

Security and Intelligence Services in Bosnia and Herzegovina

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ABSTRACT

The author chronicles the history of the security-intelligence system of Bosnia and Herzegovina. He deals with the beginnings of the services' activities, the laws and regulations passed during the past 55 years, and the key political processes and events which influenced the development of the security-intelligence system and society as a whole. He also discusses the conditions and background under which the socialist security system collapsed at the onset of the war in Bosnia and Herzegovina, and explains how the new service emerged. The author analyzes the affairs which damaged the reputation of the service, and how the fear and mistrust created by the failure to resolve them led to the final legal regulation governing the activities of the service. Bosnia and Herzegovina was divided by the Dayton Agreements into the Federation of Bosnia and Herzegovina and Republika Srpska. Two discrete services exist in the Federation (one the Croatian SNS and the other the Bosniac AID). Republika Srpska's entity is the Service of State Security. There is no cooperation between these three services, although criminality and terrorism are on the rise. The author's conclusion is that the law which has been formulated on intelligence-security services in the Federation must be immediately adopted, and better cooperation must be established with Republika Srpska. As is the case with all similar services, the goal should be lasting stability and peace in the region.

Introduction

Until its independence and international recognition on 7 February 1992, Bosnia and Herzegovina was one of six republics of the Socialist Federative Republic of Yugoslavia. Therefore, its security and intelligence system is best examined in the context of the Yugoslav system, a system that emerged at the time when the first partisan units were formed in the former Kingdom of

Yugoslavia¹. Different forms of intelligence, counterintelligence and security operations were in place in the territory of Bosnia and Herzegovina as early as 1941. They continued without interference until May 1942, when the Supreme Command of the People's Liberation Partisan Army of Yugoslavia issued the first "Instruction on Organising the Intelligence and Counterintelligence Service in the Partisan Units."² In November 1942, the Supreme Commander of the People's Liberation Army (NOV) and the Partisan Forces of Yugoslavia (POJ) issued the "Instruction concerning the Structure and Basic Tasks of the Intelligence Service on the Liberated and Non-Liberated Territories." This established a single intelligence organization covering intelligence and counterintelligence operations and subordinated the entire organization to the Second (Intelligence) Division of the Supreme Command³.

At the command of the NOV and POJ Supreme Commander on 13 May 1944, the Department for the Protection of the Nation (OZNA) was established at the Commission for the People's Defense of the National Committee of Liberation of Yugoslavia. OZNA thus became a centralised security and intelligence organization with a single structure and uniform working methods throughout the territory that was later to become Yugoslavia.⁴ OZNA was organised in four divisions: the first was in charge of operations abroad and on the occupied territory; the second operated on the liberated territory; the third had counterintelligence tasks in the NOV and POJ; and the fourth dealt with statistical and technical issues.⁵

On 15 August 1944, shortly after OZNA had been established, the National Committee of Liberation of Yugoslavia established the Corps of National Defense of Yugoslavia (KNOJ), a quasi military police.⁶ KNOJ was subordinated to the Commissioner for People's Defense, who exercised command through the OZNA chief. In May 1945, at the end of the war, KNOJ had seven divisions and three autonomous brigades. In January 1953, its operations were assumed by border units and People's Militia.⁷

Once the Constitution of the Federative People's Republic of Yugoslavia (FNRJ) had been passed on 31 January 1946, security and intelligence services were reorganised. In March 1946, the First and the Second OZNA Divisions merged to form the State Security Service (UDB) at the Ministry of Internal Affairs; the Third OZNA Division was transformed into the Counterintelligence Service of the Yugoslav Army (KOS) as the Ministry of People's Defense. On September 14, 1955, by the direction of the Supreme Commander, KOS became a security service of the Yugoslav People's Army (JNA). Military police forces were formed at the same time.⁸

Pursuant to the 1953 Constitutional Act, the 1955 Law Concerning the Regulation of Municipalities and Counties, and the 1956 Law Concerning the Organs of Internal Affairs, the state security affairs fell within the exclusive competence of the Federation. While the 1963 Constitution and the 1965 Law on Internal Affairs left state security under control of the Federation, the competence of other bodies (public security and militia) was transferred to municipal administrative bodies.⁹

Taking into account the development of the security and intelligence services described, at the beginning of the 60s the Yugoslav security system was characterised by a centralised state security organization at the federal level, and a partially decentralised public security organization. The fact that the development of the security system lagged behind general social developments, (it even tried to hamper them), led to a critical event that created radically new relations in the former Yugoslavia. The event – the Brijuni plenary - proved critical for the further development of the security system, paving the way for a partial “democratization” of Yugoslavia. At the Fourth Session of the Central Committee of the Yugoslav Communist Party (CK SKJ) held on 1 July 1966, a commission of the Executive Committee of the CK SKJ submitted its report.¹⁰ It stated obliquely that the State Security Service had not been operating in conformity with the law; it had isolated itself and become deformed.¹¹ The partial “democratization” of Yugoslavia, triggered by the Brijuni plenary, took place only within the Communist Party and had a significant impact on further developments in the SFRY. Therefore, it could be said that the beginning of Yugoslavia’s democratization was the beginning of its end.

In order to define accurately the character of these services and the entire system, one must analyze the ethnic composition of the leadership, service officials, and the political and ideological profiles. This paper will now address these issues by concentrating on the security and intelligence system in Bosnia and Herzegovina.

The Beginning of the Changes and the Emergence of the State Security Service in Bosnia and Herzegovina

The Brijuni plenary (the 4th Session of the CK SKJ) was decisive in that it helped to crush the resistance to state decentralization. The 1967 and 1971 constitutional amendments (the Basic Law on Internal Affairs of 1 January 1967 and the Constitution of 21 February 1974) mandated that the responsibility for protecting the constitutional order and state security lay not only with the federation, but also the republics. They also defined in detail the scope, organization, and working methods of the State Security

Service (SDB), making it an autonomous professional service at the Federal Secretariat (Ministry) for Internal Affairs.¹²

Although their areas of activity, organization, and working methods had been more precisely defined, the republic-level services could not yet be considered autonomous. For one, the state security theoreticians complained of "the abolition of the state monopoly over the exercise of powers and affairs of security and nationalisation, which have been transferred to the framework of social self-protection, thus imparting a new character to public security".¹³ Also, they cautioned about the federal law, which designated the organs in the republics and provinces that were authorised to deal with state security.¹⁴

Article 8 of the new law regulating the basic features of the state security system¹⁵ enabled the SFRY Presidency to hire the federal service at its own initiative for security reasons, or to organise or perform tasks for state security protection on the territory of the SFRY. Not only did the republic-level security organs occupy a weak position; there also existed a parallel military system of security that came within the competence of the Federation; it held a firm subordinate position and partially overlapped with the civil security system.¹⁶ Another federal intelligence service, established in 1947 and called the Service for Investigation and Documentation (SID), was part of the Secretariat of Foreign Affairs.¹⁷ This indicates that republic-level services were practically impotent, left with few powers to exercise.

Triggered by the 4th CK SKJ session, the political changes resulted primarily in a partial degree of federalisation; that is, decentralisation of the Party itself (manifesting itself first in the changed sequence of party congresses and later in the introduction of parity for the forming of the SKJ leadership.)¹⁸ However, these changes led to the emergence of prominent political movements, which resulted in the adoption of a new SFRY Constitution on 21 February 1974.¹⁹ Although the adopted Constitution was "more of a vision than a regulation of the new state of affairs"²⁰, it established the foundations for the creation of new relations in the federation. For it was on the basis of this Constitution that new states emerged from the former SFRY republics, pressured by an aggressive and hegemonic Serbian nationalism.

The promulgation of the SFRY Constitution²¹ - on 25 February 1974²² - was followed four days later by the Constitution of the Socialist Republic of Bosnia and Herzegovina (SR BiH). The introductory part of the SR BiH Constitution stated the basic principles: "In the course of the revolutionary struggle of the working class and of all the working people of Yugoslavia - headed by the Communist Party - in the people's liberation war and the socialist revolution, the working class, the working people and the nations of Bosnia and Herzegovina - Serbs, Muslims,

Croats and members of other nations and ethnicities, together with other nations and ethnicities of Yugoslavia - established a revolutionary people's democratic government and created the People's Republic of Bosnia and Herzegovina within the Federative Republic of Yugoslavia."²³

This statement defines the political and social environment in which the State Security operated. Such a totalitarian - revolutionary - one-party system would only tolerate a service that matched its character.²⁴ In "The theses", one of the manifestos of the State Security Service of the Socialist Republic of BiH - SDB, it presents and imposes its views on the future.²⁵

The Ideological Profile, the Mode and Methods of Activity

"The Theses" were devised by the Republic Secretariat of Internal Affairs (RSUP) in Sarajevo and approved by the Central Committee of the Communist Party of Bosnia and Herzegovina (CK SK BiH). They were to serve as a primer for "professional politicians" when preparing public lectures; the intent was to create informed citizens, ones more active and responsible concerning state security. "The Theses" were given to the municipal communist committees who held lectures, but only for the members of the Communist Party.

Page 1. "The Theses" discuss the role of the SDB in society, the conclusions of the CK SKJ Executive Committee concerning the SDB, and the obligation of citizens (Communists) to be alert and confront the enemy. Page 2. The enemy is a potential aggressor whose mission is to destabilise Yugoslavia and "threaten its sovereignty and integrity". To ensure accuracy and credibility, the second paragraph on page 2 states:

"Who the possible aggressor might be is not an unknown fact. It is Italy and Greece, with the support and incitement by Anglo-Americans and some other NATO members. In their plans of aggression (both political and military ones), intelligence services undoubtedly count on the mobilisation of the hostile part of the political emigration and on the treacherous role intended for the extremist remnants of the class enemy in the country."²⁶

The State Security Service of the Socialist Republic of Bosnia and Herzegovina, the services of the former Yugoslav republics, and the Federal Service, were controlled by the Communist Party. Their role was to serve the Party, safeguard, and consolidate its power. Only Party members worked for these Services. Interesting was the SDB BiH practice of processing citizens who were members of the Communist Party. Before such activity, "verification" was required from the CK SK BiH.²⁷ The Party had to give its consent. The year 1986 will illustrate how the State Security Service of Bosnia and Herzegovina operated. 1986 is distanced from the

so-called "Dark Ages" and is not too close to the incipient multi-party system and democracy.²⁸ Thus it can reveal how the Service operated between 1974 and 1990 and the methods it used.

In 1986, the State Security Service in Bosnia and Herzegovina had 589 employees, which was 87.39% of the 674 employees projected. Of these, 61.63% had university degrees. Apart from the operational staff, the Service had a reserve force of 646, who would be activated in the Service in the case of war. The 1986 report shows that the Service engaged in the following activities: neutralising foreign intelligence service operations; neutralising enemy emigration operations; neutralising internal enemy operations; providing security and protection to certain persons and facilities; and making defense preparations. Also mentioned was cooperation with the federal state security service, the republic-level Ministry of Internal Affairs, the provincial Ministry of Internal Affairs, law enforcement bodies, inspection services, and other entities for people's defense and social self-protection.²⁹

During 1986, the State Security Service of Bosnia and Herzegovina identified "hostile activity" by 2,645 citizens of Bosnia and Herzegovina, all first offenders. Therefore, 2,645 new enemies were identified; that is 95 more than in 1985 when "only" 2,550 were accused. However, only 155 were processed by the Service. Another 140 were dropped from the list. Thus, in 1986, 1,052 persons were processed: 123 persons for "counterintelligence issues"; 499 for "enemy emigration"; and 430 as "internal enemies."³⁰ To achieve these results, the Service hired 176 new associates and 127 operative connections. At the same time, it dismissed 100 associates and 147 operative connections. The Service ended 1986 with 1,645 information sources, of whom 1,049 were associates and 596 operative connections. During the year, 94 operative combinations were carried out, "aimed at making a more direct operative contact between the Service and the enemy in order to improve the quality of monitoring the enemy's activity." The Service conducted 13,123 interviews with 9,944 persons, 88 of whom were foreigners. They searched the premises of 134 citizens, confiscated the passports of 83 citizens, and forced 21 foreigners out of the country.³¹ For the purposes of other services and security bodies, they carried out 28,505 full and partial checkouts.

The following paragraph will clarify the Service's working methods, some of which are still in use:³²

"Based on the obtained information concerning the whereabouts and the relations between extremists in certain groupings and organizations of enemy emigration, certain

preventive measures were taken with the aim of initiating new and deepening the existing conflicts and suspicions, cushioning the subversive and propaganda effects of some emigrant manifestations and meetings, etc. Thus, measures to discredit 154 extremists were planned and taken among emigrants and foreign police forces, including measures aimed at alarming and misinforming, which helped to fully or partially neutralise them. As a part of a counter-propaganda action, different written materials were delivered to 175 addresses, which helped to disrupt the unity and rendered impossible the grouping of some extremist forces of Fascist and Cominformist emigration".³³

During 1986, the Service of Bosnia and Herzegovina sent 2,440 security interest items to the federal service, to the services of the other Yugoslav republics and provinces, and to the JNA security bodies.³⁴ Furthermore, 718 telephones were wiretapped and 488 flats and other premises bugged. These operations were part of the measures taken by the SDB BIH in 1986. As a result, the service filed criminal charges against seven persons and misdemeanour charges against two.³⁵

Clearly, even under the legislation of the time, the intensity of the measures was disproportionate with the results achieved. Therefore, the State Security Service of Bosnia and Herzegovina was deemed oppressive and non-democratic. This conclusion was based on the official information and viewpoints of the service itself.

In 1976, the State Security Service (SDB) of the BIH Secretariat of Internal Affairs developed the "Overview of Ustaše Extremists According to the Countries of Their Residence," from which it selected 1,560 persons of interest. The data indicate that the Mostar sector was the best at "discovering the whereabouts of Ustaše extremists," half of whom were illiterate, and only 111 were high school or university graduates. Mostar conducted about half of the operative processing (205 out of 453). In its out-of-country operations during 1976, the SDB used 97 associates and 178 operative connections.³⁶

The Mostar sector of state security created a nightmare for the Croats in Herzegovina, who found it difficult to accept Yugoslavia as their state and impossible to accept the Communist totalitarian regime. The terror of the Kingdom of Yugoslavia, followed by the war and post-war crimes of the revenge-seeking Communists affected all Croats in Bosnia and Herzegovina and resulted in mass emigration. The emigration was partly political, but mostly economic (harsh living conditions and no prospects).

Every association and activity of Croats abroad was treated as hostile, extremist and, most frequently, fascist. The experience of one Croat emigrant will illustrate this. According to the Service,

which got its information from the Yugoslav Embassy, this person was a member of the Executive Committee of the Society for the Prevention of Cancer. Another emigrant organization (Croatian Revolutionary Brotherhood – (HRB) also worked under the cover of such a society; therefore, the Service assumed the emigrant was a member of this “terrorist” organization.³⁷ This is only one of many instances of the Service terrorising its own citizens and violating human rights; it is also thought to be responsible for numerous crimes committed in the country and abroad, starting with the post-war killings³⁸ and numerous murders committed in recent times. The SDB of the former Yugoslavia is suspected of the murder of 86 and disappearance of 5 Croatian emigrants throughout the world. These crimes were committed between 1946 and 1990.³⁹

These charges have been only partially proven. The main reasons for this are the lack of documentation and inaccessibility of crucial witnesses. Another reason is the illegal and non-professional activity of “the hunters of UDBA agents,” who, for different motives, complicated and politicized what was a great tragedy of the Croatian people. Still, Croats and other nations of Yugoslavia were victims of terror carried out by the former Yugoslav regime and executed through its intelligence and security apparatus.

The SDB rules of activity regulated the means and methods of the state security service. The latest rules, operative also in Bosnia and Herzegovina, were adopted by the Federal Secretary (Minister) of Internal Affairs on 27 July 1990.⁴⁰ These rules were then adapted to the democratic changes and differed considerably from the ones of 6 January 1989.

The Structure of the State Security Service of the Republic Secretariat of Internal Affairs of Bosnia and Herzegovina

The Republic Secretary (Minister) of Internal Affairs of Bosnia and Herzegovina signed “the Rules on the Internal Structure of the State Security Service of the Republic Secretariat of Internal Affairs of the Socialist Republic of Bosnia and Herzegovina”; they were in force on 1 March 1990, having been approved by the Executive Council of the Assembly of the Socialist Republic of Bosnia and Herzegovina (the Government) at its special 440th session.⁴¹ These were the last rules concerning the structure of the SDB of BiH; with their adoption, the Service experienced its first free and democratic election.

The Decision set the number of Service employees at 735.⁴² The Service was to be “run” by the under-secretary, assisted by a board comprising a deputy under-secretary, assistants to the under-secretary, heads of directorates, the head of the SDB sector in the Center of Security Services (CSB) in Sarajevo, and a secretary of the board. In broader terms, the board also included heads

of SDB sectors in Centers of Security Services. Pursuant to Article 6 of the Rules, the Service had the following organizational units: departments, sectors, sections, divisions and detachments. The organizational units in the head office included the following:

1. The Directorate for the Activities and Tasks of Identification and Prevention of Foreign Intelligence Service Operations - 01;
2. The Directorate for the Activities and Tasks of Identification and Prevention of Emigration's Hostile Activity - 02;
3. The Directorate for the Activities and Tasks of Identification and Prevention of the Internal Enemy's Activity - 03;
4. The Directorate for Operational and Technical Activities and Tasks - 04;
5. The Directorate for the Activities and Tasks of Security for Certain Persons and Facilities - 05;
6. The Directorate for the Activities and Tasks of Defense Preparations - 06;
7. The Directorate for Analytical and Informative Activities and Tasks - 07;
8. The Section for the Activities and Tasks of Surveillance;
9. The Section for General, Legal, and Human Resources Activities and Tasks.

Along with the head office of the Republic Secretariat, the affairs of state security were discharged by the State Security Service sectors at the Centers of Security Services seated in Banja Luka, Bihać, Doboј, Gorađde, Livno, Mostar, Sarajevo, Tuzla, and Zenica.

Particular attention should be given to the Center of Security Services in Mostar and to its state security sector for the significant and special role they played. The state security sector in Mostar was in charge of the entire territory of Herzegovina, which included the following municipalities: Bileća, Čapljina, Čitluk, Gacko, Grude, Jablanica, Konjic, Lištica (today Široki Brijeg), Ljubinje, Ljubuški, Mostar, Neum, Nevesinje, Posušje, Prozor, Stolac, and Trebinje. The state security sector at the Center of Security Services in Mostar consisted of the following units:

1. The Section for the Activities and Tasks of Identification and Prevention of Foreign Intelligence Service Operations - 01;
2. The Section for the Activities and Tasks of Identification and Prevention of the Emigration's Hostile Activity - 02;
3. The Section for the Activities and Tasks of Identification and Prevention of the Internal Enemy's Activity - 03;
4. The Section for Operational and Technical Activities and Tasks - 04;
5. The Division for the Activities and Tasks of Defense Preparations - 05;

The sector also comprised these Detachments:

1. The SDB Detachment in Čapljina, covering the municipalities

- of Čapljina, Grude, Ljubuški, Neum, and Stolac;
2. The SDB Detachment in Konjic, covering the municipalities of Konjic, Jablanica, and Prozor (Rama);
 3. The SDB Detachment in Trebinje, covering the municipalities of Trebinje, Bileća, Gacko, and Ljubinje.

According to the plan in the Rules of the Center of Security Services in Mostar, dated March 1990, 84 people were employed in the state security sector. As early as April 1990, after the change of power in the Republic of Croatia, it became clear that similar changes might also occur in Bosnia and Herzegovina, necessitating some organizational changes in the Service. It was not, however, until the elections in Bosnia and Herzegovina that the SDB reacted. On 1 October 1990, it sent papers and called a meeting of the SDB directorates and sectors.⁴³ The papers contained the draft of a new structure of the service; it was based on a previous document, the "The Starting Points for the Transformation of the State Security Service," adopted by a board comprising the Federal Secretary and the Republic and Provincial Secretaries of Internal Affairs. They started by stating that the Communist Party was losing power and that the Party service could not survive as it was.

The SDB was intent on becoming a professional service that was not influenced by any political party. According to the "starting points", such a Service would be governed by the rule of law, and not "deal with different political options of citizens in the future." It would have expertise, modern technical equipment, and be headed by an expert on security issues; the organizational units would also be headed by experienced professionals.

In addition to the "Starting Points for the Transformation of the State Security Service," a new structure was developed. It proposed to reduce the staff by 24.16%. Instead of the 745 employees previously planned (of which 631 were employed), the new plan allowed for 565. The draft also gave more autonomy to the SDB sectors within the Centers, reduced the number of organizational units, dissolved some of the detachments, and reduced the management staff by half.⁴⁴

The Democratic Change and the Early Beginnings of the War in Bosnia and Herzegovina

These measures were to ensure that the Service survived the political change. For it was not just a change of the political party in power; it was an explosion of the nations who had been deprived of their rights, each deeply convinced that it had suffered most under the Communist regime. This unleashed freedom gradually changed into quite the opposite; finally, it became anarchy, which undermined the conduct of society.

The elections held in Bosnia and Herzegovina (18 November 1990) were won by national parties: the Croatian Democratic Union, the Party of Democratic Action and the Serbian Democratic Party (HDZ, SDA and SDS) united in a coalition against the "reformed Communists."⁴⁵ Once the authorities were established, the SDB leadership changed. The winning parties agreed on and distributed the leading positions. Nevertheless, the leading offices were again given to the old SDB staff, who then introduced the old working methods into the new organization. The Service was as political as it had ever been, but the political influence now came from three parties. There was little professionalism; information and notes were forwarded to party channels, not to state institutions. The war was about to begin.

After the elections, the Socialist Republic of Bosnia and Herzegovina was not immediately dissolved, for it took time to draft the constitutional amendments. On 8 July 1991, the Government of the Socialist Republic of Bosnia and Herzegovina approved the Rules on the Internal Organization of the SDB of the Ministry of Internal Affairs of SR BiH. They had been developed on the basis of the "Starting Points for the Transformation of the State Security Service." The Rules provided for 529 service employees, four directorates, and two sections in the head office. Also, nine sectors were to operate within the framework of Centers of Security Services as basic organizational units in addition to the head office.

The first directorate was called the Directorate for Counterintelligence and Intelligence Activities and Tasks. The second directorate was no longer in charge of enemy emigration; but its task now was to prevent subversive activities threatening the constitutional order and security of the country. These were the two most important novelties in the organization of the Service. Sectors and Centers of Security Services had seats in the same towns as previously.

After the Slovenian overture, the war gained momentum in Croatia. The Chief of Staff of the Yugoslav Army called for general mobilisation on a "voluntary basis" and threatened possible deserters. The federal army was retreating from Slovenia and crossing over to Croatia and Bosnia and Herzegovina. Soldiers, policemen, and civilians were getting killed; so were journalists who were trying to provide information on developments in the war-torn areas. In the Declaration of the Council of Ministers of the European Community (in Brussels on 28 August 1991), the Serbian policy was judged completely wrong; also, the Yugoslav National Army was charged with openly supporting the Serbian side. On 13 September 1991, the American Senate adopted a resolution strongly critical of the aggressive policies of Serbia and JNA.⁴⁶

In September 1991, two more corps of Serbian and Montenegrin reservists arrived in Herzegovina. Not content with shelling Dubrovnik, they also attacked Croatian villages in Herzegovina. Between 2 and 5 October, they destroyed Ravno and Prhinje (seven Croatian villages were also destroyed in southern Herzegovina). At the BIH Government meeting on 9 October, the consensus was that Bosnia and Herzegovina remain neutral in the war waging on the Yugoslav territories.⁴⁷ The indifference of the BIH authorities was due to passivity and disorientation. Also, Muslim political leaders favored an independent Bosnia and Herzegovina, but were calculating on and hoping for a military coup that would preserve Yugoslavia.⁴⁸ In response, Croats organised into national defense unions. First, (12 November 1991), the "Croatian Union of Bosanska Posavina"⁴⁹ was established in Bosanski Brod, followed (on 18 November) by the "Croatian Union of Herceg-Bosna."⁵⁰

From the beginning, Serbs supported the aggression. On 3 September 1991, one month before the attack against Ravno, the Municipal Committee of the Serbian Democratic Party in Mostar (with the Communist Party Movement for Yugoslavia and the SDP), held a "Rally of Support for the JNA and the Federative Yugoslavia."⁵¹ It was one of series of similar rallies with the same message and organised by the same organizations of pro-Yugoslav or pro-Greater Serbia orientation.

The most perfidious case of attempting to overthrow the democratically elected authorities involved a "club of intellectuals" specifically formed for this purpose. The "club" members called themselves "citizens of Mostar"; they held a protest rally (10 March 1992), and demanded the resignation of all municipal and regional authorities, including "police officials."⁵² The resignations would have neutralized the legitimate defense of Mostar and Herzegovina. The Service could not possibly have remained united. And, as the war escalated, it broke down completely.

Serbs, along with the Serbian Democratic Party (SDS), proclaimed the Republic of the Serbian People of Bosnia and Herzegovina in Sarajevo on 9 January 1992. The BIH Parliament, the MPs of the Croatian Democratic Union (HDZ), and the Party of Democratic Action (SDA), together with the MPs of other parties, organized a referendum for an independent Bosnia and Herzegovina, which was successfully held on 29 February and 1 March 1992.⁵³

The European Community and the Republic of Croatia recognized Bosnia and Herzegovina on 7 April 1992. The same day, the Patriotic League of the BIH and the Regional Headquarters started two-day "military" consultations in Mehurić near Travnik, adopting a "Directive for the Defense of the Sovereignty of the Republic of Bosnia and Herzegovina."⁵⁴ They assessed the

enemy's forces as 6 Yugoslav Army corps and about 120,000 SDS members. At the time, they included among the enemy the "extremist forces of the HDZ," with 1-2 brigades.⁵⁵ The Muslim Patriotic League, established 2 May 1991, hoped to safeguard and secure the interests of the Muslim people. Subsequently, on 10 June 1991, under the auspices of the SDA, the Muslims established the Council of National Defense at the Militia House in Sarajevo, with the Patriotic League as its military wing. All SDB Muslim officials participated in the Council.

The JNA counterintelligence service launched an action of controlled terror. The Serbs shelled Bosnia and Herzegovina, particularly Mostar. The only force organized and capable of resistance was the Croatian and Muslim members of the police. In one of the last negotiations between the police and the army, the head of the Center of Security Services in Mostar revealed Serbia's plan of aggression in Herzegovina. He gave the dates and venues of the meetings between Serbian generals and politicians and when they decided to occupy Neretva, to reject the independence of Bosnia and Herzegovina, and to launch their attack.⁵⁶

Still, the politicians and journalists in Bosnia and Herzegovina refused to accept reality; they often misled the public with reports that it was "those from the hills" who were shooting, or "peasants had attacked the people," or that some "rural forces attacked the urban ones" and the like.⁵⁷ This information was collected by the officials of the State Security Sector in Mostar from a "journalist" who was assigned by the SDS as the propaganda co-ordinator between the SDS and the federal army, the latter actually being the Serbian army. After the blockade, the Serbian forces started the war for Sarajevo. At the same time, conflicts in Kupres and Mostar broke out.

On 8 April 1992, the Croatian Union of Herceg-Bosna established the supreme defense body of Bosnian Croats, the "Croatian Defense Council" (HVO).⁵⁸ In 1992 and the first half of 1993, many Muslims joined these military units, becoming a majority in some.

The situation in Sarajevo was complete chaos. A crisis center, established in Mostar, met on 29 April 1992 and declared the JNA and all its paramilitary forces the enemy and the occupying forces. The protection and defense of Mostar was given to the Croatian Defense Council and the Mostar members of the Ministry of Internal Affairs. The decision was signed by Croat and Muslim members of the crisis center.⁵⁹

The Security Service employees and Bosnian Serbs who were members of the Ministry of Internal Affairs joined the Ministry of Internal Affairs of the Republic of the Serbian People in Bosnia and Herzegovina (later to become Republika Srpska). The State Security Service still existed within the Ministry of Internal Affairs.

Thus, the structure and the working methods of security and intelligence services in Republika Srpska, both civilian and military, did not significantly change.

On 3 April 1992, the head of the Security Service Center in Mostar was informed by the former head of the public security office in Nevesinje that the Minister of Internal Affairs of Republika Srpska had appointed him head of the State Security Center in Trebinje. He offered co-operation, but also a division of property.⁶⁰

Fed up with Bosnia and Herzegovina's passivity to open aggression, Croatian and Muslim officials of the Service moved to Mostar, where they joined the Mostar center and became members of the Croatian Defense Council. Also, Muslim agents estimated that security was better and the threat of war smaller in Sarajevo. In those days, the opinion of the President of the BiH Presidency was, "This is not our war"; his message to the citizens on the Sarajevo TV was, "Take a walk, ignore the rumors, socialize."⁶¹ So they walked to Sarajevo, where they experienced war at its worst.⁶²

The Service joined in the defense, but it is difficult to define what the Service was in the first months of the war. The Croatian and Muslim officials worked together until 21 October 1992, when the Mostar center was again changed. Many Muslim officials of the Center joined the command of the IV Corps of the BiH Army. Others remained members of the Ministry of Internal Affairs of the Croatian Union of Herceg-Bosna.

The Formal Dissolution of the Service

After establishing the Croatian Defense Council, the Presidency of the Croatian Union of Herceg-Bosna (HZ H-B) created a number of provisional organs of authority. On 15 May 1992, the Presidency appointed the Head of the Defense Department and the Head of the Internal Affairs Department.⁶³ Their first task was to draft provisions for regulating their departments (later to become Ministries). As early as 3 July 1992, the Decree on Armed Forces of the HZ H-B was adopted⁶⁴; on 24 July 1992, the President of the HZ H-B Presidency appointed the "Assistant to the Head of the Defense Department as the official in charge of the HZ H-B Security and Information Service"; his task was to set up a Security and Information Service within the HVO Defense Department.⁶⁵ Having received the draft proposal of the structure of the Security and Information Service (SIS), the HZ H-B government (on 14 October 1992) appointed the Assistant to the Head of the Defense Department as the HZ H-B official in charge of security.⁶⁶

As the conflict between Croats and Muslims escalated and the political and military pressure mounted, on 28 August 1993 the

HZ H-B Presidency and the Croat MPs in the Council of Municipalities of the BiH Parliament passed the Decision on the Establishment of the House of Representatives of the Croatian Republic of Herceg-Bosna. The House of Representatives also passed the "Fundamental Decision" establishing and proclaiming the Croatian Republic of Herceg-Bosna.⁶⁷

1993 was marked by violent fighting between Croats and Muslims who, exhausted by fierce battles and exposed to strong political pressure, signed a cease-fire agreement on 23 February 1994. Generals Ante Roso and Rasim Delić signed.⁶⁸ At the time, the military and civil intelligence and security systems were completely divided according to ethnicity.

In the Croatian Republic of Herceg-Bosna, security services were integrated into the ministries of defense and internal affairs. Defense had a Security Sector headed by the Assistant to the Minister of Defense in charge of security. The sector consisted of the Department of the Security and Information Service (SIS) and the Military Police Department, and existed only formally. In reality, the two departments were autonomous. The head of the Military Police Department was also a member of the board of the Minister of Defense and submitted his reports to the Minister and to the President of the HZ H-B Presidency. The reason was that the Military Police Department was formed on 10 April 1992 and managed to gather a number of human, material, and technical resources, becoming a force of several thousand. The SIS Department was established three months later and only started to operate in October 1992. The Croatian Union of Herceg-Bosna was a newly established organization, and the balance of power mattered more than its formal structure (the Decision on the Internal Structure of the Defense Department, passed on 17 October 1992⁶⁹). that is, on 20 May 1993⁷⁰.

The Security and Information Service was active in the Defense Department. According to the structure introduced in October 1992, the two SIS departments (the Operational Department and the Analytical Department) were situated in the head office. The Service had its centers in different operational zones that later became HVO military districts: southeastern Herzegovina, south-western Herzegovina, central Bosnia, and Bosanska Posavina. The seats of the centers were in Mostar, Tomislavgrad, Travnik, and Derventa. Agents in the operational zones and military units had been appointed by their commander; however, the Service had no staff in the HVO headquarters. In December 1993, a new structure⁷¹ developed and adopted rules governing the activity of the Security and Information Service.⁷² The SIS Administration was now run by the Head of Administration and his assistant, who also headed the Operational Department. Beside the latter, there were the Analytical, Administrative, and

Technical Departments. In addition to the head office, SIS had its centers in Mostar, Tomislavgrad, Orašje, and Vitez. The Mostar center had a branch in Čapljina, the Tomislavgrad center in Rama.

A SIS center was also opened in Kiseljak. Under the new structure, security departments in military districts were run by assistants to commanders up to the rank of a brigade or by an autonomous battalion; the Supreme Command had a security service officer. The Service was thus supposed to have its officers in the departments and offices of defense. This structure gave the Security Sector a prominent role in the armed forces of the Croatian Republic of Herceg-Bosna. The service started to function in spring 1994, in the context of new political developments in BIH following the end of the war between Croats and Muslims and the signing of the Washington Agreement on 18 March 1994.⁷³

Beside the SIS, another military service existed in the Croatian Republic of Herceg-Bosna, the first security and intelligence body established on the Croatian side. It was established 1 February 1990 within the framework of the Territorial Defense of Western Herzegovina (the Supreme Command of the HVO H-B).⁷⁴ The Department consisted of intelligence groups that had spontaneously formed without an organizational basis in the municipal commands of the then territorial defense. It included reconnaissance and electronic activity units, which had emerged through spontaneous shadowing and wire-tapping of the enemy forces in summer 1991.

The first such unit was established within the Intelligence Department of the Herceg-Bosna Supreme Command on 8 March 1992. At the beginning of 1994, the HVO was restructured. The military intelligence service was transformed from an intelligence department into an intelligence directorate. The electronic activity units were transformed into the 88th electronic activity center, as an HVO unit under the head of the Intelligence Directorate of the Herceg-Bosna Supreme Command. Apart from the head office, the Intelligence Directorate had its intelligence agents in different Military Districts.

Moreover, the Croatian Union of Herceg-Bosna had a civil intelligence and security service, a remnant of the Mostar State Security Service of the BIH Ministry of Internal Affairs. On 14 August 1992, the Presidency of the Croatian Union of Herceg-Bosna passed a Decree on Internal Affairs in Case of War or an Immediate Threat of War in the Territory of Herceg-Bosna, making applicable the provisions of the Law on Internal Affairs of the BIH Republic. According to Article 13, a separate law regulated the scope of activity and organization of state security. At the proposal of the Head of the Internal Affairs Department, the provisional government (the HVO) decided at its 6th meeting (6

January 1993) to appoint the “State Security Officer in the Internal Affairs Department of the Croatian Defense Council, Croatian Union of Herceg-Bosna.”⁷⁵

Pursuant to a decision taken by the HVO of Herceg-Bosna (26 February 1993), the National Security Office (UNS) was established within the Internal Affairs Department.⁷⁶ The Office was to have competence over intelligence and counterintelligence. During the war, the UNS was inferior to the military services. In fact, the first serious attempt to put this service into operation was the adoption of the Law on Internal Affairs of the Croatian Union of Herceg-Bosna on 26 March 1994.⁷⁷ This Law established the “National Security Service” (SNS) within the Ministry of Internal Affairs (Articles 14 to 25). On 25 July 1994, the Minister of Internal Affairs passed the Rules on the Internal Structure of the National Security Service within the Herceg-Bosna Ministry of Internal Affairs.⁷⁸

But the Rules proved unmanageable; on 7 November 1995, new rules were adopted governing the structure and job specification of the National Security Service of the Herceg-Bosna Ministry of Internal Affairs. The SNS was now headed by a managing officer with an office in Mostar. Four departments were established: the Operative Department, the Analysis, Information and Documentation Department, Operational Technology Department, and Security Department. Apart from the head office, centers were established: in Mostar, Livno, Travnik, and Derventa.

The Presidential Council of the Croatian Union of Herceg-Bosna was established after the President of Herceg-Bosna resigned on 8 February 1994.⁷⁹ It set up a National Security Office affiliated to the Presidential Council. On 8 June 1995, the Council appointed a provisional head of the office with the task of establishing the Office and preparing the necessary acts.⁸⁰ The acts, however, had never been adopted by the ruling bodies. The appointed Head of the National Security Office thus had an advisory role and was in charge of cooperation with foreign services. A meeting held in Split (22 July 1995) between the Director of the Croatian Intelligence Service (HIS), the Head of the State Security Service of the BIH Ministry of Internal Affairs, and the Head of the National Security Office of Herceg-Bosna was the first for these services and their first attempt to cooperate in the fight against the Serbian enemy.⁸¹

On the same date, the President of the Republic of Croatia, the President of the Presidency of the Republic of Bosnia and Herzegovina, and the President of the Federation of Bosnia and Herzegovina signed the “Split Declaration”.⁸² Among other things, the Declaration provided for extended and enhanced military cooperation between the Republics of Croatia and Bosnia and Herzegovina. The Republic of Bosnia and Herzegovina appealed

to the Republic of Croatia for urgent military and other assistance, to which the Republic of Croatia affirmatively responded. The Croatian Army entered the territory of BiH, where, with the assistance of the HVO and the BiH Army, defeated the Serbian forces, completely crushed the Serbian rebellion, and liberated the occupied areas of the Republic of Croatia.

These actions changed the balance of power in the region, which led to the signing of interconnected international legal acts known as the Dayton Agreement (November and December 1995⁸³). Throughout this period, the intelligence services of the Republics of Croatia and Herceg-Bosna cooperated in preparing and protecting these operations that ensured the safety of the military units. However, the cooperation with the State Security Service of the BiH Ministry of Internal Affairs was unsatisfactory.

Shortly after the war operations and the signing of the peace agreement (20 December 1995), a meeting was held in Sarajevo between the Assistant to the Minister of Internal Affairs in charge of the BiH State Security Service and the Head of the National Security Office of the Presidential Council of Herceg-Bosna.⁸⁴ Discussed was the possibility of creating a joint service; even a possible name was mentioned: The Information Service of Bosnia and Herzegovina (BHIS). At the same time, Croatia's HIS invited the State Security Service to a summit meeting in Sarajevo. It appeared that cooperation had at last been established, for on 12 January 1996, just before its dissolution, the Presidency of the Dayton Republic of Bosnia and Herzegovina established the Agency for Investigation and Documentation of Bosnia and Herzegovina (AID).⁸⁵ The Agency took over the affairs, property, and staff of the State Security Service and the central national bureau of BiH INTERPOL.⁸⁶ At the session held on 27 and 28 May 1996, the Parliament of the Republic of Bosnia and Herzegovina passed the Law on the Agency for Investigation and Documentation.⁸⁷

The AID had a Director and was organised with 8 sections in the head office, all run by assistants. Along with the head office, the AID had 8 sectors: in Sarajevo, Tuzla, Bihać, Zenica, Doboј, Gorađde, Mostar, and Banja Luka. Each sector had numerous detachments (in Travnik, Bugojno, Gradačac, Zvornik, Brčko, Bjeljina, Foјnica, Tarčin, Visoko...). The Doboј sector was seated in Tešanj, and the Banja Luka sector in Sanski Most.

In addition to the civil security service, the Bosniak side⁸⁸ had two military services. The Military Security Service's activities had been regulated by the "Rules of Activity of the Military Security Service in the Armed Forces of the Republic of Bosnia and Herzegovina".⁸⁹ It overlooked the affairs of state security in the armed forces of BiH and was directed by the Head of the Security Directorate and his deputy. The Directorate had seven depart-

ments: the Human Resources and Legal Affairs Department, the Technology Department, the Counterintelligence Department, the Department for the Supreme Command Security and Military Police, the Department for the Counterintelligence Protection of the Supreme Command and Command-related Units, the Department for Special Counterintelligence Operations, the Analytical Department, the Division for the Counterintelligence Protection of Military Attachés, and the Division for the Investigation and Documentation of War Crimes. Outside its head office, the service operated through military headquarters.

Apart from the security service described above, Muslims-Bosniaks also established an intelligence service. At first, an intelligence department was set up within the Supreme Command of the BIH Army. It was eventually called the Intelligence Directorate of the Supreme Command of the BIH Army. The Directorate was run by a head and a deputy. It had seven departments: the Analytical Department, the Intelligence Operations Department, the Electronic Activity Department, the Department for Relations with Foreign Armies, Human Resources and Information Technology Department, the Department for Special Operations and Training, and the Department for the Intelligence Security of Combat. Outside its head office, the service operated through Intelligence Centers in the headquarters of the BIH Army corps and through intelligence branch centers and posts.

The Intelligence Directorate of the Supreme Command of the BIH Army was active in the military field, but it also worked to infiltrate the civil and political spheres. Two actions illustrate its mode of operation: the "Kamp 22"⁹⁰ Operation and an action described in a document entitled, "The Federal Policy and the Croatian Subjects Responsible for Subversive Activities in southwestern Herzegovina".⁹¹ Their object was to discredit the Croatian policy in BIH by using false "documents" by the SFOR and OSCE. The Croatian services exposed these actions and established a connection between the Mostar intelligence center and the Third Section of the Intelligence Directorate of the BIH Army Supreme Command. The media published the Directorate's original documents.⁹² After the operation was exposed, the head of the Mostar operational center and the head of the OSCE regional center in Mostar were removed.

The President of the Federation of Bosnia and Herzegovina reacted to the establishment of the AID in an open letter to the highest officials of the Republic of Bosnia and Herzegovina and of the Federation. He stated that the establishment was a flagrant violation of the Constitution of the BIH Federation and it obstructed the rule of law.⁹³ The letter also pointed out that the decision derogated the powers of the federal Ministry of Internal Affairs and made impossible the enforcement of the Law on Internal Affairs

On 15 February 1996, IFOR units discovered that the ski resort at Pogorelica had been turned into a training camp for AID operatives.⁹⁴ The trainers were intelligence operatives from Iran, MOIS members, three of whom were arrested. Also arrested were eight Bosniak-Muslim AID agents. Pressured by the international community (the U.S. in particular), the Presidency of the Republic of Bosnia and Herzegovina removed the AID Director from office on 16 March 1996⁹⁵, one month after the IFOR action and one day after the Director had told the "Washington Post" that he would not resign.⁹⁶ In a pro-SDA (the ruling party) weekly magazine, the President of the Presidency of Bosnia and Herzegovina said that "The thing in Pogorelica near Fojnica was our big mistake."⁹⁷

In June 1996, two AID operatives⁹⁸ and two members of special police forces (the Bosna unit) of the BIH Ministry of Internal Affairs kidnapped, interrogated, tortured, and shot a colleague of theirs, also an AID operative. They finally dropped him in a sewer, but he survived.⁹⁹ Today he is allegedly a protected witness of the Hague Tribunal investigating crimes purportedly committed by the special police unit, "Ševe"¹⁰⁰. The former Chief of Staff of the BIH Army filed criminal charges with the International Criminal Tribunal for the Former Yugoslavia in the Hague against this "protected witness" and a number of high police and military officers, citing serious criminal offences, including an assassination attempt against his person, during which his wife and her brother were killed.¹⁰¹

The first to visit the wounded AID operative was Nedžad Ugljen, the former chief of the former SDB. Their long conversation was recorded. Shortly thereafter, Ugljen was assassinated in the center of Sarajevo.¹⁰² His assassins have never been discovered, despite his having talked to the President of the BIH Presidency shortly before he was killed, telling him that he was going to be killed and by whom.¹⁰³

Early in 1997, the AID was again shaken by scandal: On 6 February 1997, the head of an AID detachment in Central Bosnia disappeared with his wife and three daughters.¹⁰⁴ He surfaced later and explained his actions in one of the Croatian weeklies.¹⁰⁵ He fled in fear for his life. The AID, he said, was a purely Muslim organization in the service of the political party of the SDA. Also he had personally executed the orders of his superiors, including fabricating "evidence" and bringing false witnesses against certain Croatian officers, so as to have them charged with war crimes.¹⁰⁶

On the Croatian side, the services operated silently, and little information had been released to the public. The pre-Dayton Republic of Bosnia and Herzegovina and the Croatian Republic of Herceg-Bosna ceased to exist, and their powers were transferred to the Dayton Bosnia and Herzegovina. On 6 January 1997, a

Croat member of the BIH Presidency appointed an internal policy adviser to the Office of the Presidency representing the Croatian people.¹⁰⁷ His role, similar to that of the former head of the National Security Office in the Presidential Council of the Croatian Republic of Herceg-Bosna, consisted of coordinating Croatian services in BIH and cooperating with foreign services. When several Croats were arrested in Bosnia and Herzegovina and in Croatia for criminal offences, the media launched a campaign against the leaders of Croatian services in BIH and Croatia. In addition, criminal charges were filed against them.¹⁰⁸ These charges were eventually dismissed, but not until they had been exploited by the media.

The crisis involving Croatian services in BIH climaxed on 24 December 1998, when the police of the Hercegovadžko-Neretvanska county and the National Security Service officials took over the office of the Adviser to the member of the BIH Presidency representing the Croatian people. The Adviser, at his own request, had been relieved of his duties on 24 September 1998; for the results of the general elections held in BIH on 12 and 13 September had led to a change in the seat of the BIH Presidency member representing the Croatian people.

After the elections, the resources of the National Security Service were severely reduced; also, it was incompetently run by people who did not understand the context in which it operated. They did not maintain the high rating of the Service, which had been acquired through professional cooperation with all the services present in BIH, by providing support to the peacemaking process, and by enhancing the safety of peace-keeping forces. Among other acts, incompetent officials launched attacks against some international organizations active in BIH. These developments encouraged a part of the international community which wanted to crush the ruling HDZ in the Republic of Croatia. Add to this the offended vanity of the then SFOR commander, which prompted the invasion by the SFOR forces on 14 October 1999¹⁰⁹ of SNS and other Croatian offices and institutions in the western part of Mostar. This action made the National Security Service equal with the Agency for Investigation and Documentation, forcing a change in the Service leadership. The staff now running the National Security Service, as well as AID, must reassert and assume its place in the international security system. One way to do this is to adopt the Law on the Intelligence and Security Service of the BIH Federation.

The Reintegration of the Security and Intelligence System in the Post-Dayton Federation of Bosnia and Herzegovina

The military intelligence and security service (VOSS) of the Federation of Bosnia and Herzegovina is governed by the BIH

Constitution, by Annex 4 of the General Framework Agreement for Peace in BiH of 1995, the Constitution of the Federation of Bosnia and Herzegovina,¹¹⁰ the Law on the Defense of the BiH Federation of 1996,¹¹¹ and by the Provisional Rules of the Activity of the Military Intelligence and Security Service of the BiH Federation of 1998. The VOSS of the BiH Federation is a specialised military, professional element in the Federation's defense system in charge of intelligence and security activities in the defense sphere. The service is sited within the Federal Ministry of Defense's Intelligence and Security Sector and run by the assistant to the minister and a deputy. The Sector has five sections. Along with the head office, there is the territorial structure of intelligence and security units.

An Intelligence and Security Directorate was established in the Joint Command of the Federation Army. It is run by the assistant to the Chief of Staff of the Joint Command and a deputy. The Directorate consists of four sections and three divisions. Other sections and divisions exist in the corps, brigades, and other units. The legality of the service's activities is monitored by the Parliamentary Commission of the BiH Federation for Defense, Security and the Control of Legality of Activities Performed by Services Safeguarding the Federation's Constitutional Order.¹¹²

Civil services in the Federation of Bosnia and Herzegovina continued to operate separately. After the establishment of the AID and the assassination of the former SDB director, discussions concerning cooperation and unification of the services were suspended. Disputes ensued, with Security services a major issue. However, two weeks after the President of the Republic of Croatia and the President of the BiH Presidency met and reached an agreement (6 August 1997), a Croat member of the BiH Presidency selected two other BiH Croat members and formed a joint working group. This group of Bosniak and Croat experts, with the assistance of U.S. experts, was to draft a new structure for the security and intelligence system of the BiH.¹¹³ The Bosniak side balked, violating the agreement. Nevertheless, two Presidency members (a Croat and a Bosniak) formed a working group of four members. Their task was to present a plan for the organization and leadership of the federal service, which in turn was to assume the duties and powers of the AID.¹¹⁴ Following several discussions and working meetings and agreements, the group composed and submitted (3 February 1998) "Proposal of the Organization and Administration of the Federal Service for Security and Intelligence Activities." The proposal contained the basic principles for drafting the Bill. As agreed, two U.S. experts assisted the group.¹¹⁵

Subsequently, this working group drafted the Bill Establishing the Security and Intelligence Service. The group was efficient, open, fair, and professional. The document was signed by the six

members of the working group on 4 March 1998. It was then submitted to the members of the BIH Presidency representing the Croatian and Bosniak people, who signed it on 6 March,¹¹⁶ two days after receiving it. Thus, the bill went from the field of expertise to the field of politics. However, politicians then were not willing to accept a strong, professional service. When the Bill was being drafted, some politicians argued against it.¹¹⁷ And the media's slanted articles created confusion and distrust.¹¹⁸ Some of these statements were even denied even by the President of the BIH Presidency.¹¹⁹

On 12 June 1998, the AID Director sent the preliminary draft of the Bill Establishing the Intelligence and Security Service to the Federal Ministry of Justice for its approval, pursuant to Article 21 of the Rules of Procedure of the Government of the BIH Federation.¹²⁰ The Ministry responded negatively (30 June 1998.¹²¹). A number of provisions were incompatible with the BIH Constitution; also, the powers of the service had not been accurately determined; it was unclear whether it was a federal institution or at the level of Bosnia and Herzegovina. The Office for Legislation of the Government of the BIH Federation concurred with the Ministry of Justice.¹²² These events occurred before the general elections in BIH; excluding the positive remarks, the remaining criticism was mere political posturing.

A change occurred in the working group on the Croatian side. First, the Adviser to the member of the Presidency resigned after the elections; then the second member of the group, the Deputy Minister of Internal Affairs of the BIH Federation, was assassinated by a planted explosive device (16 March 1999). The bomb exploded as his official vehicle was passing through Alipašina Street, near the U.S. Embassy in the center of Sarajevo.¹²³ The explosive device badly wounded the Deputy Minister; he died several days later.

The assassination was followed by a flurry of accusations. The Croatian member of the Presidency blamed the Bosniak supreme authorities and the SDA authorities.¹²⁴ The President of the BIH Presidency termed the accusations ridiculous and lay the blame for terrorism on "our fools" (Muslim-Bosniak, ann. by the author) or on Croatian extremists. Since the assassins of John Kennedy, Olaf Palme, and Aldo Moro remain unknown, he implied that this murder would also remain unsolved. The person(s) responsible for the murder of the Deputy Minister of Internal Affairs of the Federation of Bosnia and Herzegovina is still loose in the environment.

The editor-in-chief of a Sarajevo weekly stated (3 July 1999) that the federal Ministry of Internal Affairs was convinced that investigation is fruitless unless it involves key members of the secret Bosniak-Muslim police of the MOS. The leading men of the

MOS were untouchable, for they had recruited the Bosniak-Muslim human resources for the federal Ministry of Internal Affairs.¹²⁵ The killers of the Assistant to the AID Director (murdered on 28 September 1996) are still unknown. So are those responsible for the disappearance of an HVO general on the night of 8 and 9 March 1995; he had argued with the commander of the V Corps of the BiH Army in Bihać, where the HVO was a minority, and fought with the BiH Army against Serbian aggressors.¹²⁶

Few perpetrators have been identified in the 172 terrorist-like criminal offenses recorded since the end of the war and presented to the Parliament of the BiH Federation by the Commission for Defense and Security in December 1997.¹²⁷ These included the acts of terrorism that had disturbed the public in Bosnia and Herzegovina; i.e., the car bomb planted near a residential block in Splitska Street in Mostar on 18 September 1997. At first, the reports mentioned only 50 persons wounded.¹²⁸ Subsequently, the numbers rose to 93 flats, 13 business premises, and 96 cars.¹²⁹ In this case, some 40 Arabs, former Mujahedins, were arrested, but only five remained in prison. The defendants repeatedly changed their statements, which confused the issues and evidence and left the case compromised.¹³⁰ Still unidentified are those who attacked a politician in Mostar with an explosive device and then two days later wounded him in a shower of automatic gun fire.¹³¹ Also at large are those who destroyed churches and mosques throughout Bosnia and Herzegovina.

These unsolved cases argue for a strong professional service like that envisaged in the Bill Establishing the Intelligence and Security Service of the BiH Federation. Based on the conclusion of the Government of the BiH Federation (the 37th meeting held on 15 March 2000), the Federal Ministry of Justice was obligated to harmonise the Bill with the Constitution and the legislative system of the BiH Federation. The Ministry of Justice's new Bill was sent to the AID and SNS representatives on 28 March 2000. They responded that they favored the version of the Bill that had already been discussed by both Houses of the BiH Parliament and to which no objections had been raised. On 31 March 2000, the Federal Ministry of Justice forwarded to the Government of the BiH Federation the new Bill harmonised with the FBiH Constitution.¹³² The AID Director's letter to the Prime Minister of the BiH Federation and his Deputy¹³³ stressed that the SNS and the AID supported the Bill that had been discussed at the 37th meeting of the FBiH Government, for this version had been fully harmonised. He also asked that the Bill be included in the agenda of the next Government meeting and then forwarded for discussion.¹³⁴

This Bill was to serve as the basis for the establishment of the Service for Intelligence and Security Activities of the Federation of

BIH (OSS FBiH).¹³⁵ It is planned as an autonomous federal service, seated in Sarajevo. Its intelligence activities would safeguard the constitutional order of the BIH Federation and conduct counterintelligence operations. The service would have no police authorities, and would be run by a director and a deputy, each representing one of the two constituent nations. The service would have the required number of organizational units outside its head office. On the date of the Law's enforcement, the AID and SNS, both now performing security and intelligence activities for the BIH Federation, would cease to exist.¹³⁶

This Bill differs little from the version drafted two years ago, and then only as it relates to who uses the information developed, the members of the Presidency or the FBiH President and Vice President? In other words, who will control the service? However it turns out, the Federation of Bosnia and Herzegovina needs a strong professional service. It requires an efficient security and intelligence system, staffed by young, educated people, relatively free of prejudice, and last, a system controlled by democratic principles and authorities, one which will ably join European and world security systems.

NOTES

- 1 Sisački NOP odred, Military Encyclopaedia, volume 8, Belgrade, 1974. The Sisak squad was the first partisan unit in Croatia (and in the territory of what was later to become Yugoslavia). It was formed on June 22, 1941, pursuant to a decision of the District Committee of the Communist Party of Croatia (as a Communist reply to Germany's attack against the Soviet Union).
- 2 "OZNA", Military Encyclopedia, volume 6, Belgrade, 1973, p. 495.
- 3 Idem
- 4 Idem
- 5 Bezbednosna obuka, SSNO Uprava bezbednosti, Beograd, 1975, Volume I p. 21.
- 6 Korpus narodne odbrane Jugoslavije (KNOJ), Military Encyclopaedia, Belgrade, 1972, p. 629.
- 7 Idem
- 8 Bezbednosna obuka, Belgrade, 1975, pp. 24-27.
- 9 Idem
- 10 Zoran Sekulić (1989). *Pad i ćutnja Aleksandra Rankovića*. Dositej: Belgrade. pp. 58-59. The Commission was set up at the meeting of the CK SKJ Executive Committee held in Belgrade on 16 June 1966. Krste Crkvenovski was elected president of the commission.
- 11 Z. Sekulić, 1989, pp. 78-85
- 12 Bezbednosna obuka, volume 1, SSNO, Uprava bezbednosti, Belgrade, 1975, pp. 30-31.
- 13 Milivoj Lekov (1975). Bezbednost SFRJ u svetlu odredbi Ustava i odgovarajućih Saveznih zakona. "13. maj", SSUP magazine, Belgrade, no. 2, Year XXVIII, pp. 9,

- 20.
- 14 Zakon o osnovama državne bezbednosti (Official Gazette SFRJ 1/1974, loc. cit. Lekov, 1975, p. 12.
- 15 Official Gazette of the SFRY, 15/84.
- 16 As early as 1946, Yugoslavia separated the military from the civil security and intelligence services. Their activity was governed by the "Law on People's Defense" and the "Law on the Performance of Internal Affairs within the Competence of Federal Administration Organs."
- 17 The Service for Investigation and Documentation (SID) of the Federal Secretariat of Foreign Affairs of the SFRY was defined by law as a part of the state security system. It was both an intelligence and a counterintelligence service. It used to operate through Yugoslav diplomatic missions and consular posts.
- 18 Dušan Bilandžić (1985). *Historija SFRJ. Glavni procesi 1918.-1985*. Zagreb: Školska knjiga. pp. 330-331.
- 19 Official gazette of the SFRY, 9/74.
- 20 Bilandžić, D., 1985.
- 21 The SFRY Constitution, Savremena administracija Beograd, 1974.
- 22 Official gazette of the SR BiH, no. 4/74.
- 23 The BiH Constitution. Novinsko izdavačka organizacija Službeni list SR BiH, Sarajevo, 1989, p. 7.
- 24 The Service operated on the resolutions and decisions taken by Party committees, as stressed in the conclusions of the 4th CK SKJ plenary. Therefore, the political and legal responsibility for the actions taken by security and intelligence services of the former Yugoslavia against its citizens - from murders to different forms of terror and undermining of fundamental human rights - lies with the Presidents and members of committees who decided the services' functions.
- 25 SR BiH, R SUP, SDB, Centar Mostar, no 01-424/2 of September 19, 1967.
- 26 It is interesting today to observe how the patrons and writers of these theses have become the standard of democracy in the former Yugoslavia, and how they passionately boast of their political option for an unconditional Euro-Atlantic integration and admission into NATO.
- 27 SR BiH R SUP SDB, Izveštaj o radu Službe državne bezbjednosti RSUP-a SR BiH u 1986. godini, Sarajevo, January 1989.
- 28 Idem
- 29 Idem
- 30 Idem
- 31 Idem
- 32 The methods of discrediting, creating dissension, and degrading one's enemy with the aim of neutralizing him, have been used with particular success by the "intelligence underground" gathered around several influential weeklies in Bosnia and Herzegovina, as well as Croatia, in the past five years.
- 33 SR BiH RSUP SDB Izveštaj o radu Službe državne bezbjednosti RSUP-a SR BiH u 1986. godini, Sarajevo, January 1987.
- 34 Idem
- 35 Idem
- 36 Dosjei UDBE o hrvatskoj emigraciji iz BiH, Bonitas, Prozor, LAUS, Split, 2000, pp. 9-12.

- 37 Idem, pp. 441-442.
- 38 At the end of the war, Yugoslav partisan forces killed many prisoners, soldiers, and civilians. OZNA and KNOJ (predecessors of UDB and SDB) are held responsible for these crimes.
- 39 Slobodna Dalmacija of 15 August 2000. Feljton: Hrvati u inozemstvu [rtve dr[avnog terora poslije 1945. godine. Iz materijala Komisije Hrvatskog dr[avnog sabora za utvrđivanje ratnih i poratnih [rtava. p. 10.
- 40 Slu[beni list SFRJ, poverljivo glasilo, br. 18, Belgrade, 27 July 1990.
- 41 Pravilnik o unutrašnjoj organizaciji Slu[be dr[avne bezbjednosti Republičkog sekretarijata za unutrašnje poslove Socijalističke Republike Bosne i Hercegovine. Sarajevo, March 1990.
- 42 SR BiH Izvršno vijeće Skupštine SR BiH broj: str. Pov. 21, Sarajevo, 1 March 1990.
- 43 SR BiH, RSUP, SDB, Sarajevo, no. 5248/1, 1 October 1990.
- 44 Idem
- 45 Karlo Rotim (1997). *Obrana Herceg Bosne 1. Široki Brijeg*. pp. 295-297
- 46 Kronologija rata, 1989-1998, HIC, Zagreb, 1998, pp. 74-93.
- 47 Karlo Rotim (1998). *Obrana Herceg-Bosne 2. Široki Brijeg*. pp. 155-157.
- 48 Nezavisne novine, Banja Luka, 1 September 2000, Omer Behmen "Tra[io sam od generala JNA da izvrše vojni udar da bi se sačuvala Jugoslavija", pp. 15, 16, 17, and 38.
- 49 Markešić, Ivan, Opće političke i vojne prilike u BiH s posebnim osvrtom na Ravno, Humski zbornik 3, Ravno, Popovo, Ravno-Zagreb, 1997, p. 219.
- 50 Narodni list HZ H-B, no.1/92, pp. 2-3.
- 51 Srpska demokratska stranka BiH, Opštinski odbor SDS Mostar, no.: 01-53/91, Mostar, 3 September 1991
- 52 R BiH, MUP, CSB Mostar, SJB Mostar, no. 16-12/09, Mostar, 11 March 1992.
- 53 Markešić, Ivan, Opće političke i vojne prilike u BiH s posebnim osvrtom na Ravno, Humski zbornik 3, Ravno, Popovo, Ravno-Zagreb, 1997, p. 207.
- 54 Sefer Halilović (1997). *Lukava strategija*. Maršal: Sarajevo, pp. 166-168.
- 55 Idem
- 56 Oslobođenje, Sarajevo, 26 March 1992, p. 5
- 57 Oslobođenje, Sarajevo, 6 April 1992, p. 2.
- 58 Karlo Rotim (1997). *Obrana Herceg-Bosne 1.Široki Brijeg*. pp. 520-521.
- 59 Idem, pp. 521-523.
- 60 CBS Trebinje, Telegram no. 2/92, 3 April 1992.
- 61 Oslobođenje, Sarajevo, 5 March 1992, p. 1.
- 62 The head of the Department for Defense Preparations of the Mostar State Security Center was granted permission from the head of the Center to go to Sarajevo, where apparently his family resided. He stayed in the encircled Sarajevo and soon became the second highest official of the Ministry of Internal Affairs of Bosnia and Herzegovina.
- 63 Narodni list HZ H-B, no. 1/92, pp. 64 and 66.
- 64 Narodni list HZ H-B, no. 1/92, p. 12.
- 65 Predsjednik Predsjedništva HZ H-B, no. 470, Mostar, 24 July 1992.
- 66 Narodni list HZ H-B, no. 6/92, p. 41.
- 67 Narodni list, HR H-B, no. 1/93, p. 6.
- 68 Milivoj Kujundžić, Zdravko Dizdar (2000). *Hrvatska borba za opstojnost 1918-*

1998. Zagreb.
- 69 R BiH, HZ H-B, HVO Odjel obrane, br. 03-142/92, Mostar, 17 October 1992.
- 70 R BiH, HZ H-B, HVO Odjel obrane, br. 02-1-496/93, Mostar, 20 May 1993.
- 71 MO HR HB Mostar, 8 December 1993.
- 72 R BiH, HZ H-B, HVO, OO, br. 02-1-1057/93, Mostar, 31 August 1993.
- 73 Karlo Rotim (1997). *Obrana Herceg-Bosne 1.Široki Brijeg*. pp. 377.
- 74 The Development and Operation of the HVO Intelligence Service in the Homeland War, a presentation by the head of the Intelligence Department of the GS HVO, at the ceremony on the occasion of the fifth anniversary of the service, 1 February 1997.
- 75 Narodni list HZ H-B, br. 1/93, p. 10.
- 76 Narodni list HZ H-B, br. 8/93, p. 188.
- 77 Narodni list HZ H-B, br. 15/94, pp. 578-590.
- 78 BiH HR H-B, MUP, Br. 03-1/23/94, Mostar, 25 July 1994.
- 79 Kronologija rata, Zagreb, 1998, p. 346.
- 80 BiH, HR H-B, Predsjedničko vijeće, br. PV-VI-020/95, Mostar, 21 June 1995.
- 81 The three delegations were headed by Miroslav Tuđman, Nedžad Ugljen and Ivica Lučić.
- 82 K. Rotim (1997), p. 423-425.
- 83 Bošidar Bakotić (1998). *Daytonski sporazum*. Zagreb: Pravni fakultet u Zagrebu.
- 84 The persons who met were N. Ugljen and I. Lučić.
- 85 R BiH, Predsjedništvo, pr.broj: 1901/96, Sarajevo, 12 January 1996.
- 86 Idem.
- 87 Službeni list R.BiH, 17/96.
- 88 By virtue of the Constitution of the BiH Federation, adopted at the meeting of the Constituent Assembly of 30 March 1994, Muslims changed their ethnic name and called themselves Bosniaks.
- 89 Predsjednik, Predsjedništva BiH, br. 02-011-714/92, Sarajevo, 11 September 1992.
- 90 Slobodna Bosna, Sarajevo, 27 January 1998.
- 91 Dani, Sarajevo, September 1997, pp. 48-61.
- 92 Horizont, no. 38, Mostar, 10 September 1997.
- 93 Hrvatska riječ, Sarajevo, 10 February 1996, p. 8.
- 94 Hrvatska riječ, Sarajevo, 17 February 1996, p. 2.
- 95 Večernji list, Zagreb, 18 March 1996.
- 96 Vjesnik (AFP/HINA), Zagreb, 16 March 1996.
- 97 Ljiljan, Sarajevo, 27 March 1996, p. 4.
- 98 One of them, sentenced to 13 years of imprisonment, wrote an open letter to the President of the BiH Presidency, claiming that he had merely been executing the Director's orders.
- 99 Oslobođenje, Sarajevo, 1 October 1996.
- 100 Slobodna Bosna, Sarajevo, 17 August 2000.
- 101 BiH, FBiH, Kanton Sarajevo, Kantonalno tužilaštvo u Sarajevu, 5 October 1998.
- 102 Oslobođenje, Sarajevo, 1 October 1996. Nedžad Ugljen was Assistant to the AID Director.
- 103 Večernje novosti, Sarajevo, 7 October 1996.
- 104 Oslobođenje, Sarajevo, 15 February 1997, p. 10.

- 105 Nacional, Zagreb, 18 June 1997, pp. 7 and 8.
- 106 Idem.
- 107 BIH Predsjedništvo, Ured KZ, Broj: P-012/97, Sarajevo, 6 January 1997.
- 108 Court of Higher Instance in Mostar, Investigating Magistrate, broj: Ki-20/97, Mostar, 16 July 1997.
- 109 Slobodna Bosna, Sarajevo, 23 October 1999, pp. 19-21.
- 110 Službene novine F BiH, 1/94.
- 111 Službene novine F BiH, 15/96.
- 112 Službene novine F BiH, 01/99.
- 113 BIH Predsjedništvo, KZ , br: P-01-372-2/97, Sarajevo, 20 August 1997.
- 114 Members of the working group were as follows: Kemal Ademović, AID Director; Ivica Lučić, Adviser in the Office of the Presidency Member; Asim Dautbašić, Assistant to AID Director; and Jozo Leutar, Deputy Minister of Internal Affairs of the Federation of Bosnia and Herzegovina.
- 115 Slobodna Bosna, Sarajevo, 19 June 1999, p. 8. The U.S. Administration delegated the long-time official of the American service William D. Marray and the attorney Dave Roseman to assist in this project.
- 116 Dnevni avaz, Sarajevo, 12 March 1998, p. 3.
- 117 Idem. HDZ President Boško Rajić stated that to him and to his party the AID was a force above society and the Constitution; therefore, it needed to be dissolved and not transformed.
- 118 Oslobođenje, Sarajevo, 17 December 1997, p. 7. The article entitled "Will AID Be Dissolved?" contained misinformation concerning Ivica Lučić, a member of the working group for the drafting of the Bill on Services, and concerning the removed AID Director Bakir Alispahić, who was at the time President of the Commission for Defense and Security of the House of Representatives of the FBiH Parliament. Apparently, the two of them were negotiating about the position of the AID, whether it should be dissolved. The purpose of the misinformation was to disrupt the professional cooperation between Lučić and Kemo Ademović, who was the current AID Director (Ademović and Alispahić were on very bad terms).
- 119 Oslobođenje, 18 December 1997. The denial did not refer to the fact that there had been no discussions on this issue, but rather that the Commission for Defense and Security did not have the competence to run negotiations concerning the AID restructuring. The denial made things more complicated, but the situation was nevertheless resolved.
- 120 BIH AID Broj: K1-4404, Sarajevo, 12 June 1998.
- 121 BIH, FBiH, Federalno ministarstvo pravde, broj: 03-021-1104/98, Sarajevo, 30 June 1998.
- 122 BIH, FBiH, Ured za zakonodavstvo Vlade FBiH Broj: 02-021-219/98, Sarajevo, 4 July 1998.
- 123 Slobodna Bosna, Sarajevo, 20 March 1999, pp. 5-11.
- 124 Idem.
- 125 Slobodna Bosna, Sarajevo, 3 July 1999, p. 4, by Senad Avdić.
- 126 Slobodna Dalmacija, Split, 17 March 1995. At its 26th meeting held on 16 March 1995, the Presidential Council of the Croatian Republic of Herceg-Bosna asked for an international arbitration of the sponsors of the Washington Agreement concerning the disappearance of General Vlado Šantić and the protection of the Croats in

- Bihać. The Council maintained that the responsibility for the fate of General Šantić lay with the Commander of the V Corps of the BiH Army General Atif Dudaković.
- 127 Oslobođenje, Sarajevo, 17 December 1997, p. 7.
- 128 BIH, FBiH, FMUP, Informacija, Broj: PP-1/1154-94/97, Sarajevo, 19 September 1997
- 129 Slobodna Bosna, Sarajevo, 25 July 1998, pp. 24-25.
- 130 Idem
- 131 Večernji list, Zagreb, 2 October 1996, A press release by the Mostar Police Department.
- 132 BIH, FBiH, Federalno ministarstvo pravde, Broj: 04-02-1691/2000. Sarajevo, 31 March 2000
- 133 BIH, FBiH, AID, Broj: K-2477, Sarajevo, 21 April 2000.
- 134 Idem
- 135 BIH, FBiH, Zakon o službi za obavještajno-sigurnosne poslove FBiH. (draft) Sarajevo, April 2000.
- 136 Idem