



# Bosnia and Herzegovina

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George Washington University

International Collaboration to Combat Terrorism and Insurgencies

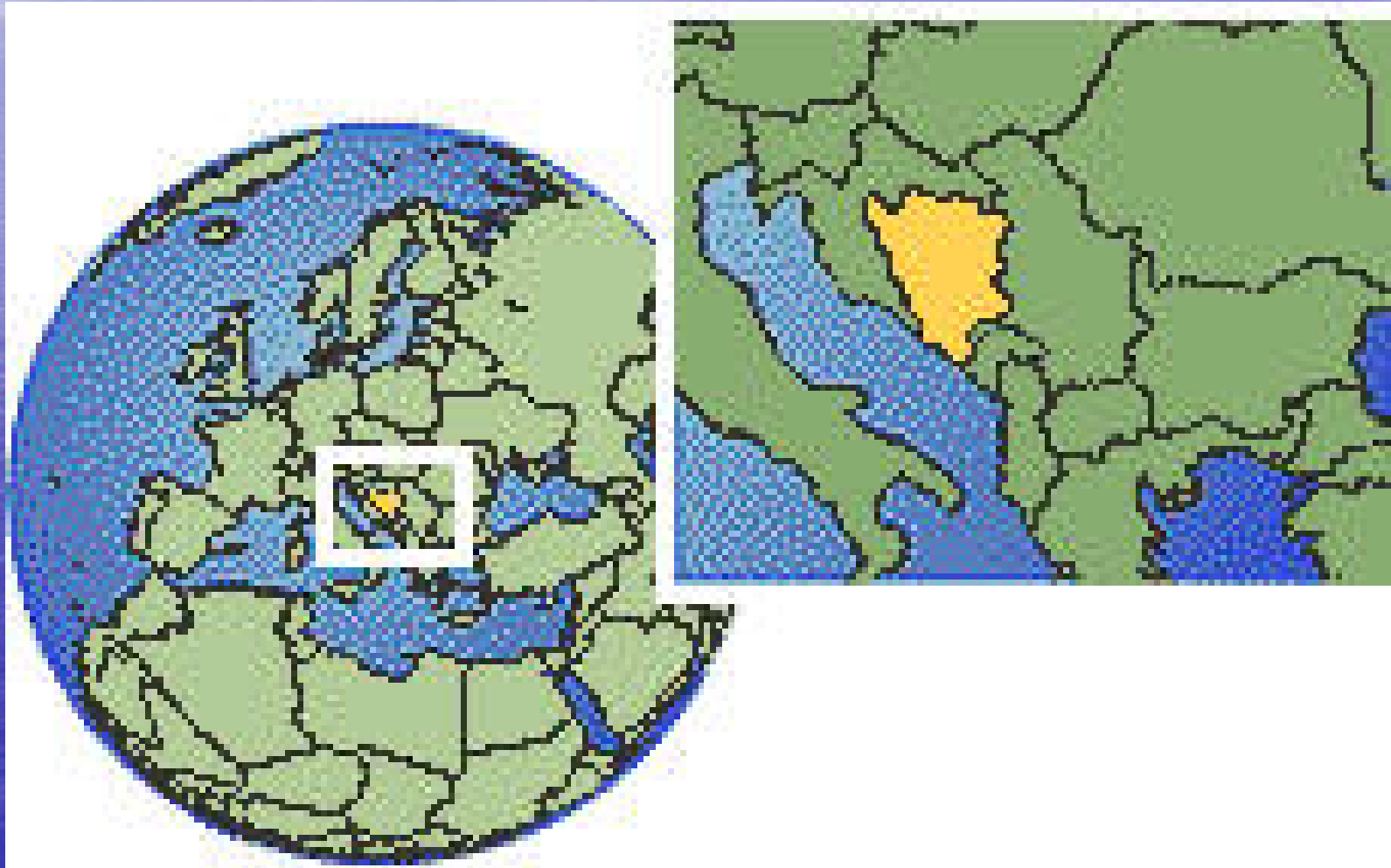
***Ambassador Bisera Turkovic***

# Introduction

- The end of the Cold War has been characterized not only by increased global awareness but also by the fragmentation of nation-states.
- At the same time, humanity is faced with new risks associated with the environment, poverty and lately terrorism
- In recent years terrorism increasingly became a global phenomenon and the methods that are used have become more difficult to counter and protect against.

- According to Robert Mc Namara racial, religious, and ethnic tensions will remain in coming time. Nationalism will be a powerful force across the globe. Historic disputes over political boundaries will endure. And economic disparities among and within nations will increase as technology and education spread unevenly around the world.

# Bosnia and Herzegovina



# Bosnia and Herzegovina



# Medieval Bosnia

- Bosnia was first mentioned 957 in the “De administrando imperio”, of Constantine Porfirigenet, the 10 century Byzantine emperor and historian.
- Bosnia as a State was created in the 12<sup>th</sup> century.
- During the following two centuries the territory of the Bosnian state gradually expanded in all directions.





# Ottoman Era

Bosnia as an Ottoman province, preserved a certain political and territorial continuity with Bosnia existing as a medieval state. It had its own administrative territory and sovereignty under the Sultan.

# Bosnian Statehood

- Following the Viennese War by treaty of Karlowitz in 1699 Bosnia was established as 'Bosnian Pashadom" in today's borders
- The Borders of Bosnia-Herzegovina were confirmed by the decision of the Congress of Berlin.
- The borders remained untouched and unchanged during the whole forty years of the Austro-Hungarian rule 1878-1918

# Austro-Hungarian rule

- Hapsburg rule over the region did much to codify laws and introduce new political practices and modernization measures in the hope of keeping Bosnia a stable and model South Slav province that would resist the force of nationalism.
- However, World War I began with the assassination in Sarajevo of Archduke Franz Ferdinand, heir to the Austro-Hungarian throne; the assassin was Gavrilo Princip, a member of the "Mlada Bosnia" organization.

# The first Yugoslavia

- After the dismantling of Austro-Hungary Bosnia-Herzegovina joined the Kingdom of Serbs, Croats and Slovenians (later renamed the kingdom of Yugoslavia) with the separate national government for Bosnia-Herzegovina.

# BiH in Tito's Yugoslavia

On 25 November 1943 at the founding conference of new Yugoslavia in Jajce, Bosnia and Herzegovina was reestablished as a republic within the Yugoslav federation in its Ottoman borders.

With the international recognition of Yugoslavia in Paris on February 10, 1947 Bosnian's international borders were again confirmed.

# Socialist Yugoslavia

- In 1945, the Socialist Federal Republic of Yugoslavia was established under the leadership of Tito.
- Yugoslavia consisted of the present-day states of Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Slovenia and Serbia until it broke up in 1990.

# Causes of war

- There are number of causes for the war in former Yugoslavia:
  - Ideological reasons,
  - Economic reasons,
  - At micro level – growing resentment felt by non-Serbs towards the political and economic domination by Serbs,
- 
- Milosevic heavy-handed elimination of Kosovo's autonomy and subversion of the Yugoslav constitution made him enormously popular among fellow Serbs
  - Ethnicity became a stronger source of identification as the state became increasingly polarized during reforms that encouraged decentralization without the necessary democratization,

# 'Pre-emptive' genocide

- Followed the incremental departure of Slovenia, Croatia, Bosnia-Herzegovina, and Macedonia from the Yugoslav union;
- On the 1st of March 1992 Bosnia proclaimed independence
- Milosevic's use of state-controlled media to develop his fellow Serbs' collective paranoia
- 'Pre-emptive' commission of genocide primarily by paramilitary units, assisted by the Rump Yugoslav army and local Croatian and Bosnian Serbs.

# American intervention

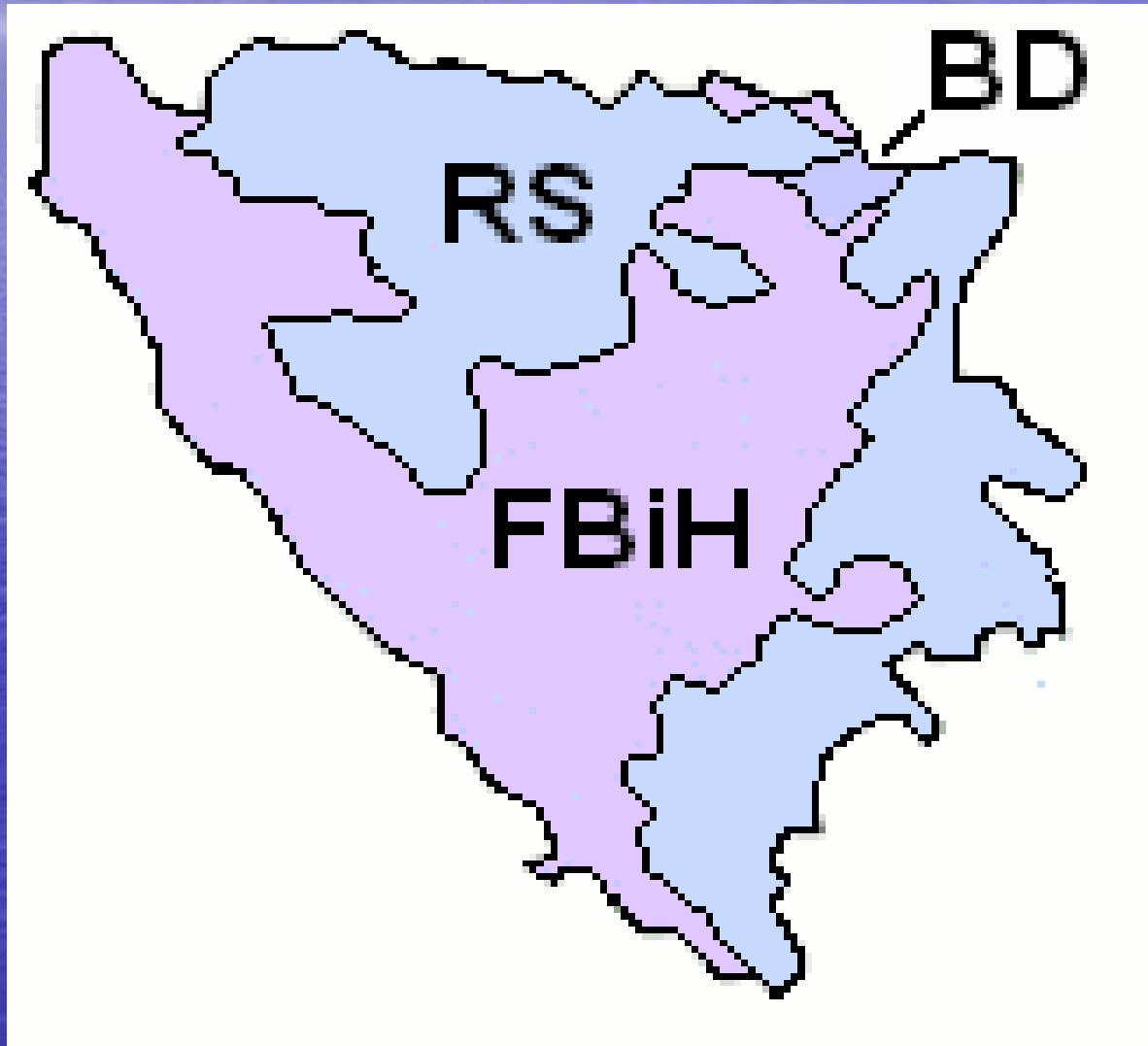
- Although appalled by the slaughter, successive American presidents deferred to their allies for four years until the enormity of their negligence was made clear by the Srebrenica massacres.
- American intervention in the summer of 1995 put an end to the horror.

- Bosnia -Herzegovina has made considerable progress in post-conflict reconstruction, social –integration and state building

# IFOR

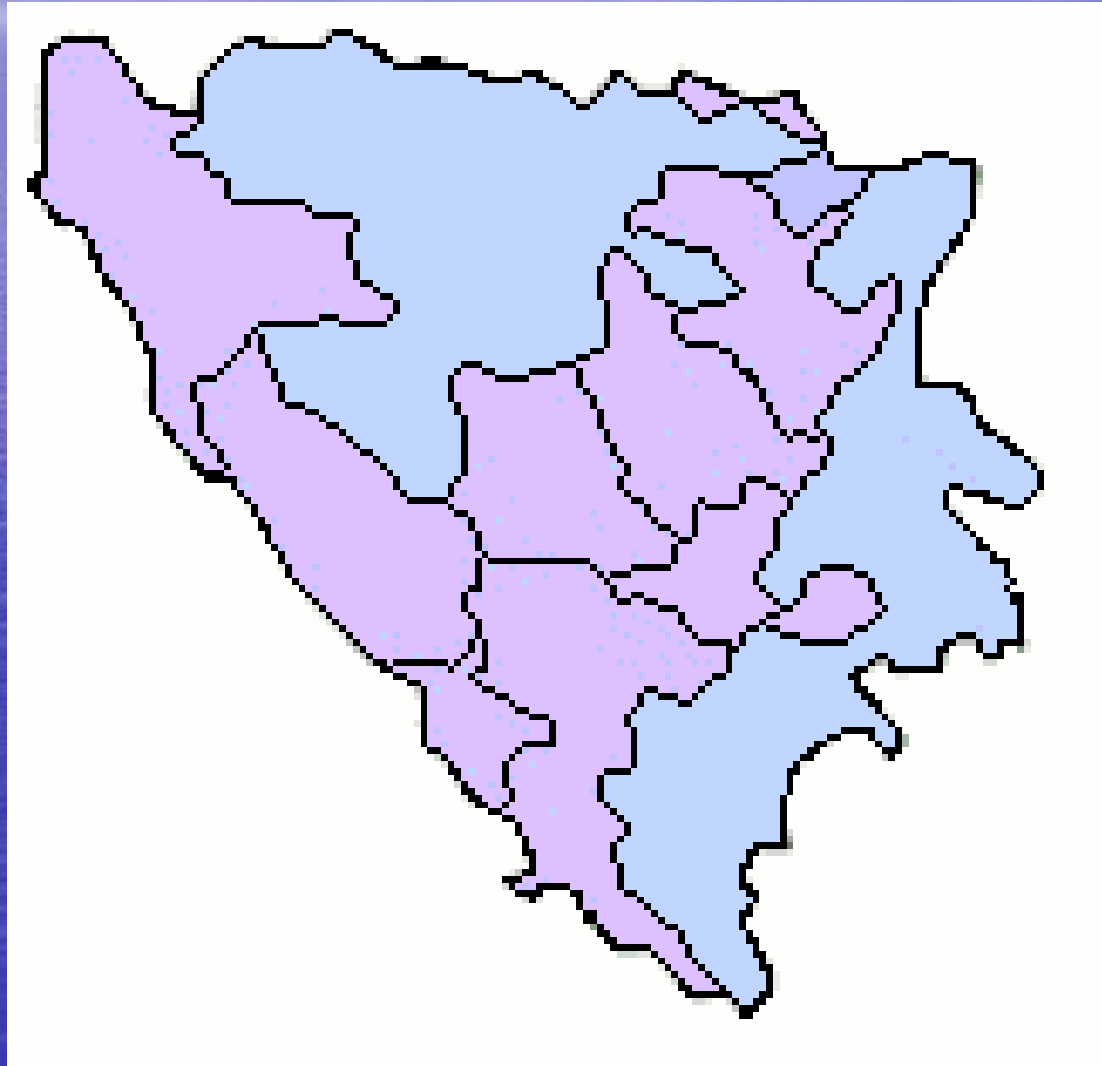
- Dayton Peace Accords - imperfect settlement, has achieved a great deal over the past ten years.
- The NATO-led Implementation Force (IFOR) quickly separated and demobilized the combatants,

Bosnia & Herzegovina comprises the Federation of Bosnia & Herzegovina (FBiH), the Republika Srpska (RS), and the Brčko District (BD).

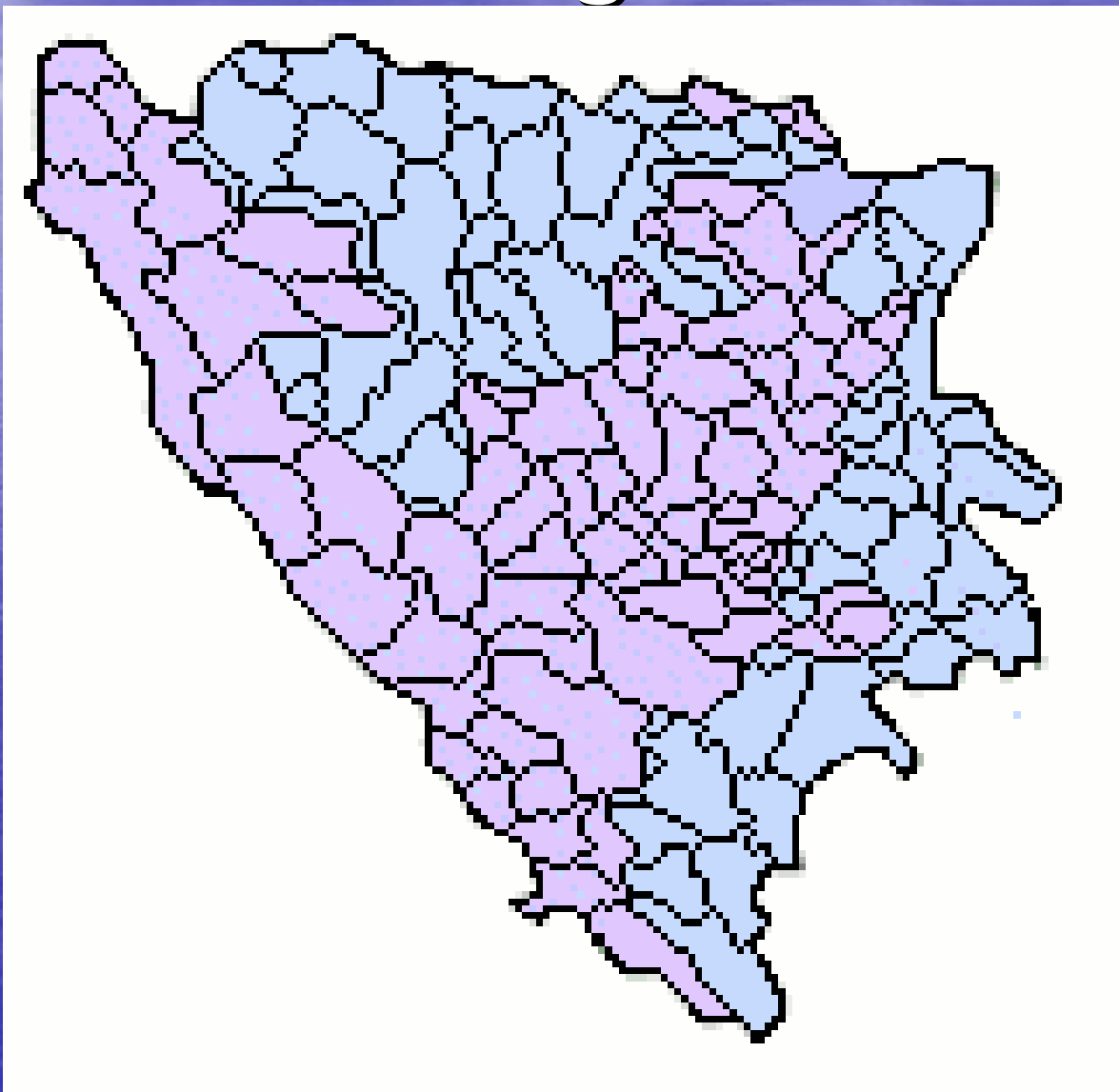




The FBiH is subdivided into ten cantons.



# 137 municipalities of Bosnia & Herzegovina.



# Military Reform

- 1. Passage of State and Entity Legislation**
- 2. Institution Building – State level MoD**
- 3. Downsizing and Demobilization**

# Legislative Benchmarks

- BiH Law on Defence – done
- Amendment to the Law on Council of Ministers – done
- Amendment to the Law on Ministries and other Ministerial Bodies – done
- Amendments to the RS Constitution – done
- Amendments to the Federation Constitution – done
- Presidential Decision on SCMM – done
- Amendments to the RS Law on Defence – done
- Amendments to the RS Law on the Army – done
- Amendments to the Federation Law on Defence – done
- Amendments of the Federation Law on the Army - done

# 3 Showcase Schemes

1. Joint Ceremonial Unit
2. Joint Transport Unit for PSO: Liberia request  
March 04
3. Joint EOD Platoon for Iraq:
  - Sept. 2004
  - LNO to go to USCENTCOM

# Downsizing and Restructuring Benchmarks

Armed Forces of BiH  
(Professional Soldiers)

19 500



10 000

Reserves

240 000



60 000

# Intelligence Reform

Police reform is underway with the goal of establishing greater state level control.

# State Border Service

# Reform of the Judiciary

- The unification of the High Judicial and Prosecutorial Councils into one state level independent body supervising the appointment of judges and prosecutors provides a foundation for professional competency.
- The State Court with Special War Crimes Chamber arose under US leadership.
- The aim was to provide for capacity building of justice institutions of B-H, for prosecutions of indictees to be transferred from the ICTY

# 2<sup>nd</sup> Chamber of the State Court

- The government action plan to combat corruption is being implemented and there are pending trials  
    against highest officials (members of presidency of B-H, judges etc.)

# Value-added tax

- State institutions were further strengthened by the introduction of state wide value-added taxes adopted in November 2004.
- It constitutes a major step in the financial means of ensuring state institutions.

# Economic recovery

According to the World Bank Bosnia and Herzegovina made impressive economic recovery and sustained social stability.

Since 1995 GDP has tripled,  
Merchandise exports are up tenfold,  
Price stability has been maintained with inflation rate below 1% in the last three years.

# The banking sector

- The banking sector has been successfully privatized,
- A liberal trade policy has been implemented and significant fiscal adjustment has been achieved.
- Confidence in the currency is rising as evidence by steadily increasing deposits.
- Foreign exchange reserves have increased
- Improvements in the environment for investment and growth have resulted in the doubling of inflows of foreign direct investment in the last four years .

# Economy

- The economy grew by an estimated 5.5 % in 2005, from (6% in 2004).
- The economy has continued to be based strongly on raw materials and related manufacturing
- Economic growth remained relatively strong but the growth base was narrow.
- FDI Inflows were strongly related to the privatization process (in 2005 inflow grew to 13 % GDP)
- External public debt continued to decrease and reached 27.2 % of GDP at the end of 2005.
- Taking informal jobs into account , unemployment is estimated to be close to 20 % of the working age population.

# Economy

- Net foreign reserves increased by 20 % in euro terms during 2005 and covered 4.2 months of imports.
- Public spending is high and increasing
- Government expenditure is set to increase from an already high level of around 50% of GDP and the fiscal position is likely to worsen.

# EU on the ground

- The EU has been and remains by far the largest single donor, providing assistance to the SE Europe Region as a whole (2 billion Euro to BiH over 10 years).
- The EU is at the forefront of the reconstruction effort.

# Main Areas of EU Support to date

- Reconstruction of infrastructure
- Return of DPs
- Democratisation, social cohesion and development
- Institution building
- Economic regeneration
- Cooperation with the EIB
- EU Police Mission

# EU Police Mission (EUPM)

- Was extended for two years from the beginning of 2006
- Focused on the fight against organized crime and is advising on police reform

# EU-OHR

- The EC pre-accession financial assistance allocated to B-H Euro 51 million in 2006, plus Euro 24.1 million to support the offices of the EU Police Mission, the High Representative and EU Monitoring Mission.

# SAA

- On November 25<sup>th</sup> the Council of the EU opened negotiations on Stabilization and Association Agreement with B-H

# Constitution

- B-H's Constitution is an annex to the Dayton Peace Agreement (DPA).
- The adequacy of the Dayton constitutional system to the present circumstances is widely questioned.
- The structures deriving from the DPA are complex and fiscally unsustainable.
- The current setup does not allow swift decision-making and hinders reform implementation.
- This undermines B-H's capacity to make rapid progress towards the EU.

# Constitutional reform

- Effort to gradually reform the constitutional framework have so far failed.
- The Parliament of B-H rejected a reform package agreed by political party leaders in April 2006
- The package included enhanced State-level competencies, improved and simplified decision-making procedures and representation of minorities in the State Parliament
- B-H missed the opportunity to take a first and important step towards a more democratic and efficient state.

# U.S.-Bosnian Relations

- The 1992-95 war in B-H was ended with the crucial participation of the US in brokering the 1995 Dayton Accords.
- After leading the diplomatic and military effort to secure the Dayton agreement, the United States has continued to lead the effort to ensure its implementation.
- US troops participated in the Bosnia Peacekeeping force
- US has donated hundreds of millions of dollars to help with reconstruction, humanitarian assistance, economic development, and military reconstruction

# USA on the ground

USA has invested 1,35 billion dollars in B-H

2003-2005 50 million dollars p.a.

1996-1998 250 million dollars p.a.

Since 1995 investment in 1.600  
infrastructural projects,

600 credit lines for small and medium  
enterprises

# Main areas of the USA support up today

- Return of DPPR,
- Reconstruction of infrastructure,
- Credit lines for business,
- Economic reforms ,
- Institution building, (MoD, CIA, SBS, SIPA, State Court, Office of Registrar, Prosecutors Office)

# Challenges

- The capture and prosecution of war criminals-in particular Ratko Mladic and Radovan Karadzic
- Need for Constitutional change
- It will be important that the new constitution provides less emphasis on the concept of ethnicity than the current one
- Emphasis should be placed on the harmonious co-existence of communities, religions and cultures that has been a strong , prevailing feature of B-H throughout centuries

# Bosnia and Herzegovina

- As Attanasof stated :“In contrast to Western Europe the Muslim population is largely indigenous. The Bosnians entered Islam in the middle of 15th century en masse- the only example of a near- total acceptance of the Muslim religion in the Balkans. Nevertheless, the evolution of national identity in BiH shares many similar characteristic with that of Serbs and Croats.”
- The 1992 to 1995 war was not a religious conflict, though it led to the ethnic group identification.

# Consequences:

- Divided country,
- War criminals, Karadzic and Mladic still at large,
- Many perpetrators still free,
- More than 500 mass graves,
- Missing persons,
- Refugees,
- Lack of sustainable returnees,

# Bosnia and Herzegovina Today

- member of the Council of Europe
- Bosnia and Herzegovina is member of NATO's PfP
- working towards accession to the EU.

## Definition of Terrorism - UN

- criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act.
- UN Security Council Resolution 1566

- **Definition of terrorism - European Union**  
set out in Art. 1 of the *Framework Decision on Combating Terrorism*  
"given their nature or context, may seriously damage a country or an international organisation where committed with the aim of: seriously intimidating a population; or unduly compelling a Government or international organisation to perform or abstain from performing any act; or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation."

# Definition of terrorism - US

- The United States has defined terrorism under the Federal Criminal Code. In Section 2331 of Chapter 113b, terrorism is defined as:  
  
...activities that involve violent... or life-threatening acts... that are a violation of the criminal laws of the United States or of any State and... appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and... (C) occur primarily within the territorial jurisdiction of the United States... [or]... (C) occur primarily outside the territorial jurisdiction of the United States..."

## Organized crime

- Usually no political aspirations although they often seek political protection.
- Depend on underground networks and illegal markets,
- Intimidation as a modus operandi.
- Corruption
- Terrorist tactics - bombings / assassination
- Extortion of protection money as a method of financing.

# Cycle of Violence/Effects of War

- Norman Cigar has discussed the possible effect that genocide, war, expulsion, may have on the victim: 'If stable and just solutions are absent, some in the victimized group may themselves develop a strategy of despair and a process of brutalization, based on their own feelings that they have been abandoned with no redress. They may subsequently come to believe that they have nothing to lose by adopting the methods of their tormentors in order to survive.

(61 Norman Cigar, *Genocide in Bosnia: The Policy of "Ethnic Cleansing"*, Texas,)

# Tensions and Friction

Tensions and friction between national groups, majorities and minorities, frequently carry a potential for violent conflict.

Terrorist networks may try to exploit grievances and bitterness to garner support and recruit extremist elements amongst disaffected groups

Where tension has developed between minorities and majorities but remains inadequately addressed, terrorists can exploit such situations to justify ideologies of hatred and actions of violence.

# Religious Extremism

- Religious extremism is usually associated with the perception of a threat
- - threat against one's cherished values, against a way of life, against the position of religion in society
- feel threatened either by secularism or by specific, religious or non religious groups in their society.
- In extreme cases, this may lead to violence and terrorism, due to an exacerbated perception of the threat
- preventive policy should consider those factors and avoid - insofar as possible - measures that would confirm the perceived threat.

# Various Sources of Terrorism

- poverty, ignorance, oppression, lack of human rights, absence of social and political dialogue, refusal to grant people their basic political rights and,
- implicitly, a voice for their demands – these all generate fertile environments for ethnic and religious tensions and extremism.
- These, in their turn, lead to the aggregation of organized groups using violent means to achieve economic, social or political ends.
- Weak or failed states, where absence of rule of law creates areas outside any sovereignty or control in which organized crime develops, are true havens for terrorist networks.

# Poverty

- official unemployment rates in BiH have been hovering around 40%.
- 'Unemployment rates breed social strife, raise some individuals and groups' propensity to engage in illegal and criminal activities, and favor the proliferation of non conventional threats.'
- As President Bush has said: 'Poverty doesn't cause terrorism. Being poor doesn't make you a murderer...Yet persistent poverty and oppression can lead to hopelessness and despair.'
- People living in extreme poverty, deprivation and general lack of dignified future might be more prone to extremism.

# Education

According to the Helsinki Committee in BiH, reconciliation will be difficult in the long term if school children are taught different curricula on the basis of nationality and religion.

Speaking in Vienna, ( 4 July 2002), Lord Ashdown, High Representative and European Union Special Representative for Bosnia and Herzegovina, described the crisis in education as the biggest long-term threat to the country's security and stability.

'The current state of education in Bosnia and Herzegovina represents a serious obstacle to stability, security, reconciliation, institution-building, sustainable refugee returns and economic recovery,' Lord Ashdown said. Education has been widely used as an ideological and political tool to reinforce ethnic bias, intolerance, segregation and discrimination.

## Ability to combat terrorism:

(I) The state has to be able to claim successfully the legitimate monopoly over law and order. Where warlords and criminal gangs challenge this monopoly, states are already in the danger zone.

(II) There has to be an efficient public bureaucracy. Where public officials are corrupt, effective law enforcement becomes impossible and the state loses its authority.

(III) There have to be constitutional guarantees and rule of law. A strong state without these safeguards would be an invitation to abuse of power. Its legitimacy in both the eyes of the public and of the international community would be challenged.

(IV) There has to be an effective and fair system of taxation. The state has to be able to redistribute resources in society.

The strengthening of these four attributes of the modern state lies at the heart of prevention of state failure.

# The common factors:

- Poor public security, weak rule of law, pervasive economic backwardness, institutional corruption and organized crime produce an environment where international terrorist networks can hide personnel and money.

From this perspective, the most important Balkans dimension of the war on terrorism is the long-term work of peace building – institutional reform and development.

## Fight Against Terrorism in BiH

- *Terrorism is a new issue for BiH and became dominant after September 11.*
- *In Bosnia and Herzegovina there were 60 thousand international troops, including 20 thousand US troops, implementing the Dayton Peace Agreement - no single hostile incident ever happened.*
- *Since 2001 Bosnia and Herzegovina is engaged actively in the fight against terrorism*

# 2001

- Even before the September 11 attacks, the Bosnian Government was engaged actively in measures to combat terrorism
- After September 11, Bosnian Government authorities pledged to put all possible resources toward the fight against international terrorism.
- The State border service enacted a variety of measures to control the borders more effectively, including the introduction of a new landing-card document travelers are required to complete upon arrival at the airport.
- Following the attacks on September 11, Ministry of the Interior authorities arrested several individuals suspected of involvement in terrorist activity,
- NGOs, which came to the region during the 1992-1995 Bosnian war come under the scrutiny of the Government. The Government has taken significant steps to freeze their assets.

# 2002

- In early 2002, B-H authorities arrested and transferred to US control several individuals suspected of planning an attack on the US Embassy in Sarajevo.
- The Government strengthened its border and financial controls, create a unified Federation intelligence service, created Bosnia's national identity card. (The High Representative's imposition of a new state-level criminal code and criminal procedure code in January 2003 reinforced the criminal justice system, including specific provisions aimed at terrorism.)
- As of October 2002, the State Border System had assumed coverage over 100 percent of Bosnia's borders and all operating international airports. Since introducing tighter immigration controls, authorities have reduced illegal immigration via Sarajevo Airport by an estimated 90 percent.

*2003*

- The Government of Bosnia and Herzegovina has continued to condemn acts of international terrorism.
- In 2002, the Parliament passed a law creating the State Information and Protection Agency whose mission includes combating terrorism, illegal trafficking, organized crime, and smuggling of weapons of mass destruction.
- The Federation Financial Police continued to shut down NGOs with terrorist links, and Federation banking authorities continued to freeze accounts of suspected terrorist supporters.
- Bosnia and Herzegovina become a party to 11 of the 12 international conventions and protocols relating to terrorism,( ratifying five in 2003).

# 2004

- State-level Ministries of Defense and Security were established in 2004, and the two entity-level (Federation and Republika Srpska) intelligence services were merged into a single state-level service.
- US Government assistance helped establish the State Investigative and Protection Agency (SIPA), an FBI-like agency responsible for investigating complex crimes including terrorism, illegal trafficking, organized crime, and smuggling of weapons of mass destruction.
- In June, Bosnia adopted a package of laws giving SIPA enforcement and investigative authority for state-level crimes, including terrorism, and a law on prevention of money laundering.
- The law, which came into force on December 28, determines the measures and responsibilities for detecting, preventing, and investigating money laundering and terrorist financing, and prescribes measures and responsibilities for international cooperation.
- The BiH Government took decisive action in apprehending suspects and shutting down NGOs and bank accounts tied to terrorist-linked organizations.

## 2005

- An interagency Citizenship Review Commission was established with the task to examine BiH citizenship from naturalized citizens who fraudulently obtained their citizenship, have no substantial ties to Bosnia at present, or obtained their citizenship because of government error or misconduct.
- In October, Federation police and law enforcement authorities raided a safe house in a suburb of Sarajevo and arrested two terrorist suspects with links to terrorist networks in Western Europe.
- Terrorist-related cases proceeded under conventional criminal statutes, such as illegal arms possession, arms smuggling, and conspiracy, which all carry fairly light penalties by American standards.
- Prosecutions were conducted under counterterrorism statutes in 2005.

2006

- The Inter-Ministerial Counterterrorism Task Force (IMCTF), formed in December 2004, and currently responsible for coordinating all State-level institutions with counterterrorism responsibilities, directed two successful terrorism-related deportations in 2006.
- The Foreign Affairs Service had responsibility for determining the appropriate legal status of people stripped of citizenship and of initiating deportations when mandated under the Law on Movement and Stay of Aliens and Asylum
- The Bosnian State Court heard opening arguments in its first state-level terrorism trial in July against three individuals that were arrested in October 2005 and charged with terrorism, and two others charged with illegal possession of explosives.
- In December, the Ministry of Defense donated 50,000 AK-47 rifles and necessary ammunition to security forces in Afghanistan in support of OEF.
- Bosnia and Herzegovina deployed a 36-member Explosive Ordinance Disposal (EOD) unit in Iraq in support of Operation Iraqi Freedom. The unit began its fourth rotation in Iraq in November.

# **New state-level institutions to fight against terrorism**

Five institutions with counterterrorism responsibilities have been developed since 2000 include:

- 1. The State Border Service**
  - 2. The State Investigative and Protection Agency (SIPA)**
  - 3. The Ministry of Security**
  - 4. The B-H State Court and State Prosecutor's Office;**
  - 5. The Bosnian State Intelligence and Security Agency (OSA)**
- The Foreign Affairs Service (capacities bolstered)**