8. **Rulebook on the form and content of the application for travel documents for refugees, travel documents for stateless persons and the laissez-passer for aliens (Official Gazette of BiH, 78/09)**
9. **Rulebook on the content, maintenance and use of official records on aliens (Official Gazette of BiH, 50/13)**
10. **Rulebook on registering biometric characteristics of aliens (Official Gazette of BiH, 62/14)**
11. **Decision on the lowest amount of funds required to support an alien during his/her intended stay in Bosnia and Herzegovina (Official Gazette of BiH, 99/14)**
12. **Decision on determining valid humanitarian reasons to extend temporary residence for nationals of the Syrian Arab Republic (Official Gazette of BiH, 73/15)**

13. **Rulebook on international protection (asylum) in Bosnia and Herzegovina** (*Official Gazette of BiH, 37/09, 85/10 and 63/13*)
14. **Rulebook on standards of functioning and other issues of relevance for the work of the Asylum Centre** (*Official Gazette of BiH, 86/09*)
15. **Decision on start of issuing of travel documents for refugees with a contactless electronic memory element** (*Official Gazette of BiH, 19/14*)

MINISTRY OF FOREIGN AFFAIRS

Normative acts of the Council of Ministers of BiH at the proposal of the Ministry of Foreign Affairs of BiH:

1. **Decision on visas** (*Official Gazette of BiH, 3/15*)

Normative acts of the Ministry of Foreign Affairs of BiH:

1. **Rulebook on issuing visas for extended stay (VISA D) and procedures in issuing such visas** (*Official Gazette of BiH, 104/08*)
2. **Rulebook on issuing short-term visas (visa C) and airport transit visas (visa A) at diplomatic-consular missions of BiH** (*Official Gazette of BiH, 69/13*)
3. **Decision on changes to the Decision on consular coverage** (*Official Gazette of BiH, 84/13*)
4. **Instruction on procedure at diplomatic-consular missions of BiH upon request for issuance of a visa for entry into BiH by citizens of Kosovo**

MINISTRY OF CIVIL AFFAIRS

1. **Rulebook on assigning unique registration numbers to foreign nationals** (*Official Gazette of BiH, 39/02 and 2/09*)
2. **Rulebook on laissez-passer for aliens** (*Official Gazette of BiH, 80/09*)
3. **Rulebook on travel documents for stateless persons** (*Official Gazette of BiH, 80/09*)
4. **Rulebook on travel documents for refugees** (*Official Gazette of BiH, 80/09*)
5. **Rulebook on prices of travel documents** (*Official Gazette of BiH, 80/09*)
6. **Decision on determining the annual quota of work permits issued for the employment of foreign nationals in Bosnia and Herzegovina in 2015** (*Official Gazette of BiH, 98/14*)

MINISTRY FOR HUMAN RIGHTS AND REFUGEES OF BiH

Sector for refugees, displaced persons, readmission and housing policy

1. **Rulebook on access to the right to education for persons with recognised international protection in Bosnia and Herzegovina** (*Official Gazette of BiH, 83/08*)
2. **Rulebook on access to health insurance and healthcare for persons with recognised international protection in Bosnia and Herzegovina** (*Official Gazette of BiH, 54/10*)
3. **Rulebook on access to the right to work for persons with recognised international protection in Bosnia and Herzegovina** (*Official Gazette of BiH, 83/08*)
4. **Rulebook on access to the right to social security for persons with recognised international protection in Bosnia and Herzegovina** (*Official Gazette of BiH, 3/09 and 5/10*)
5. **Rulebook on personal status and entry into registries of birth, marriage and death for persons with recognised international protection in Bosnia and Herzegovina** (*Official Gazette of BiH, 54/10*)

OVERVIEW OF OTHER ACTS

1. **Rulebook on registration of nationals of Bosnia and Herzegovina returning under readmission agreements** (*Official Gazette of BiH, 63/11*)
2. **Decision on appointment of the National Coordinator of Bosnia and Herzegovina for cooperation and coordination with the Regional Center “Migration, Asylum and Refugees Regional Initiative”** (*Official Gazette of BiH, 76/15*)
3. **Decision on the obligation to submit statistical data on migrations and international protection to the Ministry of Security** (*Official Gazette of BiH, 83/09*)
4. **Decision on changes and amendments to the administrative tax rate** (*Official Gazette of BiH, 3/08 and 42/08*)
5. **Decision to form the Coordination Body for Migration Issues in Bosnia and Herzegovina** (*Official Gazette of BiH, 10/13, 64/13 and 1/14*)
6. **Instruction on the manner of temporary accommodation of nationals of Bosnia and Herzegovina under readmission agreements** (*Official Gazette of BiH, 39/13*)

B. Overview of bylaws issued on the basis of the Law on Border Control

MINISTRY OF SECURITY

Border Police of Bosnia and Herzegovina

1. **Rulebook on conditions and manner of determining and issuing a decision on border crossing areas** (*Official Gazette of BiH, 92/09*)
2. **Decision on conditions and manner of issuing approval to crew members of foreign vessels for movement in the port-of-call** (*Official Gazette of BiH, 3/10*)
3. **Rulebook on manner of carrying out border checks and entering data into travel documents - issued by the Director of the BiH Border Police** (*Official Gazette of BiH, 103/14*)
4. **Rulebook on issuing border authorisations** (*Official Gazette of BiH, 3/10*)
5. **Rulebook on border controls in international transit** (*Official Gazette of BiH, 3/10*)
6. **Rulebook on installing and use of technological aids and photographing, recording and use of video surveillance at border crossing points on the state border** (*Official Gazette of BiH, 5/10*)
7. **Rulebook on performance and costs of border controls at alternate locations in the event of special and justified reasons** (*Official Gazette of BiH, 5/10*)
8. **Rulebook on the procedure to determine and resolve border incidents and other breaches of the state border** (*Official Gazette of BiH, 6/10*)
9. **Rulebook on standards and conditions for construction and equipment of border crossing points** (*Official Gazette of BiH, 6/10*)
10. **Rulebook on procedure to determine a temporary border crossing point** (*Official Gazette of BiH, 6/10*)
11. **Rulebook on the form and content of signs and other traffic signalisation to mark a border crossing point and its area, and on the mounting of such signs and signalisation** (*Official Gazette of BiH, 17/10*)
12. **Rulebook on the manner for performing controls of arms and ammunition transfers across the state border** (*Official Gazette of BiH, 32/10*)

Annex 8.

Overview of conventions, protocols and the European Union acquis used in the development of the Strategy on Migrations and Asylum and the Action Plan 2016-2020

A. Conventions and protocols

1. Convention for the Protection of Human Rights and Fundamental Freedoms
2. Convention concerning the Status of Refugees from 1951 and Protocol on Refugee Status from 1967
3. Convention on the Rights of the Child and Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
4. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
5. European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
6. Convention relating to the Status of Stateless Persons
7. Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
8. Council of Europe Convention on Action against Trafficking in Human Beings
9. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime
10. UN Convention on the Elimination of all Forms of Racial Discrimination

B. European Union acquis

1. 1. Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985
2. Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals
3. Council Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx; receiving such persons and bearing the consequences thereof

4. Council Directive 2003/86/EC on the right to family reunification
5. Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection
6. Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection
7. Directive 2011/95/EU of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted
8. Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities
9. Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)
10. Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents
11. Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)
12. Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification
13. Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purpose of scientific research
14. Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence
15. Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service
16. Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals
17. Council framework Decision of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence
18. Council Directive 2003/110/EC of 25 November 2003 on assistance in cases of transit for the purposes of removal by air

19. Council Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers network
20. Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice
21. Council Regulation (EC) No 380/2008 of 18 April 2008 amending Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals
22. Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers
23. Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment
24. Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers
25. Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer

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