

RESPONDING TO TERRORISM IN BOSNIA AND HERZEGOVINA – LEGAL PERSPECTIVES

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Abstract: Terrorism in Bosnia and Herzegovina (BiH) poses a significant security threat. The terrorist attacks which have been carried out or prevented, BiH citizens who travel to Syria to join terrorist groups, their return home and prosecution, all give rise to numerous questions regarding the efficiency of the criminal justice system when dealing with terrorist threats. Response to terrorism is complex and encompasses various measures at the international and national levels. A key precondition for an effective fight against terrorism at the national level is the criminal law framework. This paper addresses substantive criminal law and criminal procedure law in BiH with regard to terrorism offenses and terrorism-related offenses and analyzes the specificities of criminalization in the BiH Criminal Code, the entity criminal codes (Republic of Srpska and the Federation of BiH), and the Brčko District of BiH. Finally, the solutions contained in the criminal procedure laws regarding the application of special investigative actions are presented, followed by a critical review of specific legal solutions.

Keywords: terrorism, Bosnia and Herzegovina, national security, criminal legislation, special investigative actions.

INTRODUCTION

Terrorism is a global, transnational security threat that many countries, including Bosnia and Herzegovina, are faced with. Various measures have been used to combat terrorism at the global, regional and national levels. They can be proactive or reactive and carried out by security agencies, the police or armed forces (Roberts, 2002; Gaćinović, 2006; Bayley & Weisburd, 2009; De Graaf, 2011; Crelinsten,

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2013). Additionally, diplomatic, political, economic, and educational measures play a significant role in the prevention of terrorism (Peterson, 2002; Krueger & Malečková, 2003; Thomas, 2016). However, an effective fight against terrorism, both at the international and national levels, requires an appropriate legal framework (Beckman, 2007; Ramraj, Hor & Roach, 2009). How domestic legislation addresses the issue of terrorism represents a particular challenge.

Difficulties in defining terrorism in the criminal law, and thus different solutions in domestic legislation, arise due to the lack of consensus on what terrorism is, both at the theoretical and practical levels (Ganor, 2002; Young, 2006). Terrorism is primarily a form of political violence which is immanent to the phenomenon. Its political dimension is the result of different political interests and interpretations pertaining to the nature and content of this notion. The absence of a generally accepted definition of terrorism at the international level results in different interpretations and practices in domestic legislation, and consequently the security services' activities.

This paper addresses the criminal law framework for countering terrorism in Bosnia and Herzegovina. Certain specifics of substantive criminal law and criminal procedure law are analyzed. The significance and topicality of the subject lies in two facts. First, Bosnia and Herzegovina is a post-conflict country with a complex political and legal system. Additionally, in accordance with the constitutional order, Bosnia and Herzegovina has a complex and uncoordinated security system. The second fact points to a threat posed by terrorism to Bosnia and Herzegovina, primarily that inspired by Islamic fundamentalism (Azinović, 2013). Committed terrorist attacks, the radicalization of one part of the population, citizens of Bosnia and Herzegovina who travel to Syria to join terrorist organizations, their return and prosecution, etc. are important issues to be considered in countering terrorism in Bosnia and Herzegovina. The aim of this paper is to analyze the existing criminal law framework and to give a critical review of the existing legal solutions pertaining to countering terrorism in Bosnia and Herzegovina.

TERRORISM AS A TRANSNATIONAL AND INTERNATIONAL CRIME

A transnational crime could be defined as any crime that has an element of foreignness, for example, the perpetrator is not a citizen of the state in whose territory a criminal offense has been committed. The United Nations has used this term in order to identify certain criminal activities transcending national frontiers (Boister, 2003). Terrorism is a transnational crime, as conventions dealing with terrorism prescribe international cooperation of states in the fight against terrorism (Cryer, Freeman, Robinson & Wilmschurst, 2010). In fact, terrorism is neither an ordinary transnational crime based on international treaties nor an international crime, because there is not a generally accepted international convention that defines and criminalizes it (Ambos, 2014).

A crime is considered to be an international crime if material and formal criteria are met. The material criterion means that the criminal offense has significance for the entire international community and the values protected must be universal, while the formal criterion means that a specific international crime is defined by a specific international legal norm. An international legal norm represents a formally accepted obligation by sovereign states to prescribe certain criminal offenses in their domestic legislation (Škulić, 2006). The list of international crimes is contained in the Rome Statute; however, terrorism is not included in this list for political reasons and the perpetrators of terrorist acts are prosecuted at the national level (Dimitrijević, 2018).



In international criminal law, we can find qualifications regarding terrorism as a separate international crime in peacetime. This definition has evolved and is considered to be an international customary rule. The reason for the lack of a general definition of terrorism is considerable disagreement about the definition of terrorism in armed conflicts in terms of whether the so-called freedom fighters should be encompassed by this definition (Cassese, 2006). If international conventions force states to arrest and prosecute individuals accused of terrorism in accordance with the principle of universal jurisdiction, it would be understandable to accept the thesis that terrorism is an international crime (Londras, 2010). However, if states are unwilling to prosecute or incapable of prosecuting perpetrators of terrorism due to the lack of evidence, they are obligated to act in accordance with the so-called imperative principle of international criminal law *aut dedere aut judicare*, which would support the thesis that terrorism can be regarded as an international crime.

THE CRIMINAL OFFENSE OF TERRORISM IN THE CRIMINAL CODES OF BOSNIA AND HERZEGOVINA

In Bosnia and Herzegovina, the criminal offense of terrorism falls into the category of criminal offenses against humanity and values protected by international law under the Criminal Code of Bosnia and Herzegovina, while the entity codes and the Criminal Code of the Brčko District of Bosnia and Herzegovina define terrorist acts in a separate chapter. The difference between the definitions of the criminal offense of terrorism in the entity criminal codes and the Criminal Code of the Brčko District and the criminal offense of terrorism in the Criminal Code of Bosnia and Herzegovina lies in targets of intimidation or coercion, that is, an international element of this crime. The target of intimidation or coercion under the Criminal Code of Bosnia and Herzegovina may be not only government bodies but also government of another state or the international community. However, under the entity criminal codes and the Criminal Code of the Brčko District, the aim of terrorism is to intimidate the citizens or compel the entities' authorities to do or to abstain from doing any act with the intention of destabilizing or destroying the constitutional, political, economic or social structures of the two entities. According to the entity criminal codes and the Criminal Code of the Brčko District, the criminal offense of terrorism is exclusively focused on the constitutional order and security of some federal units in Bosnia and Herzegovina. Under the Criminal Code of Bosnia and Herzegovina, the criminal offense of terrorism falls into the category of crimes against humanity and values protected by international law in order to depoliticize terrorist acts and enable the extradition of the perpetrators of terrorism offenses. Additionally, one of the reasons for the narrower definition of terrorism at the entity level is the fact that the two entities neither have the status of a state nor do they enjoy legal personality.

Terrorist acts are listed in a casuistic manner in the Criminal Code of Bosnia and Herzegovina (Stojanović & Delić, 2019), which are set heterogeneously, meaning that some acts are preparatory in nature, they were not defined as perpetration acts, or some acts would be regarded as the perpetration of other crimes (Kolarić, 2013). The purpose of a terrorist act is to achieve one of the three goals: to intimidate a population, to compel the Bosnia and Herzegovina authorities, government of another state or international organization to do or to abstain from doing any act, or to seriously destabilize or destroy the fundamental constitutional, political, economic or social structures of Bosnia and Herzegovina, of another state or international organization. In the case of other terrorist acts which are criminalized and defined as independent terrorist acts, the existence of the specific intent and the element of premeditation is required in relation to, for example, recruitment for terrorist activities which is undertaken to incite others to perpetrate an act, participate in the perpetration of an act or



join a terrorist group to perpetrate any of the terrorism offenses. The subjective component of terrorist offenses requires the cumulative existence of premeditation as a subjective element of any of the terrorism offenses, including the specific intent to perpetrate a terrorist act.

The Criminal Code of Bosnia and Herzegovina criminalizes not only terrorist activities but also all preparatory actions or accomplices in terrorist acts in order to meet the requirements of the principle of legality, meaning that a person who publicly incites the commission of terrorist acts is aware that it is a criminal offense and is aware of the sentence prescribed for this criminal offense (Criminal Code of Bosnia and Herzegovina, Official Gazette of Bosnia and Herzegovina, 2003). According to the principle of legality, a person must know that a certain offence is punishable and the type of punishment prescribed for that offense. The following elements constitute the principle of legality: criminal offenses and penalties must be prescribed only by law, the law must be specific and clear, the law must not be operated retroactively, and the use of analogy is prohibited. In order to satisfy all these elements of the principle of legality, recruitment for terrorist activities, training to carry out terrorist activities, organizing and training groups to join foreign terrorist organizations, hostage-taking, organizing terrorist groups or organizations, and the financing of terrorist organizations are criminalized in domestic legislation.³

In the Federation of Bosnia and Herzegovina, we note that there has been no attempt to criminalize some terrorist acts, such as incitement to commit terrorist activities, organizing terrorist groups or joining foreign terrorist organizations (Criminal Code of the Federation of Bosnia and Herzegovina, Official Gazette of the Federation of Bosnia and Herzegovina, 2003). The reason why the legislature failed to criminalize these terrorist acts remains unclear. The same shortcoming, that is, the non-criminalization of all unlawful terrorist acts is also observed in the Criminal Code of the Brčko District of Bosnia and Herzegovina, because it does not identify the danger that if an act is not prescribed as a criminal offense by law (*lex certa*), the punishment of the person responsible for such a terrorist act is prevented (Criminal Code of the Brčko District of Bosnia and Herzegovina, Official Gazette of Brčko District, 2003). Failure to criminalize these acts in the legislation of the two entities and the legislation of the Brčko District of Bosnia and Herzegovina, despite the requirements of international conventions for the prevention and suppression of terrorist acts,⁴ results in the non-fulfilment of international obligations, the non-punishment of certain terrorist acts and the creation of haven for the responsible persons.

3 This group of criminal offenses as terrorism offenses are criminalized not only in the Criminal Code of Republic of Srpska (Articles 299 - 305), but also in the Criminal Code of the Federation of Bosnia and Herzegovina (Articles 200 - 202), in the Criminal Code of the Brčko District (Articles 197 - 199), and in the Criminal Code of Bosnia and Herzegovina (Articles 200 - 202d).

4 The 1977 Council of Europe Convention on the Suppression of Terrorism entered into force, in relation to Bosnia and Herzegovina, in 2004, published in the Official Gazette of Bosnia and Herzegovina No. 12/2003. The 2005 Council of Europe Convention on the Prevention of Terrorism entered into force, in relation to Bosnia and Herzegovina, in 2008 and was published in the Official Gazette of Bosnia and Herzegovina, No. 14/2007. The 2005 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, in relation to Bosnia and Herzegovina, entered into force in 2008 and was published in the Official Gazette of Bosnia and Herzegovina, No. 14/2007. The 1997 International Convention for the Suppression of Terrorist Bombings, in relation to Bosnia and Herzegovina, entered into force in 2003 and was published in the Official Gazette of Bosnia and Herzegovina, No. 7/2003.



CRIMINAL PROCEDURAL MECHANISMS FOR DETECTING TERRORISM IN BOSNIA AND HERZEGOVINA

Special investigative actions are a necessary means of proof which is used when it is not otherwise possible to collect the necessary evidence of the criminal offense committed. The application of special investigative actions justifies interference with the suspect's right to respect for private and family life only to prevent the commission of the most serious offenses which endanger the right to life and health of people, and the security of the state. Evidence obtained in the course of special investigative actions is legal only if the investigative actions are conducted in accordance with the principle of proportionality, the necessity of conducting such actions to collect evidence relating to the commission of the most serious crimes (Buha, 2019).

The application of special investigative actions in the detection of serious forms of crime is regulated by special rules to justify an interference with the suspect's right to respect for his/her private and family life (Škulić, 2016). In this regard, it is necessary to meet the legal conditions for the application of special investigative actions as specified under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter: the ECHR).⁵ This would mean that the state should establish an effective and, in the essence of human rights, compatible legal framework for the implementation of special investigative actions. Article 8 of the ECHR requires that a balance be achieved between two opposing public interests in the process of applying special investigative actions – the prevention of “serious, sophisticated” crime and the restrictions imposed by the state on interfering with an individual's right to respect for private and family life. The right to respect for one's private life contained in Article 8, paragraph 1 of the ECHR, is not an absolute right and the exercise of this right is limited by the need to protect some other values in society. Special investigative actions restrict the suspect's right to respect for his/her private and family life if a serious crime has been committed, and the suspect has the right to challenge the legality of evidence obtained in the course of special investigative actions if they are not conducted in accordance with the law (Buha, 2018). The obligatory conditions for the application of special investigative actions are the following: it must be a serious criminal offense (a criminal offense difficult to prove, such as terrorism offenses) and the application of these actions is the last and necessary means of gathering evidence. These conditions are arranged cumulatively. Special investigative actions are coercive evidentiary actions taken against the suspect or the accused as they restrict his/her fundamental right to respect for private and family life (Buha, 2019).

Special investigative actions, which are applied in detecting and proving terrorism offenses, are an important means of proof, recognized by criminal procedure legislation which clearly prescribes that special investigative actions may be applied in cases involving terrorism offenses which are difficult to detect using other means of proof (Škulić, 2016).

Article 117, paragraph 1, item (c) of the Criminal Procedure Code of Bosnia and Herzegovina (hereinafter: BiH CPC) stipulates that a special investigative action may be applied in terrorism cases. Interestingly, under the same Article, paragraph 1, item (b), special investigative actions may be ordered in the case of crimes against humanity and the values protected by international law (Criminal Procedure Code, Official Gazette of BiH, 2003). We find this item (c), Article 117 of the BiH CPC, interesting, because terrorism is criminalized in the Criminal Code of Bosnia and Herzegovina and categorized as a crime against humanity and values protected by international law, and the same Article of the BiH CPC stipulates that special investigative actions may be ordered for terrorism offenses,

⁵ The 1950 Council of Europe Convention. The original text of the convention entered into force in 1970.



including crimes against humanity and values protected by international law. Therefore, the question arises as to why the legislature describes the same thing twice but in a different way in regard to special investigative actions which may be applied in cases concerning terrorism and crimes against humanity and values protected by international law, and in the Criminal Code of Bosnia and Herzegovina terrorism is criminalized and classed as a crime against humanity and values protected by international law. Certainly, special investigative actions are particularly important for detecting terrorism offenses. However, it is logical that the BiH CPC stipulates that special investigative actions may be applied in cases concerning crimes against humanity and values protected by international law because this allows for a possibility to use them as a means of proof in cases concerning other terrorism offenses, such as terrorist financing, incitement to terrorism, terrorist training, organizing terrorist groups and other criminal offenses for the purpose of terrorism. Perhaps the legislature has chosen to single out terrorism in relation to other crimes against humanity and values protected by international law, although terrorism belongs to the group of these crimes because special investigative actions must be applied if we want to detect and prove a terrorism offense. It is questionable to what extent this thesis is meaningful given that other crimes belonging to the group of crimes against humanity and values protected by international law are very difficult to detect and prove by other means of proof.

The remark that the legislature prescribes the same thing twice, the application of special investigative actions in the case of terrorism and crimes against humanity, because terrorism is one of the crimes against humanity, does not stand regarding legislation of the two entities because their legislation does not define terrorism as a crime against humanity and value protected by international law, given that terrorism offenses are defined in a special chapter. Article 235, paragraph 1, item (c) of the Criminal Procedure Code of Republic of Srpska (Official Gazette of Republic of Srpska, 2012) stipulates that special investigative actions may be ordered for terrorism offenses. Given that the legislature does not specify that the application of special investigative actions refers to all terrorism offenses listed in Chapter XXIII of the Criminal Code of Republic of Srpska (Official Gazette, 2017), it causes a dilemma whether the application of special investigative actions refers to other terrorist offenses such as terrorist financing and other offenses. Even if such a dilemma arose due to linguistic ambiguity, there is a possibility of applying special investigative actions in respect of other terrorist offenses, because a term of imprisonment of three years or a more severe sentence may be imposed in respect of all terrorism offenses listed in Chapter XXIII of the Criminal Code of Republic of Srpska, while according to Article 235, paragraph 1, item (d) of the Criminal Procedure Code of Republic of Srpska, special investigative actions may be ordered for offenses punishable by imprisonment ranging from three years to a more severe sentence. Therefore, a term of imprisonment of three years may be imposed for all terrorism offenses, which means that terrorism offenses are recognized as offenses for which special investigative actions may be ordered in order to detect and prove them. We encounter a similar legal solution in the Criminal Procedure Code of the Federation of Bosnia and Herzegovina (FBiH CPC); Article 131 of the FBiH CPC prescribes that special investigative actions may be ordered for the criminal offenses punishable by imprisonment ranging from three years to a more severe sentence, while according to the Criminal Code of the Federation of Bosnia and Herzegovina (FBiH CC), a term of imprisonment of three years may be imposed for the terrorism offenses listed in Chapter XVIII. The Criminal Procedure Code of the Brčko District of Bosnia and Herzegovina (BD CPC) clearly stipulates that special investigative actions may be ordered in relation to the terrorism offenses contained in Chapter XVIII of the Criminal Code of Brčko District.



CONCLUSION

Bosnia and Herzegovina is a complex state with a complex legal system. Terrorism-related offenses are criminalized in the state and entity criminal codes, including the Brčko District of Bosnia and Herzegovina. However, there are different approaches to criminalizing terrorism in the Criminal Code of Bosnia and Herzegovina in relation to the entity criminal codes and the Criminal Code of the Brčko District of Bosnia and Herzegovina. Additionally, there are differences between the entities' codes and the Criminal Code of the Brčko District of Bosnia and Herzegovina. The key difference between the Criminal Code of Bosnia and Herzegovina in relation to the entity criminal codes and the Criminal Code of the Brčko District lies in the subject of the legal protection. In the state criminal code, terrorism offenses fall into the category of crimes against humanity and values protected by international law, while the entity criminal codes and the Criminal Code of the Brčko District define terrorism offenses in a special chapter. The entity criminal codes do not recognize the element of foreignness because the two entities do not have the status of a state – they do not enjoy legal personality. Since the entity legislatures decided to criminalize terrorism and terrorism-related offenses in a special chapter of the criminal codes, the question arises regarding the subject of the legal protection, that is, the type of values protected (Ristivojević, 2011). This is unclear in the existing legal solutions. There is also a difference in the scope of criminalization, since the Criminal Codes of the Federation of Bosnia and Herzegovina and the Brčko District of Bosnia and Herzegovina, unlike the Criminal Codes of Bosnia and Herzegovina and Republic of Srpska, do not criminalize some terrorist acts, such as incitement to terrorist activities, organizing and joining foreign terrorist organizations. This is contrary to international conventions on the prevention and suppression of terrorism. Regarding criminal procedure law, that is, the application of special investigative actions in terrorism cases, legislation at the state and entity levels is harmonized with the European Convention for the Protection of Human Rights and Fundamental Freedoms. The existing legal solutions allow for the application of special investigative actions in cases involving terrorism and terrorism-related offenses.

REFERENCES

1. Ambos, K. (2014). *Treatise on International Criminal Law: Volume II: The Crimes and Sentencing* (Vol. 2). Oxford University Press.
2. Azinović V. (2013). Bosnia and Herzegovina and Terrorism 1996-2011: Defining the Threat, Devising Counterterrorism Strategy. In: J. Le Bau (Ed.), *The Dangerous Landscape: International Perspectives on Twenty-First Century Terrorism; Transnational Challenge, International Responses*, (pp. 191-210). Procon Ltd.
3. Beckman, J. (2007). *Comparative legal approaches to homeland security and anti-terrorism*. London: Routledge.
4. Boister, N. (2003). Transnational criminal law. *European Journal of International Law*, 14(5), 953-976.
5. Buha, M. (2018). (NE)zakonitost posebnih istražnih radnji. *Srpska pravna misao*, 51, 41-57.
6. Buha, M. (2019). Izmjena odredaba Zakona o krivičnom postupku BiH – RS o posebnim istražnim radnjama u svjetlu odluke Ustavnog suda BiH (123-135). Zbornik radova *Posebne istražne radnje*, Sarajevo: Pravosudni forum za Bosnu i Hercegovinu.



7. Cassese, A. (2006). The multifaceted criminal notion of terrorism in international law. *Journal of International Criminal Justice*, 4(5), 933-958.
8. Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms (1950). (Evropska konvencija o zaštiti ljudskih prava i osnovnih sloboda, Konvencija Savjeta Evrope iz 1950).
9. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005). Official Gazette of Bosnia and Herzegovina, No. 14/2007. (Konvencija Vijeća Evrope o pranju, traganju, privremenom oduzimanju i oduzimanju prihoda stečenih krivičnim djelom i finansiranjem terorizma iz 2005. Službeni glasnik Bosne i Hercegovine br. 14/2007).
10. Council of Europe Convention on the Prevention of Terrorism (2005). Official Gazette of Bosnia and Herzegovina, No. 14/2007. (Konvencija Savjeta Evrope o sprečavanju terorizma, Službeni glasnik Bosne i Hercegovine br. 14/2007).
11. Council of Europe Convention on the Suppression of Terrorism (1977). Official Gazette of Bosnia and Herzegovina, No. 12/2003 (Evropska konvencija o sprečavanju terorizma iz 2005. Službeni glasnik Bosne i Hercegovine br. 12/2003).
12. Crelinsten, R. (2013). *Counterterrorism*. New Jersey: John Wiley & Sons.
13. Criminal Code of Bosnia and Herzegovina, No. 03/03, Amendments and additions to the Code (Krivični zakon Bosne i Hercegovine, br. 03/03, izmjene i dopune zakona). Downloaded 5 May, 2021 <http://www.tuzilastvobih.gov.ba/?opcija=sadrzaj&kat=4&id=40&jezik=s>.
14. Criminal Code of Republic of Srpska, Official Gazette of Republic of Srpska, 64/17, 15/21 (Krivični zakonik Republike Srpske, Službeni glasnik Republike Srpske, 64/17, 15/21).
15. Criminal Code of the Brčko District, Official Gazette of the Brčko District, No. 19/2020 (Krivični zakon Brčkog Distrikta, Službeni glasnik Brčkog Distrikta, br. 19/2020).
16. Criminal Code of the Federation of Bosnia and Herzegovina, Official Gazette of the Federation of Bosnia and Herzegovina, No. 36/03, Amendment and additions to the Code (Krivični zakon Federacije Bosne i Hercegovine, glava XVIII krivična djela terorizma, Službene novine Federacije Bosne i Hercegovine, br. 36/03, izmjene i dopune zakona). Downloaded March 3, 2021 <http://www.tuzilastvobih.gov.ba/?opcija=sadrzaj&kat=4&id=42&jezik=s>.
17. Criminal Procedure Code of Bosnia and Herzegovina, Official Gazette of Bosnia and Herzegovina, No. 03/03 (Zakon o krivičnom postupku Bosne i Hercegovine, Službeni glasnik Bosne i Hercegovine, br. 03/03). Downloaded 5 May, 2021 <http://www.tuzilastvobih.gov.ba/?opcija=sadrzaj&kat=4&id=40&jezik=s>.
18. Criminal Procedure Code of Republic of Srpska, No. 53/12 (Zakon o krivičnom postupku Republike Srpske, Službeni glasnik Republike Srpske br. 53/12). Downloaded May 3, 2021 <http://www.tuzilastvobih.gov.ba/?opcija=sadrzaj&kat=4&id=43&jezik=s>.
19. Criminal Procedure Code of the Brčko District of Bosnia and Herzegovina, Official Gazette of the Brčko District of Bosnia and Herzegovina, Nos. 34/2013, 27/2014, 3/2019, 16/2020 (Zakon o krivičnom postupku Brčkog Distrikta, glava IX posebne istražne radnje, „Službeni glasnik Brčkog Distrikta“, br. 34/2013, 27/2014, 3/2019, 16/2020).
20. Criminal Procedure Code of the Federation of Bosnia and Herzegovina, Official Gazette of the Federation of Bosnia and Herzegovina, No. 35/03 (Zakon o krivičnom postupku Federacije Bosne i Hercegovine, glava IX posebne istražne radnje, Službene novine Federacije Bosne i Hercego-



vine, br. 35/03). Downloaded May 3, 2021 <http://www.tuzilastvobih.gov.ba/?opcija=sadrzaj&kat=4&id=42&jezik=s>.

21. Cryer, R., Friman, H., Robinson D. & Wilmshurst, E. (2010). *An Introduction to International Criminal Law and Procedure*. Cambridge University Press: Cambridge – New York – Melbourne.
22. De Graaf, B. (2011). *Evaluating counterterrorism performance: A comparative study*. London/New York: Routledge.
23. Dimitrijević, D. (2018). Evropski pravni okvir za suzbijanje međunarodnog terorizma. *Evropsko zakonodavstvo*, 17(64), 156-174.
24. Gaćinović, R. (2006). *Antiterorizam*. Beograd: Draslar partner.
25. Ganor, B. (2002). Defining terrorism: Is one man's terrorist another man's freedom fighter? *Police Practice and Research*, 3(4), 287-304.
26. International Convention for the Suppression of Terrorist Bombings (1997). Official Gazette of Bosnia and Herzegovina, No. 7/2003 (Međunarodna konvencija o zabrani terorističkih bombaških napada iz 1997. Službeni glasnik Bosne i Hercegovine br. 7/2003).
27. Kolarić, D. (2013). Nova koncepcija krivičnih dela terorizma u Krivičnom zakoniku Republike Srbije. *Crimen*, 4, 49-71.
28. Krueger, A. B., & Malečková, J. (2003). Education, poverty and terrorism: Is there a causal connection?. *Journal of Economic perspectives*, 17(4), 119-144.
29. Londras, F. (2010). Terrorism as an International Crime. In: William Schabas & Nadia Bernaz (eds). *Routledge Handbook on International Criminal Law*. London: Routledge.
30. Peterson, P. G. (2002). Public diplomacy and the war on terrorism. *Foreign Affairs*, 81(5), 74-94.
31. Ramraj, V. V., Hor, M., & Roach, K. (Eds.). (2009). *Global anti-terrorism law and policy*. Cambridge: Cambridge University Press.
32. Ristivojević, B. (2011). O zaštitnom objektu zločina protiv čovečnosti: novo ruho međunarodnog prava o ljudskim pravima. *Crimen(II)* 1, 52-66.
33. Roberts, A. (2002). Counter-terrorism, armed force and the laws of war. *Survival*, 44(1), 7-32.
34. Škulić, M. (2006). Pojam međunarodnog krivičnog dela. Međunarodni naučni skup: Pojam međunarodnog krivičnog prava. Udruženje za međunarodno krivično pravo, Tara, 88 -110.
35. Škulić, M. (2016). Posebne dokazne radnje u funkciji suzbijanja terorizma i osnovni pravni aspekti protivterorističkog djelovanja vojnih snaga. *Vojno delo*, 6, 275-292.
36. Stojanović, Z., & Delić, N. (2019). *Krivično pravo–posebni deo, šesto dopunjeno izdanje*. Pravna knjiga: Beograd.
37. Thomas, P. (2016). Youth, terrorism and education: Britain's Prevent programme. *International Journal of Lifelong Education*, 35(2), 171-187.
38. Young, R. (2006). Defining terrorism: The evolution of terrorism as a legal concept in international law and its influence on definitions in domestic legislation. *BC Int'l & Comp. L. Rev.*, 29, 23.



