

Vest o Titovoj smrti objavljena je 4. maja 1980. godine, samo nekoliko dana pre njegovog osamdesetmog rođendana. Zajedno sa njim otišle su i ideje o nacionalnom oslobodjenju, samoupravljanju, bratstvu i jedinstvu, kao i jugoslovenski put u socijalizam. Cela zemlja bila je pritisnuta zbunjenošću i zlim slutnjama, ali nigde tako kao na Kosovu: Albanci su osećali da su izgubili svog zaštitnika. Ne pripremivši naslednika, Tito je svoju zamenu uredio u vidu kolektivnog vodje, osmočlanog rotirajućeg državnog predsedništva, izabranog na osnovu ravnopravne zastupljenosti šest republika i dveju autonomnih pokrajina. Smatralo se da će njegov multietnički sastav sprečiti da se Jugoslavija raspadne. U svetskim medijima, međutim, ubrzo se počelo razmišljati hoće li zemlja preživeti Titov odlazak. Tito je uspeo da je sačuva od pretnji sovjetske invazije veštom spoljnom politikom, a od nacionalističkih nemira davanjem regionalne autonomije. Njegovom smrću otvoren je problem uspostavljanja novog načina rešavanja sukoba, ali su za uspostavljanje tog načina nedostajali čvrstina i odlučnost, politička veština i, iznad svega, neophodna opšta socijalna i politička saglasnost. Jo se žilavo držao stari sistem: Savez komunista, i dalje ni centralizovan, niti federalizovan, i izuzetno složen sistem rotacije i održavanja međunacionalne ravnoteže i u državnoj i u partijskoj hijerarhiji. Očekivalo se da ovakav sistem uspšeno funkcioniše i bez istaknutog vodje, ali je to bilo nemoguće sa tako nesposobnom političkom nomenklaturom, tj. rukovodiocima na saveznom, republičkom i pokrajinskom nivou koji na svoje visoke položaje nisu dospevali zato što su bili zaista sposobni, već zato što su bili odani Titu. Jedna od zanimljivih reakcija na neizvesnost koja je zavlado posle Titove smrti bila je reakcija mnogih ljudi koji su počeli da se nacionalno izjašnjavaju kao Jugosloveni. Kada su objavljeni, rezultati popisa iz 1981. godine pokazali su da se iznenadjujuće veliki broj jugoslovenskih građana - oko milion i dvesta dvadeset hiljada ili 5,42% ukupnog stanovništva - izjasnilo kao "jugosloveni". To je bilo skoro četiri i po puta više nego u popisu iz 1971. Nema sumnje da su strah od sukoba, koji se pojavio tako brzo nakon Titove smrti, potreba da se nadje rešenje za neke lične nedoumice, na primer, u mešovitim brakovima, ili politička opredeljenost za jedinstvo i centralizam, imali uticaja na neke ispitanike. Uz to, moguće je da je za neke manjinske etničke grupe "jugoslovenstvo" bio pokušaj da se zatšite. Broj građana koji su se izjasnili kao "Jugosloveni" varirao je od oblasti do oblasti, ali ih je na Kosovu, sa samo 0.2%, bilo manje nego bilo gde u Jugoslaviji.

Albanci su 1981. godine činili gotovo 77% od 1,584.588 stanovnika Kosova, no, kao ni ranijim popisima, njihov tačan broj nije utvrđen. Prilikom popisa od 1981. godine, recimo, nije prijavljen tačan broj muških beba i to zato da bi se izbegla neka buduća vojna regrutacija. Pitanja u vezi sa iseljavanjem slovenskog življa sa Kosova, kao i ona koja su se ticala visokog nataliteta među Albancima, i dalje su bila emocionalno obojena. Statistički podaci o broju Srba i Crnogoraca iseljenih iz Pokrajine bili su nepouzdana, a oni do kojih se može doći razlikuju se u zavisnosti od toga kojoj nacionalnosti pripada izvor: Kosovari procenjuju da je između 57 i 60 hiljada ljudi napustilo oblast, u periodu od 1971. do 1981. godine, dok Srbi tvrde da je reč o više od sto hiljada ljudi. Prema rezultatima popisa, broj Srba na Kosovu je, između 1971. i 1981. godine, opao za 18.172, a Crnogoraca za 4.680. Za Pokrajinu je ova činjenica imala značajne ekonomske posledice, utoliko što je iseljeni slovenski živalj u visokom procentu predstavljao profesionalno i stručno osposobljen deo kosovskog stanovništva. Njihov egzodus značio je da industrija, tehnologija, nauka i obrazovanje ostaju bez stručnjaka. Nasuprot ovoj, odvijala se seoba Albanaca iz Makedonije, Crne Gore i južne Srbije na Kosovo. Otvaranje pršitinskog Univerziteta u

velikoj meri je podstaklo doseljavanje Albanaca. Procenjuje se da je u razdoblju od 1966. do 1986.godine iz drugih krajeva Jugoslavije na Kosovo došlo 46.000 Albanaca.

Prema Rilindiji, dnevniku Saveza komunista Prištine, glavni uzroci svih ovih seoba bili su ekonomski: velika nezaposlenost u Pokrajini navodi se kao glavni činilac odlaska Srba i Crnogoraca. Drugi činioci su nepovoljni stambeni i obrazovni uslovi. Mnogi iseljenici, tvrdi se dalje, otišli su u druga mesta u Jugoslaviji da bi nastavili školovanje i usavršavanje. Tako se stiče utisak da sa Kosova odlaze oni koji žele da izbegnu tamošnje nevolje i iskoriste priliku da bolje i kvalitetnije žive, a takva prilika im se pružala u drugim krajevima Jugoslavije. Nisu samo pripadnici slovenskih naroda napuštali Kosovo. Izmedju 1971. i 1981. godine, iz Pokrajine je otišlo i 44.808 Albanaca, uglavnom iz ekonomskih, ali i iz obrazovnih razloga. Lokalna albanska štampa izveštavala je kako se, uprkos tome što su neophodne stanovništvu koje ubrzano raste, ne grade nove škole. Bilo je uobičajeno da, sa tročasovnom nastavom, škole rade u tri, pa i četiri smene. Od šezdeset i pet različitih zanimanja, učitelji su bili medju u najslabije plaćenima i napuštali su taj posao. Prema zameniku pokrajinskog premijera, citiranom u Rilindiji (5. maj 1980):

"Zapoljavamo one ljude koji ne mogu da nadju posao na drugim mestima. Polovina učitelja nije kvalifikovana. U mnogim školama knjiga ima malo, ili ih uopšte nema, kao ni drugih učila. Albance posebno uznemirava to se ulaže u nove fakultete i organke Univerziteta u nealbanskim gradovima, dok albanski jedva da imaju sredstava i prostora za osnovno i srednje obrazovanje. Biblioteke, kulturna i umetnička udruženja gotovo skapavaju od nedostatka novčanih sredstava.

Većina Albanaca je u to vreme smatrala da bi se, kad bi kosovski Albanci imali punu kontrolu nad vlastitom privredom, mogli izvući iz nerazvijenosti. S obzirom na to da je na Kosovu ekonomska jednakost bila preduslov socijalne i političke stabilnosti, socio-ekonomske razlike i dalje su pojačavale napetost. Samo jedna od deset osoba zaradjivala je platu. Nesrazmerno velika sredstva iz saveznog budžeta usmeravana su u administraciju koja je, kao i natalitet, rasla mnogo brže nego proizvodna produktivnost. Jedan od očevidnih problema na Kosovu, kao i drugde u Jugoslaviji, predstavljala je glomazna birokratija, s pravom nazvana "neproduktivnom povlašćenom klasom" koja je iscrpljivala novčana sredstva Pokrajine. Tako je četvrtina svih zaposlenih Albanaca radila dobro plaćen službenički posao i imala vlastite automobile i lepe kuće. Ove povlastice su izazivale negodovanje slabije plaćenih, kao i hiljada nezaposlenih, a obrazovanih ljudi. Kosovo nije sebi moglo da priušti tako glomaznu i preteranu administraciju.

#### Albanski neredi

Uprkos ovom pritajenom nezadovoljstvu, bilo je malo Jugoslovena koji su mogli predvideti silinu nereda koji su, u proleće 1981. godine, ni punu godinu nakon Titove smrti, potresli Kosovo. To su bili najgori neredi koji su na Kosovu vidjeni posle 1968.godine. Pokuljalo je godinama potiskivano osećanje osujećenosti i ogorčenje zbog onoga što je doživljavano kao izrabljivanje. Uveče, 11. marta 1981. godine, grupa studenata protestovala je zbog pretrpanog studentskog doma i loše ishrane u studentskom restoranu prištinskog Univerziteta. U tom trenutku, na Univerzitetu je bilo 36 hiljada redovnih i 18 hiljada vanrednih

studenata. Univerzitet je izgradjen tako da je mogao da primi samo trećinu ovog broja. Dešavalo se da po dva studenta moraju da dele krevet. Obrazovanje je bilo više nego lako dostupno, delimično i zato da se privremeno otkloni problem nezaposlenosti; vlast je smatrala da je bolje da su mladi ljudi u učionicama nego na ulici. Zato je sa 274,7 studenata na hiljadu stanovnika Kosovo imalo najvišu stopu stanovnika koji su studirali na nekom fakultetu, dok je jugoslovenski prosek iznosio 194,9. Jedan na svaka tri stanovnika Pokrajine bio je uključen u neki oblik obrazovanja.

Podstrekačima nereda ubrzo se pridružilo na stotine mladih koji su se zatim rasuli po okolnim ulicama. Tu im se isprečio naprečac formiran kordon pripadnika državne bezbednosti, dovoljno jak da rasturi gomilu. Ali, ovo je bio samo predah, jer su se studenti u još većem broju vratili 26. marta. Ovog puta su prebijani Srbi i Crnogorci, paljene su njihove kuće i kancelarije, pljačkane radnje. Srpsko stanovništvo na Kosovu bilo je ozbiljno zabrinuto. U noć 15. marta, tajanstveni požar uništio je veći deo starog konaka Pećke patrijaršije, uključujući i monaške ćelije, zajedno sa velikom količinom knjiga i nameštaja. Srpska javnost je bila ogorčena i zbog požara i zbog nesposobnosti kosovske policije da pronadje i uhapsi krivce. Prema Albancima, međutim, izgoreo je samo manastirski konak u Peći, novoizgradjeno zdanje bez arhitektonske vrednosti. Iako je manastir udaljen od Patrijaršije koja nije ni bila zahvaćena plamenom, iz napisa u štampi mogao se steći utisak da je požarom oštećena i sama Patrijaršija. Za izazivanje požara optuženi su albanski "iredentisti", ali je u sudskoj istrazi sudija Hoti, Albanac, objavio da je vatru izazvao kvar na elektroinstalacijama. Iako je ukupna šteta bila neznatna, Savezna vlada je dodelila iznenađujuće velika sredstva za obnovu manastira. Izgledalo je da je slučaj time zaključen, sve do 1991.godine, kada je ponovo otvoren.

U međuvremenu, protesti su zahvatili i druge veće gradove na Kosovu. Medju parolama i transparentima počeli su da se pojavljuju i zahtevi za "ujedinjenom Albanijom" i "republikom Kosovo". Za smirivanje nereda upotrebljene su izuzetno jake snage: postavljeni su tenkovi, a na celoj teritoriji Kosova zaveden je policijski čas. Čak 30.000 vojnika patroliralo je Pokrajinom, što su Albanci doživeli kao vojnu okupaciju. Zvanično je saopšteno da je stradalo jedanaest osoba, no Albanci su tvrdili kako je pravi broj pre hiljadu nastradalih. Ubrzo su se studentima pridružili radnici, seljaci i, kako se kasnije ispostavilo, neki članovi Saveza komunista Kosova, kao i Albanci iz milicije i vojske. Škole i fabrike su zatvorene, sve u Pokrajini je zamrlo. Savezni sekretar za unutrašnje poslove, Stane Dolanc, izjavio je: "Albanski iredentisti sada pokazuju svoje pravo lice, oni više ne govore o republici, nego uzvikuju 'živeo Enver Hodža'. Jasno je da je ovde u pitanju integritet jugoslovenske države. Zbog toga mi to nazivamo kontrarevolucijom".

Prema svemu sudeći, međutim, nemiri su bili daleko od revolucije, u bilo kom smislu te reči. Velika masa prištinskih studenata, koja je dangubila po važnijim gradskim ulicama, stvorila je savršene uslove za provalu opšteg nezadovoljstva. Ta studentska masa predstavljala je političku i socijalnu tempiranu bombu. Studenti su bili malodušni jer je, u poredjenju sa drugim jugoslovenskim univerzitetima, kvalitetno obrazovanje bilo samo lepa želja. Jedan izveštaj u albanskom dnevniku Rilindija, od 21. februara 1981.godine, otkriva da ga većina studenata uopšte ne čita, pa se tako i ne zna da je svake srede cela njegova strana posvećena univerzitetkim temama. Povrh svega, studentsko nezadovoljstvo je bilo najjače u pogledu nedostatka materijalnih udobnosti na univerzitetu. Poslednje masovne demonstracije dogodile su se 18. maja, kada je nekoliko hiljada studenata zaposelo studentski dom, a rasterani su tek sledećeg dana, pošto je policija upotrebila suzavac. Vlasti su

zatvorile univerzitet i naložile svim studentima da se vrate kućama. Raspušten je savet univerziteta i uvedena prinudna uprava. I pored toga, kontakt studenata, koji su se vraćali kući, sa seoskom i gradskom omladinom samo je dolio ulje na vatru.

Posle nereda, oštrica kritike jugoslovenskog javnog mnjenja usmeravana je uglavnom na kosovski obrazovni sistem, s obzirom na to da je u nasilju učestvovalo tako mnogo mladih ljudi. Univerzitet u Prištini je obeležen kao leglo albanskog nacionalizma, a mnogi profesori su dospeli na crnu listu koju je objavio list Komunist, zahtevajući oštrije mere protiv nacionalista i oportunističkih medju učiteljima, uz nabranjanje svih gradova u kojima takve mere još nisu bile preduzete. Novo kolektivno jugoslovensko državno rukovodstvo nije moglo da dopusti ustupke nacionalističkim zahtevima i zauzelo je beskompromisan i pragmatičan stav. U beogradskom listu Borba otvoreno je postavljeno pitanje zašto je podsticano toliko širenje prištinskog Univerziteta, kad je bilo nezamislivo da oni koji diplomiraju dobiju zaposlenja koja bi odgovarala njihovoj spremi i ambicijama. Kako je već pomenuto, većina albanskih studenata je studirala islamsku umetnost ili albansku istoriju i etnologiju, a kosovska privreda nije mogla da ponudi zaposlenje tolikim diplomcima iz tih oblasti. Samo je oko 20% njih izabralo neku egzaktnu ili tehnološku disciplinu. Težnje pripadnika ove prve generacije studenata bile su sve smelije, ali ne samo njihove, već i drugih članova njihovih mnogobrojnih, višegeneracijskih porodica. Albanci su sada trpeli zbog naglog i obimnog unapredjenja obrazovanog sistema kojeg do tada uiošte nije bilo. Uska kulturna orjentacija novopečenih diplomaca kočila je njihov dalji razvoj i izolovala ih je od ostalih delova jugoslovenskog društva. Tanjug je objavio da je pokrajinski Savez komunista preporučio smanjenje upisne kvote za deset procenata, kao i premeštanje nekih fakulteta u udaljenije delove Kosova. Osim nesrazmernog izbora oblasti univerzitetskih studija, i brzopleto uvodjenje univerzitetskog obrazovanja dovelo je i do pada akademskih kriterijuma u zapošljavanju albanskih nastavnika, medju kojima su mnogi za takav poziv, u najboljem slučaju, bili samo delimično osposobljeni. Manje od polovine profesora imalo je doktorate, a čak i ni oni su, po pravilu, malo objavljivali i njihove kolege iz drugih delova Jugoslavije nisu ih smatrali ozbiljnim naučnicima. Zato je akademska sredina bila, u stvari, mediokritetska.

Režim je u početku razmere nereda predstavljao manjim nego što su, u stvari, bili i nastojao je da uveri javnost kako je reči o izdajničkim "prljavim poslovima" koje je lokalno albansko stanovništvo jednodušno osudilo. Ali ovo prikrivanje nije moglo dugo da traje, a postepeno otkrivanje stvarnih razmera nasilja dovelo je do kritika ukupne dotadašnje partijske politike na Kosovu. Činjenica da se problem mogao suzbiti jedino silom išla je na ruku tvrdoj struji u vlasti koja je tvrdila da je popustljivost, za koju su se u smirivanju situacije zalagali partijski liberali, preokrenula u orudje koje je iskorišćeno kao sredstvo pobune. U zvaničnim jugoslovenskim izveštajima za nered je, najzad, oštrim rečima okrivljeno partijsko rukovodstvo "Saveza komunista Kosova i druge subjektivne snage koje nisu vodile dovoljno energičnu, odlučnu i otvorenu ideološku borbu protiv velikoalbanskog nacionalizma i iredentizma. Dugogodišnje iskustvo je trebalo da spreči takvu pasivnost" I partijsko rukovodstvo Srbije i Jugoslavije bilo je okrivljeno što nije "ranije shvatilo šta se događa i što nisu preduzete oštrije i pravovremene mere u vezi sa događajima na Kosovu".

Pozivalo se na otvoreniju saradnju i razmenu mišljenja izmedju pokrajinskih i republičkih vodja. Predsednik srpskog Centralnog komiteta, dr Tihomir Vlaškalić, izgovorio je ono što je osećala većina Srba: "Uzeli smo zdravo za gotovo da Kosovo ima svoju republiku u Jugoslaviji - Socijalističku Republiku Srbiju". Prema Tanjugu "neizbežno se nameće

zaključak da je ve ćina članova partije na Kosovu, ili na neki način umešana u nered, ili je blagonaklona prema rastu ćem secesionistićkom pokretu. Kosovska partijska organizacija i služba bezbednosti pune su albanskih kontrarevolucionara i iredentista". Neredit su zatekli nespremnim vlasti u Beogradu, a u potrazi za krivcima, glavna pitanja koja su se postavljala bila su: zašto su Jugosloveni tako loše informisani o onome što se dogadjalo na Kosovu i šta su ćlanovi partije radili u vreme neredita? Oba pitanja su se neposredno ticala odgovornosti Mahmuta Bakalija, kao ćelnika Saveza komunista Kosova: "Kako je bilo mogu će da smo o svemu što se dogadjalo saznali tek od druga Dolanca, na njegovoj konferenciji za štampu, 6. aprila?"

U zapisniku sa sednice partijskog pokrajinskog komiteta, odrđane 8. marta, ništa nije ukazivalo na tinjaju će nezadovoljstvo koje je, samo tri dana kasnije, dovelo do neredita. Beogradski dnevnik Politika ironićeno je primetio kako je na sam dan najve ćih neredita glavni kosovski dnevnik na celoj stranici reklamirao turistićaka mesta u Pokrajini. Nametao se zaključak da je za prekid veza izmedju Beograda i Prištine odgovorna pokrajinska partijska organizacija. Kako je nasilje posle 26. marta eskaliralo, Mahmut Bakali je tražio da se na sednici Pokrajinskog komiteta raspravlja o preteranoj reakciji policije. Svestan da bi to moglo delovati provokativno, on se zalagao protiv toga da se dovede vojska da štiti radio i televizijske stanice. Samo pet dana pre poćetka neredita, Mahmut Bakali je izjavio da se nedostatak osnovnih životnih namirnica na Kosovu ne mođe tolerisati i da se mora zapoćeti borba za zatšitu životnog standarda stanovnika sa niskim prihodima, nezaposlenih i studenata. Bakalijevo tumaćenje društvenih i ekonomskih poreme ćaja na Kosovu potvrđuje objašnjenje koje su o pravoj prirodi neredita dali sng of which had not much to do with humanitarian work, and carried out by means of illegal financial transactions, and that they even had documents showing that the humanitarian work was only a cover for other activities (air photographs of projects and towns "before and after attacks", drawings of military projects, disposition of troops, comics with anti-American and anti-Semitic messages, etc.). Some of performers of such activities have been arrested, a number of these persons were deprived of citizenship, some were asked to leave the territory of B&H, while many of them did that on their own fearing of possible arrest and criminal charges.

In January 2002, the competent authorities of B&H Federation handed over to representatives of the U.S.A., at their request, six persons that came from Algiers (the so-called "Algerian group") and who had spent three months in pre-trial confinement, on the basis of the decision of the competent judicial body of the Federation B&H, due to reasonable doubt that they were connected with members of the terrorist network of Osama Bin Laden. Such action of the authorities of B&H is in accord with international obligations of B&H, as the UN Member, to implement strictly the UN Security Council Resolution no. 1373 of 28 September 2001. The five persons of the "Algerian group" had citizenship of B&H, which was revoked after it had been ascertained that they got them illegally, on the basis of forged documents and false statements. In contacts of competent persons from B&H with representatives of government authorities of Algiers that preceded the deportation, it was confirmed that those persons were also of interest to Algiers for security reasons but they did not want them back. It transpired from these contacts that around 75 persons of the Algerian origin were illegally admitted to the citizenship of B&H.

During the deportation, there was a considerable disorder created by about 500 persons, radical Islamists, persons of Afro-Asian origin, etc. on the occasion of which one policeman was seriously wounded and seven

had light wounds. Anyhow, the deportation caused raging and completely differing reactions in B&H.

A major security problem of B&H, including danger of domestic and international terrorism, is a very large number of admissions to citizenship of B&H under suspicious circumstances. A number of domestic and international sources indicate that during ten past years a considerable number of terrorist groups from Afro-Asian countries, associated with international terrorism, have been operating in B&H. Operation of members of these organizations was facilitated by getting citizenship of B&H, and many of them married in B&H. They mainly covered up their activities through the existence of organization for various forms of humanitarian work, some of them even having illegally for their cars diplomatic license plates. They also had supporters among the local population. Representatives of international organizations in charge of the implementation of peace in B&H set forth the data that only in the period from 1993 to 1996 the authorities of Bosnia and Herzegovina issued around 11,000 to 12,000 passports under suspect circumstances and with suspect motives. It is considered that after the signing of the Dayton Accord more than 30,000 persons were given citizenship of B&H. The highest percentage is persons from the Republic of Croatia (Serbs) and FR Yugoslavia (Bosniaks), and there are several hundred persons from Afro-Asian countries. Re-examination of all decisions on granting citizenship and the passports issued since 1992 to the present day is under way. Results so far indicate that there are not such a small number of these decisions that were taken illegally so that several tens of citizenships obtained in this way have been revoked. Checks also showed that there were cases that some of those persons were admitted to the citizenship of B&H several times and that they possessed several passports and identity cards, that they in addition changed their identities, took domestic names, etc. According to estimates, around 740 persons from Afro-Asian countries got citizenship of B&H under very suspicious circumstances. An initiative was also taken up to re-examine all decisions, taken in the ten past years, on changes of identities in the administrative procedure in the bodies of internal affairs. The reason is existence of reasonable doubt that a number of naturalized foreigners, citizens of B&H now, changed their identities in order to hide their real identity. Several tens of thousands of such decisions are at issue. However, work under way is a very copious one.

Management of the Agency for protection of information and documentation (AID, intelligence service) set up in the fall of 1995, in the mountain climbers' home in Pogorelica (near Fojnica), a camp for training of Bosniak intelligence officers. The camp was in existence for a number of months, by mid-February 1996, when IFOR troops stormed the camp and arrested 8 citizens of B&H and 5 citizens of Iran. Training was organized in the camp, for groups of 10 - 12 persons, for terrorist actions, assassinations, diversions, espionage, etc. Experts of the Iranian intelligence service conducted the training. Though the state leadership of the time promised to representatives of the international community to conduct a detailed investigation of the camp and take adequate measures, nothing happened.

On the contrary, a day after IFOR's action, an order was given to change for 15 trainees all their documents " which can serve for establishment of identity" (identity cards, passports, military books, official IDs, driver's licenses, medical-care booklet, etc.). "The case of Pogorelica" was again, at the end of 2001 and beginning of 2002, taken up and, recently, a pre-trial confinement was ordered for 5 high officials of the MUP and the AID intelligence service that were in office at the time the camp operated.

During the state of war, in three totally separate legal areas, the pre-war criminal code was chiefly applied in B&H. Under B&H Constitution (Dayton constitution), the following falls among the competences of B&H "implementation of international and inter-entity criminal-legal legislation, including the relations with Interpol" However, the quoted constitutional provision has not been until recently elaborated into a law. That means that statutory regulation of crimes has been so far in complete jurisdiction of entities. At the same time, at the level of central government bodies of B&H there is not the institution of the regular judicial power (there is no supreme court) so that all that power was in the entities. Such an organizational - institutional structure did not secure the necessary efficiency, and there was no cooperation between them

The Court Act of Bosnia and Herzegovina came into force in 2000, prescribing also the "criminal responsibility" of this body under this name . This Court has not begun functioning yet and it is expected to do so in the course of this year; it is also likely to be given the competence for establishment of criminal responsibility for war crimes, with considerable presence in its composition of judges from abroad. Since the initial years of peace in B&H, in the course of the implementation of the General framework agreement for peace in B&H, with considerable involvement of the international community bodies, marked innovations of the criminal legislation in both entities have begun. The existing criminal laws of entities provide for a number of crimes the carrying out of which have characteristics of terrorist activity. Thus, the criminal statute of the Federation of B&H (the substance identical to the criminal statute of Republika Srpska) lays down specifically, in a group of 16 crimes against the constitutional order of B&H and the Federation of B&H, the crime of "terrorism" and the crime of "sending and transferring to the territory of the Federation of B&H armed groups, arms and ammunition" The group of 18 crimes against humanity and international law provides, inter alia, for the following crimes: "international terrorism" , "taking of hostages" and "endangering persons enjoying international protection" . In the group of 23 crimes against public order and legal system, the following crimes are specifically laid down: "call to resistance" and " association for the purpose of committing a crime". As a result of heightened danger of terrorism after 11 September 2001, the legislative activity under way aims at replacing these two crimes by a new substance and new terms: "Organization of resistance" and "Criminal association" . In addition to already mentioned activities for amending entity criminal statutes, a number of measures and activities have been undertaken after the terrorist attacks on the U.S.A. in September 2001, with a view to creating more adequate and safer legal basis for combating all forms of terrorist activity:

Amendments to the entity laws on criminal procedure are under way.

In cooperation with representatives of international organizations, Presidency and the Council of Ministers of B&H proposed passing or amending of the so-called "umbrella laws" that would be applicable on the whole territory of B&H. Those are: the Law on special safety measures in case of an international armed conflict or international terrorist crisis endangering the safety of B&H, and amendments to the Law on the Asylum and Immigration and the Law on Citizenship.

Legislative activity on the passing and implementation of a "package of five laws deriving from the project CIPS" (uniform identification of documents for citizens of B&H) is under way; they will in a legally safer way regulate questions of "citizens' status" for citizens of B&H. Those are the Law on ID, the Law on a uniform registration number of citizens,

the Law on Residence - Sojourn of citizens of B&H, the Law on central records and exchange of data and the Law on protection of personal data. Activities concerning uniform regulation and keeping of records of a number of identification document of citizens (driver's license, registration card and owner's permit for a vehicle) have been stepped up. With a view to a more efficient and more comprehensive action in the field of research and combating acts of terrorism, organized international and interethnic crime, protection of "very important people and security of government buildings where government institutions are accommodated, and cooperation with Interpol", a draft law on the agency for information and protection that would apply to the whole territory of B&H and which admits government responsibility for the situation, was introduced into the parliamentary procedure. With the same purpose in view, it was proposed to merge intelligence services in the territory of the Federation of B&H (there are two such services at the present moment) as well as to pass a law on the federal intelligence service. Passing of entity laws on agencies for the protection of people and property is also in the legislative procedure. It is about physical and technical protection of people and property of economic societies, institutions and other legal persons that will be performed by establishment of special agencies for such activities or by organization of internal security service in the legal person concerned. The existing laws and proposed bills for the prevention of terrorism imply considerable adding to normative and legal procedures, primarily by enacting a large number of bylaws, so that work in this sphere is also under way.

The Ministerial Council of B&H took a Decision on introduction of a "landing card" (a form for foreigners entering B&H), creating thereby conditions for fuller records on entries and departures at airport border crossings.

The UN Convention for the Suppression of the Financing of Terrorism was signed and ratified, and ratification of another five conventions concerning anti-terrorism is under way.

In medias, "domestic" terrorism is defined as a tactic of ethnic cleansing and intimidation of a certain ethnic group with a view to moving the whole ethnic group out of a particular territory. After Dayton, and especially after events of 11 September 2001, media in B&H often raise the question of the ambivalent attitude of the international community towards terrorism in B&H during the war, determining in that way explicitly terrorism as the tactics of warfare. On the other hand, terrorism is also determined through settling of accounts of groups of organized crime, adding to it in that case an ethnic connotation. It is noticeable that certain terrorist acts are defined differently in three groupings of media representing appropriate ethnic line. Every of these sides are condemning another. This is in part the result of war where confronting parties supported stereotypes on their enemies. Thus, Bosnia's were called "balija"; Serbs were viewed as chetniks and Croats as ustasha, which was reference to extremism and Islamic fundamentalism or Nazism. However, this was the working of extremists groups on all sides. Thus, propagation of Islamic values and customs was to a large extent helped by the SDA regime, and Izebegovic himself, which left to Islamic humanitarian organizations, such as the Saudi High committee for aid, provision of assistance to fighters' widows, orphans and other victims of war; women that received assistance were requested to cover themselves, and children to attend the religious instruction. Though only a small number of Bosniaks became religious, by far larger number of them discovered their Islamic heritage. They, in fact, have not stopped being secular Europeans but a new or rediscovered level of identity was added

to (ICG. 2001: 13).

However, media of all ethnic groups equally condemn global terrorism but media also mounted a strong campaign for anti-terrorist actions to be taken by the state and also against violation of human rights and endangering the establishment of the rule of law during anti-terrorist actions.

According to media reports, in the post-war period, from 1996 to 11 September 2001, B&H was faced with tens of terrorist acts which mainly consisted of explosions of car -bombs or other explosive devices and in which one or more persons lost their lives or were wounded or considerable material damage was made, chiefly in urban areas. Bombs and other explosives targeted at members of international organization and SFOR were rarely described as terrorist attacks and were usually explained as isolated acts. Reactions of media to terrorist acts can be best seen from a number of events in 1997 and 1998 that were well covered by media.

Terrorist acts that mostly occupied the attention of media in this period were series of explosions in Mostar - Zapad, in the course of 1997. It is about blowing up of cafes and cars at night, the culmination of which was a terrible explosion of a black "Golf" car in Splitska Street, in western Mostar, on 18 September 1997. The investigation discovered a crater 247 cm in diameter and 85 cm deep, and there were 50 persons wounded, while 56 flats were totally destroyed and 152 seriously damaged (Senad Pecanin "A bomb in Mostar", BH Dani, 14 October 1997). This spread panic in Mostar, divided into the Bosniak east and Croatian west bank. The explosion was depicted in media as a "terrorist-bombing action" that had not been recorded by that time in B&H (Neven Kazazovic, Terrorism, BosNet), while BH Dani claim that this explosion was the effect of a conflict within the Croatian mafia (Senad Pecanin, "A bomb in Mostar", BH Dani, 14 October 1997) but they nevertheless, term it 'terrorist'. At the same time, "Croatian" media convey reactions of Croatian officials in B&H according to which this action, and several before it, was targeted against Croats in B&H and their position. It is often emphasized that Hezbolah, i.e. Islamic terrorism, committed this act. Bosniak media point out that this terrorist act is directly targeted against the peace process and establishment of stable B&H (Neven Kazazovic, Terrorism). In the following period, the then deputy minister for internal affairs, Jozo Leutar (Croat), was killed in an explosion of a car bomb on 16 March 1999. That frightened the public terribly and has been the subject of debate in media to date. Media condemned this act as the most brutal terrorism that happened in Sarajevo and B&H because it came "from within" and not "from outside" as it used to be during the siege of Sarajevo (Zlatko Dizdarevic, A bomb in Sarajevo. BosNet). The murder of Jozo Leutar was described as a terrorist act, while the Bosniak and Croatian controlled media reacted in the same way as in case of terrorist act in Mostar. What is a common reaction of all media in respect of these terrorist acts, and especially the murder of Jozo Leutar, is a constant condemnation of state and local authorities for the failure to find perpetrators of these acts and non-existence of court procedure against them. Media repeatedly underline that government and governmental bodies are incompetent to carry out the investigation and to establish the rule of law.

Media also deal with the police and its actions in finding perpetrators, measures that are taken in the fight against and prevention of terrorist acts. However, in many case, as for instance in the case of Jozo Leutar, they stress the responsibility/incompetence of the international community to establish the rule of law, and that even more money is spent allegedly for such purposes. Media often criticize the police and

authorities for the failure to accept the fact that terrorist "rage" through B&H and persistently search in vain for personal motives of perpetrators of terrorist acts ( Esad Hecimovic , Terroristi se i dalje traće ( Terrorist are still looked for ) , BH Dani , no . 2 4 6 ) .

Events of 11 September 2001 were for a time the prime topic in media in B&H . In the initial reactions these terrorist attacks and terrorism were severely condemned . However , actions of the U.S.A. against Afghanistan and the media campaign against the Islam was presented and criticized as a campaign against the entire Islamic world . Linking of B&H with Islamic fundamentalism and with Osama Bin Laden himself in foreign media , pointing out that , during the war , a considerable number of people from Islamic countries came and fought on the Bosniak side and that they got illegally the citizenship of B&H caused strong division between media in B&H . While Bosniak media condemned anti-Islamic campaign , the Serbian and Croatian media were "feasting" on reports on Islamic terrorism and severely criticized B&H government for making possible actions of Islamic terrorism in the country ( B&H I svjetski terorizam : Ima neka tajna veza , Hrvatska rijec , no . 366 , 17 September 2001 ) .

In October 2001 , the war against terrorism made Sarajevo nervous , basically , for the same reasons as Tirana in those days . Thus , the commander of SFOR , general lieutenant colonel John Syvester stated that B&H is not threatened by radical Muslim elements ( BBC News , " Analysis : Bosnian stability at stake " , October 15 , 2001 , ICG . 2001 : 10 ) , but the embassies of the U.S.A. and Great Britain in Sarajevo were closed for three days on 17 October 2001 , after a credible threat of a terrorist attack . After that , NATO officials claimed that they prevented an attack on bases of the America SFOR in northeastern Bosnia . At the same time , they denied that any evidence had been found of the existence of camps for training of terrorists . Further , on 25 October , SFOR claimed that they had cut all Bosnian connections with the Al Qaeda network . A day later , Secretary-General of NATO Lord Robertson stated that " at least one " out of ten suspects that the local police or SFOR detained in the period after 1 October , had had " direct connection with Al Qaeda and Osama Bin Laden " . " Danger " , added Robertson , as if directly reproaching general Sylvester , " is still present " ( Wall Street Journal Europe , October 24 , 2001 . According to : ICG , 2001 : 10 )

The government of the Federation and the government of the state categorically denied the assertion that Osama Bin Laden had ever been in B&H and that he was granted the Bosnian passport . They also pointed out that they recently handed over suspects of terrorism to the courtiers where charges were brought against them , that they were resolved to complete a strict revision of all war and post-war decisions on naturalization and promised " hell " to any of alleged terrorists from Afghanistan which were claimed to be on the way to Bosnia where they were expecting to have a peaceful life , rest and recreation . On their part , Bosniak leaders tried to diminish the importance of the number of decisions on naturalization of persons that were by origin from North Africa and the Near East ( around 420 ) that were taken after 1992 , to point out that only 70 of them did not take up permanent residence in that republic before the war , to stress that they were not by far the only ones receiving American requests for information on individuals with terrorist connections , and to conclude that B&H was in a very respectable company on the list of countries that might have inadvertently provided hospitality to active and sleeping terrorists ( ICG . 2001 : 10 , 11 ) .

Media pointed to danger of the outbreak of new hostilities in Bosnia and Herzegovina as the U.S.A. gave up or abandoned implementation of the peace accord in B&H. Reactions of the American government towards Bosnia and Herzegovina as a country where, if not actively then passively members of international terrorist organizations, and even Al Qaeda, were present, caused fear, both in the public and among top government officials, so that the government of Bosnia and Herzegovina set up for the first time a coordinating anti-terrorist team and anti-terrorist plan. The anti-terrorist plan, along with amendments to laws, the so-called anti-terrorist package, includes laws on special security measures in emergency situations, amendments to the law on asylum and immigration, the law on citizenship, research into terrorism, trade in people, etc. Government of Bosnia and Herzegovina, the ruling coalition Alliance and actions of the anti-terrorist team have been even to the present day subject to severe criticism. Attention was drawn to unnaturally big number of cases where persons were "overnight" deprived of citizenship, extradited or deported to the countries where capital punishment was in force and condemned as serious violation of human rights by B&H Government and non-observance of both B&H laws and the European Convention on Human Rights (Exposition by Srdan Dizdarevic, president of the HCHR BH. Round table: "Human rights in Bosnia and Herzegovina in the light of the events of 11 September 2001", 21 November 2001). The position of B&H government to keep American friends in B&H at any cost was also criticized.

The case of the "Algerian group" attracted the greatest attention and the severest criticism. It happened that on 18 January 2002 six Algerians suspect of planning a terrorist attack on the embassy of the U.S.A. in B&H, were extradited to the American authorities after they were acquitted by the Supreme Court of B&H due to lack of evidence (Alenko Zornija. "Acquittal of Algerians ended in their extradition to Americans", VIJESNIK, 19 January 2002). Six Algerian were kept in detention and then transferred under American control. Media criticized severely this act as the violation of human rights and laws of Bosnia and Herzegovina. It was, in addition, pointed out that the suspects were extradited to the country where the capital punishment was in force disregarding to mention the fact that the capital punishment was in force in some of federal states and not in the U.S.A. as the state. Within this context, great interest of media was aroused by a "scandal" associated with the Helsinki committee for human rights in B&H, which expressed the view that the behavior of authorities in the case of the "Algerian group" was violation of human rights and B&H laws, some members of the HCHR B&H, however, having dissociated themselves from such a view.

Media continue to take up often the issue of the "Algerian group" and setting up of the anti-terrorist team only after events in the U.S.A. Interviews of politicians, members of the Coordinating anti-terrorist team often take place where illegality of actions taken by this team is being re-examined. Another question that is often raised is the one of hushing up of terrorism in B&H during the war, from 1992 to 1995, and criticisms are addressed to the government of the U.S.A. and its war against terrorism. At the same time, leaders of Republika Srpska insist on not having terrorists in the RS and their media heat up old accusations of Osama Bin Laden having the Bosnian passport. Even the prime minister of the RS Mladen Ivancic stressed "that the Federation has to accept that the problem of terrorism is present exclusively in that entity... and that the RS is not in any way connected with terrorism" (News agency SRNA, 16 October 2001. According to ICG, 2001:14).

What are really lacking in B&H are strong internal systems of defense. Thus SFOR was forced, immediately after 11 September, to take unilateral

measures to find and pick up potential terrorists on the basis of intelligence data that they could not share with the Bosnian police. However, when two or three weeks elapsed, and the authorities in B&H consolidated themselves, it was possible to share both information and responsibility for detention and deportation of suspect individuals. In that way, increasing criticisms in media on account of SFOR overstepping its legitimate powers changed the direction. As it was already said, SFOR and its assistants in the federal ministry for internal affairs were accused of insufficient respect for civil rights and liberties. However, even the OHCHR was against the haste of the Ministerial Council to impose a package of new or amended laws for combating terrorism. This package was initiated due to the concern of America and drawn up by a working group seated at the OHR, the members of which were representatives of selected embassies and 'chiefs' (OSCE, OHR, UNMIBH and UNHCR). It was presented to the Ministerial Council on 17 October despite protests of the OHCHR and UNHCR. These two agencies objected that the proposed measures were not in accordance with international standards of human rights, that they violate international conventions that were incorporated into the Constitution of B&H, and that they were prepared by an incompetent ad hoc body the work of which overlapped with the one of the UN working party for legal reform that had been established long ago. It is important to remind that all state and entity leaders in B&H met, for the first time after Dayton, at the round table on 24 September 2001. In this way, they proved that they grasped the war against terrorism and dangers that terrorism implies as well as the need for a joint anti-terrorist campaign. The Coordinating team for combating terrorism has been set up, the members of which are representatives of the central authorities of B&H and representatives of the entities (Federation B&H and Republika Srpska), and representatives of the international community (SFOR, IPTF, OHR, OSCE, UNMBH, the embassy of the U.S.A. in B&H, etc.) regularly participate in work of the team so that the total number of its membership is 24.

The Coordinating team works in conformity with the plan of action of institutions of Bosnia and Herzegovina and the entities for prevention of terrorist activities and actions, which was approved by the Ministerial Council of B&H. It is a programme of measures of a broad scope, the main aspects of which are the following:

First, legislative measures and activities aimed at the creation of a safer legal framework for combating terrorism;

Second, measures and activities aimed at strengthening protection in the domain of civil aviation;

Third, measures of intensified operational activities of internal affairs bodies and the border service, especially in the field of checking IDs, passports, citizenship, residence permits, etc., and

Fourth, a body of measures relating to issues that fall within the sphere of international relations (visa systems and their harmonization with Shengen rules and standards, checking up conformity of actual and declarative activities of various international associations and NGOs operating in B&H, checking up their bank accounts and, especially important, accelerated accession of B&H to the remaining international anti-terrorist conventions and protocols that have not been ratified so far).

Early in 2000, law established the state border service of B&H. Priority tasks of the Service are detection and prevention of the following: illegal border crossings, illegal trade in goods subject to high customs tariffs and excises, transferring stolen cars across the border, trade in people, drug trafficking, detection of forged documents and combating terrorism. The Service is organized in such a way that it directly

performs all tasks of border control along the entire state border of B&H, in the border zone of 10 km, at international airports and, under certain conditions, the Service can exercise its authority even in the area broader than the mentioned border zone. The state border service has been exercising its authority so far in close to 90% of the length of the state international border of B&H and at two out of four international airports in B&H. Further promotion of efficiency of this Service and its extension to the whole area of its operation prescribed by law is forthcoming.

After terrorist acts against the U.S.A. (11 September 2001), establishment of a more efficient administration of civil aviation in B&H has been intensified. Drawing up of a program of the security of air traffic in B&H is under preparation, along with re-establishment of a strict regime of observance of security provisions, and adoption of a number of legal documents governing security measures, coordination of work, control and regular reporting to competent services and bodies. All these measures are taken in cooperation with a number of international organizations, above all with ICAO, OHR, SFOR, Euro control and IATA. Having an over-all insight into the problem of terrorism in B&H, one might conclude that there has been, since the Dayton accord to date, a constant problem of terrorist activities and of behavior in this state. This problem, in terms of the forms it takes and the breadth of danger of terrorism, has also an international dimension. In fact, it is beyond doubt that, above all, cruel war developments had also to a large extent features of terrorist activities. However, terrorist behavior in B&H is also characterized by participation of foreigners in carrying out those acts and they were, on their part, connected with terrorist networks abroad.

It should be also pointed to some of major measures and steps to be taken with a view to strengthening the fight against these forms of the most dangerous criminal behavior. Those are:

It is necessary to solve the existing economic and other social problems and intensify over-all democratization of the society reducing thereby the room for terrorist activities.

Since the success of combating terrorism implies elimination of grave consequences of the four-year war and creation of conditions for reconciliation and return of trust among citizens and peoples of this state, it is of particular relevance to: intensify return of refugees and displaced persons to their homes and return to their possession of their property; ensure necessary security for returnees and their equal status in employment, education, expression of national and religious freedoms, participation in the exercise of government and all other public affairs, in a word, in the exercise and protection of all their human rights and liberties; legal responsibility of all perpetrators of war crimes.

One of key factors in suppression of terrorist activities is adequate reaction, i.e. condemnation of such behaviors by the public as a whole, implying the need to develop and promote constantly social awareness of huge detrimental dimensions of such criminal acts.

An urgent need has been expressed to promote the rule of law and, within that context, to constantly improve organizational structures, the state of material and technical equipment and financial support to government bodies that are the only ones in charge of detection and punishment of perpetrators of these acts. It is of special significance that in the government bodies that decide on the matter has prevailed the awareness that combating terrorism and organized crime cannot be efficient if kept within the competence of entities. Responsibility of the state of B&H comes to the first place in the struggle against this evil, implying also its right that institutions of its governmental authority should take an

adequate part in it.

In B&H, as in the whole region, there are large quantities of arms that are beyond any control or records. It is necessary to place this armament under state control and the control of SFOR. This necessitates amendments to the existing legislation, in terms of drastic punishment of not only those who possess such arms but also those that are objectively responsible for hiding of larger quantities of war armament.

Government bodies in charge of detection and punishment of acts of terrorism and organized crime are burdened by unprofessional performance of the tasks entrusted and influence exerted by party centers of power, often even on an ethnic basis.

It is necessary to intensify international cooperation of competent bodies, both within the framework of the existing international agencies and organizations, and through direct cooperation with individual states, especially in the region, among them being Croatia, Serbia and Montenegro.

Authorities of B&H are faced with the task of completing as soon as possible the review of admissions to the citizenship of B&H of a large number of foreigners in the past ten years. This also requires a review of changes of identities of these persons in the period referred to.

#### Croatia

Disintegration of Yugoslavia, proclaiming of independence of Croatia and the war in its territory confirmed that relations of Serbs and Croats within the former Yugoslavia and in Croatia itself had been burdened by distrust, tensions and violence.

Serbs in Croatia found themselves in an especially difficult position. Encumbered by many dilemmas and problems, they believed Croatia within the frame of the former Yugoslavia was a state form, which did not prevent them from being a "constitutive element" of the integrity - Yugoslavia, but that independent Croatia was a state in which Serbs were to become politically and socially a marginalized minority. The Serbs saw this state as a hindrance to their national emancipation, in the same way Croat nationalist movement saw Yugoslavia (Pupovac, 1992: 145-149). Croats, though, think of Croatia as a realization of their aspirations for statehood, their nation-state.

Because of the discriminatory behavior of the majority population of Croatia, but also because of pressures from Belgrade, the Serbs withheld their loyalty to the Croatian state, rejecting the very notion they were a minority and an option to solve their status through cultural, language or political autonomy.

In the example of Serbian-Croatian relations in Croatia, three processes evolved simultaneously: ethno-nationalization of the Croatian state; increase of dissatisfaction and ethno-nationalistic mobilization of Serbs within Croatia; increase of extremist and warmongering "fatherland's" demands from Serbia, aimed at provoking an intervention of YNA in Croatia, for creating, on the ruins of the federation, a state in which Serbs would be joined together (Brubaker, 1995: 120-121).

A new multiparty politics in Croatia was legitimized from the bottom, with the elections in 1990, but in its essence it was a mixture of anti communism and ethno-nationalistic ideas (Pusic, 1992: 252-253). Constitutionally - legally, protection of minority was proclaimed, while in reality their rights were violated (Basom, 1996: 509, 521-522). The

centralist politics of HDZ and Franjo Tudjman worked on narrowing the frames of local self-management and disabling the creation of regional autonomies (Fubini, 1996: 302-303). Such a state of affairs was convenient for strengthening of ethno-nationalistic mobilization of the Serbs, who, supported by Belgrade and YNA, decided to rebel against Croatian authorities. Croatian authorities and extremist groups reacted to the rebellion with arms. This pushed Croatia into war. The rebellion of a part of the Serbs and the Croatian police and military reply brought Croatia into a situation opportune for terrorist activities. This state of affairs enabled terrorist activities.

Croatia encountered terrorism from the moment of placing of the first road barricades, which the media assessed as terrorist actions of the rebel Serbs. Since this implied a threat to the lives of many people, these actions could still be assessed as terrorist, although many experts assess them as a "radical version of provocation which would probably provoke the other side, Croatian state, society, community, to undertake measures that would prove it was really such as they were claiming it to be for a long time" (Puhovski, 1992).

In the period from 1992 to 2000, Croatia was burdened with intense ethno-nationalistic violence, the war and terrorist activities. In the territory of Croatia, in the period from August 17, 1990 to 2002, a total of 2,279 was registered with attributes of terrorism, in connection with which criminal charges were submitted to competent legal bodies for reasonable doubts of committed criminal acts of terrorism, and 356 were reported as well. These reports primarily relate to the period from 1991 /1992 till the end of 1995, and the greatest number of them relates to acts committed in armed rebellion or armed conflicts, in the war, on which later the Amnesty Law was applied, from September 20, 1996 (Narodne novine, no. 80/96).

From this it can be concluded that, in contrast to contemporary terrorism in other countries, directed against governing political, economic and military structures, in Croatia, since 1990, i.e., since placing of the first tree trunks on the roads, until 1993, terrorist activities were directed against the war adversaries. Terrorist activity was a part of war strategies of the warring forces in Croatia. Because of that, the war period was marked by a great number of terrorist attacks from both warring parties. The goal of organizers and perpetrators of terrorist attacks were similar on both sides. Those were sending of messages to members of another ethnic nationality they had to leave a certain region. Such an example is the murder of the Serbian family Zec in Zagreb, or the massacre of Croatian civilians in the Dalmatian village Skabrnja, i.e., sending of the message to members of own people there could be no coexistence with the others. Such was the murder of D Mitar Obradovic, president of the municipality Vrginmost, or the murder of Josip Rajhl-Kir, head of the police administration in Osijek. In 90% of cases targets were selected carefully, so there were no mass murders of civilians. But, in spite of that fact, the international community assessed Croatia as an insecure state.

In the period from 1990 to 1993, terrorism in Croatia was manifested in three categories:

Extremely strong and numerous terrorist actions in the areas close to the front lines, primarily blasting of houses, directly connected with events in the occupied areas.

In the capital, Zagreb, terrorism was increasing, and was described as a result of the actions of the remnants of counterintelligence service of YNA and SDB of the Republic of Serbia, while in rare instances only was it thought to be linked with the action of Croatian extremist groups. Actions in the field of the monetary system, such as planting of large amounts of counterfeit money. Thus, in May 1992, cca 150 million worth of US banknotes were implanted, the forgeries were found in a broader region of Split, in Rijeka and in Virovitica.

Media terror included blockade, direction and control of the information, spreading of disinformation and other methods. It can be concluded that terrorism in Croatia in the period from 1990 to 1993 was constantly increasing, and that, for the first time in Croatia, a new category of terrorism appeared: the so called urban, or city terrorism.

Terrorism in Croatia could be divided into the following three categories:

- International terrorism did not present a serious security problem for Croatia, although this, taking into account the events in the neighboring B&H, primarily Bosnian-Croatian conflicts and the presence of "moujahedeens" with experience in terrorist actions on the side of the B&H Army, was predicted by the domestic and foreign public. The only "classic" terrorist action of the type was the terrorist attack on the building of the coastline-mountainous police administration in Reduce, in October 20, 1995. Activation of a car-bomb in front of the building of the coastline-mountainous police administration, for which the Egyptian terrorist organization Al-gam'a al-islamiya claimed responsibility, via the London-based Reuter news agency, stating it was a warning to Croatian authorities for the alleged abduction of one of its leaders - Abu Talaat. Besides, Bosnia just announced that Abdal Isendar could soon be delivered to Croatia, after a report that claimed he was really Hassan Al Sharif Mohammad Sejjid, accused of planting a car-bomb in Rijeka in 1995, and wanted in Egypt for charges of terrorism. Al Sharif was allegedly a member of Al-gam'a al-islamiya, Egyptian terrorist organization accused of the attack on the World Trade Centre in New York in 1993. It seems that Gamaa Al Islamia believed Croatia responsible for disappearance of one of its prominent members, for which, in October 2000, new threats were addressed to Croatia. It is interesting that, with the change of power in Croatia, Gamma al Islamiya announced, via Croatian media, that Croatia would burn from car-bombs if the new authorities did not discover what happened to Abu Talaat.

The acts of international terrorism include: Shooting down of a EU helicopter in 1991, by the YAN Air Force. Shooting down of the helicopter may be marked as an act of "state terrorism", and Breaking the chain of supply of dissident factions of IRA, with weapons and explosives from the territory of the Republic of Croatia. This action was undertaken by competent institutions of Croatia, in cooperation with the police and intelligence services of the United Kingdom of Great Britain. Criminal charges were brought against two citizens of Croatia, for reasonable doubt they committed an act of international terrorism from Article 169 of the Penal Law of the Republic of Croatia, in connection with Article 38 of the CL of the Republic of Croatia, providing help. However, the competent court rejected such incrimination and the said persons were trialed for unauthorized possession of arms and explosive.

- Rebellious terrorism is linked with the period 1990-1995, especially 1990-1991, when, in the eve of the culmination of armed rebellion,

terrorist attacks targeting members of the Interior Ministry of the Republic of Croatia, the National Guard and civilians became more frequent. That was the principal method of the then activity of Serbian rebel forces, as well as paramilitary units from Serbia (e.g. so-called Seselj's Chetniks in Borovo selo, May 1990). This included planting of explosive devices in the area of Plasko, when the railroad Zagreb-Split was blasted twice, blasting of a transmission line and numerous attacks on police checkpoints, during the spring/summer of 1991 (Budacka Rijeka, Zuta Lokva, etc.). The public and the state bodies, primarily police and legislature, labeled such attacks of the extreme part of the Serbian community, Serbian Democratic Party and members and structures of YNA close to them, as terrorist attacks. However, such acts were mostly treated with another Article of the Penal Law, especially as acts of armed rebellion, and later as war crimes. For example, Mile Martić was accused by the competent court for war crimes, for ordering a missile attack on Zagreb, although it was undoubtedly an act with attributes of terrorism. A group of high-ranking officers of YNA was accused and sentenced, in absence, by the court in Karlovac, for the criminal act of "associating for enemy activity", although concerning the majority of acts for which they were accused, this was a criminal act of terrorism. The Interior Ministry of the Republic of Croatia alone, from 1990 to 1996, submitted more than twenty thousand criminal charges against persons suspected for participating in armed rebellion, or for other crimes connected with it. The competent state bodies qualified certain acts directed against the constitutional order and territorial integrity of the Croatian state as armed rebellion, and in rare cases only as a terrorist activity.

- Domestic terrorism outside the areas hit by armed rebellion, can be generally divided into several categories: The first category includes acts with attributes of terrorism (blasting of vehicles, facilities, shops, etc.) of the citizens of Serbian nationality, mostly in crisis areas, but in Zagreb as well, and places out of the areas of immediate war actions. At the beginning of the war conflicts, several significant terrorist acts of this kind were registered, among them planting of explosive devices in front of the Jewish Community building and in the Jewish cemetery in Zagreb (August, 19, 1991), in front of the Museum of the Serbian Orthodox Church, in Zagreb (April 11, 1992), and in front of the building of the US Embassy in Zagreb (May 1, 1992); The second category includes acts that could be classified as "organized crime", i.e., acts with a clear criminal background. These are also acts perpetrated through methods similar to terrorist, but motivated by personal reasons (family, proprietary-legal and similar retributions).

During 2000 - 2001, in Croatia, i.e., in Zagreb, the following crimes committed with the use of explosives, caused a great concern of the public:

- On August 28, 2000, Milan Levar, a witness under protection of the International War Crimes Tribunal in The Hague, was murdered. He was killed when he activated a hand bomb, planted under the car wheel in his own yard. Although the police suspected that one of the perpetrators was arrested together with the "Gospic group", up till the present day no indictments were raised for Levar's murder;

- On November 23, 2000, in Zagreb, at the city marketplace Dolac, an explosive device was planted and activated, in a metal garbage container. No one was killed, and this terrorist act was thought to be connected

with the Zagreb summit, which gathered a large number of statesmen from 24 European countries;

- On January 15, 2001, an explosive device was planted in front of the building of the Serbian Orthodox Church in Zagreb. The housekeeper found it and, not knowing what it was, threw it in a nearby garbage container, and it activated in the truck of the city utility company, several hours later. Of this, up till now unknown attack to the public, nothing was officially said;

- On February 1, 2001, in Zagreb, at the Mirogoj cemetery, an explosive device was planted and activated at the monument and grave of the National heroes from the World War II. The explosion blasted in evening hours, when, with a slow-burning fuse, more than five kilograms of explosive mass was activated. This explosion provoked a strong reaction of the public;

- On March 15, 2001, in Zagreb, Trg Stjepana Radica no.1, in front of the building of the City Hall of Zagreb an explosive device was activated in a garbage container at the parking lot. Considerable material damage was made, five cars were burnt and the public very upset.

Beside the said acts perpetrated through planting of explosives, other acts of this kind were perpetrated as well, out of which the majority was thought to be linked to other forms of criminal acts connected with criminal activity.

Croatian Helsinki Committee registered 24 incidents of mines planting, in which 10 persons were killed and 21 wounded. All the cases were reported to the police, but none of them was solved till the end of 1999. Those include planting of land mines in the territory of the Vojnic town, three times in 2001 (10.8, 2.10, and 20.10.2001). Planting of these mines, as surprise mines, was especially characteristic for the period after the end of the war and could be linked with the activities and groups opposed to the return of Serbian refugees to Croatia.

The most frequent acts of terrorism were:

Murders and attacks on persons that presented a political, national, or other public symbol,  
Blasting and burning down of houses and catering facilities,  
Blasting of cars  
Blasting of monuments, especially those in memory from the World War II,  
Disruption of communication,  
Attacks on Governmental and public institutions

The main sources of terrorism in Croatia were, and still are:

Underdeveloped democratic relations, processes and institutions, and slow solving of the problem of minorities, especially of the Serbian minority  
Economic and social differences within the society,  
Governmental actions that support or do not punish organizers and perpetrators of terrorist attacks,  
Extreme nationalism,  
Desire for expansion, hegemony, i.e., ethnic, territorial, economic, social, religious and cultural domination,  
Religious fundamentalism,  
Retribution,  
Technical-technological development, especially development of arms,

which to unbelievable proportions increases the killing power of an individual and a small group, especially with a large number of citizens armed,

Communication-information binds, which enable the public to be informed almost the same moment of a terrorist attack and demands of terrorists, Unsolved border disputes, unsolved status and territorial issues of certain regions,

Existence and interests of the structures of big national and international crime, including production and trafficking of illicit drugs, illegal arms trafficking, etc.

The goals of terrorists form in a special way and are expressed politically, i.e., Para political goals of organizations, groups or movements ready to make use of terrorist methods, and could be and still can be determined as:

Destabilization of the power with which initiators of terrorist activities are not satisfied;

Gaining of power, which implies Inducing rebellion against the state authorities and violent deposition of the existing authorities, and taking over of the state power in their own hands;

Internationalization of conflicts, especially if the other side is supported by someone and if engagement of the international community is desirable;

Provoking the authorities and making them implement steps which domestic and international public would condemn;

Causing economic and other damage to certain regions or communities

The immediate goal of terrorism - arousing fear and feeling of personal insecurity of the citizens, has been realized in a great degree, which was especially obvious after three biggest terrorist acts in Zagreb, in 1991 and 1992. Fear pervaded among the citizens, especially after the explosion of a bomb near the US consulate. Only then the official politics, although the first terrorist attacks were registered a year before that, publicly spoke of escalation of terrorism, assessing it as urban terrorism. "Having lost the war, the enemy tries to inflict maximal political, economic and social damage, to spread a feeling of insecurity among our citizens and discourage all those wanting to come to us to invest their knowledge or capital, or to spend a vacation. This is a state terrorism, the dirtiest methods of a special war banned by all international conventions".

Protagonists of terrorism in Croatia were certain political, Para political and similar organizations and groups, which, in accordance with their ideology, goals and general believes, instead of methods of a democratic activity, i.e., political methods, chose violence for realization of their goals. Certain governmental institutions also appeared as protagonists of terrorism, primarily by not punishing certain organizations and groups that practiced terrorism. Protagonists of terrorism include some mafia organizations, especially big drug-mafia, although individuals turned to terrorist practice as well, with different motives, especially of revenge.

In that sense Croatia must do a lot, in any case more than in the previous period. Counter-terrorist activity of governmental bodies was directed mostly against Serbian rebels during the war, and after the war against all organizers and perpetrators of terrorist acts. Disabling and sanctioning of terrorist activities was modest and inefficient,

especially at the end of the war in 1995, when a large number of terrorist attacks on civilians and their property took place. This was supported by the insufficiently precise legislature, but also by inactivity of the competent governmental institutions, which followed a very narrow specter of terrorist activity. Viewing the problem of terrorism in Croatia (now in the Penal Law defined as counter state terrorism) from 1990 to 2002, it is obvious that qualification of the said criminal act was applied relatively rarely, while terrorist acts were mostly qualified as "general dangerous acts". Thus, blasting of houses and other facilities has certain characteristics of terrorism, but, because of the specific nature of the perpetrated acts, their number and lack of coordination in the penal-correctional sense, they were treated as acts from Article 146 of the Penal Law of the Republic of Croatia, i.e., as "endangering the lives and property through a general dangerous act". Later criminal investigation of certain blasting found that a large number of such acts were perpetrated in connection with acts of general and organized crime. Still, a large number of blasting of houses and other facilities was aimed at spreading of fear and delivering political messages. This means that it had the attributes of terrorism.

Up till the present day not one of the perpetrators of terrorist acts was found, although a large number of suspects were questioned after three biggest terrorist actions. After the explosion in the Jewish community building and the Jewish cemetery only, more than 600 cars and 174 flats were searched, IDs of 540 people checked, criminal investigation examined 948 persons. This could drive to a conclusion neither the police nor SUZUP were efficient in solving of the said big terrorist criminal acts in the city of Zagreb. As for the perpetrators of smaller terrorist actions, especially of planting of explosive devices, 183 persons were examined in this period.

Only after the change of the power, on March 3, 2000, police started to solve certain cases, those, for example, linked to surprise mines, although, after more than seven years, it is difficult to prove criminal acts, to find and punish the perpetrators.

The legal regulations of the struggle against terrorism are relatively developed and have followed changes in the country. Thus, in Croatia, from 1990 till the present day, significant changes were made in the legislature treating various criminal acts of terrorism and international terrorism, and similar criminal acts. In fact, terrorism and counter terrorist activity are regulated by the following laws:

- Penal Law of R Croatia (Narodne novine, no. 25/77), and its amendments and supplements published in Narodne novine, no. 50/78, 25/84, 52/87, 43/89, 8/90, 9/91, 33/92, 39/92, 77/92 and 91/92;
- Law on Taking Over of the Penal Law of SFRY (Narodne novine, no. 53/91);
- Law on Amendment to the Law on Taking Over of the Penal Law of SFRY (Narodne novine, no. 39/92);
- Law on Criminal Actions of Subversive and Terrorist Actions against State Sovereignty and Territorial Integrity of the Republic of Croatia (Narodne novine, no. 74/92);
- Basic Penal Law (Narodne novine, no. 31/93);
- Penal Law of the Republic of Croatia (Narodne novine, no. 32/93),
- Penal Law of the Republic of Croatia (Narodne novine, no. 110/97).

The Penal Law and the Basic Penal Law applied since 1990 till 1997, the problem of terrorism was included in two articles: Article 236 - Terrorism (Penal Law of the Republic of Croatia) "A person who, intending to threaten the constitutionally established state order and the social establishment, or the security of the Republic of Croatia, effectuates explosion or fire, or undertakes another general dangerous action, or an act of violence which creates a feeling of insecurity of the citizens, will be sentenced to prison of at least three years."

Article 155 - International Terrorism (General Penal Law of the Republic of Croatia): (1) "A person who, intending to inflict damage to a foreign country, liberation movement or international organization, abducts a person or perpetrates another form of violence, effectuates explosion or fire, or through a generally dangerous action or generally dangerous means produces danger for lives of people and property of great value, will be sentenced to prison of at least one year.

(2) If from an action from subsection 1 of this Article death of one or more persons resulted, the perpetrator will be sentenced to prison of at least five years.

(3) If during perpetration of an act from subsection 1 of this Article a person was deliberately killed, the perpetrator will be sentenced to prison of at least twenty years.

(4) Prosecution for a criminal act from this Article is to be undertaken upon approval of the Public Prosecutor of the Republic of Croatia."

The present Criminal Law treats this problem through the following legal articles:

Article 141 - Counter state terrorism: "If a person with intention to disrupt the constitutional order or security of the Republic of Croatia effectuates an explosion or fire, or with a generally dangerous action or means produces danger for the lives of people or for property, or abducts a person or perpetrates another form of violence in the territory of the Republic of Croatia or against its citizens, and by this causes a feeling of personal insecurity with the citizens, will be sentenced to prison of at least three years".

This article is essentially identical to the previous legal regulation, but there is an apparent difference, in that it stresses the consequences resulting from perpetration of criminal acts as follows: danger and feeling of personal insecurity of the citizens. Besides, the danger must be real and must affect at least two persons.

- Article 169 - International Terrorism: (1) "A person who, with the aim of inflicting harm to a foreign country or an international organization, effectuates explosion or fire, or through a generally dangerous action or means produces danger for the lives of people and the property, or abducts a person, or perpetrates another form of violence, will be sentenced to prison for at least three years.

(2) If the perpetrator in perpetrating the criminal act from subsection 1 of this Article deliberately causes death of one or more persons, he or she will be sentenced to prison of at least ten years, or a long-term prison sentence.

(3) If, through a criminal act from subsection 1 of this Article, death of one or more person is caused, or great demolition produced, the perpetrator will be sentenced to prison of at least five years.

(4) For initiating of a criminal procedure for criminal acts from this article an approval is necessary of the Public Attorney of the Republic

of Croatia".

The basis of incrimination of this Article is curbing of international terrorist acts and, as in previous legal regulations, it is reflected in the citation that damage done to foreign interests. In this it differs from the criminal act of counter state terrorism, i.e., terrorism.

It should be added that on September 4, 1992, Croatian Parliament passed the Law on Penal Acts of Subversive and Terrorist Activity against the State Sovereignty and Territorial Integrity of the Republic of Croatia, whose Article 5 stated: "A person who through a terrorist activity threatens peace and security of the citizens, or the state stability of RC, will be sentenced to prison of at least five years, or twenty years".

Croatian media dedicated a lot of space to terrorist actions and the notion of terrorism. Analysis shows that there is some confusion in determining the notion of "terrorism", as well as in determining and interpreting of certain events. Media in Croatia define terrorism in peaceful times as a doctrine and during war as tactics of warfare. Occasionally a definition appears of terrorism as an ideology, especially in connection with international terrorism.

In Croatian media allegations are present that certain terrorist acts are favorable for a part of the authorities and political forces that would solve the problems in the society through violence, i.e., repressive, instead of political means. The statement of Z. Zidovac confirms such an attitude: "Military agencies use small groups and individuals, who, acting in organizations of extreme Croatian ship, through radical slogans, and referring to Ustasha ideology, offer some construction of the Croatian state based on that concept. The repressive and legislative apparatus here has not yet used all the possibilities our legislature offers".

Media and politicians often believed that terrorist actions were performed by members of KOS and other Great Serbian Chetnicks terrorist elements, although they did not exclude the possibility that perpetrators were "ultra radical right wings and individuals" trying to destabilize Croatia.

Media have, in a great degree, covered all terrorist actions. Also, they have very strongly criticized the legal order, the security services, i.e., police, which has not, according to the judgment of many media, properly reacted to prevent and solve the committed terrorist acts.

Croatian media have not dedicated a big enough attention to individual terrorist incidents; they frequently defined them only as incidents. In the liberation actions žFlashž and žStormž, there were several thousand acts and occurrences of individual or collecting torture and unpunished terrorism. However, media did not report much on the terrorist actions during and after the actions Flash and Storm, or did not assess them as terrorist actions, but as individual incidents of crime, torture, explosions, etc.

As for the explosions in Zagreb, media criticized the work of the police, and now pointed to concrete shortcomings of their work: the police had no data, besides the Islamic group, of other potential terrorist groups in Croatia; there was no map of explosives, no precise data on the circulation, type and quantity of free explosives in Croatia.

Media in Croatia have covered reactions of foreign media, organizations and institutions, to terrorist actions in Croatia, especially big terrorist actions in Zagreb. Thus, regarding the explosion in Rijeka the following questions have been raised: definition of terrorism, possibilities for protection from terrorist activities, criticism of Croatian security services, controversies and forecasts of terrorist actions in Croatia.

Although a relatively small country, Republic of Croatia did not manage avoid the wave of terrorism. And its reaction to terrorist acts in B&H and Croatia was confirmed just one day after the attack on New York and Washington, when president Stipe Mesic addressed the nation saying that 'it is not only the United States of America who is attacked, but the whole democratic and civilized world'. Prime Minister Ivica Racan and members of his government signed the book of mourning in the Society of Croatian-American Friendship, and Racan stated: 'We in Croatia kn