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**PROCEDURE REGARDING DEPLOYMENT OF
ARMED FORCES PERSONNEL
TO MISSIONS ABROAD**

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The research results are intended for the representatives and delegates who may forward further questions, suggestions and comments via email: istrazivacki.sektor@parlament.ba.

Citizens of Bosnia and Herzegovina may comment on the works, however, the Research Section is not capable of responding to the comments and discuss the research itself.

Information included in the research content is relevant at the time of research preparation and shall not be subject to update upon publication. .

The research does not reflect the official position of the Parliamentary Assembly of Bosnia and Herzegovina (PABiH).

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I. INTRODUCTION

As a part of security, foreign and defense policy, states have established legal frameworks for the deployment of armed forces personnel to missions abroad, which clearly indicate the extent of democratic control in this area.

Regarding the Parliamentary conference on the experiences in deploying armed forces personnel to peacemaking missions abroad, the Research Section prepared a survey of procedures regarding the engagement of armed forces in missions abroad which are applied by Bosnia and Herzegovina, Montenegro, Macedonia, Moldova, Serbia, Albania, Bulgaria, Croatia, Romania and Slovenia respectively.¹

II. PROCEDURE REGARDING DEPLOYMENT OF ARMED FORCES PERSONNEL TO MISSIONS ABROAD

A. Bosnia and Herzegovina

The procedure concerning deployment of members of the Armed Forces to missions outside the territory of Bosnia and Herzegovina is regulated by the *Law on Defense of Bosnia and Herzegovina*² which provides general guidelines, and the *Law on the Participation of Members of the Armed Forces of Bosnia and Herzegovina, Police Officers, Civil Servants and other Employees in Peace Support Missions and other Activities Abroad*³ passed in 2005. In addition, the Guidelines for Defense Planning issued by the Ministry of Defense of Bosnia and Herzegovina set the participation in activities on defining the possible engagement of the Armed Forces of BiH in NATO-led peace support operations and UN peacekeeping missions, as a functional and operational priority.⁴

The Law on Defense of Bosnia and Herzegovina

Under this Law, the tasks of the Armed Forces of Bosnia and Herzegovina include, among other things, the participation in collective security operations, peace support and self-defense operations, and the fight against terrorism, as well as meeting the international obligations by Bosnia and Herzegovina.⁵ The Presidency of Bosnia and Herzegovina is in charge of deploying the Armed Forces in operations during the state of war, emergency or peacemaking operations abroad, in accordance with law.⁶ Among other things, the Ministry of Defense of Bosnia and Herzegovina is responsible for the international representation of Bosnia and Herzegovina in defense matters, and for communicating to the Council of Ministers of Bosnia and Herzegovina a proposal to initiate the participation in peace support operations.⁷

¹Five of these countries are NATO members.

² Official Gazette of BiH, No. 88/05, Source - website of Official Gazette of BiH: <http://www.slist.ba> (downloaded on 2 June 2011)

³ "Official Gazette of BiH" number 14/05. Source - website of Official Gazette of BiH: <http://www.slist.ba>. The Law was enacted on 22 February 2005 (downloaded on 24 May 2011)

⁴ Source: website of the Ministry of Defense of Bosnia and Herzegovina: <http://www.mod.gov.ba/> (downloaded on 13 June 2011)

⁵ Article 4(a) and (e) and Article 6(c) of the Law on Defense

⁶ Article 12(c) of the Law on Defense

⁷ Article 13(s) and (u) of the Law on Defense

The Law on the Participation of Members of the Armed Forces of Bosnia and Herzegovina, Police Officers, Civil Servants and other Employees in Peace Support Missions and other Activities Abroad

In general, this Law foresees that the Armed Forces of Bosnia and Herzegovina (BiH) may be engaged in peace support operations and other activities outside the State borders upon a decision of the Presidency of Bosnia and Herzegovina. Peace support operations and other activities include conflict prevention operations, peace keeping operations, operations to establish, maintain and build peace and remove the consequences of terrorist attacks.

The procedure regarding decision on participation of the BiH representatives in the peace support operations and other activities abroad

Prior to rendering a decision, the Presidency of BiH shall obtain from the Council of Ministers of Bosnia and Herzegovina an assessment of justifiability of the participation in a specific action. That assessment shall include the foreign policy, security, defense and financial aspects. The Council of Ministers is obliged to provide the assessment within 60 days as of receiving the request of the Presidency of BiH. Upon proposal of any Ministry or relevant State or entity authorities, the Council of Ministers may decide to launch before the Presidency of BiH an informed initiative on the participation in peace support operations.⁸

The Parliamentary Assembly of Bosnia and Herzegovina shall be obliged to consider a decision of the Presidency of BiH on participation of the members of the Armed Forces, Police Officers, civil servants and employees in the peace support operations within 60 days as of rendering the decision. If the Parliamentary Assembly does not confirm the decision of the Presidency of BiH within the set deadline, the decision shall be deemed to be dismissed and all activities on its implementation shall be ceased.⁹

In rendering a decision on the participation of the BiH representatives in peace support operations and other activities, the following criteria shall be taken into account: the interest of the State of Bosnia and Herzegovina, the existence of international obligations assumed by international and inter-state treaties and agreements, defined rules of engagement with clear objectives and defined expenditures.¹⁰

Procedure for issuing an order to deploy the members and units of the Armed Forces of Bosnia and Herzegovina abroad, so as to participate in the peace support operations and other activities¹¹

Members of the Armed Forces of BiH shall be deployed to peace support operations and other activities abroad upon an order by the Minister of Defense, based on the referenced two laws. Prior to issuing the order, the Minister of Defense of BiH shall be obliged to obtain approval from the Presidency of Bosnia and Herzegovina for participation in any specific activity.

⁸ Article 4 of the Law on Participation of Members of the Armed Forces of Bosnia and Herzegovina, Police Officers, Civil Servants and other Employees in Peace Support Missions and other Activities Abroad

⁹ Article 6 of the Law above

¹⁰ Article 7 of the Law above

¹¹ Articles 8, 9, 19 and 11 of the Law above

In regard to humanitarian operations, being independent operations in the case of natural disasters, technical-technological or ecological accidents, the Minister of Defense shall be obliged to immediately notify the Council of Ministers, the Presidency and the Parliamentary Assembly of his decision on participation of the members and units of the Armed Forces of BiH. If the Presidency and the Parliamentary Assembly do not approve the activities within 30 days as of the order issuance, the Minister of Defense shall be obliged to issue an order to immediately withdraw the members and units of the Armed Forces of Bosnia and Herzegovina.

Members and units of the Armed Forces shall participate in regular training and military exercises based on the annual plan for training and exercises abroad. Until 15 September of the current year at the latest, the Minister of Defense shall inform the Council of Ministers of the annual training and exercises plan for the next calendar year and forward the information on the annual plan to the Parliamentary Assembly and the Presidency without delay.

Change of mandate and withdrawal in case of emergencies

If, during the operation, its character changes thus seriously jeopardizing the interests of Bosnia and Herzegovina or causing an unacceptable risk for lives of the BiH representatives in the peacekeeping operations and other activities, the Presidency of BiH may render a decision to momentarily withdraw a part or the entire contingent of the representatives of Bosnia and Herzegovina.¹²

Commanding and Reporting

The BiH representatives in the peacekeeping operations and other activities abroad, during the preparation, deployment and the executions of the operation shall be subordinated to the Commander – Chief of Mission appointed by the authority in charge of taking the decision on participation. In meeting his obligations and duties, the Commander – Chief of Mission shall be subordinated to the Command of Multinational Forces and authorities of Bosnia and Herzegovina. In case that the assigned tasks and duties are in conflict with the law or decisions of the competent authority of BiH, the Commander-Chief of Mission shall act under the laws of Bosnia and Herzegovina, unless otherwise stipulated in the international treaty.¹³

The Presidency and the Council of Ministers shall submit the reports to the Parliamentary Assembly on a regular basis twice a year, and a special report on an as needed basis and upon request by the Parliamentary Assembly. The report to the Parliamentary Assembly should include information on the nature of the mission, structure of the forces, the field situation and the results of the mission. The Parliamentary Assembly shall consider the participation of the BiH representatives in the peacekeeping operations twice a year and, by the end of September of the current year, it shall render a decision on justifiability and the extent of participation in peace support operations in the year to come.¹⁴

¹² Article 14 of the Law on Participation of Members of the Armed Forces of Bosnia and Herzegovina, Police Officers, Civil Servants and other Employees in Peace Support Missions and other Activities Abroad

¹³ Article 15 of the referenced Law

¹⁴ Articles 16 and 17 of the referenced Law

Authority to implement a decision

Ministries, that is, the State administration of Bosnia and Herzegovina and the entities shall provide technical assistance from their scope, in the procedure regarding the deployment of the members of the BiH Armed Forces, police officers and civil servants and other employees abroad, crossing the State border, monitoring of their engagement and stay abroad, and withdrawal from abroad and their return to Bosnia and Herzegovina.¹⁵

Participants in peace support operations and other activities abroad

Only trained and prepared members of the Armed Forces of BiH may be deployed to the peace support operations and other activities abroad. Members of professional formations of the Armed Forces of BiH and Police may be deployed abroad to participate in peace support operations and other activities abroad, while members of the reserve formations of the Armed Forces of BiH may only be deployed abroad to provide humanitarian aid and participate in exercises and training based on an international treaty and on voluntary basis. Conscripts may not be deployed to the peace support operations and other activities abroad.¹⁶

This Law shall guarantee the rights of the representatives of BiH deployed abroad to participate in peacekeeping operations and other activities, such as diplomatic and legal assistance and protection of human rights secured by the Constitution of Bosnia and Herzegovina, the right to paid leave during the peacekeeping operations, return to the previous post, that is, transfer to another post in accordance with the qualifications and rank, that is, title, the right to compensations for a damage in case of any physical injury or death, which are to be defined by special regulations.¹⁷

Financing

Funds required for funding the preparations, equipment, deployment and participation of the members of the Armed Forces of BiH, police officers and civil servants and other persons and their withdrawal from peace support operations and other activities abroad, shall be secured from the budget of the institutions of Bosnia and Herzegovina.¹⁸

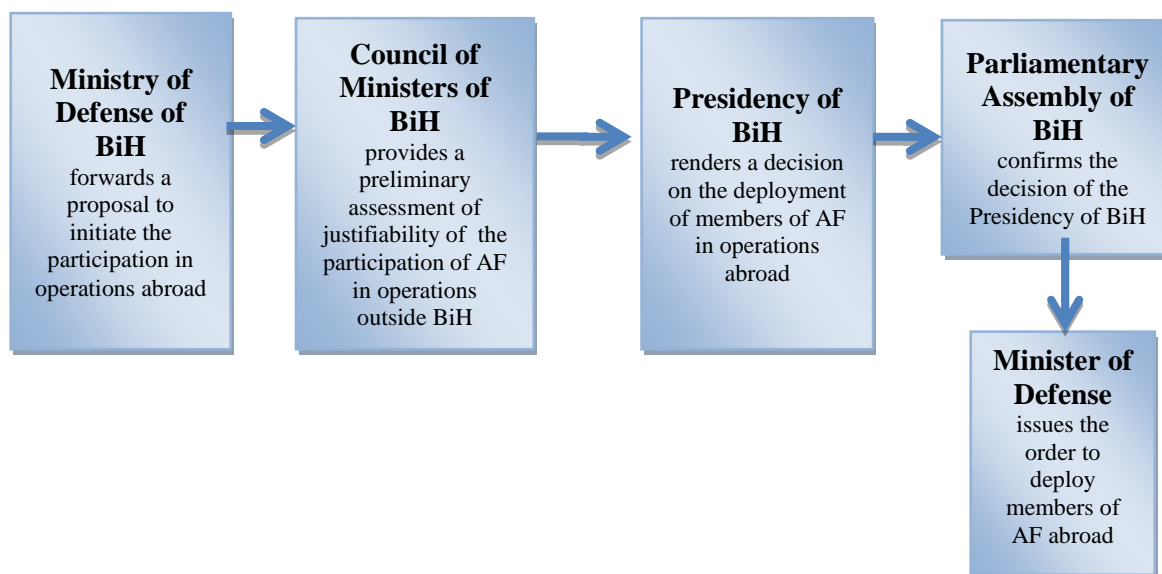
¹⁵ Articles 18 through 20 of the Law on Participation of Members of the Armed Forces of Bosnia and Herzegovina, Police Officers, Civil Servants and other Employees in Peace Support Missions and other Activities Abroad

¹⁶ Conscript service in Bosnia and Herzegovina was abolished by the Law on Defense of BiH, Official Gazette of 88/05 of 28 September 2005. According to Article 23 of this Law, the Armed Forces of BiH consist of professional military personnel, members of reserve formations engaged in military service, civil personnel and cadets.

¹⁷ Articles 21 through 23 of the referenced Law

¹⁸ Article 25 of the referenced Law

Figure 1. The procedure regarding deployment of the members of the Armed Forces of Bosnia and Herzegovina in peace support operations and other activities abroad:



B. Montenegro

Deployment of members of the Armed Forces of Montenegro to operations abroad is regulated by the *Constitution*, the *Law on Defense* and the *Law on Deployment of Units of the Armed Forces of Montenegro to International Forces and the Participation of Members of the Civil Protection, Police and Public Administration Employees in international missions and other activities abroad*.

*The Constitution*¹⁹

The Constitution stipulates that the Parliament of Montenegro shall decide on the use of the units of the Army of Montenegro in international forces and it shall control the Army and the security services.²⁰ The Parliament of Montenegro enacts the laws on certain fields by majority vote of all representatives, and legislation regulating the defense, security and army are also such laws.²¹ Article 129 of the Constitution stipulating the function and the competence of the Army of Montenegro, foresees among other things, that the “members of the Armed Forces may constitute a part of the international forces”.

Pursuant to Article 130 of the Constitution, the Council for Defense and Security shall, among other things, propose the use of the Armed Forces in international forces (point 5). The Council for Defense and Security consists of the following: the President of Montenegro,

¹⁹ Source: website of the Parliament of the Republic of Montenegro: <http://www.skupstina.me/> (downloaded on 31 May 2011)

²⁰ Articles 82.8 and 82.10 of the Constitution of Montenegro

²¹ Article 91(2) of the Constitution

the President of the Parliament and the President of the Government. The President of Montenegro is the Chairman of the Council for Defense and Security.²²

*The Law on Defense*²³

In accordance with this Law, the Parliament of Montenegro controls the Armed Forces and the security services, and decides on the participation of the Armed Forces in peacekeeping operations abroad.²⁴ The Council for Defense and Security proposes, among other things, the participation of the Armed Forces in peacekeeping operations abroad (Article 35(4)). The Ministry of Defense is also responsible for the organization and execution of international cooperation in the field of defense.

The Law on Defense foresees that defense interests shall be effectuated through activities which are of interest for the defense, cooperation with international organizations and institutions, confidence building, security and stability in the region, implementation of activities within the Partnership for Peace program, admission process, Euro-Atlantic and other regional security structures, in accordance with national and international law.²⁵

Law on the Deployment of Units of the Armed Forces of Montenegro to International Forces

The procedure regarding the deployment of members of the Armed Forces of Montenegro to the peacekeeping operations has been foreseen in detail in the 2008 *Law on the Deployment of Units of the Armed Forces of Montenegro to International Forces and Participation of Members of Civil Protection, Police and Public Administration Employees in International Missions and other Activities Abroad*.²⁶

Deployment of units of the Armed Forces to international forces and the participation of members of civil protection, police and public administration employees in international missions and other activities abroad shall refer to activities for achieving and keeping peace, activities within the framework of peacekeeping forces and peacekeeping missions, humanitarian aid activities, encouragement of development of democracy, legal security and protection of human rights within the framework of international organizations and alliances, and activities to which Montenegro is bound by international treaties.²⁷

During the state of emergencies or the state of war in Montenegro, a decision on the deployment of Armed Forces units to international forces or the participation of members of the civil protection, police and public administration employees in international missions and other activities abroad cannot be rendered.²⁸

Upon proposal of the Council for Defense and Security, the Parliament of Montenegro shall decide on the usage of the Armed Forces units to the international forces, while the Council

²² Article 131 of the Constitution

²³ Law on Defence of Montenegro, "Official Gazette of Montenegro", No. 47/07 published on 07.08.2007, No. 86/09 published on 25.12.2009, No. 88/09 published on 31.12.2009, No. 25/10 published on 05.05.2010

²⁴ Article 31(1) and (4) of the Law on Defense of Montenegro

²⁵ Article 4 of the Law on Defense of Montenegro

²⁶ "Official Gazette of Montenegro", No. 61/08 of 13 October 2008. Source: website of the Ministry of Defense of Montenegro: www.mod.gov.me (downloaded on 2 June 2011)

²⁷ Article 2 of the Law on Deployment of the Armed Forces of Montenegro Units to the International Forces

²⁸ Article 3 of the Law

for Defense and Security shall decide on the participation of the members of the Armed Forces in exercises and training abroad, in compliance with the assumed international obligations. These decisions shall be effectuated by the Minister of Defense, and the units of the Armed Forces shall be manned on a voluntary basis (Articles 4 and 5). The funds required for funding the referenced activities abroad shall be secured from the budget of Montenegro.

Prepared, trained and equipped units of the Armed Forces and members of civil defense and employees shall be deployed to the international forces, i.e. peacekeeping missions and other activities. The preparation, training and equipping, as well as control and coordination of their engagement shall be carried out by public administration bodies that implement decisions on their deployment.²⁹ Criteria for recruitment, preparation, training and equipping the Armed Forces units for their engagement in the international forces, as well as for the selection, preparation, training and equipping of members of the civil defense and employees, to participate in peacekeeping missions and other activities abroad, shall be regulated by the Government.³⁰

In the case of significant changes of circumstances for the implementation of the activities or if the Armed Forces units should be under major threat or if the state of emergency or war are declared in Montenegro, the decision on the further engagement, i.e. withdrawal of the Armed Forces units shall be made by the Parliament, upon the proposal of the Council for Defense and Security. If the Parliament is not able to convene, the decision shall be made by the Council. The Council shall file the decision to the Parliament for approval as soon as the Parliament is able to convene (Article 10).

The Council for Defense and Security shall submit to the Parliament an annual report on the deployment of the Armed Forces units. The Minister of Defense shall, at least annually, submit to the Council a report on the engagement of units of the Armed Forces in exercises or training abroad (Article 11).

Time spent on the referenced activities abroad shall be considered as a service in the Armed Forces, that is, included in the years of service as the double period, in accordance with the regulations on pension and disability insurance (and it shall also include the time spent in captivity or in treatment because of illness or injuries incurred during the activities).³¹ During the time of activities carried out abroad, members of the Armed Forces, civil defence and employees shall have the right to diplomatic and consular assistance and protection of Montenegro, and their rights and duties shall be regulated by contract. They shall be entitled to compensation of salary and other earnings, at least in the amount to be received if they are in service in the Armed Forces or employed in Montenegro, as well as other reimbursements, the right to health care and health insurance in accordance with the regulations governing the service in the Armed Forces, regulations on labor, health and pension and disability insurance. In addition they shall be entitled to earnings and other income prescribed by the Government, in accordance with international treaties or other international documents (Articles 13 and 14).

²⁹ Article 8 of the Law on Deployment of the Armed Forces of Montenegro Units to the International Forces

³⁰ Article 9 of the referenced Law

³¹ Article 15 of the referenced Law

A member of the Armed Forces, civil defense and employees shall be entitled to indemnity and other rights in case of injury, wounds or illness incurred during participation in the referenced activities, in accordance with the indemnity provisions of the international organization under whose mandate the peacekeeping mission or other activity abroad have been implemented. Family members of a person who got killed, deceased or missing shall be entitled to the stated right. If these persons do not exercise the referenced rights, Montenegro shall guarantee the exercise of these rights in accordance with general regulations.³² Members of the Armed Forces, civil defence and employees, while participating in the referenced activities, including the time spent on approved leave in the country, shall be insured in the case of: injury, wound, illness or death.³³ A member of the Armed Forces, civil defense and employee, who is wounded, injured or ill for the time spent in activities abroad, and family members of a person who got killed, deceased or missing, shall enjoy the rights in accordance with the regulations on disability and veteran protection.³⁴

The members of the Armed Forces, civil defence and employees, while participating in activities abroad, shall be committed to represent the interests of Montenegro, according to the mandate of the mission, or other activity abroad; faithfully perform the duties and respect the chain of command and control, and to respect the legal order of the state in which they work and international law standards.³⁵ They shall be subject to disciplinary, material and criminal responsibility, in accordance with the regulations of Montenegro, international conventions and agreements on the status of international forces.

Figure 2. Rendering a decision on the deployment of members of the Armed Forces of Montenegro abroad:



C. Macedonia

*The Constitution*³⁶

Pursuant to Article 86 of the Constitution, the President of the Republic is the Chairman of the Security Council of the Republic of Macedonia. The Council consists of the following: The President of the Republic, the President of the Parliament, the President of the Government, Ministers responsible for the State administration authorities in the fields of security, defense and foreign affairs, and three members appointed by the President of the

³² Article 16 of the Law on Deployment of the Armed Forces of Montenegro Units to the International Forces

³³ Article 18 of the Law

³⁴ Article 17 of the Law

³⁵ Article 19 of the Law

³⁶ The Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia, No. 52/1991. Source: www.pravo.org.mk (downloaded on 31 May 2011)

Republic. The Council considers issues related to security and defense of the Republic and files the proposals to the Parliament and the Government.

The Law on Defense

The procedure regarding deployment of the armed forces outside the territory of the Republic of Macedonia has been regulated by the 2001 *Law on Defense*.³⁷

According to this Law, one of the competences of the Parliament of the Republic of Macedonia is to decide on joining and resigning from collective security and defense systems. The Parliament shall decide on the ratification of international agreements which pertain to entering, transiting through or presence of armed forces of foreign countries on the territory of the Republic of Macedonia for exercise and training activities and participation in peacekeeping and humanitarian operations, as well as participation of the units of the Armed Forces of the Republic of Macedonia in such activities abroad.³⁸

Article 41 of the *Law on Defense* stipulates the following:

“In accordance with ratified international agreements, the active military and civilian personnel and members of the reserve forces of the Armed Forces serving in the Armed Forces, as well as employees in the Ministry of Defence may participate in exercises and training activities as well as humanitarian and peacekeeping operations outside the territory of the Republic of Macedonia.

The decision for deploying units of the Armed Forces outside the territory of the Republic for participation in exercises and training activities and humanitarian operations shall be made by the Government.

The decision for the participation of units of the Armed Forces outside the territory of the Republic for participation in the peacekeeping operations shall be made by the Parliament of the Republic.

The decision on deploying the Ministry of Defense employees outside the territory of the Republic in cases of Paragraph 1 of this Article shall be made by the Minister of Defense.”

Article 41.a reads that, notwithstanding Article 41(3) (*deployment to the peacekeeping operations by the decision of the Parliament*), a decision on the deployment of the Armed Forces units outside the territory of the Republic of Macedonia to participate in peacekeeping operations under the NATO command and in exercising the right to individual or collective self-defense, in accordance with ratified international treaties, shall be made by the Government.

According to Article 42, conscripts during their conscript service in the Armed Forces may not be assigned to active units of the Armed Forces deployed outside the territory of the

³⁷ Official Gazette No. 42 of 1 June 2001, the Law was amended and supplemented in 2003 (Official Gazette No. 05/03), 2006 (Official Gazette No. 58/06 of 11 May 2006.), 2008 (Official Gazette No. 110 of 2 September 2008), 2011. (Official Gazette No. 51 of 13 April 2011.). Source: website www.pravo.org.mk (downloaded on 31 May 2011)

³⁸ Article 17(6) and (7) of the Law on Defense

Republic for participation in exercises and training activities, humanitarian or peacekeeping operations.

According to Article 43, members of the reserve units of the Armed Forces may be assigned in the units of the Armed Forces outside the territory of the Republic if they volunteer. While being assigned outside the territory of the Republic, members from the reserve units of the Armed Forces have the status of professional soldiers or military officers or NCOs from the active units of the Armed Forces.

According to Article 44, the rights and responsibilities of members of the reserve of the Armed Forces, as well as of the employees of the Ministry of Defense who have been sent outside the territory of the Republic in cases from Article 43 of this Law, are regulated by a contract, signed with the Ministry of Defense.

Figure 3. Rendering a decision on the deployment of members of the Armed Forces of Macedonia to missions abroad:



D. Moldova

The Constitution

Pursuant to Article 66(1) of the Constitution of Moldova, it is prohibited to use the Armed Forces in meeting international obligations without the consent of the Parliament.³⁹ It is worth noting that, by its 1994 Constitution, Moldova proclaimed permanent neutrality (Article 11(1) of the Constitution of the Republic of Moldova).⁴⁰

*The Law on Defense*⁴¹

Pursuant to Article 6 of the Law, the Republic of Moldova may participate in international peacekeeping operations or humanitarian operations in compliance with the Law on the Participation of the Republic of Moldova in International Peacekeeping Operations and other normative regulations, in the interest of the peacekeeping, stability and strengthening of

³⁹ European Commission for Democracy through Law, Study no. 389/2006, Draft Report on the Democratic Control of the Armed Forces, 29 February 2008, str. 38.

⁴⁰ Source – official website of the President of the Republic of Moldova: <http://www.presedinte.md/>

⁴¹ The Law number 345-XV of 25 July 2003, on national defense, Official Gazette of the Republic of Moldova , No. 200-203/775, 19 September 2003. Source: Veaceslav Bugai, The Deployment of Troops and Parliamentary Oversight, str. 89 – 96, u CESS Harmonie Paper 24, SSR in the Republic of Moldova: Strengthening Oversight of the Security Sector, 2009, www.cess.org

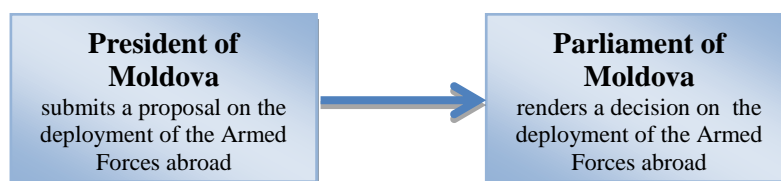
international security, and in line with the obligations Moldova assumed under international treaties.

*The Law on Participation of the Republic of Moldova in International Peacekeeping Operations*⁴²

This Law stipulates that the President of the State submits to the Parliament a proposal that should include information on the territory to which the members of the Armed Forces will be sent, the tasks and personnel, subordination, the duration of the mission and modalities of its extensions, order of rotations of personnel and conditions for the return to the country.⁴³ Based on the proposal of the President, the Parliament shall render a decision on the deployment of the Armed Forces abroad, in which process it should be guided by the fundamental interest of the country and its international obligations. The following requirements should also be satisfied: parties to the conflict must agree upon the arrival of the international peacekeeping forces, there must exist a clear and applicable international mandate and the armed forces to be deployed must be fully prepared for the specific peacekeeping operation.⁴⁴

According to Veaceslav Bugai⁴⁵, in practice, the decision making process is such that the Ministry of Foreign Affairs and the Ministry of Defense consider an international request for the participation of Moldova in an international peacekeeping operation. Then the Ministry of Defense provides the Supreme Security Council with a set of documents with required information and proposals. The Supreme Security Council, as the consultative body headed by the President of the State, considers the case and may preliminary approve the deployment of the Armed Forces abroad. If the Supreme Security Council has approved the troops to be deployed, the Government shall file a proposal with the Parliament. If the Parliament gives its consent thereof, a decision of the Parliament shall be rendered to be followed by a decision of the Government. As a part of the decision making process, there are preliminary hearings before the Parliamentary Caucuses and Committees, including the National Security Committee and the Defense and Public Order Committee, on which occasion the representatives of the Ministry of Defense provide information to and answer the questions of the delegates.

Figure 4. Rendering a decision on deployment of the members of the Armed Forces of Moldova to the operations abroad:



⁴² The Law number 1156-XIV of 26 July 2000, on participation of the Republic of Moldova in the international peacekeeping operations, Official Gazette of the Republic of Moldova, number 149-151/1106, 30 November 2000. Source: Veaceslav Bugai, The Deployment of Troops and Parliamentary Oversight, str. 89 – 96, u CESS Harmonie Paper 24, SSR in the Republic of Moldova: Strengthening Oversight of the Security Sector, 2009, www.cess.org

⁴³ Article 5 paragraph II of the Law number 1156-XIV

⁴⁴ Article 2 of the Law number 1156-XIV

⁴⁵ Veaceslav Bugai, The Deployment of Troops and Parliamentary Oversight, pp. 92-93, in CESS Harmonie Paper 24, SSR in the Republic of Moldova: Strengthening Oversight of the Security Sector, 2009, www.cess.org

E. Serbia

The procedure for sending members of the Armed Forces outside the territory of the Republic of Serbia is regulated by the *Constitution*, the *Law on Defense*, the *Law on the Serbian Armed Forces* and the *Law on Engagement of the Serbian Armed Forces and other Defense Forces in Multinational Operations outside the Republic of Serbia borders*.

The Constitution

Article 140 of the Constitution⁴⁶ (*Use of the Army Outside the Border*) stipulates that the Armed Forces of Serbia may be used outside the borders of the Republic of Serbia only upon the decision of the National Assembly of the Republic of Serbia.

*The Law on the Armed Forces of Serbia*⁴⁷

Article 2 of the Law foresees that the engagement of the Armed Forces outside the border of the Republic of Serbia shall be regulated by law.

*The Law on Defense*⁴⁸

The Law stipulates that the President of the Republic shall decide on the deployment of the Serbian Armed Forces in multinational operations outside the state borders upon the decision of the National Assembly which was preceded by a recommendation of the Government of the Republic of Serbia on the confirmation of international treaties related to defense and military cooperation. Pursuant to Article 5(4), the defense of the country shall take place through engagement in multinational operations.

The National Assembly shall enact laws and other defense regulations, perform democratic and civil control over the Armed Forces of Serbia, and decide on the use of the Armed Forces of Serbia outside the State borders.⁴⁹ According to law, the President of the Republic shall decide on the deployment of the Serbian Armed Forces in multinational operations upon a decision of the National Assembly on the use of the Armed Forces of Serbia outside the State borders.⁵⁰ The President's Decision shall be executed by the Ministry of Defense.⁵¹ The Government recommends to the National Assembly to enact a law on the confirmation of international treaties related to defense and military cooperation.⁵²

*Law on the Engagement of the Serbian Armed Forces and other Defense Forces in Multinational Operations Outside the Republic of Serbia Borders*⁵³

Under this Law, the engagement of the Serbian Armed Forces (hereinafter: SAF) and other defense forces in multinational operations shall be decided upon Annual Engagement Plan

⁴⁶ Source: Website of the National Assembly of the Republic of Serbia: <http://www.parlament.rs/>

⁴⁷ Source: Website of the National Assembly of the Republic of Serbia <http://www.parlament.rs/>

⁴⁸ Source: Website of the Serbian Armed Forces: www.vs.rs/

⁴⁹ Article 9(8) of the Law on Defense

⁵⁰ Article 11(9) of the Law above

⁵¹ Article 14(17) of the Law above

⁵² Article 12(6) of the Law above

⁵³ Source: website of the Ministry of Defense of the Republic of Serbia: www.mod.gov.rs/

determining their missions and tasks.⁵⁴ The National Assembly shall discuss and adopt the Annual Engagement Plan for the envisaged multinational operations in the current year. The National Assembly shall take a decision on participation of the SAF personnel in multinational operations, extension of their engagement and withdrawal from multinational operations on the basis of the adopted Annual Engagement Plan.⁵⁵

The President of the Republic, following the National Assembly's decision on the participation, and in line with law, shall decide on deployment of the SAF personnel in multinational operations, at the Defense Minister's proposal.⁵⁶

With regard to the withdrawal of the SAF personnel from multinational operations, Article 16 provides for the following: "Provided that the mandate of the mission is disturbed during the period of time envisaged for the realization of a multinational operation, or a serious threat to security and defense interests of the Republic of Serbia occurs, or lives of the SAF personnel and other defense forces members are jeopardized, or there are some unacceptable risks and threats to their security, and the National Assembly of Serbia is unable to convene, the Defense Minister, following a joint assessment with competent ministers, shall propose the President of the Republic to pass a decision on the immediate withdrawal of a part or all SAF personnel, or other defense forces prior to the completion of activities they have been engaged in. The decision from Paragraph 1 of this Article shall be immediately communicated to the Speaker of National Assembly of Serbia and the Prime Minister."

The SAF and other defense forces' personnel may be deployed in multinational operations only having completed training in the country or abroad; having been trained for specific tasks and possessing relevant training certificates for the participation in multinational operations.⁵⁷ This also refers to active reserve personnel whose rights and responsibilities pertaining to the participation in multinational operations shall be agreed upon by a separate contract. It is stipulated by the Law that conscripts shall not be deployed in multinational operations in accordance with the regulations on military conscription or civilian service.⁵⁸

However, in case of declaration of war or the state of emergency, the SAF personnel shall not be deployed in multinational operations until the state of war or the state of emergency has ceased to be in force, except for the joint defense operations as stipulated in the defense regulations.

The Defense Minister shall pass the Rules of engagement of the SAF members in any particular multinational operation. The Defense Minister shall also sign technical agreements stipulating engagement terms and conditions for the SAF personnel in multinational operations, aiming at fulfillment of responsibilities arising from an international agreement, on the basis of which a concrete multinational operation is carried out.⁵⁹

The SAF personnel shall not spend more than one year in continuum in a multinational operation, except in cases of being prevented from returning due to health reasons, technical

⁵⁴ Article 7 of the Law on Engagement of the Serbian Armed Forces and other Defense Forces in Multinational Operations outside the Republic of Serbia borders

⁵⁵ Article 8 of the Law above

⁵⁶ Article 9 of the Law above

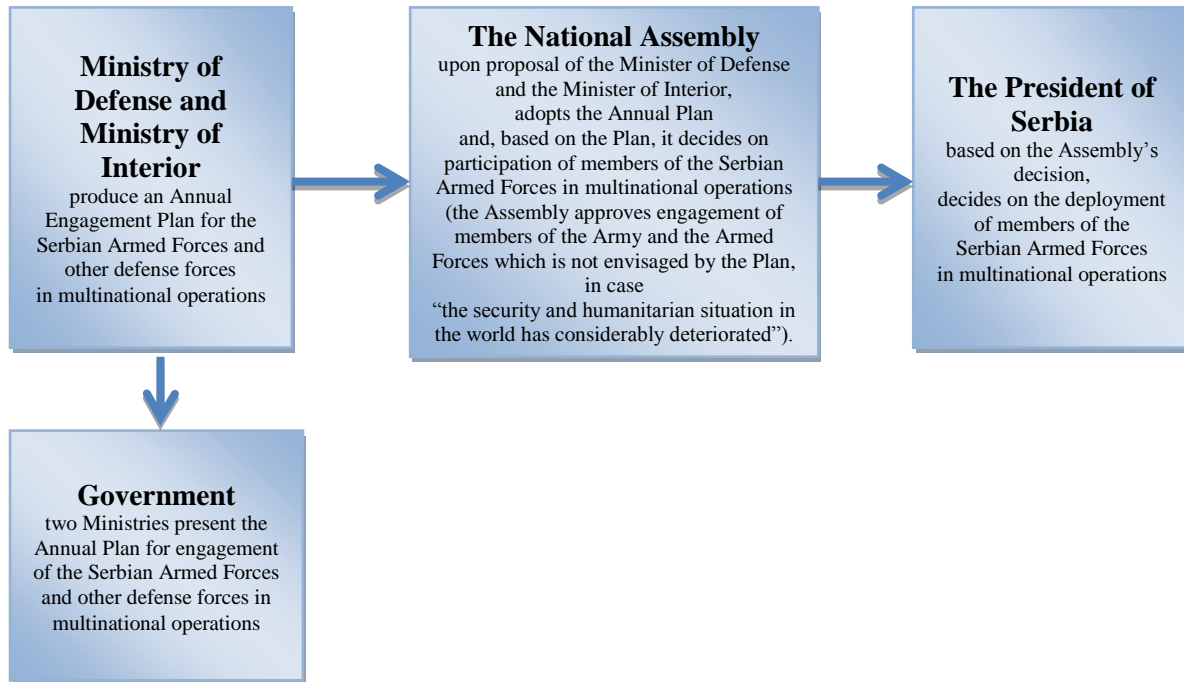
⁵⁷ Article 12 of the Law above

⁵⁸ Article 13(1) of the Law above

⁵⁹ Article 21 of the Law above

reasons or when requested by the commander of forces in the multinational operation to remain until the completion of the commenced activity.⁶⁰ Pre-deployment, participation and return related costs of the SAF personnel from multinational operations shall be covered from the Republic of Serbia budget.⁶¹

Figure 5. The procedure for the deployment of SAF personnel in operations outside the territory of the Republic of Serbia:



F. Albania⁶²

The procedure for sending members of the Armed Forces of Albania to missions abroad is regulated by *the Constitution and the Law on the manner and procedure of establishment and transfer of foreign military forces on the territory of the Republic of Albania, and for sending military forces of Albania abroad.*

Constitution

In accordance with the Constitution, no Albanian military force may be sent abroad, except by a law approved by a majority of all members of the Assembly of Albania.⁶³

⁶⁰ Article 11(9) of the Law on Engagement of the Serbian Armed Forces and other Defense Forces in Multinational Operations outside the Republic of Serbia borders

⁶¹ Article 37 of the Law above

⁶² Source: The answer of the Parliament of Albania, received on June 17, 2011 by email.

⁶³ Article 12 (3) of the Constitution of the Republic of Albania

*Law on the manner and procedure of establishment and transfer of foreign military forces on the territory of the Republic of Albania, and for sending military forces of Albania abroad*⁶⁴

This Law regulates the cases, method and procedures of participation of the Armed Forces of the Republic of Albania in international military cooperation, in Albania and abroad, respecting the Constitution, the United Nations Charter, the principles of the North Atlantic Treaty Organization, security documents of the European Union and international agreements ratified by the Republic of Albania.⁶⁵

Participation in international military cooperation means:

- a) participation of the Armed Forces of the Republic of Albania in international military operations;
- b) participation of the Armed Forces of the Republic of Albania in international military exercises or operations;
- c) the temporary establishment and transit of foreign military forces in the Republic of Albania, following the procedures set forth in this Law;
- d) participation in international humanitarian missions.

The Albanian Parliament may establish by law that the Republic of Albania participate in other forms of international military cooperation. The provisions of this Act do not apply to the Albanian military attaches, accredited in a foreign country, and their subordinates, and military attaches of other countries, accredited in the Republic of Albania, and their subordinates.⁶⁶

International military operations are:

1. Collective self-defense operations, carried out in accordance with international agreements, ratified by law and based on the rights recognized by Article 51 of the Charter of the United Nations, or to meet other legal obligations.
2. Military operations that are carried out to maintain and restore peace in accordance with Chapters VI and VII of the Charter of the United Nations, and other military operations, undertaken in accordance with international agreements ratified by law.
3. Organized international military operations organized, authorized or directed by the North Atlantic Organization (NATO) or the European Union.⁶⁷

Delegation of authority to command: the Competent authority under the Law on the powers and authorities of strategic command and direction of the Armed Forces of the Republic of Albania⁶⁸ may transfer, for the purposes of international military cooperation, parts of its military commander authority to a foreign state or to an international organization and in the same manner, he/she may accept an authority given by a military commander of a foreign state or an international organization. The Competent authorities for sending military units to military operations abroad, in any case, in the act on sending of the forces should define the mission and the mandate of these forces. The Chief of General Staff of the Armed Forces in

⁶⁴ Law no. 9363 of 24.03.2005, amended by Law no. 10218 of 04.02.2010

⁶⁵ Article 1 of the Law above

⁶⁶ Article 2 of the Law above

⁶⁷ Article 3 of the Law above

⁶⁸ Law no. 8671 of 26.10.2010., as amended

the execution of the defined mission and mandate adopts rules of engagement for the military unit.⁶⁹

Procedure concerning participation of the Armed Forces of the Republic of Albania in collective self-defense operations

1. The Albanian Parliament establishes by law the participation of the Armed Forces of the Republic of Albania in collective self-defense operations, according to paragraph 1 of Article 3 of this Law (see point 1. above).

The Parliament does so in two ways:

- a) through the ratification of international agreements, which contain and express the principle of collective self-defense operations;
- b) in the absence of such an international agreement, through approving, case by case.

2. In accordance with the previous point 1., the Council of Ministers decides on the proposal of Minister of Defense on the participation in collective self-defense operations of units of the Armed Forces of the Republic of Albania.

3. The President and the Parliament of the Republic of Albania shall be notified in advance about the decision of the Council of Ministers.⁷⁰

Procedure concerning participation of the Armed Forces of the Republic of Albania in international military operations⁷¹

1. The Albanian Parliament establishes by law the participation of the Armed Forces of the Republic of Albania in the operations specified in paragraph 2 of Article 3 of this Law⁷², case by case, by defining the mission and level of participation, unless otherwise stipulated by an international agreement.

2. The Council of Ministers decides on the status and modes of participation of units of the Armed Forces of the Republic of Albania in the above mentioned international military operations.

3. The President and the Parliament of the Republic of Albania are immediately informed on the decisions of the Council of Ministers.

4. The Soldiers of the Armed Forces of the Republic of Albania, who serve in operations under Article 3 of this Law, enjoy social benefits, according to the legislation in force, except when this Law or an international agreement, ratified by the Republic of Albania, stipulates otherwise.

5. Council of Ministers by decision provides for the conclusion of an insurance contract in favor of the military staff, serving in the units of the Armed Forces of the Republic and accomplishing the goals set out in section 3 of this Law, which provides for the payment or a compensation in case of death.

⁶⁹ Article 4 of the Law no. 9363 of 24.03.2005, amended by Law no. 10218 of 04.02.2010

⁷⁰ Article 5 of the Law above

⁷¹ Article 6 of the Law above

⁷² Military operations that are carried out to maintain and restore peace in accordance with Chapters VI and VII of the Charter of the United Nations, and other military operations, undertaken in accordance with international agreements ratified by law.

Procedure concerning participation of the Armed Forces of the Republic of Albania in international military operations organized, authorized or directed by NATO or the European Union

Council of Ministers (upon proposal of the Minister of Defense) decides, case by case, on the participation in these operations, by defining the mission, level of participation, duration of this operation, as well as any other element necessary for the progress of military operations. Sending of the Albanian military units applies only to those cases where an international agreement has been previously concluded on the status of the Albanian military forces in the country where the military operation takes place.⁷³

When such operations are carried out on the territory of Albania, the Parliament of Albania decides, case by case, at the request of the Council of Ministers and within 7 days from the date of the submission of the request, on granting the permit to foreign military forces to participate.⁷⁴

International military exercises and international humanitarian missions

For purposes of international military cooperation and for preparation of national defense, the Armed Forces of the Republic of Albania may take part in international military exercises which take place outside the Republic of Albania or in other activities, organized, authorized or directed by NATO or member countries of the PfP SOFA agreement (Partnership for Peace - Status of Forces Agreement). The decision on participation of the Armed Forces of the Republic of Albania in exercises and international military activities abroad is taken by order of Minister of Defense up to the company level and by the Council of Ministers for the company level.⁷⁵ The decision on participation of the Armed Forces of the Republic of Albania in international humanitarian missions abroad is taken by the Council of Ministers.⁷⁶ Staff of the Armed Forces of the Republic of Albania to international organizations and international military headquarters is appointed by orders of Minister of Defense.⁷⁷

Agreements on the status of military forces

The Republic of Albania, in compliance with the legislation in force, may sign and ratify international agreements, to give legal status to the Armed Forces of the Republic of Albania, which are sent to another country, or to the foreign military forces in the territory of the Republic of Albania. The Council of Ministers approves the regulations for the implementation of agreements on the status of these forces. Minister of Defense signs technical agreement to facilitate the implementation of agreements on the status of these forces. Members of the Armed Forces of the Republic of Albania (including civilian personnel) and their dependents, when they are in the territory of a foreign state, are subject to Albanian law, as long as it is in accordance with international agreements ratified by the Republic Albania. Members of a foreign military force and their dependents are subject to

⁷³ Article 7 of the Law no. 9363 of 24.03.2005, amended by Law no. 10218 of 04.02.2010

⁷⁴ Article 13 of the Law above

⁷⁵ Article 8 of the Law above

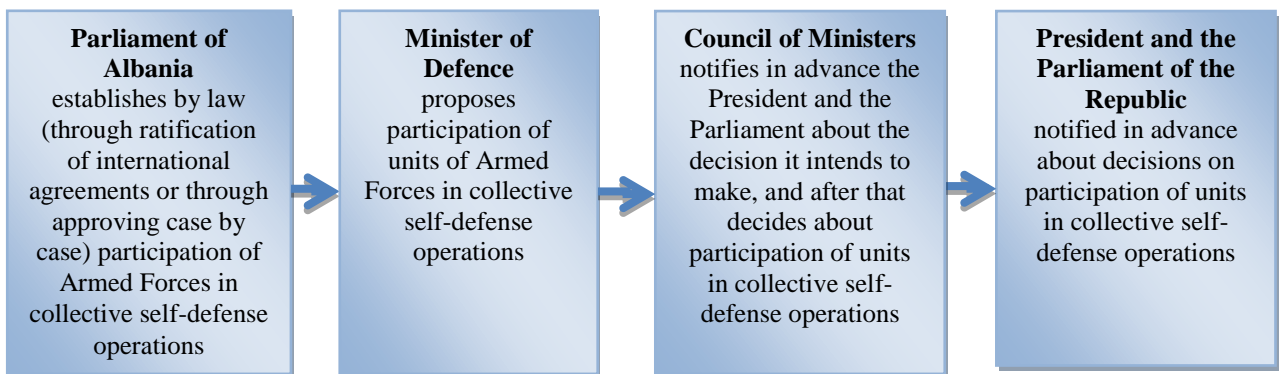
⁷⁶ Article 9 of the Law above

⁷⁷ Article 10 of the Law above

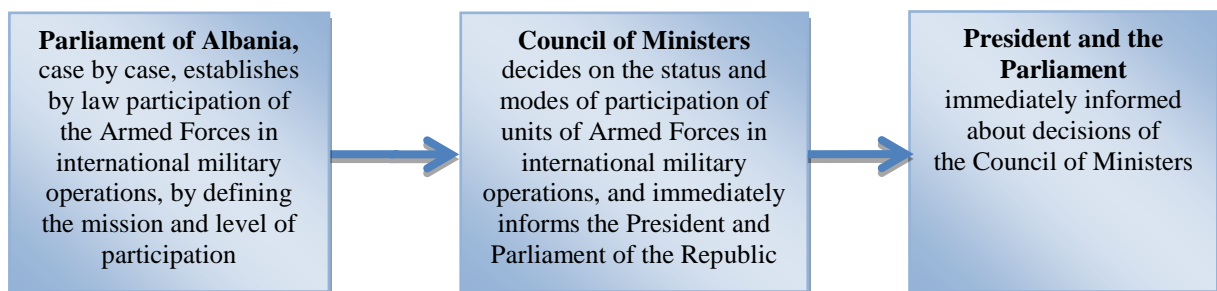
Albanian law, when they are in the territory of Albania, unless international agreements and the accepted rules and principles of international law stipulate otherwise.⁷⁸

Figure 6. Procedure for deployment of members of the Armed Forces of the Republic of Albania to missions abroad:

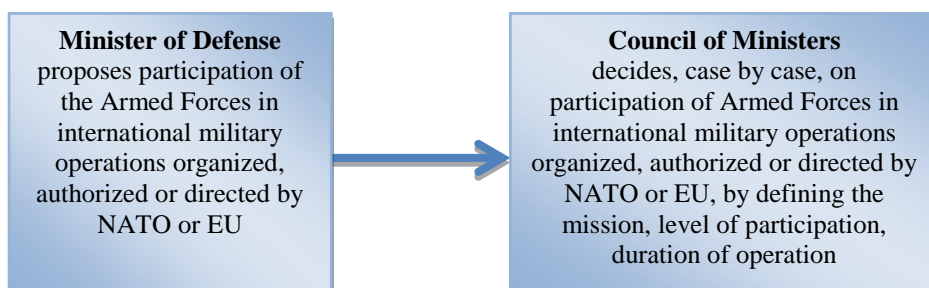
- a) Collective self-defense operations (in accordance with international agreements ratified by law or to meet other legal obligations)



- b) International military operations (in accordance with Chapters VI and VII of UN Charter or in accordance with international agreements ratified by law)



- c) International military operations organized, authorized or directed by NATO or the European Union



⁷⁸ Article 20 of the Law no. 9363 of 24.03.2005, amended by Law no. 10218 of 04.02.2010

G. Bulgaria

*The Constitution*⁷⁹

Pursuant to Article 84, Subparagraph 11 of the Constitution, the National Assembly of Bulgaria shall approve any sending and use of Bulgarian Armed Forces outside the country's borders, and the deployment of foreign troops in the territory of the country or their crossing through the territory of the country.

The State President shall be the Supreme Commander of the Armed Forces and shall have the authority to proclaim the state of war in the case of an armed attack against Bulgaria or whenever urgent actions are required by virtue of an international commitments or shall proclaim martial law or any other state of emergency whenever the National Assembly is not in session and cannot be convened. The National Assembly shall then be convened forthwith to endorse the decision.⁸⁰ The Council of Ministers shall ensure the public order and national security and shall exercise overall guidance over the state administration and the Armed Forces.⁸¹

The Defense and Armed Forces Act

The procedure of sending the Armed Forces of the Republic of Bulgaria outside the Bulgarian territory is prescribed by the *Defense and Armed Forces Act*⁸², which entered into force on the 12th of May 2009⁸³. *The Chapter three, part II of the Act* refers to sending and use of the Armed Forces of the Republic of Bulgaria outside the territory of the country.

The Armed Forces of the Republic of Bulgaria may be sent and used outside the territory of the country on their own or within international formations in compliance with Bulgarian law, the aims and principles of the NATO Statute and other international agreements effective for the Republic of Bulgaria taking into account national interests.⁸⁴

The National Assembly shall authorize the sending and use of Armed Forces outside the territory of the Republic of Bulgaria for political and military purposes.⁸⁵

Article 63 prescribes that the Council of Ministers shall authorize the sending and use of the Armed Forces outside the territory of the country for the purpose of: fulfilling allied obligations ensuing from an international agreement which has been ratified and became effective in relation to the Republic of Bulgaria and which establishes an alliance of a political and military nature; participation in humanitarian missions; participation in actions that have no political and military nature (besides cases pursuant to Article 64).

⁷⁹ Source: website <http://legislationline.org/> (downloaded on 1 June 2011)

⁸⁰ Article 100, Paragraph 1 and 5 of the Constitution

⁸¹ Article 105, Paragraph 2 of the Constitution

⁸² Website of the Ministry of Defense <http://www.md.government.bg/> (downloaded on 26 May 2011), website of the National Intelligence Service <http://www.nrs.bg/> (downloaded on 31 May 2011)

⁸³ Amendments of 15 September 2009 (*Official Gazette of Bulgaria No. 74*), 16 October 2009 (*Official Gazette No. 82*), 24 November 2009 (*Official Gazette No. 93*), 15 December 2009 (*Official Gazette No. 99*), 26 February 2010 (*Official Gazette No. 16*), 9 November 2010 (*Official Gazette No. 88*), 14 December 2010 (*Official Gazette No. 98*) and 28 December 2010 (*Official Gazette No. 101*).

⁸⁴ Article 61 of the Defense and Armed Forces Act

⁸⁵ Article 62 of the Act above

Pursuant to Article 64 the Minister of Defense shall authorize the sending and use outside the territory of the Republic of Bulgaria:

1. up to 300 servicemen and/or military equipment without arms and/or up to three military aircrafts, and/or one military naval ship up to frigate type with their crews for participation in the activities under Article 63, Subparagraph 3⁸⁶;
2. up to 200 servicemen and/or military equipment, and/or up to three military naval ships up to frigate type inclusive, and/or up to five military aircrafts with their crews in the territory of an allied state for participation in the activities under Article 63, Subparagraph 3⁸⁷;
3. military medical teams and field hospitals for medical backing of combat actions and/or for preventing and overcoming the effects of epidemics and other mass diseases, threatening a substantial part of the population of the respective territory.

The Council of Ministers and the Minister of Defense shall notify forthwith the National Assembly and the President of the Republic of their decisions under Article 63 and 64, and the Minister of the Defense shall also notify the Council of Ministers. In case of doubt as to the purpose of sending and using the Armed Forces outside the territory of the country the National Assembly shall decide.⁸⁸

The state bodies shall inform the public of their decision to send and use the Armed Forces outside the territory of the Republic of Bulgaria in compliance with national law on the protection of classified information and the international agreements to which the Republic of Bulgaria is a party.⁸⁹

The Armed Forces shall be used in compliance with the objectives and motives specified in the decision on their sending and in the operational plans for the respective missions and operations. An amendment to the objectives and the motives shall be allowed with a new decision only. For the purpose of determining the nature of the actions for which the Armed Forces are sent outside the territory of the country bodies referred to in Article 63 and 64 (the Council of Ministers and the Minister of Defense) shall report the objectives and the motives, the means for achieving these objectives as well as the procedures and the organization of participating Armed Forces.⁹⁰

When participating in missions and operations outside the territory of the country the Armed Forces shall observe the provisions of Bulgarian law, the United Nations Charter, international agreements to which the Republic of Bulgaria is a party and the norms of international humanitarian law taking into consideration national interests. The Chief of the General Staff shall draw up rules of engagement for each instance of participation of Bulgarian servicemen in operations and missions outside the territory of the Republic of Bulgaria. When Bulgarian servicemen participate in multinational formations where joint

⁸⁶ Participation in actions that have no political and military nature.

⁸⁷ Participation in actions that have no political and military nature.

⁸⁸ Article 65, Paragraph 1 and 2 of the Defense and Armed Forces Act

⁸⁹ Article 67 of the Act above

⁹⁰ Article 68 of the Act above

rules of engagements have been drawn up they shall apply to servicemen of the Bulgarian Armed Forces inasmuch as they do not contradict this Act, the regulations on its implementation, statutes of the Armed Forces of the Republic of Bulgaria and the rules drawn up by the Chief of the General Staff. The rules of engagement shall be obligatory for servicemen of the Bulgarian Armed Forces and persons violating the rules shall bear disciplinary responsibility and may be recalled from participation in the respective mission and operation.⁹¹

Bulgarian nationals who have a contract for service in the standing reserve may also participate in operations and missions outside the territory of the Republic of Bulgaria. The military rank required for occupying the position shall be awarded for the duration of the operation or mission (Article 70, Paragraph 1). Officers of the National Security Agency may also take part in missions and operations outside the territory of the country under terms and procedures determined by a document of the Council of Ministers as well as Bulgarian nationals with the required education and qualification under terms and procedures determined by the document of the Council of Ministers, but none of them shall be part of the Armed Forces.⁹²

Pursuant to Article 71 Bulgarian servicemen shall be sent for participation in operations and missions outside the territory of the country by the Minister of Defense for a term not exceeding six months (and the term may be extended once without the consent of the serviceman for up to 30 calendar days with an order of the Minister of Defense on substantiated proposal of the Chief of General Staff). They may be sent for a subsequent operation not earlier than six months after. The first term mentioned above may be extended and the second reduced on the serviceman's prior written consent.

The operational command of the Armed Forces sent outside the territory of the country shall be exercised in compliance with the decisions of international organizations or international agreements on the mandate of specific operation or mission, whereby national control over these forces shall be exercised by the Commander of the Joint Operational Command.⁹³

On crossing the state border of the Republic of Bulgaria serviceman shall produce a military identity card or a passport and order for movement issued by the Minister of Defense or by an official authorized by him, certifying the status of a person or the group as a member or members of the Armed Forces as well as the ordered destination. The carried firearms, their system and number shall be recorded in the order.⁹⁴ The Minister of Finance shall issue a document determining procedures for declaring goods owned by the Ministry of Defense that will be used by the Armed Forces as well as procedures for simplifying customs formalities.⁹⁵

The financial resources for the participation of the Armed Forces in operations and missions outside the territory of the country shall be provided from the state budget, that is, through the approved budget of the Ministry of Defense for the corresponding year and the Minister of

⁹¹ Article 69 of the Defense and Armed Forces Act

⁹² Article 70, Paragraph 2, 3 and 4 of the Act above

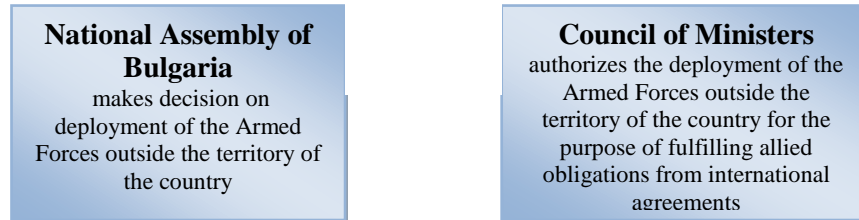
⁹³ Article 72 of the Act above

⁹⁴ Article 73 of the Act above

⁹⁵ Article 74 of the Act above

Defense shall organize and coordinate the entire work on the provision, equipment and preparation of the Armed Forces units that will be sent outside the territory of the country.⁹⁶

Figure 7. Procedure of deployment of members of Bulgarian Armed Forces to missions abroad:



H. Croatia

The procedure of deployment of the members of armed forces to missions outside the territory of the Republic of Croatia is prescribed by the Constitution, the Defense Law and the Law on Participation of the Members of the Armed Forces of the Republic of Croatia, Police, Civilian Protection and Civil Servants and Employees in Peacekeeping Operations and Other Activities Abroad. In principle, the Armed Forces may cross the borders of the Republic of Croatia or operate across its borders based on a Decision passed by the Croatian Parliament, proposed by the State Government with the prior consent of the President of the Republic of Croatia (hereinafter: the President of the Republic). The Government's proposal of the decision is based on the proposal of the respective Minister, which was authorized by the Minister of Foreign Affairs.

Once a year the State President and the Government shall submit reports about these activities to the Croatian Parliament. Ministries, that is, state administrative organizations shall provide technical assistance from their field of activity in the procedure of deployment the members of the Armed Forces abroad, crossing the state border, overseeing their work and stay abroad and withdrawal from abroad and their return to Croatia.

Only trained and previously prepared members of the Armed Forces from the active component may be sent for peacekeeping operations and other activities. Members of the reserve component of the Armed Forces may be sent abroad only for the purpose of rendering humanitarian assistance and participating in the exercises and training pursuant to international treaties, and this includes members who, under a contract, specifically committed themselves to that. Members of the recruitment component of the Armed Forces cannot be sent to peacekeeping operations and other activities abroad. Funds needed for the mentioned activities shall be provided from the state budget of the Republic of Croatia.

⁹⁶ Article 75 and 76 of the Defense and Armed Forces Act

The Constitution of the Republic of Croatia

The Constitution of the Republic of Croatia⁹⁷ prescribes that the Armed Forces of the Republic of Croatia shall protect its sovereignty and independence and shall defend its territorial integrity and in doing so may also be assisted by allied states pursuant to concluded international treaties.

The Armed Forces of allied states may cross the national border and enter the Republic of Croatia or operate within the national borders thereof in accordance with concluded international treaties, pursuant to a decision passed by the Croatian Parliament, proposed by the Government of the Republic of Croatia with a prior consent of the President of the Republic of Croatia.

The Republic of Croatia may render assistance to allied states in case of an armed attack on one or more of them as stipulated under concluded international treaties pursuant to a decision of the Croatian Parliament, proposed by the Government of the Republic of Croatia with a prior consent of the President of the Republic of Croatia.

The Armed Forces of the Republic of Croatia may cross its national borders or operate across its borders pursuant to a decision of the Croatian Parliament, proposed by the Government of the Republic of Croatia with the prior consent of the President of the Republic of Croatia.

The mentioned decisions shall be made by the Croatian Parliament by a majority vote of all of its members. If the President of the Republic of Croatia denies the required consent, the Croatian Parliament shall make the decision by a two-thirds majority vote of all of its members.⁹⁸

Besides, the Constitution prescribes the procedure of deployment of the Armed Forces abroad for the purpose of exercises, training and rendering humanitarian assistance.

The Armed Forces of the Republic of Croatia may cross the national borders of the Republic of Croatia for the purpose of military exercises and training within international organizations to which the Republic of Croatia has joined or is to join pursuant to international treaties and for the purpose of rendering humanitarian assistance pursuant to a decision by the Government of the Republic of Croatia with a prior consent of the President of the Republic of Croatia.⁹⁹

The Defense Law

We shall only quote some parts of the Defense Law¹⁰⁰ covering the topic of sending the Armed Forces outside the territory of the Republic of Croatia.

Under this Law the Ministry of Defense and the Armed Forces shall carry out preparations for participation in international peacekeeping and humanitarian operations.¹⁰¹ The part of the Law specifying authorities of state government and administration bodies in the area of defense defines that the Croatian Parliament, among other things, shall:

⁹⁷ Source: website of the Croatian Parliament: www.sabor.hr/

⁹⁸ Article 7, Paragraph 3, 4, 5, 6 and 7 of the Constitution of the Republic of Croatia

⁹⁹ Article 7, Paragraph 8 of the Constitution of the Republic of Croatia

¹⁰⁰ Source: website of the Official Gazette of Croatia: www.nn.hr/

¹⁰¹ Article 4 of the Defense Law of the Republic of Croatia

- decide on sending or operations of the Armed Forces outside the borders of the Republic of Croatia, except in cases of their sending or operating as a part of exercises within international defense organizations to which the Republic of Croatia has joined or is to join pursuant to international treaties and for the purpose of rendering humanitarian assistance;
- decide on international military exercises taking place in the Republic of Croatia in which the Armed Forces of states are participating that are not within international defense organizations to which the Republic of Croatia has joined or is to join pursuant to international treaties and their entering into the Republic of Croatia;
- decide on participation of the Armed Forces in international military exercises outside the Republic of Croatia which include the Armed Forces units of states that are not within international defense organizations to which the Republic of Croatia has joined or is to join pursuant to international treaties.¹⁰²

Participation of members of the Armed Forces in international, humanitarian and other operations outside the borders of the Republic of Croatia shall be regulated by a special law.¹⁰³

Law on the Participation of Members of the Armed Forces of the Republic of Croatia, Police and Civilian Protection and Civil Servants and Employees in Peacekeeping Operations and other Activities Abroad

The procedure of deployment of the members of the Armed Forces to missions outside the territory of home state is prescribed in detail by the Law on Participation of the Members of the Armed Forces of the Republic of Croatia, Police and Civilian Protection and Civil Servants and Employees in Peacekeeping Operations and other Activities Abroad.¹⁰⁴ The Law defines that the peacekeeping operations and other activities abroad shall be the following:

- peace building and peacekeeping activities,
- activities within peacekeeping forces and peacekeeping missions,
- participation in exercises and training,
- rendering humanitarian assistance,
- activities encouraging development of democracy, legal security and human rights protection within international organizational and alliances,
- other activities to which the Republic of Croatia committed itself under a special international treaty. Rendering of humanitarian assistance in terms of this Law shall also include rendering of assistance in case of natural, technical-technological or ecological incident which, by their extent, intensity or unexpectedness, endanger health or lives of people or relatively valuable property or the environment and which emergence is not possible to prevent nor is possible to remove their consequences by regular operation of relevant bodies in the area where the incident took place as well as rendering the assistance in case of war destructions and terrorism.¹⁰⁵

¹⁰² Article 6, Paragraph 2, Subparagraph 6, 7 and 8 of the Defense Law of the Republic of Croatia

¹⁰³ Article 109 of the Defense Law of the Republic of Croatia

¹⁰⁴ Source: website of the Official Gazette of Croatia: www.nn.hr

¹⁰⁵ Article 2 of the Law on Participation of the Members of the Armed Forces of the Republic of Croatia, Police, Civil Defense and Civil Servants and Employees in Peacekeeping Operations and Other Activities Abroad

Under this Law the decision on participation of members of the Armed Forces of the Republic of Croatia in peacekeeping operations and other activities abroad, crossing of state border and their operations abroad shall be made by the Croatian Parliament, upon the proposal of the Government of the Republic of Croatia with a prior consent of the President of the Republic of Croatia.

Based on the decision of the Croatian Parliament the members of the Armed Forces of the Republic of Croatia shall be sent to peacekeeping operations and other activities abroad by the President of the Republic as the Supreme Commander.¹⁰⁶

Notwithstanding the previous provision, the Croatian Parliament may render the mentioned decision without the prior consent of the President of the Republic under the terms stipulated by the Constitutions of the Republic of Croatia, that is, in that case the decision shall be rendered by the two-thirds majority vote of all members. When it comes to exercises and training abroad within international organizations that the Republic of Croatia has joined or is to join pursuant to international treaties for the purpose of rendering humanitarian assistance, in these situations the decision on participation of members of the Armed Forces shall be made by the Government of the Republic of Croatia.

The Law prescribed that the Government shall submit the proposal on participation of members of the Armed Forces in peacekeeping operations and other activities to the Croatian Parliament upon the proposal of the relevant minister, which was authorized by the Minister of Foreign Affairs.¹⁰⁷

When it comes to deployment for the purpose of humanitarian assistance and sending for the purpose of exercises and training within international organizations that the Republic of Croatia has joined or is to join, the Law has stipulated that the decision about it shall be made by the President of the Republic based on the prior decision of the Government in the first case and as the Supreme Commander in the second case.

The Law has also defined procedures for deployment of members of the Armed Forces during the state of war and in case when there is a direct threat to independence, integrity and sovereignty of the Republic of Croatia. If due to the mentioned reasons the Croatian Parliament cannot have a session in these situations, based on his constitutional powers the President of the Republic shall decide on deployment of members of the Armed Forces abroad, crossing the state border and their participation in the peacekeeping operations and other activities abroad by decrees, which he shall submit to the Croatian Parliament for endorsement as soon as the Croatian Parliament convenes.

It is also envisaged that the Croatian Parliament may, when establishing the state of war, render the prior decision on deployment the members of the Armed Forces of the Republic of Croatia abroad, crossing of state border and their activities abroad.

The article defining change of mandate and withdrawal in case of emergency reads that: In case of an unexpected change of the mandate for the implementation of a peacekeeping

¹⁰⁶ Article 4 of the the Law on Participation of the Members of the Armed Forces of the Republic of Croatia, Police, Civil Defense and Civil Servants and Employees in Peacekeeping Operations and Other Activities Abroad

¹⁰⁷ Article 6 of the mentioned Law

operation and other activities abroad for the sake of a need to use force or threat of force, the prior decision to continue the participation or to withdraw the members of the Armed Forces of the Republic of Croatia shall be made by the Croatian Parliament on its own initiative or upon the proposal of the President of the Republic or the Government of the Republic of Croatia.¹⁰⁸

Based on the prior decision of the Croatian Parliament the President of the Republic shall make decision on withdrawal. If the members of the Armed Forces of the Republic of Croatia abroad are exposed to deathly danger, the President of the Republic may render decision about their instantaneous withdrawal, and the President of the Republic shall submit the mentioned decision to the Croatian Parliament for endorsement at the next session.

The President and the Government, within their field of activity, shall submit to the Croatian Parliament annual reports about the participation of members of the Armed Forces in peacekeeping operations and other activities abroad.¹⁰⁹

Ministries, that is, state administrative organizations shall, within their field of activity, provide technical assistance in the procedure of deployment the members of the Armed Forces abroad, crossing of state border, overseeing their work and stay abroad as well as withdrawal from abroad and their return to the Republic of Croatia.

The Law has stipulated that only trained and previously prepared members of the Armed Forces from active component may be deployed for peacekeeping operations and other activities. Members of the reserve component of the Armed Forces may be sent abroad only for the purpose of rendering humanitarian assistance and participating in the exercises and training pursuant to international treaties, and this includes members who, under the contract, specifically committed themselves to that. Members of the recruitment component of the Armed Forces cannot be sent to peacekeeping operations and other activities abroad.

In case of injuries, wounding or death while participating in the peacekeeping operations and other activities abroad, the regulations on compensation of damage of international organization under whose auspices the peacekeeping operation or other activity abroad is implemented shall apply. The Republic of Croatia shall guarantee the exercise of the right to reimbursement of damage to the minimum amount prescribed by general regulations of mandatory law of the Republic of Croatia.¹¹⁰

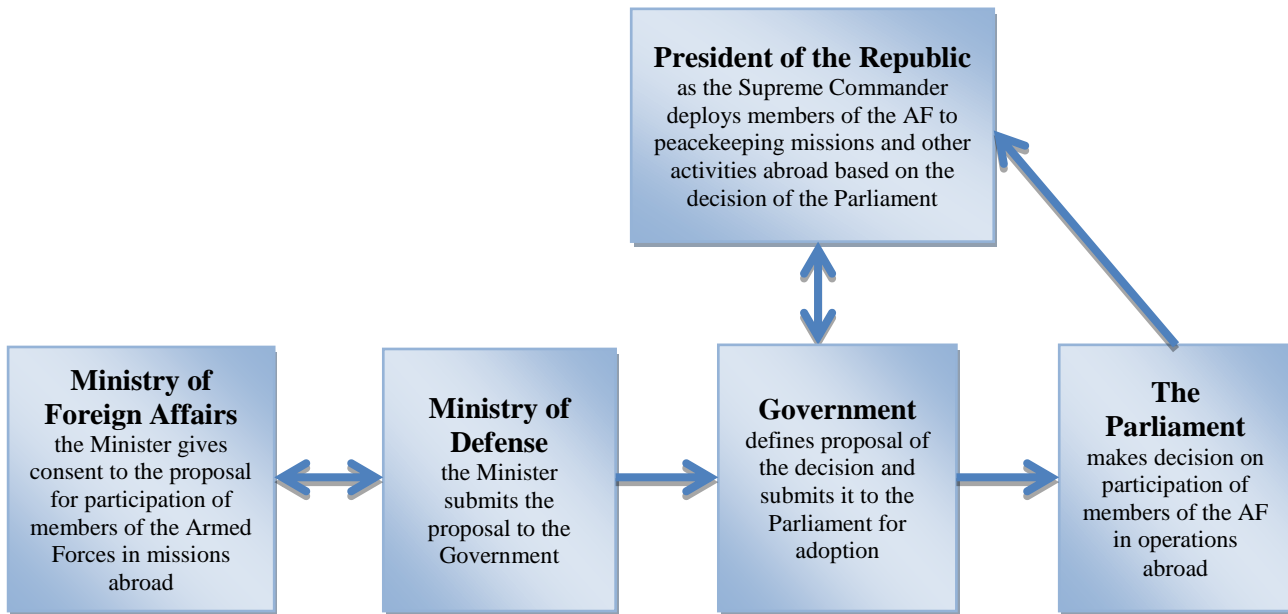
The Law stipulates that the funds needed for financing, preparation, equipment, deployment and participation of the members of the Armed Forces of the Republic of Croatia and their withdrawal from peacekeeping operations and other activities abroad shall be provided from the state budget.

¹⁰⁸ Article 11 of the the Law on Participation of the Members of the Armed Forces of the Republic of Croatia, Police, Civil Defense and Civil Servants and Employees in Peacekeeping Operations and Other Activities Abroad

¹⁰⁹ Article 14 of the mentioned Law

¹¹⁰ Article 21 of the mentioned Law

Figure 8. Procedure of deployment of members of the Armed Forces to missions outside the territory of the Republic of Croatia:



I. Romania

*The Constitution*¹¹¹

The Constitution prescribes that under the law and international treaties Romania is a party to the Armed Forces shall contribute to the collective defense in military alliance systems, and participate in peacekeeping or peace restoring missions. Foreign troops can only enter, station, carry out operations or pass through the Romanian territory in accordance with law or international treaties Romania is a party to.¹¹² Moreover, it is prescribed that the Supreme Council of National Defense shall have authority to organize and coordinate activities concerning the country's defense and security, its participation in international security keeping, and in collective defense in military alliance systems, as well as in peacekeeping or peace restoring missions.¹¹³

The members of the Supreme Council for National Defense are: the President of Romania – chairman of the Council, Prime Minister – deputy chairman of the Council, the Minister of Defense, the Minister of Administration and Internal Affairs, the Minister of Foreign Affairs,

¹¹¹ Source: website of the House of Representatives of Romanian Parliament <http://www.cdep.ro/> (accessed on 7 June 2011)

¹¹² Article 118, Paragraph 1 and 5 of the Constitution

¹¹³ Article 119 of the Constitution

the Minister of Justice, the Minister of Economy and Trade, the Minister of Public Finances, Head of the Intelligence Service, Head of External Intelligence Service, the Chief of General Staff and the President's Adviser for National Security.¹¹⁴

*The Law No. 42/2004 on the Participation of the Armed Forces in Missions outside the Territory of Romania*¹¹⁵

This Law defines several types of missions outside the national territory in which the Armed Forces of Romania may participate:

- collective defense,
- peacekeeping,
- humanitarian assistance,
- coalition,
- joint or individual exercises,
- ceremonial.

When it comes to missions of collective defense, peacekeeping, humanitarian assistance and coalition, until the 30th of June every year the Supreme Council for National Defense must “analyze and decide” on the proposals of the Ministry of Defense about forces and resources that will be used next year for these types of missions. Based on that decision of the Supreme Council for National Defense the Government shall allocate necessary funds from the state budget.

The Decision on deployment the Romanian troops to the mentioned missions shall be made by the President of Romania and the Supreme Council for National Defense shall have consultative role in that respect. The chain of decision-making is the following:

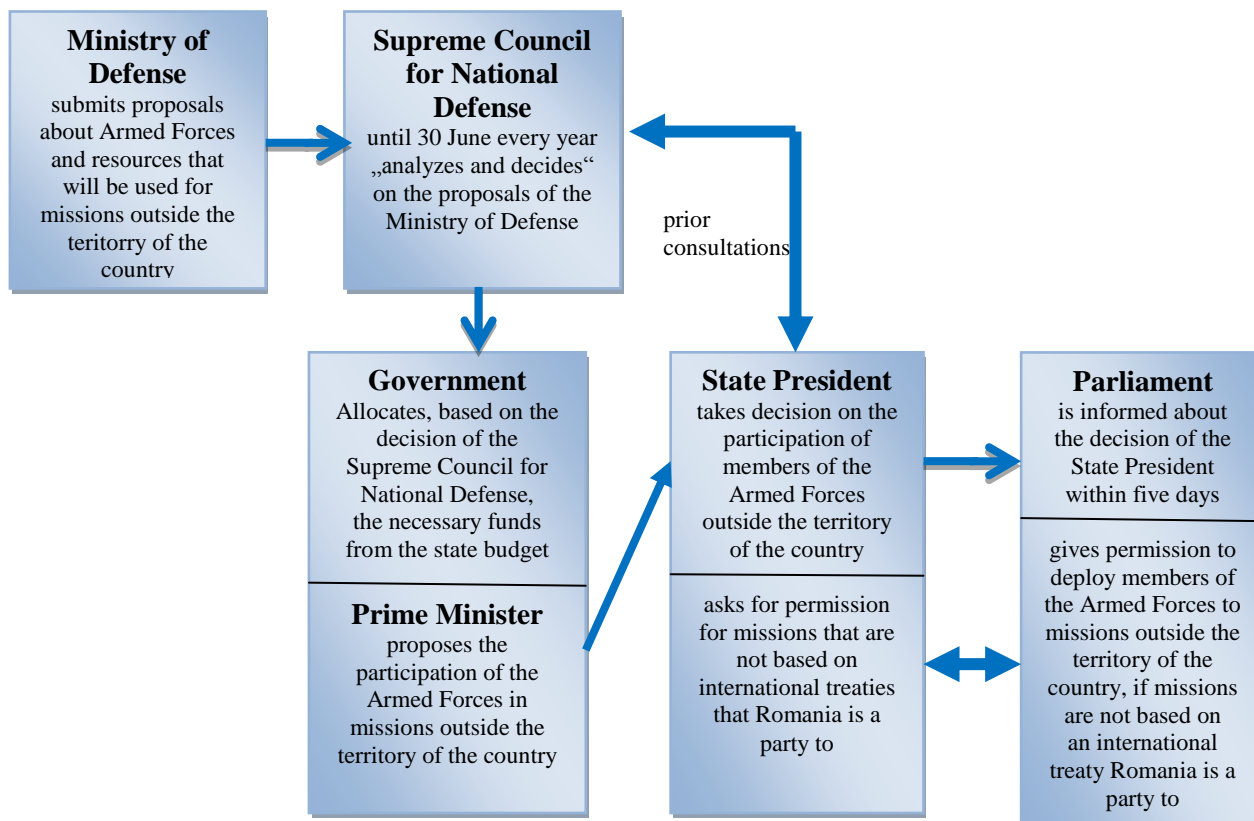
- the Prime Minister shall propose the participation in missions outside the territory of the country;
- the State President shall consult the Supreme Council for National Defense, shall then make decision and inform the Parliament of his decision within five days.

If it involves the mission that is not based on international treaty Romania is a party to then the information, alone, is not sufficient, but the State President shall have the obligation to ask Parliament for permission to deploy troops to mission outside the country.

¹¹⁴ Source: http://www.cnss-summitbucharest.eu/securitate_nationala_en.html (downloaded on 8 June 2011)

¹¹⁵ Source: Answer to the Questionnaire on the Code of Conduct on Politico-military Aspects of Security (FSC DEC/2/09), 19 April 2011, page 12, www.osce.org; Voinescu, Sever, Dudu Ionescu, Constantin, The Supreme Council of National Defense: the main instrument of decision-making of Romanian security policy, Institute for Public Policy, Bucharest, June 2005, page 18, web site of the Public Policies Institute <http://www.ipp.ro/>

Figure 9. Deployment of members of the Armed Forces of Romania to international missions and operations abroad:



J. Slovenia

The Constitution

The Constitution¹¹⁶ of the Republic of Slovenia prescribes that the National Assembly shall decide on the use of the defense forces. In case the National Assembly is unable to convene, the President of the Republic of Slovenia shall decide on the use of defense forces. He must submit such decisions for confirmation to the National Assembly immediately upon it next convenes.¹¹⁷

¹¹⁶ Source: website of the President of the Republic of Slovenia: <http://www.up-rs.si/> (downloaded on 31 May 2011)

¹¹⁷ Article 92(1),(2) and (3) of the Constitution of the Republic of Slovenia

The Defense Law reads that the task of Slovenian Army is to meet the obligations that the state assumed in international organizations and international treaties.¹¹⁹ Military defense outside the country implies that:

- on the occasion of major threat of attack or immediate military threat during the state of war or emergency in accordance with this Law, decisions by the National Assembly and concluded international treaties, the military service outside the country shall, in addition to members of the standing component, also be performed by members of the military component who completed their conscript service and are deployed to units sent to perform military service outside the country;
- units from the previous paragraph shall execute decisions of the joint command in accordance with international treaties. Status and other rights, responsibilities and obligations of members of these units shall be carried out in accordance with this Law and pursuant to regulations passed thereof and rules of service in the Slovenian Army, unless otherwise stipulated by international treaty.¹²⁰

Part VI of the mentioned Law refers to control and oversight of the country's defense and defines the related responsibilities of state bodies. It is prescribed that the National Assembly shall determine basic guidelines of defense organization and implementation, and shall in particular:

- declare the state of war upon the proposal of the Government if the attack has been launched on the state or states with which the Republic of Slovenia is ally under international treaties;
- decide on the general mobilization and use of the Slovenian Army during the state of emergency, if such a state was declared due to major threat of attack on the state or immediate threat of war resulting from a major threat of attack on the state or states with which the Republic of Slovenia is ally under international treaties.

The National Assembly shall ensure that a decision on the implementation of the general mobilization and use of Slovenian Army is adopted at the time of declaring the state of war. At the time of major threat of the attack or immediate threat of war in accordance with this Law and at the time of an attack on the state or on states with which the Republic of Slovenia is ally under international treaties, the National Assembly may decide on the mobilization and use of the Army even if the state of war has not been declared.¹²¹

The President of the Republic, upon the proposal of the Government, shall decide on the use of the Slovenian Army, imposition of work compulsory service and requisition of resources and general mobilization during the state of emergency if the National Assembly cannot convene in accordance with this Law.¹²²

¹¹⁸ Source: website of the Official Gazette of the Republic of Slovenia: <http://www.uradni-list.si/> (downloaded on 1 June 2011)

¹¹⁹ Article 37, Paragraph 1.4. of the Defense Law

¹²⁰ Article 48.c of the Defense Law

¹²¹ Article 82, paragraph 1.2. and 1.4 and Paragraph 2 of the Defense Law

¹²² Article 83(4) of the Defense Law

The Government shall decide on the participation of the Slovenian Army in fulfilling obligations assumed in international organizations and shall adopt annual plans for army training outside the country and training of foreign military units in the Republic of Slovenia in accordance with international treaties. The Government shall also decide about the participation of Slovenian Army in carrying out preparations and tasks of joint defense in accordance with plans, with a state or states with which Slovenia is the ally under international treaties, whereas it does not have to decide on declaring the state of war or emergency and use of members of reserve component deployed in the military component of the army for the sake of military defense, which falls under jurisdiction of the National Assembly.¹²³

The obligations ensuing from international treaties are defined by Article 84.a, which we fully quote:

“In accordance with concluded international treaties and for the sake of defense needs the Government may:

- allow the use of the airspace for overflies of allied airplanes, including weapons and reconnaissance equipment;
- allow the transit of military units of allied states by air, land and sea on the basis of the principle of reciprocity, unless otherwise stipulated by international treaty.

During peace time, upon the proposal of the Minister of defense, the Government may recognize the same status to the members of armed forces of other states while they are staying in the Republic of Slovenia that it recognizes to the members of armed forces of allied states under international treaties if they do not endanger the security of the Republic of Slovenia.

Upon the proposal of the Minister of the defense, the Government shall decide on stationing of units of armed forces of states with which is the ally under international treaties.

Upon the proposal of the Minister of the defense, the Government may determine tasks and procedures to control airspace, including airplanes of allied states too. “

The Law shall also prescribe the rights of members of the Armed Forces:

- A member performing military service during peace time, that is, the service outside the country, when performing assumed obligations in international organizations or international treaties is entitled to a salary with allowances based on elements and criteria set by the Government.
- The salary of a member referred to in the previous paragraph shall be calculated with salary basis and allowances as if he works 174 hours a month on average. If the member performs a duty outside the country only occasionally or for several days and is generally performing regular service he will be entitled to a salary for working days outside the country, whereas those days do not affect performed regular monthly work in the country.
- As a rule, a special contract shall be concluded with a member referred to in paragraph 1 of this Article defining his rights and obligations while performing service in another state. As a rule, no special contracts shall be concluded if he participates in military exercises or other forms of training. While performing service in other states the member has to be specially insured in case of injury or death.

¹²³ Article 84(3) of the Defense Law

- After declaring military or state of emergency, that is, after taking the decision to use the Army for military defense in accordance with this Law, a member of the standing component shall be entitled to salary without allowances due to special working conditions regardless of the place where the service is performed. The amount of salary and manner of payment shall be determined by the Government.¹²⁴

Strategy of Participation of the Republic of Slovenia in International Operations and Mission

On the 12th of November 2009 the Government of the Republic of Slovenia adopted the *Strategy of Participation of the Republic of Slovenia in International Operations and Missions* which entered in force on the 13th of March 2010.¹²⁵ It was adopted as a response to the fact that due to security environment changes international operations and missions are becoming more complex, including military as well as civilian structures. The term “international operations and mission” from the Strategy covers all forms of international military, civilian, rescue and other capacities based on a relevant mandate or in accordance with bilateral arrangements and upon the request of a third country.

By this Strategy Slovenia sets the *decision-making framework* and defines a common pool of capabilities for its implementation. The Strategy has been harmonized with other key documents of national security and foreign policy, including documents related to development cooperation, other strategic documents and relevant normative documents. The Slovenian Government actively promotes the participation in international operations and missions, taking into account relevant legal ground defining in detail various conditions (systemic, material, financial, human resources, etc) for participation in international operations and missions.

The Strategy envisages that the regulations required for its implementation shall be adopted within six months as of the date the Strategy entered into force.

The Strategy states that the participation of Slovenia in international operations and missions is based on the Constitution, Law on the Government of the Republic of Slovenia, the Law on Foreign Affairs, the Law on Defense, the Law on Temporary Deployment of Staff to International Civilian Missions and International Organizations, The Law on Police, the Law on the Protection from Natural and other Disasters as well as on the other relevant laws and implemental documents. Moreover, the participation of the Republic of Slovenia in international operations and missions is in accordance with the United Nation Charter, Joint Foreign and Security Policy of the European Union, Strategic Concept of NATO as well as with the objectives of the OSCE and Council of Europe. The participation of military and police forces of Slovenia within the EU or NATO rapid response forces is a special form of participation in international operations and missions. For that purpose Slovenia is building appropriate capacities.

As for the *coordination and decision-making* the Strategy states that the following government bodies shall have authority for initiating the participation of Slovenia in international operations and missions as well as for all subsequent changes regarding the

¹²⁴ Article 98.c of the Defense Law

¹²⁵ Official Gazette of the Republic of Slovenia No. 19/2010 of 12 March 2010. Source: website of the Ministry of Defense of the Republic of Slovenia: <http://www.mo.gov.si/> (odownloaded on 31 May 2011)

participations: Ministry of Foreign Affairs, Ministry of Defense, Ministry of Internal Affairs and other ministries or Governmental agencies as stipulated by law.

The Strategy states the following decision-making procedure:

The bodies that may initiate the initiative for the participation of Slovenia in international operations and missions are the Ministry of Foreign Affairs, Ministry of Defense and Ministry of Internal Affairs and other ministries and Governmental agencies as stipulated by law.

The Ministry of Internal Affairs shall be responsible for coordination and assessment of given proposals for the participation of Slovenia in international operations and missions. The Secretariat of the National Security Council shall amend the Initiative adding a risk assessment and providing its opinion. Such a harmonized and amended draft that contains an explanation, clear objective of participation, legitimate international mandate, assessment of the most appropriate mechanisms, activities and required resources, definition of expected influence, intelligence information, as well as assessment of security risk shall be considered by the Ministry of Foreign Affairs, Ministry of Defense and the Ministry of Internal Affairs at the level of the Minister or State Secretary. The Ministry of Foreign Affairs and the relevant Ministry shall then submit this harmonized and amended draft to the Government of Slovenia for decision-making.

*When it comes to military operations or civil missions with executive powers, or in case of exceptional international incidents the Government of Slovenia shall inform the National Assembly (Parliament) of the Republic of Slovenia about its **intention** to participate.*

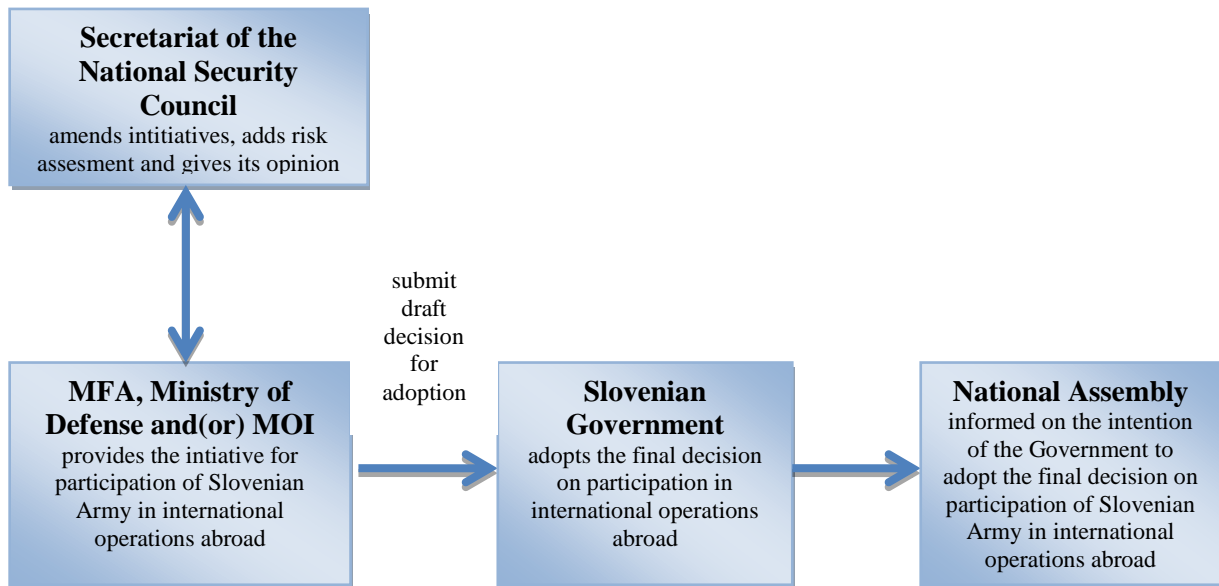
The Government of Slovenia shall adopt the final decision on the basis of national interests, fundamental principles of this Strategy, international obligations, expert recommendations and advice, depending on the number and type of available forces and staff as well as their scope of work and harmonized positions of the relevant ministries. In such a process the Government shall consider whether or not the further activities are possible and justified, including international development cooperation.

The aforementioned procedure shall be applied only in case of participation in new international operations and missions, in case of an earlier termination of participation or during huge changes in their purpose or scope or if another international organization takes over the lead of an international operation and mission.

In case of an urgent decision on rendering assistance, the procedure shall not apply to rescue operations that are implemented in accordance with the special law regulating that sector or for the usage of forces within the framework of EU or NATO Rapid Response Forces.

In accordance with this Strategy the Government of Slovenia shall inform the National Assembly at least once a year about international operations and missions and the implementation of the Strategy and relevant plans. The Government and relevant ministries shall oversee the implementation of the Strategy pursuant to powers stipulated by the Constitution and laws.

Figure 10. Deployment of members of the Slovenian Army to international missions and operations abroad:



III. CONCLUSION

Out of ten countries covered by this research, seven have special laws regulating the deployment of armed forces and other forces to missions abroad, which can be seen from table 1.

Table 1 - Regulations containing provisions or regulating the procedure of deployment of armed forces to operations abroad

Country	Constitution	Law on Defense	Law on the Army	Special Law regulating the deployment of armed forces and other forces to missions abroad
Bosnia and Herzegovina		+		+
Montenegro	+	+		+
Macedonia	+	+		
Moldova	+	+		+
Serbia	+	+	+	+
Albania	+			+
Bulgaria	+	+		
Croatia	+	+		+
Romania	+			+
Slovenia	+	+		

Table 2

Country	Body giving initiative /submitting proposal for decision-making?	Body making the final decision on sending the members of AF to missions abroad?	Who is officially sending the members of AF to missions abroad?
Bosnia and Herzegovina	B&H Ministry of Defense gives initiative, the Council of Ministers of Bosnia and Herzegovina submits the proposal	Presidency of Bosnia and Herzegovina takes decision, Parliamentary Assembly of B&H endorses the decision made	B&H Minister of Defense
Montenegro	Defense and Security Council	Assembly of the Republic of Montenegro	Information could not be found on the official websites *
Macedonia	Information could not be found on the official websites*	Assembly of the Republic of Macedonia	Information could not be found on the official websites*
Moldova	President of the Republic of Moldavia	Parliament of the Republic of Moldavia	Information could not be found on the official websites*
Serbia	Ministry of Defense of the Republic of Serbia Ministry of Internal Affairs of the Republic of Serbia	Assembly of the Republic of Serbia	President of the Republic of Serbia
Albania	Minister of Defense – for operations of collective defense and operations directed by NATO or EU	Parliament of the Republic of Albania/ Council of Ministers (for operations directed by NATO or EU)	Information could not be found on the official websites *
Bulgaria	Information could not be found on the official websites*	National Assembly of the Republic of Bulgaria/ Council of Ministers of the Republic of Bulgaria for the purpose of executing allied obligations	Information could not be found on the official websites*
Croatia	Minister of Defense, with the prior consent of the Minister of Foreign Affairs makes a proposal to the Government of the Republic of Croatia and the Government adopts the proposal on sending the members of the AF to missions abroad	Croatian Parliament of the Republic of Croatia	President of the Republic of Croatia
Romania	Prime Minister of Romania	Parliament of Romania if the mission is not based on an international treaty/ the President of Romania if the mission is based on an international treaty	Information could not be found on the official websites*
Slovenia	Ministry of Foreign Affairs of the Republic of Slovenia, Ministry of Defense of the Republic of Slovenia and/or the Ministry of Internal Affairs of the Republic of Slovenia	Government of the Republic of Slovenia, previously informing the National Assembly of the Republic of Slovenia about the intention of participation in missions abroad	Information could not be found on the official websites*

* The Research Section did not find information on the official websites in English, German, French or Russian.

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