

The Intersection of the Bosnian War, the *Mujahideen*, and Counterterrorism Measures in Bosnia and Herzegovina

Nicola Mathieson

Drawing upon the history of the participation of the mujahideen during the Bosnian War (1992-1995), Bosnia and Herzegovina (BiH) has used counterterrorism measures against its Muslim population in a post-9/11 environment. BiH's targeting of its Muslim community has been facilitated by the lack of an international definition of terrorism or a mechanism to monitor and chastise states that misuse counterterrorism measures. To appreciate the significance of this global problem, the subsequent policy piece specifically examines Republika Srpska's use of counterterrorism measures to target members of the Bosniak community and emphasizes the importance of formalising a standard definition of terrorism.

Sarajevo, the capital of Bosnia and Herzegovina (BiH), has long prided itself on its secularity and geography as a European capital. BiH consists of three main ethnic groups: Bosnian Croats, Bosnian Serbs, and Bosnian Muslims.¹ Bosnia's Muslim population, known as Bosniaks, have long referred to themselves as "European Muslims," usually enforcing a strict division between themselves and "Arab Muslims."

During recent years, there has been a perceived increase of "Arab" and "Islamic" influence in BiH. Ilidža, a suburb west of Sarajevo, has become a hub of Arab tourism. International funding from Muslim states has contributed to the construction of Sunni mosques that stand in stark contrast to the traditional wooden mosques dotted throughout the hills of Sarajevo's suburbs. Arab tourists are increasingly investing in property throughout BiH² and local Sarajevans have particularly noted an increased visibility of women in hijabs and niqabs.³ These changes are perceived to have begun during the Bosnian War.

At the failure of the international community to provide assistance to the Bosniaks during the war, Alija Izetbegovic, a Bosniak and current President of the Republic of BiH, appealed to the Islamic world for financial and military aid to protect the Muslim

¹ According to the final results of the 2013 census, 50% of the BiH population are Bosniak, 30% Serb and 15% Croat. Rodolfo Toe, "Census Reveals Bosnia's Changed Demography," *Balkan Insight*, June 30, 2016, <http://www.balkaninsight.com/en/article/new-demographic-picture-of-bosnia-finally-revealed-06-30-2016>.

² "Ottoman Comfort," *Economist*, 21 January, 2016, <https://www.economist.com/news/europe/21688928-arab-tourists-and-investors-are-giving-bosnia-new-shine-ottoman-comfort>; Daria Sito-Sucic, "Gulf Tourism Frenzy in Bosnia Delights Business, Polarizes Locals," *Reuters*, 21 August, 2016, <https://uk.reuters.com/article/us-bosnia-arabs-investment/gulf-tourism-frenzy-in-bosnia-delights-business-polarizes-locals-idUKKCN10W08L>.

³ Albina Sorguc, "Bosnia's Niqab-Wearers Brave Insults to Show Faith," *Balkan Insight*, 19 September, 2016, <http://www.balkaninsight.com/en/article/bosnia-s-niqab-wearers-brave-insults-to-show-faith-09-16-2016-1>.

community in BiH.⁴ Volunteer foreign fighters, collectively known as the *mujahideen*, also arrived to fight on behalf of the Bosniaks. Although the participation and settlement of these fighters in BiH has not fundamentally shifted the Bosniak identity, it has serious implications on the application of counterterrorism measures in BiH in a post-September 11 environment. This has been the case because of a conflation of terrorism with wartime narratives in a two-phase process. Firstly, all terrorism committed by Muslims within BiH is not only equated with radicalisation and extremism, but is linked directly to the introduction of Wahhabism by the *mujahideen* during the Bosnian War. Secondly, the presence of settled *mujahideen* in BiH after the war has led to the labelling of BiH as a potential terrorist hub in Europe. This label has allowed the entity governments within BiH⁵ to use indiscriminate counterterrorism measures to target entire communities under the guise of the threat of terrorism, without risking international condemnation. This policy piece will specifically examine the use of counterterrorism measures to target Bosniak communities in Bosnian-Serbs-dominated Republika Srpska.

Mujahideen in BiH

During the Bosnian War, the UN-imposed international arms embargo disproportionately affected the Bosniaks. Serbia and Croatia supplied their respective groups of Bosnian Serbs and Bosnian Croats throughout the war, but Bosniak fighters had no means of procuring weapons. President Izetbegovic consequently appealed to the Islamic world for aid and weapons to protect the Muslim community in BiH during the war.⁶ Bosniak officials claim that they never requested additional fighters, only materials.⁷ However, it is estimated that approximately three thousand foreign fighters arrived in BiH from Algeria, Afghanistan, Egypt, Pakistan, Syria, Russia, and Iraq to fight on behalf of the Bosniaks during the Bosnian War.⁸

On arrival in BiH, the *mujahideen* were first integrated into the Bosnian Army's Seventh Muslim Mountain Brigade of the Third Corps Army before the

⁴ Jennifer Mustapha, "The Mujahideen in Bosnia: The Foreign Fighter as Cosmopolitan Citizen and/or Terrorist," *Citizenship Studies* 17, no. 6-7 (October 2013): 747, <https://doi.org/10.1080/13621025.2012.751718>.

⁵ The Dayton Agreement created two main entities that represent the territory controlled at the conclusion of the Bosnian War. The Federation of Bosnia and Herzegovina is the larger of the two entities and predominantly consists of Bosniaks and Bosnian Croats. Republika Srpska is dominated by Bosnian Serbs. There is also the autonomous district, Brcko, located in north-eastern BiH on the border with Serbia, designed to be a buffer zone.

⁶ Mustapha, "The *Mujahideen* in Bosnia," 747.

⁷ International Crisis Group, "Bin Laden and the Balkans: The Politics of Anti-Terrorism," November 9, 2001, 11, http://www.intl-crisis-group.org/projects/balkans/balkansregion/reports/A400481_09112001.pdf; Mustapha, "The *Mujahideen* in Bosnia."

⁸ Noting that estimates vary widely between sources from a few hundred to a few thousand. Stephanie Zosak, "Revoking Citizenship in the Name of Counterterrorism: The Citizenship Review Commission Violates Human Rights in Bosnia and Herzegovina," *Nw. UJ Int'l Hum. Rts.* 8 (2009): 218; Steven Oluic, "Radical Islam on Europe's Frontier-Bosnia & Herzegovina," *National Security and the Future* 9, no. 1-2. (2008): 38.

establishment of a specific *mujahideen* unit, the El Mujahed, in 1993.⁹ The El Mujahed has been linked to human rights abuses and war crimes including the killing of civilians and torture.¹⁰ To date, however, no *mujahideen* fighter has been tried by the International Criminal Tribunal for the former Yugoslavia (ICTY).¹¹

The 1995 Dayton Agreement dictated that all foreign fighters must leave BiH within thirty days. While the majority of *mujahideen* left immediately after the war, approximately seven hundred to a thousand remained in BiH.¹² Many of these fighters obtained citizenship in the thirty-day window before the enforcement of Dayton, usually by marriage to Bosnian women or as a “reward” for their participation in the war by the BiH government.¹³ The majority of fighters settled in central BiH and tended to practice Wahhabi Islam, a more conservative form of Islam than generally practiced in BiH.¹⁴

Extremism and terrorism linked to the *Mujahideen*

Since the settlement of the *mujahideen* in BiH, Bosnians and the international community have accused them of spreading Wahhabi Islam throughout BiH and linked this form of Islam to instances of radicalisation.¹⁵ Admittedly, prior to the war, BiH had little to no engagement with Wahhabism.¹⁶ However, discussions of Wahhabism or Salafism in BiH today have become indistinguishable from the *mujahideen* and are indiscriminately linked to a wide range of episodes of violence. After September 11, terrorist attacks in BiH were immediately linked to the post-war settlement of *mujahideen* and often refer back to the human rights violations committed by the El

⁹ Mustapha, “The *Mujahideen* in Bosnia,” 746; Zosak, “Revoking Citizenship in the Name of Counterterrorism,” 218.

¹⁰ A list of the human rights abuses can be found within the judgement of Rasim Delic, leader of the Army of BiH. ICTY, “Transcript: Judgement Rasim Delic” (ICTY, 15 September, 2008), <http://www.icty.org/x/cases/delic/trans/en/080915IT.htm>.

¹¹ Delic, former Commander of the BiH Army was charged in 2008 for cruel treatment after being found to be the commanding officer of the El Mujahed Unit. Delic’s defence argued that no member of the BiH Army had control over the actions of the El Mujahed. “Rasim Delic Sentenced to Three Years for Cruel Treatment - Press Release,” ICTY, 15 September, 2008, <http://www.icty.org/en/press/rasim-deli%C4%87-sentenced-three-years-cruel-treatment-0>.

¹² Zosak, “Revoking Citizenship in the Name of Counterterrorism,” 219.

¹³ Zosak, 219.

¹⁴ Wahhabism is a puritanical form of Sunni Islam. It is widely practiced in Saudi Arabia and Qatar. Although coming from different roots, Wahhabism and Salafism are often used interchangeably. Bosniaks traditionally follow a more moderate form of Islam.

¹⁵ Alma Imamovic, “Wahhabism in Bosnia and Herzegovina in the Context of Global Political Islam,” Dissertation, 2005, 4, 5; Mustapha, “The *Mujahideen* in Bosnia,” 750; Nicholas Wood, “Bosnia Moving to Deport Foreign Veterans of 1992-95 Balkan War,” *New York Times*, August 1, 2007, <http://www.nytimes.com/2007/08/01/world/europe/01iht-bosnia.4.6942502.html>.

¹⁶ Wahhabism is a puritanical form of Sunni Islam. It is widely practiced in Saudi Arabia and Qatar. Although coming from different roots, Wahhabism and Salafism are often used interchangeably. Bosniaks traditionally follow a more moderate form of Islam.

Mujahed during the Bosnian war.¹⁷ It is believed that the *mujahideen* were connected with terrorist organisations during and after the war. For context, Osama bin Laden reportedly visited BiH during the Bosnian war to deliver aid to the *mujahideen*, and it was rumoured he was granted honorary Bosnian citizenship during this visit, although authorities have repeatedly denied these claims.¹⁸ Moreover, two of the September 11 hijackers had trained and fought with the *mujahideen* during the Bosnian War.¹⁹ This prompted the government to shut down in 2001 several NGOs established during the war with links to Saudi Arabia and al-Qaeda.²⁰ However, sustained links between the remaining fighters in BiH and terrorist organisations remain unconfirmed. Lt Gen. John Sylvester, then commander of NATO-led peacekeepers, stated that there was no threat from the remaining *mujahideen* in BiH.²¹ The High Representative for Bosnia and Herzegovina, Wolfgang Petritsch, reported that BiH was not a central hub for terrorism.²²

There were no recorded attacks or attempted incidents formally linked to the remaining *mujahideen* in BiH until 2005.²³ In September 2005, a group was found to be planning a major terrorist attack in Sarajevo. Out of the four men, two came from overseas, one had fought with the El Mujahed during the war, and one did not seem to have any connection to

¹⁷ Julian Borger, "Isis Targets Vulnerable Bosnia for Recruitment and Attack," *Guardian*, 25 June, 2015, <http://www.theguardian.com/world/2015/jun/25/isis-targets-vulnerable-bosnia-for-recruitment-and-attack>; Dzidic Denis, "Bosnia's Wartime Legacy Fuels Radical Islam," *Balkan Insight*, 13 May, 2015, <http://www.balkaninsight.com/en/article/bosnia-s-wartime-legacy-fuels-radical-islam>; "Mujahedins in BiH Smugglers, Spies, Mercenaries and Terrorists," *Nezavisne Novine*, November 12, 2015, <http://www.nezavisne.com/novosti/bih/Mudzahedini-u-BIH-sverceri-spijuni-placenici-i-teroristi/341885&prev=search>; Denis, "Bosnia's Wartime Legacy Fuels Radical Islam."

¹⁸ Mustapha, "The *Mujahideen* in Bosnia," 479; Zosak, "Revoking Citizenship in the Name of Counterterrorism," 219; Zeljko Cvijanovic, "Belgrade Exploits War on Terror," *Institute for War and Peace Reporting*, 3 October, 2001, <https://iwpr.net/global-voices/belgrade-exploits-war-terror>; Sead Numanovic, "Bosnia: Mujahedin Revival Fears," *Institute for War and Peace Reporting*, 5 October, 2001, <https://iwpr.net/global-voices/bosnia-mujahedin-revival-fears>.

¹⁹ Zosak, "Revoking Citizenship in the Name of Counterterrorism," 219; Brendan O'Neill, "The Bosnian Connection," *New Statesman*, accessed December 21, 2017, <https://www.newstatesman.com/node/160271>; National Commission on Terrorist Attacks upon the United Nations and H. Kean, "The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States" (Washington, D.C., 2004), 147, 155, <http://govinfo.library.unt.edu/911/report/911Report.pdf>.

²⁰ For a list of NGOs that were shut down, see: "The 9/11 Commission Report," 58; United States Department of State, "Patterns of Global Terrorism 2002," April 2003, 41, <https://www.state.gov/documents/organization/20177.pdf>.

²¹ These claims were retorted by other security officials who claimed to have interrupted a terrorist plot in the days following these comments. International Crisis Group, "Bin Laden and the Balkans: The Politics of Anti-Terrorism," 9; Janez Kovac, "Sarajevo Hit by Bin Laden Panic," *Institute for War and Peace Reporting*, 18 October, 2001, <https://iwpr.net/global-voices/sarajevo-hit-bin-laden-panic>.

²² Bernhard Kueppers, "Sueddeutsche Zeitung Interview Mit Dem Internationalen Beauftragten Wolfgang Petritsch" "Bosnien Ist Kein Zentrum Des Terrorismus" [South Germany Newspaper Interview with the International Representative Wolfgang Petritsch "Bosnia Is Not a Centre of Terrorism"] *Office of the High Representative* (blog), 12 October, 2001, <http://www.ohr.int/?p=52901>.

²³ I have argued elsewhere that this action led to the mobilisation of the *mujahideen* against the BiH state, leading to an increase in terrorist activities. Nicola Mathieson, "Counter-Terrorism or State Repression: How Counter-Terrorism Measures Influence Mobilisation against the State" (The University of Oxford, 2018).

the *mujahideen*. However, in this same year BiH implemented changes to the Citizenship Review Commission with the intention of deporting all remaining *mujahideen* in BiH.

The trend of connecting the *mujahideen* with terrorism in BiH has increased since the advent of the Islamic State (ISIS). In 2015, BiH had one of the largest contingents of citizens of European states (relative to the size of its population) fighting in Syria and Iraq.²⁴ There are unsubstantiated claims that ISIS has set up recruitment camps within BiH with the aid of former-*mujahideen* fighters.²⁵ This narrative has proven resilient, despite access to new technologies and significant ISIS recruitment in other European states, which shows that recruitment in BiH cannot be unequivocally blamed on the settlement of the *mujahideen* after the Bosnian War.

Indiscriminate targeting of counterterrorism measures

The UN Security Council passed Resolution 1373 (2001) on 28 September 2001 in a unanimous vote within the United Nations Security Council (UNSC) in response to the September 11 attacks.²⁶ Acting under Chapter VII of the UN Charter,²⁷ Resolution 1373 dictates states' obligation to prevent and tackle terrorism within their domestic sphere, as well as participate in international counterterrorism efforts.²⁸ However, the UN failed to formulate a unified definition of terrorism. As a result, states can use the excuse of terrorism to target opposition and minority groups without the risk of condemnation from the international community. In BiH, the connection between the *mujahideen*, al Qaeda, and September 11 led to immense international pressure for the BiH governments to address terrorism. It is clear that this narrative has also been hijacked to perpetuate wartime animosities.

²⁴ Vlado Azinović and Muhamed Jusić, "The Lure of the Syrian War: The Foreign Fighter's Bosnian Contingent," 2015, http://www.atlanticinitiative.org/images/THE_LURE_OF_THE_SYRIAN_WAR_THE_FOREIGN_FIGHTERS_BOSNIAN_CONTINGENT/The_Lure_of_the_Syrian_War_-_The_Foreign_Fighters_Bosnian_Contingent.pdf.

²⁵ Walter Mayr, "Sharia Villages: Bosnia's Islamic State Problem," *Spiegel Online*, April 5, 2016, sec. International, <http://www.spiegel.de/international/europe/islamic-state-presence-in-bosnia-cause-for-concern-a-1085326.html>; BiH has the largest contingent of foreign fighters in Syria per capita of any European state. It is reported that the first wave of recruits were former Mujahideen fighters that viewed the civil war in Syria as another jihad. The second wave is predominantly of young men labelled as "born-again" Islamists. Azinović and Jusić, "The Lure of the Syrian War," 8.

²⁶ Security Council: Counter-Terrorism Committee, "About the Counter-Terrorism Committee," accessed 21 August, 2017, <https://www.un.org/sc/ctc/about-us/>.

²⁷ Charter VII allows the UNSC to order all states to take or refrain from specified action see Paul C. Szasz, "The Security Council Starts Legislating," *The American Journal of International Law* 96, no. 4 (October 2002): 901, <https://doi.org/10.2307/3070686>; Andrew Hudson, "Not a Great Asset: The UN Security Council's Counter-Terrorism Regime: Violating Human Rights," *Berkeley J. Int'l Law* 25 (2007): 6.

²⁸ See clause 1 of United Nations Security Council, "Resolution 1373 (2001)," UNSC Resolution (New York, 28 September, 2001), <http://researchbriefings.files.parliament.uk/documents/SN05340/SN05340.pdf>.

Counterterrorism measures in Republika Srpska

Republika Srpska has used counterterrorism measures to target their returnee refugee population of Bosniaks. On 27 April 2015, Nerdin Ibrić, a 24-year old Bosniak, opened fire on the Zvornik police station in northeastern BiH in Republika Srpska. The attack killed Dragan Djurić, a Bosnian Serb police officer, and wounded two others.²⁹ Other officers on site killed Ibrić during the exchange. It was widely reported that Ibrić shouted “Alluha Akbar” before opening fire.³⁰ The incident was immediately labelled as a terrorist attack by an Islamist extremist, and Ibrić was identified as a member of the Wahhabi community. Reports thus linked the attack to the *mujahideen* community in BiH. In a press release, the president of Republika Srpska, Milorad Dodik, responded to the shootings, stating that “[t]he Republic of Srpska has been shot, and we have the right to defend ourselves and we shall do it.”³¹ The Government of Republika Srpska formed Operation Ruben to respond to the shooting. According to Dodik, Operation Ruben “aims to collect information on possible security threats.”³² In the subsequent days, thirty Bosniak individuals were taken into custody³³ across thirty-two separate operations.³⁴ Interior Minister Spokesperson Salamandija stated “[W]e found arms and ammunition” connected to those apprehended with fighting in Syria.³⁵ However, none of those detained in the raids were charged with terrorism.

Sadić Ahmetović, a Bosniak Member of Parliament (MP) from Republika Srpska, told reporters that “all Bosniaks were being treated as terrorists.”³⁶ Drawing on the experiences of Bosniaks during the war, Ahmetović claimed that “Bosniaks are in fear and feel like it's 1992.”³⁷ There were reports of harassment of Bosniaks in their homes, with police questioning Bosniaks over the possession of kitchen knives and religious books in retaliation for the shooting.³⁸ Similarly, in August 2016, Republika Srpska

²⁹ Aida Cerkez and Dusan Stojanovic, “Police Station Attack in Bosnia Reignites Ethnic Tensions,” *Associated Press*, 28 March, 2017, <https://www.abqjournal.com/576300/police-station-attack-in-bosnia-reignites-ethnic-tensions.html>.

³⁰ Cerkez and Stojanovic.

³¹ Republic of Srpska Government, “The Government of the Republic of Srpska Condemns the Terrorist Attack in Zvornik,” 28 April, 2015, <http://www.vladars.net/eng/vlada/ic/ns/Pages/The-Government-of-the-Republic-of-Srpska-condemns-the-terrorist-attack-in-Zvornik.aspx>.

³² “Goal of Operation Ruben - To Protect People in Srpska,” SRNA, May 7, 2015, <http://www.srna.rs/novosti/301873/goal-of-operation-ruben---to-protect-people-in-srpska.htm>.

³³ World Bulletin, “Bosnia: 30 Detained over Alleged Weapons Smuggling,” *World Bulletin*, accessed 6 November, 2017, <http://www.worldbulletin.net/world/158894/tanzania-opp-agree-to-field-presidential-candidate>; Elvira M Jukić, “Bosnian Serb Mass Arrests Alarm Bosniaks: Balkan Insight,” *Balkan Insight*, 5 August, 2015, <http://www.balkaninsight.com/en/article/bosnian-serb-terrorism-related-arrests-raise-ethnic-concerns>.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Jukić, “Bosnian Serb Mass Arrests Alarm Bosniaks.”

³⁷ Ibid.

³⁸ Ibid.

held counterterror drills with Serbia on the river Drina.³⁹ Preparations for the exercises involved intense Serbian military presence including tanks, troops, and helicopters in eastern BiH, triggering concerns of renewed violence among non-Serb residents in Republika Srpska. In both instances, Republika Srpska implemented counterterrorism measures with the express purpose of intimidating Bosniak returnee refugees.⁴⁰

Conclusion

The settlement of *mujahideen* fighters and the perceived “Islamisation” of BiH after the war are entangled with current narratives of terrorism within BiH. All terrorist activities within BiH are directly attributed to the participation and settlement of *mujahideen* fighters during the Bosnian War. This has led to the use of counterterrorism to perpetuate wartime grievances. This misuse of counterterrorism measures, particularly in a conflict or post-conflict state, is not unique to BiH. For example, at the beginning of the Syrian War, government officials drew on a narrative of terrorism to justify their use of violence against civilians. In Sri Lanka, the government is accused of using counter-terrorism measures implemented during the Sri Lankan War (1983-2009) to harass Tamil community members through detention without charge. These instances are not categorised as human rights abuses but are tacitly condoned and encouraged by the UN’s own failure to define terrorism or monitor their prevention. In the case of BiH, unless there is greater involvement by the international community, Republika Srpska will continue to be able to use the excuse of counterterrorism to target and harass members of the Bosniak community.

³⁹ The river Drina is the natural border between Serbia and BiH. During the war, the river played a significant role in the disposal of bodies by Serb forces.

⁴⁰ Alix Culbertson, “Serbia Carries out ‘anti-Terrorist’ Exercise with Military,” *Express*, n.d.; Danijel Kovacevic, “Police Exercise Adds to Bosnia’s Pre-Election Jitters,” *Balkan Insight*, 26 August, 2016, <http://www.balkaninsight.com/en/article/police-exercise-adds-to-bosnia-s-pre-election-jitters-08-29-2016>; Associated Press, “Serbia, Bosnian Serbs Hold Joint Anti-Terrorism Drill,” *Mail Online*, 28 August, 2016, <http://www.dailymail.co.uk/~article-3762276/index.html>.